

the deduction for expenditures to remove architectural and transportation barriers in the handicapped and elderly.

S. 257

At the request of Mr. TESTER, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 257, a bill to provide for rental assistance for homeless or at-risk Indian veterans, and for other purposes.

S. 278

At the request of Mr. LEE, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 278, a bill to require the Congressional Budget Office to make publicly available the fiscal and mathematical models, data, and other details of computations used in cost analysis and scoring.

S. 296

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 317

At the request of Mr. GRASSLEY, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Missouri (Mr. BLUNT), the Senator from Colorado (Mr. GARDNER), the Senator from Washington (Mrs. MURRAY), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 317, a bill to amend title XIX of the Social Security Act to provide States with the option of providing coordinated care for children with complex medical conditions through a health home.

S. 336

At the request of Mr. TESTER, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 336, a bill to direct the Comptroller General of the United States to submit a report on the response of law enforcement agencies to reports of missing or murdered Indians.

S. 362

At the request of Mr. WYDEN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 382

At the request of Mr. BARRASSO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 382, a bill to authorize a special resource study on the spread vectors of chronic wasting disease in Cervidae, and for other purposes.

S. 387

At the request of Mr. BOOKER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor

of S. 387, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 437

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 437, a bill to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on the deduction for State and local taxes and restore the 39.6 percent individual income tax rate bracket.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. DURBIN, Ms. KLOBUCHAR, Ms. SMITH, Mr. CARDIN, Mr. VAN HOLLEN, and Ms. DUCKWORTH):

S. 456. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents, and for other purposes; to the Committee on the Judiciary.

Mr. REED. Mr. President, today I am reintroducing the Librarian Refugee Immigration Fairness Act. I am pleased to be joined in this effort by Senators WHITEHOUSE, DURBIN, KLOBUCHAR, SMITH, CARDIN, and VAN HOLLEN.

In 1989, a seven-year civil war broke out in Liberia that claimed the lives of over 200,000 people, displaced over half of the Liberian population, halted food production, and destroyed the country's infrastructure and economy. A second civil war then followed from 1999 to 2003, further destabilizing the country and creating more turmoil and hardship for its people. Then from 2014 to 2016, Liberia faced an Ebola virus outbreak that devastated the country's fragile health system and killed nearly 5,000 people. As a result of these tragedies, thousands of Liberians sought refuge in the United States, living and working here under the Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) systems, extended under both Republican and Democratic administrations beginning in 1991.

The reality is that for more than a quarter of a century, the United States has been home to law-abiding and tax-paying Liberians. They fled violence, turmoil, and disease to come here. Many now have children who are American citizens, some of whom serve in the Armed Forces. They have worked hard, played by the rules, paid their dues, and submitted to rigorous vetting.

But now, as a result of President Trump's decision to terminate DED for Liberians, this population could face the risk of deportation on March 31st. Uprooting them now would be cruel and harmful to them, their families, employers, and communities.

And while things are improving on the ground in Liberia, following the first democratic transition of power in decades, there are still serious concerns about the country's stability and ability to maintain peace and deliver essential services to its population. So though few in number, the influx of Liberians from the United States could overburden the country's limited infrastructure and reverse the progress that the Liberian people and government have made.

Given these challenges, we believe that it is in the national security, foreign policy, and humanitarian interest of the United States for this population to remain here. I have introduced the Liberian Refugee Immigration Fairness Act in every Congress since 1999 because this community deserves a long-term solution after decades of uncertainty. This bill provides legal status and a pathway to citizenship for qualifying Liberians. I have worked with several of my colleagues over the years to include this pathway in comprehensive immigration reform bills that passed this body only to die in the House of Representatives.

The Liberian Refugee Immigration Fairness Act would end the perpetual limbo for Liberians here in the United States and ensure our security interests in fostering Liberia's continuing postwar and post-Ebola recovery. This legislation offers much-needed certainty for the Liberian community, and it should be part of any bipartisan and comprehensive solution for our broken immigration system. I thank Senators WHITEHOUSE, DURBIN, KLOBUCHAR, SMITH, CARDIN, and VAN HOLLEN for cosponsoring this bill and urge our colleagues to join us to finally provide a pathway to citizenship for eligible Liberians who contribute so much to our American community.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 458. A bill to require the Administrator of the Environmental Protection Agency to revise certain ethylene oxide emissions standards under the Clean Air Act, and for other purposes; to the Committee on Environment and Public Works.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 458

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ETHYLENE OXIDE EMISSIONS STANDARDS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the "Administrator") shall amend—

(1) subparts O and FFFF of part 63 of title 40, Code of Federal Regulations, to revise the standards for the emission of ethylene oxide under those subparts based on the results described in the report of the National Center

for Environmental Assessment of the Environmental Protection Agency entitled "Evaluation of the Inhalation Carcinogenicity of Ethylene Oxide" and dated December 2016; and

(2) subpart O of part 63 of title 40, Code of Federal Regulations, to apply maximum achievable control technology (within the meaning of the Clean Air Act (42 U.S.C. 7401 et seq.)) requirements to chamber exhaust vents.

(b) NOTIFICATION.—

(1) IN GENERAL.—Not later than 30 days after the Administrator learns of a violation of the standards revised under subsection (a), the Administrator shall notify the public of the violation in a manner determined to be appropriate by the Administrator.

(2) FAILURE TO NOTIFY.—If the Administrator fails to notify the public under paragraph (1) by the end of the period described in that paragraph, the Inspector General of the Environmental Protection Agency shall carry out an investigation to determine—

(A) the reason or reasons for which the Administrator failed to notify the public;

(B) the public health risks associated with the failure of the Administrator to notify the public; and

(C) any steps the Administrator should take to ensure the Administrator meets the requirements described in paragraph (1) in the future.

By Mr. SCOTT of South Carolina  
(for himself, Mr. COONS, Mr. PERDUE, Mr. JONES, Mr. WICKER, Ms. HARRIS, Mrs. BLACKBURN, Mr. KAINE, Mrs. HYDE-SMITH, Mr. VAN HOLLEN, Mr. TILLIS, Mr. BOOKER, Ms. KLOBUCHAR, Ms. WARREN, Mr. SANDERS, and Mr. BRAUN):

S. 461. A bill to strengthen the capacity and competitiveness of historically Black colleges and universities through robust public-sector, private-sector, and community partnerships and engagement, and for other purposes; considered and passed.

S. 461

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "HBCU Propelling Agency Relationships Towards a New Era of Results for Students Act" or the "HBCU PARTNERS Act".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) As many colleges and universities across the country kept their doors closed to African American applicants, historically Black colleges and universities (referred to in this section as "HBCUs") played a central role in ensuring that African Americans could attain an excellent education.

(2) Today, HBCUs continue to play a critical role in ensuring that African Americans, and those of all races, can access high-quality educational opportunities.

(3) HBCUs enroll nearly 300,000 students, an estimated 70 percent of whom come from low-income backgrounds and 80 percent of whom are African American.

(4) According to the National Association For Equal Opportunity In Higher Education, HBCUs make up just 3 percent of American institutions of higher education but serve more than a fifth of African American college students.

(5) A March 2017 report from the Education Trust concluded that HBCUs have higher

completion rates for African American students than other institutions serving similar student populations.

(6) In 2014, HBCUs generated a total direct economic impact of \$14,800,000,000 and created more than 134,000 jobs, according to a study commissioned by the United Negro College Fund (referred to in this section as "UNCF").

(7) According to the Thurgood Marshall College Fund (referred to in this section as "TMCF"), 40 percent of African American Members of Congress, 50 percent of African American lawyers, and 80 percent of African American judges are graduates of HBCUs.

(8) According to UNCF, in 2013, HBCUs awarded a quarter of all science, technology, engineering, and mathematics bachelor's degrees awarded to African Americans.

(9) According to TMCF, approximately 9 percent of all African American college students attend HBCUs.

(10) According to UNCF, African American graduates of HBCUs are almost twice as likely as African Americans who graduated from other institutions to report that their university prepared them well for life.

(b) PURPOSES.—The purposes of this Act are—

(1) to strengthen the capacity and competitiveness of HBCUs to fulfill their principal mission of equalizing educational opportunity, as described in section 301(b) of the Higher Education Act of 1965 (20 U.S.C. 1051(b));

(2) to align HBCUs with the educational and economic competitiveness priorities of the United States;

(3) to provide students enrolled at HBCUs with the highest quality educational and economic opportunities;

(4) to bolster and facilitate productive interactions between HBCUs and Federal agencies; and

(5) to encourage HBCU participation in and benefit from Federal programs, grants, contracts, and cooperative agreements.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) APPLICABLE AGENCY.—The term "applicable agency" means any Federal agency designated by the Secretary, in accordance with section 4.

(2) EXECUTIVE DIRECTOR.—The term "Executive Director" means—

(A) the Executive Director of the White House Initiative on Historically Black Colleges and Universities, as designated by the President; or

(B) if no such Executive Director is designated, such person as the President may designate to lead the White House Initiative on Historically Black Colleges and Universities.

(3) HBCU.—The term "HBCU" means a historically Black college or university.

(4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term "historically Black college or university" has the meaning given the term "part B institution" under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(5) PRESIDENT'S BOARD OF ADVISORS.—The term "President's Board of Advisors" means the President's Board of Advisors on historically Black colleges and universities.

(6) SECRETARY.—Except as otherwise provided, the term "Secretary" means the Secretary of Education.

(7) WHITE HOUSE INITIATIVE.—The term "White House Initiative" means the White House Initiative on historically Black colleges and universities.

#### SEC. 4. STRENGTHENING HBCUS THROUGH FEDERAL AGENCY PLANS.

(a) DESIGNATING APPLICABLE AGENCIES.—The Secretary, in consultation with the Ex-

ecutive Director, shall identify those Federal agencies that regularly interact with HBCUs and designate them as applicable agencies.

(b) SUBMITTING AGENCY PLANS.—Not later than February 1 of each year, the head of each applicable agency shall submit to the Secretary and the Executive Director an annual Agency Plan describing efforts to strengthen the capacity of HBCUs to participate in relevant Federal programs and initiatives under the jurisdiction of the applicable agency.

(c) FURTHER REQUIREMENTS FOR SUBMISSION AND ACCESSIBILITY.—The head of each applicable agency shall submit each annual Agency Plan described in subsection (b) to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives.

(d) AGENCY PLAN CONTENT.—Where appropriate, each Agency Plan shall, among other things—

(1) establish how the applicable agency intends to increase the capacity of HBCUs to compete effectively for grants, contracts, or cooperative agreements;

(2) identify Federal programs and initiatives under the jurisdiction of the applicable agency where HBCUs are not well-represented;

(3) outline proposed efforts to improve HBCUs' participation in such programs and initiatives in which they are underrepresented;

(4) describe any progress made towards advancing or achieving goals and efforts from previous Agency Plans;

(5) encourage public-sector, private-sector, and community involvement in improving the capacity of HBCUs; and

(6) meet, where relevant, any additional criteria established by the Secretary or the White House Initiative.

(e) AGENCY ENGAGEMENT.—To help fulfill the objectives of the Agency Plans, the head of each applicable agency—

(1) may provide, as appropriate, technical assistance and information to the Executive Director to enhance communication with HBCUs concerning the applicable agency's program activities and the preparation of applications or proposals for grants, contracts, or cooperative agreements; and

(2) shall appoint a senior official to report directly to the agency head on the applicable agency's progress under this section.

#### SEC. 5. PRESIDENT'S BOARD OF ADVISORS ON HBCUS.

(a) ADMINISTRATION.—

(1) IN GENERAL.—There is established the President's Board of Advisors on historically Black colleges and universities in the Department of Education or, if the President so elects, within the Executive Office of the President.

(2) FUNDING FROM ED.—Except as provided in paragraph (3), the Secretary shall provide funding and administrative support for the President's Board of Advisors, subject to the availability of appropriations.

(3) FUNDING FROM THE EXECUTIVE OFFICE OF THE PRESIDENT.—If the President elects to locate the President's Board of Advisors within the Executive Office of the President, the Executive Office of the President shall provide funding and administrative support for the President's Board of Advisors, subject to the availability of appropriations.

(b) MEMBERSHIP.—The President shall appoint not more than 23 members to the President's Board of Advisors, and the Secretary and Executive Director or their designees shall serve as ex officio members. The President shall designate one member of the President's Board of Advisors to serve as its Chair, who shall help direct the Board's work in coordination with the Secretary and in

consultation with the Executive Director. The Chair shall also consult with the Executive Director regarding the time and location of meetings of the President's Board of Advisors, which shall take place not less frequently than once every 6 months. Members of the President's Board of Advisors shall serve without compensation, but shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law. Insofar as the Federal Advisory Committee Act (5 U.S.C. App.) may apply to the Board, any functions of the President under such Act, except for those of reporting to the Congress, shall be performed by the Chair, in accordance with guidelines issued by the Administrator of General Services.

(c) MISSION AND FUNCTIONS.—The President's Board of Advisors shall advise the President, through the White House Initiative, on all matters pertaining to strengthening the educational capacity of HBCUs. In particular, the President's Board of Advisors shall advise the President in the following areas:

(1) Improving the identity, visibility, distinctive capabilities, and overall competitiveness of HBCUs.

(2) Engaging the philanthropic, business, government, military, homeland-security, and education communities in a national dialogue regarding new HBCU programs and initiatives.

(3) Improving the ability of HBCUs to remain fiscally secure institutions that can assist the Nation in achieving its educational goals and in advancing the interests of all Americans.

(4) Elevating the public awareness of, and fostering appreciation of, HBCUs.

(5) Encouraging public-private investments in HBCUs.

(6) Improving government-wide strategic planning related to HBCU competitiveness to align Federal resources and provide the context for decisions about HBCU partnerships, investments, performance goals, priorities, human capital development and budget planning.

(d) REPORT.—The President's Board of Advisors shall report annually to the President on the Board's progress in carrying out its duties under this section.

By Mr. CARDIN (for himself, Mr. LEAHY, Mr. JONES, Ms. BALDWIN, Mr. KAINE, Mrs. FEINSTEIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. DURBIN, Mrs. SHAHEEN, Ms. CORTEZ MASTO, Ms. HASSAN, and Mr. VAN HOLLEN):

S. 464. A bill to require the treatment of a lapse in appropriations as a mitigating condition when assessing financial considerations for security clearances, and for other purposes; read the first time.

Mr. CARDIN. Mr. President, I rise today to introduce the Protecting Employees Security Clearances Act of 2019 (PESCA). I am pleased to have Senators LEAHY, JONES, BALDWIN, KAINE, FEINSTEIN, HIRONO, KLOBUCHAR, DURBIN, SHAHEEN, CORTEZ MASTO, HASSAN, and VAN HOLLEN as cosponsors. Our measure would protect federal employees and contractors from losing their security clearances due to financial reasons, such as poor credit scores, that are attributable to a lapse in federal appropriations. The bill directs the Security Executive Agent to ensure that a lapse in appropriations (including the one that ended last month) is

considered as a mitigating factor for initial or continued security clearance eligibility during the adjudication process. More specifically, the bill states that "No head of any agency may revoke the national security eligibility of a covered employee because of a reduction in the credit score or negative information in a consumer credit file of the covered employee that is attributable to disrupted income payments as a result of a lapse in appropriations."

Nearly 80 percent of Americans live from one paycheck to the next. They cannot afford to miss even a single paycheck. Federal workers and contractors are no different. "Excepted" employees—those individuals who are compelled to work without pay during a shutdown—are guaranteed retroactive pay. The Government Employee Fair Treatment Act (Public Law 116-1), which I authored, now guarantees retroactive pay for furloughed federal workers. I have co-sponsored S. 162, Senator SMITH's bill to provide retroactive pay for lower wage contractor employees. Currently, there is no guarantee that contractor employees will be paid after a shutdown ends.

Many federal workers and contractors are subject to high security standards that include rigorous and routine financial background checks. Missing payments on debts could create delays in securing or renewing security clearances. We shouldn't punish these hard-working, patriotic Americans because they are forced to go without pay during a shutdown they bear no responsibility for causing. Providing retroactive pay is the right and fair thing to do, but forcing these individuals to miss one or more paychecks causes real financial harm. At a minimum, their security clearances shouldn't be jeopardized as a result.

Last month, the Federal Bureau of Investigation Agents Association (FBIAA) published a report entitled, "Voices From The Field: FBI Agent Accounts of the Real Consequences of the Government Shutdown." The report warned of the dire national security consequences of the shutdown. It also documented the financial hardships FBIAA members were facing. Two comments from the FBIAA's Central Region summed up the situation. One Agent wrote, "My wife and I are both FBI employees who were recently transferred to a new city and finally bought our first home. Now we can't pay the mortgage for it. We contacted our lender, and they are refusing to work with us. They don't want our 'Hardship Letter', they want money, period." Another wrote, "There have been several employees who have gotten zero assistance from their mortgage lenders and banks regarding home and car loans and still have to make payments on time or get penalized. They are truly struggling to make ends meet."

Last December, when President Trump met with Leader SCHUMER and

soon-to-be Speaker PELOSI, he boasted about shutting the government down, saying, "I will take the mantle. I will be the one to shut it down." While President Trump was proud "to take the mantle," innocent victims were taking it on the chin. Here we are, less than five days away from another potential shutdown. I earnestly hope we can avoid another shutdown. But in the interim, we urgently need to mitigate the real harm federal workers and contractor employees suffer when they are forced to go without their pay. Passing PESCA is one way to do that. Just 13 days elapsed between the time I introduced the Government Employee Fair Treatment Act and President Trump signed it into law. I hope we can act with the same alacrity with respect to PESCA.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 67—EXPRESSING THE SENSE OF THE SENATE ON THE IMPORTANCE AND VITALITY OF THE UNITED STATES ALLIANCES WITH JAPAN AND THE REPUBLIC OF KOREA, AND OUR TRILATERAL COOPERATION IN THE PURSUIT OF SHARED INTERESTS

Mr. MENENDEZ (for himself, Mr. GARDNER, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 67

Whereas the governments and the people of the United States, Japan, and the Republic of Korea share comprehensive and dynamic partnerships and personal friendships rooted in shared interests and the common values of freedom, democracy, and free market economies;

Whereas the United States, Japan, and the Republic of Korea are all free societies committed to the principles of inclusive democracy, respect for human potential, and the belief that the peaceful spread of these principles will result in a safer and brighter future for all of mankind;

Whereas the United States, Japan, and the Republic of Korea are indispensable partners in tackling global challenges and have pledged significant support for efforts to counter violent extremism, combat the proliferation of weapons of mass destruction, prevent piracy, improve global health and energy security, promote human rights, address climate change, contribute to economic development around the world, and assist the victims of conflict and disaster worldwide;

Whereas the governments and the people of the United States, Japan, and the Republic of Korea all share a commitment to free and open markets, high standards for the free flow of commerce and trade, and the establishment of an inclusive, transparent, and sustainable architecture for regional and global trade and development;

Whereas the United States-Japan and the United States-Republic of Korea alliances are the foundation of regional stability in Asia, including against the threat posed by the regime in Pyongyang;

Whereas cooperation between and among our nations spans economic, energy, diplomatic, security, and cultural spheres;