

of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1166. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Coushatta, LA" ((RIN2120-AA66) (Docket No. FAA-2018-0787)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1167. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Connersville and Richmond, IN" ((RIN2120-AA66) (Docket No. FAA-2019-0039)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1168. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Hamilton, OH" ((RIN2120-AA66) (Docket No. FAA-2019-0040)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1169. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; and Revocation of Class E Airspace; Brooksville, FL" ((RIN2120-AA66) (Docket No. FAA-2019-0086)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1170. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3843" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1171. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3844" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1172. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3845" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1173. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3846" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1174. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3847" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1175. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3848" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-51. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from certain federal, state, or local government retirement or pension systems, plans, or funds; to the Committee on Finance.

#### SENATE CONCURRENT RESOLUTION NO. 34

Whereas, the Congress of the United States of America has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit, payable to any person who also receives a public pension benefit earned in public employment not covered by Social Security; and

Whereas, the GPO can negatively affect a retired public employee receiving a federal, state, or local government retirement or pension benefit earned in employment not covered by Social Security who would also be entitled to a Social Security benefit earned by the retiree's spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the retired public employee, in many cases completely eliminating the Social Security benefit even though the retiree's spouse paid Social Security taxes throughout the marriage; and

Whereas, according to the Congressional Research Service, nearly seven hundred thousand people were affected by the GPO in

December 2017, including more than twenty-six thousand Louisianians; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits in public employment not covered by Social Security, in addition to paying social security taxes while working in employment covered by Social Security; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered by Social Security; and

Whereas, the WEP causes hardworking individuals to lose a significant portion of the Social Security benefits that they earned themselves; and

Whereas, according to the Congressional Research Service, more than eight hundred thousand people, or about three percent of all Social Security beneficiaries were affected by the WEP in December 2017; and

Whereas, in certain circumstances both the WEP and the GPO can be applied to a qualifying survivor's benefit, each independently reducing the available benefit and, in combination, eliminating a large portion of the total Social Security benefit available to the survivor; and

Whereas, because of the calculation characteristics of the WEP and the GPO, they have a disproportionately negative effect on employees working in lower-wage government jobs, like teachers, school workers, and state employees; and

Whereas, the number of people affected by the WEP and the GPO is growing as nearly ten thousand baby boomers attain retirement age each day; and

Whereas, individuals drastically affected by the WEP and the GPO may have no choice but to return to work after retirement in order to make ends meet, but the earnings accumulated during reemployment in the public sector may further reduce the Social Security benefits the individual is entitled to; and

Whereas, the WEP and the GPO are established in federal law, and repeal or reduction of the WEP and the GPO can be enacted only by Congress. Therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them. Be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-52. A concurrent resolution adopted by the Legislative Assembly of the Commonwealth of Puerto Rico requesting the United States Congress to provide the United States citizens residing in Puerto Rico with equal treatment regarding the right to receive Supplemental Security Income (SSI); to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION NO. 95

It is well known that on Monday, February 4, the Chief Judge of the United States District Court for the District of Puerto Rico, the Hon. Gustavo Gelpi, dismissed a complaint filed by the Federal Government filed against a U.S. citizen alleging that by moving to Puerto Rico said citizen lost his Supplemental Security Income (SSI) benefit.

The SSI is a program available to aged, blind, and disabled people with low income, including children.

In *United States of America v. Jose Luis Vaello Madero* (Case No. 17–2133 (GAG)), the Federal Government commenced an action against Mr. Vaello to collect \$28,000 in overpaid SSI benefits after he moved from New York to Loiza. These monthly disability benefits were deposited directly into his New York bank account. The basis for said complaint was that the SSI program is not available to territories. Hence, the Government argued that Vaello had forfeited his right to receive SSI disability benefits after he moved to Puerto Rico and that he was liable for any overpayments.

Mr. Vaello, represented by a Court-appointed pro bono counsel, challenged the criminal statute used by the plaintiff as a basis for the civil action and attacked the constitutionality of denying SSI benefits to residents of Puerto Rico.

We agree with the Honorable Judge, Gustavo Gelpi, and the Honorable Resident Commissioner, Jennifer González, that excluding Puerto Rico from the SSI program is a violation of the equal protection guarantees of the Due Process Clause. In dismissing the complaint filed by the plaintiff, Judge Gelpi cited the per curiam Supreme Court decision in *Califano v. Torres*, 435 U.S. 1–1978, and subsequently, in *Harris v. Rosario*, 446 U.S. 651–1980, as the basis that allows the Federal Government to discriminate against the residents of Puerto Rico in what pertains to federal programs, such as the SSI. He affirmed that the U.S. Congress does not have *carte blanche* to discriminate against territories at its convenience.

“Congress [ . . . ] cannot demean and brand said United States citizen while in Puerto Rico with a stigma of inferior citizenship to that of his brethren nationwide,” Gelpi stated in his opinion. (<https://www.elnuevodia.com/noticias/tribunales/nota/juezesestimademandadelgobierno federalcontraunresidentedelaisla-2474754/>)

On February 4, the Honorable Jennifer González-Colón, Resident Commissioner, introduced into Congress H.R. 947—Supplemental Security Income Equality Act, which seeks to extend the SSI program to the U.S. citizens residing in Puerto Rico. This bill was introduced also by Congress members of Puerto Rican descent, namely, José Serrano, Darren Soto, and Nydia Velázquez, as well as the delegates of the Virgin Islands, the American Samoa, the Northern Mariana Islands, and Guam. The Legislative Assembly of Puerto Rico supports this bipartisan effort in the U.S. Congress and, therefore, requests Congress to pass said bill, or a similar version that guarantees the same rights to all U.S. citizens during this session.

We most certainly believe that the constitutional rights of equal protection and due process of law must apply to U.S. citizens residing in Puerto Rico. For all of the foregoing, it is our duty to request the Congress, through this Concurrent Resolution, to pass legislation and recognize the claim for social justice and equal treatment before the law of the over three million Puerto Ricans who are U.S. citizens.

*Be it resolved by the Legislative Assembly of Puerto Rico:*

Section 1.—To request the Congress of the United States of America to pass legislation that provides for equal treatment for the United States citizens residing in Puerto Rico regarding the right to receive Supplemental Security Income (SSI); and for other related purposes.

Section 2.—It is hereby ordered that a copy of this Concurrent Resolution translated into English be delivered to the leadership of

the Congress of the United States of America.

Section 3.—This Concurrent Resolution shall take effect upon its approval.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 375. A bill to improve efforts to identify and reduce Governmentwide improper payments, and for other purposes (Rept. No. 116–35).

By Mr. BARRASSO, from the Committee on Environment and Public Works:

Report to accompany S. 1061, a bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes (Rept. No. 116–36).

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 210. A bill to amend the Tribal Law and Order Act of 2010 and the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities, and for other purposes (Rept. No. 116–37).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HEINRICH (for himself and Ms. ERNST):

S. 1320. A bill to reauthorize and improve the Department of Defense Mentor-Protege Program; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself, Mr. GRAHAM, and Mr. WHITEHOUSE):

S. 1321. A bill to amend title 18, United States Code, to prohibit interference with voting systems under the Computer Fraud and Abuse Act; to the Committee on the Judiciary.

By Mr. LEE:

S. 1322. A bill to amend title 49, United States Code, to require the Administrator of the Federal Aviation Administration to give preferential consideration to individuals who have successfully completed air traffic controller training and veterans when hiring air traffic control specialists, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PORTMAN (for himself and Mr. CASEY):

S. 1323. A bill to amend title XVIII and XIX of the Social Security Act to collect information under Medicare, Medicaid, and the Children’s Health Insurance Program related to social determinants of health, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. MURPHY, Mr. GRAHAM, and Mr. BROWN):

S. 1324. A bill to strengthen Buy American requirements, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE:

S. 1325. A bill to provide that the President must seek congressional approval before engaging members of the United States Armed Forces in military humanitarian operations; to the Committee on Foreign Relations.

By Mr. HOEVEN (for himself and Ms. BALDWIN):

S. 1326. A bill to amend the Animal Health Protection Act to establish a grant program for research on chronic wasting disease, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HOEVEN (for himself and Mr. CRAMER):

S. 1327. A bill to amend the Internal Revenue Code of 1986 to extend the credit for production of refined coal; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. GRAHAM, Mr. BLUMENTHAL, and Mr. GRASSLEY):

S. 1328. A bill to designate foreign persons who improperly interfere in United States elections as inadmissible aliens, and for other purposes; to the Committee on the Judiciary.

By Ms. WARREN (for herself, Mr. UDALL, Ms. ROSEN, Mr. MERKLEY, Ms. DUCKWORTH, and Ms. SMITH):

S. 1329. A bill to amend the Child Abuse Prevention and Treatment Act to require that equitable distribution of assistance include equitable distribution in Indian tribes and tribal organizations and to increase amounts reserved for allotment to Indian tribes and tribal organizations under certain circumstances, and to provide for a Government Accountability Office report on child abuse and neglect in American Indian tribal communities; to the Committee on Indian Affairs.

By Ms. DUCKWORTH:

S. 1330. A bill to amend the Energy Reorganization Act of 1974 to clarify whistleblower rights and protections, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mr. MANCHIN, Ms. MURKOWSKI, Mr. CRAPO, Mr. RISCH, Mr. CRAMER, and Ms. ERNST):

S. 1331. A bill to provide additional protections for our veterans; to the Committee on Veterans’ Affairs.

By Mr. PAUL:

S. 1332. A bill to set forth the congressional budget for the United States Government for fiscal year 2020 and setting forth the appropriate budgetary levels for fiscal years 2021 through 2029; read the first time.

By Mr. CARPER (for himself, Mr. KENNEDY, Mr. PETERS, Ms. HASSAN, Mr. KING, Ms. SINEMA, Mr. TESTER, and Mr. WARNER):

S. 1333. A bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay Initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CAPITO (for herself and Ms. HASSAN):

S. 1334. A bill authorizing a program to promote innovative approaches to securing prompt access to appropriate care for individuals presenting at emergency departments with acute mental health illness; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself, Mr. LEE, Mr. INHOFE, Mr. SASSE, Mr. ROUNDS, Mrs. BLACKBURN, and Mr. PAUL):

S. 1335. A bill to eliminate the Bureau of Consumer Financial Protection; to the Committee on Banking, Housing, and Urban Affairs.