

SEC. 4. PROTECTIONS FROM SPOOFED CALLS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and consistent with the call authentication framework under section 3, the Federal Communications Commission shall initiate a rulemaking to help protect a subscriber from receiving unwanted calls or text messages from a caller using an unauthenticated number.

(b) CONSIDERATIONS.—In promulgating rules under subsection (a), the Federal Communications Commission shall consider—

(1) the Government Accountability Office report on combating the fraudulent provision of misleading or inaccurate caller identification required by section 503(c) of division P of the Consolidated Appropriations Act 2018 (Public Law 115-141);

(2) the best means of ensuring that a subscriber or provider has the ability to block calls from a caller using an unauthenticated North American Numbering Plan number;

(3) the impact on the privacy of a subscriber from unauthenticated calls;

(4) the effectiveness in verifying the accuracy of caller identification information; and

(5) the availability and cost of providing protection from the unwanted calls or text messages described in subsection (a).

SEC. 5. INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—The Attorney General, in consultation with the Chairman of the Federal Communications Commission, shall convene an interagency working group to study Government prosecution of violations of section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)).

(b) DUTIES.—In carrying out the study under subsection (a), the interagency working group shall—

(1) determine whether, and if so how, any Federal laws, including regulations, policies, and practices, or budgetary or jurisdictional constraints inhibit the prosecution of such violations;

(2) identify existing and potential Federal policies and programs that encourage and improve coordination among Federal departments and agencies and States, and between States, in the prevention and prosecution of such violations;

(3) identify existing and potential international policies and programs that encourage and improve coordination between countries in the prevention and prosecution of such violations; and

(4) consider—

(A) the benefit and potential sources of additional resources for the Federal prevention and prosecution of criminal violations of that section;

(B) whether to establish memoranda of understanding regarding the prevention and prosecution of such violations between—

(i) the States;

(ii) the States and the Federal Government; and

(iii) the Federal Government and a foreign government;

(C) whether to establish a process to allow States to request Federal subpoenas from the Federal Communications Commission;

(D) whether extending civil enforcement authority to the States would assist in the successful prevention and prosecution of such violations;

(E) whether increased forfeiture and imprisonment penalties are appropriate, such as extending imprisonment for such a violation to a term longer than 2 years;

(F) whether regulation of any entity that enters into a business arrangement with a common carrier regulated under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) for the specific purpose of carrying, routing, or transmitting a call that

constitutes such a violation would assist in the successful prevention and prosecution of such violations; and

(G) the extent to which, if any, Department of Justice policies to pursue the prosecution of violations causing economic harm, physical danger, or erosion of an inhabitant's peace of mind and sense of security inhibits the prevention or prosecution of such violations.

(c) MEMBERS.—The interagency working group shall be composed of such representatives of Federal departments and agencies as the Attorney General considers appropriate, such as—

- (1) the Department of Commerce;
- (2) the Department of State;
- (3) the Department of Homeland Security;
- (4) the Federal Communications Commission;
- (5) the Federal Trade Commission; and
- (6) the Bureau of Consumer Financial Protection.

(d) NON-FEDERAL STAKEHOLDERS.—In carrying out the study under subsection (a), the interagency working group shall consult with such non-Federal stakeholders as the Attorney General determines have the relevant expertise, including the National Association of Attorneys General.

(e) REPORT TO CONGRESS.—Not later than 270 days after the date of enactment of this Act, the interagency working group shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the findings of the study under subsection (a), including—

(1) any recommendations regarding the prevention and prosecution of such violations; and

(2) a description of what progress, if any, relevant Federal departments and agencies have made in implementing the recommendations under paragraph (1).

SEC. 6. ACCESS TO NUMBER RESOURCES.

(a) IN GENERAL.—

(1) EXAMINATION OF FCC POLICIES.—Not later than 180 days after the date of enactment of this Act, the Federal Communications Commission shall commence a proceeding to determine whether Federal Communications Commission policies regarding access to number resources, including number resources for toll free and non-toll free telephone numbers, could be modified, including by establishing registration and compliance obligations, to help reduce access to numbers by potential perpetrators of violations of section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)).

(2) REGULATIONS.—If the Federal Communications Commission determines under paragraph (1) that modifying the policies described in that paragraph could help achieve the goal described in that paragraph, the Commission shall prescribe regulations to implement those policy modifications.

(b) AUTHORITY.—Any person who knowingly, through an employee, agent, officer, or otherwise, directly or indirectly, by or through any means or device whatsoever, is a party to obtaining number resources, including number resources for toll free and non-toll free telephone numbers, from a common carrier regulated under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), in violation of a regulation prescribed under subsection (a) of this section, shall, notwithstanding section 503(b)(5) of the Communications Act of 1934 (47 U.S.C. 503(b)(5)), be subject to a forfeiture penalty under section 503 of that Act. A forfeiture penalty under this subsection shall be in addition to any other penalty provided for by law.

By Mr. DAINES (for himself, Mr. MANCHIN, Mr. CRAPO, Ms. BALDWIN, Mrs. CAPITO, Mr. TESTER, Mr. BOOZMAN, Mrs. SHAHEEN, Mr. MORAN, Mr. JONES, Mr. HOEVEN, and Ms. ROSEN):

S. 164. A bill to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under chapter 89 of title 5, United States Code; to the Committee on Armed Services.

Mr. DAINES. 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. 164

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 “TRICARE Reserve Improvement Act”.

SEC. 2. MODIFICATION OF ELIGIBILITY FOR TRICARE RESERVE SELECT OF CERTAIN MEMBERS OF THE SELECTED RESERVE.

Section 1076d(a) of title 10, United States Code, is amended—

- (1) in paragraph (1), by striking “(1) Except as provided in paragraph (2), a member” and inserting “A member”; and
- (2) by striking paragraph (2).

SUBMITTED RESOLUTIONS**SENATE RESOLUTION 19—EXPRESSING THE SENSE OF THE SENATE THAT DISQUALIFYING A NOMINEE TO FEDERAL OFFICE ON THE BASIS OF MEMBERSHIP IN THE KNIGHTS OF COLUMBUS VIOLATES THE CONSTITUTION OF THE UNITED STATES**

Mr. SASSE submitted the following resolution; which was considered and agreed to:

S. RES. 19

Whereas, throughout the history of the United States, the religious liberty protected by both the First Amendment and the No Religious Test Clause of the Constitution of the United States has been at the heart of the American experiment;

Whereas, in 1960, the presidential candidacy of John F. Kennedy was met with significant anti-Catholic bigotry;

Whereas then Senator Kennedy responded to the bigotry with these timeless words: “For while this year it may be a Catholic against whom the finger of suspicion is pointed, in other years it has been, and may someday be again, a Jew or a Quaker or a Unitarian or a Baptist. . . . Today I may be the victim, but tomorrow it may be you, until the whole fabric of our harmonious society is ripped at a time of great national peril.”;

Whereas the Knights of Columbus (in this preamble referred to as the “Knights”) constitute the largest Catholic fraternal service organization in the world;

Whereas the Knights have a proud tradition of standing against the forces of prejudice and oppression, such as the Ku Klux Klan and Nazi Germany;

Whereas the Knights are founded on the principles of charity, unity, fraternity, and patriotism; and

Whereas, in 2017, the Knights made more than \$185,000,000 in charitable contributions and volunteered more than 75,600,000 service hours: Now, therefore, be it

Resolved, That it is the sense of the Senate that disqualifying a nominee to Federal office on the basis of membership in the Knights of Columbus violates clause 3 of article VI of the Constitution of the United States, which establishes that Senators “shall be bound by Oath or Affirmation, to support the Constitution” and “no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States”.

SENATE CONCURRENT RESOLUTION 1—CALLING FOR CREDIBLE, TRANSPARENT, AND SAFE ELECTIONS IN NIGERIA, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. IASAKSON, Mr. BOOZMAN, Mr. CARDIN, and Mr. COONS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 1

Whereas it is in the national interest of the United States to maintain a strong bilateral relationship with a politically stable, democratic, and economically sound Nigeria that can play a leadership role in the region and the continent more broadly;

Whereas Nigeria has presidential elections scheduled for February 16, 2019, and gubernatorial and National Assembly elections scheduled for March 2, 2019;

Whereas credible elections could further consolidate democratic gains achieved in Nigeria over the last two decades since the transition from military to civilian democratic rule;

Whereas a 2017 survey conducted by Afrobarometer found that 72 percent of Nigerians agreed that democratic elections are the best means of choosing their country’s leaders, thus indicating that the country’s citizens are deeply committed to democracy;

Whereas collaboration between civil society actors and the international community was a key factor that contributed to successful elections in 2015;

Whereas successive elections in Nigeria have featured varying degrees of violence;

Whereas there have been deeply concerning instances of incitement to violence in Nigeria by members of both the ruling coalition and the opposition inciting supporters to ethnic violence as a means by which to gain electoral advantage, intimidate electoral rivals, or suppress voter turnout;

Whereas, during the Ekiti and Osun gubernatorial elections in July 2018 and September 2018, respectively, there were concerning incidents in which some elements of Nigeria’s security agencies displayed partisanship and a lack of objectivity, which risks escalating tensions within the country;

Whereas Nigeria’s Independent National Electoral Commission (INEC) has improved the voting process, notably through the introduction of continuous voter registration, the adoption of simultaneous accreditation and voting, improvements to the secrecy of the ballot, and the advancement of smart card reader technology;

Whereas the statement of the September 2018 Joint National Democratic Institute/International Republican Institute Pre-Election Assessment Mission to Nigeria cited re-

maining challenges and concerns such as delays in finalizing the legal framework for the elections, delayed release of funds for the elections, security threats in the Middle Belt and North East, instances of vote-buying, and incitement to violence and disinformation; and

Whereas ensuring transparency in electoral preparations and building public confidence in the electoral process is vital for the success of the upcoming elections in Nigeria: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Senate—

(1) reaffirms that the people of the United States will continue to stand with the people of Nigeria in support of peace and democracy;

(2) calls on the Government of Nigeria and all political parties and actors to—

(A) take actions to facilitate elections that are credible, transparent, and peaceful in order to support the will of the people and advance the consolidation of democracy and the stability of the broader region;

(B) condemn in the strongest terms the use of speech that incites to violence, and refrain from any rhetoric or action that seeks to demonize or delegitimize opponents, sow division among Nigerians, or otherwise inflame tensions;

(C) seek to resolve any disputes over results peacefully, including through the legal system as necessary; and

(D) respect the impartiality of the Independent National Electoral Commission;

(3) calls on the Government of Nigeria to—

(A) refrain from deploying security forces in a partisan manner;

(B) ensure that security services maintain the highest level of professionalism and impartiality in facilitating the electoral process, enable accredited observers and journalists to perform their work, and protect the right of citizens to exercise their votes freely;

(C) move expeditiously to finalize the proposed reforms to the legal framework for the 2019 elections; and

(D) enforce laws against election malfeasance, including vote buying, and ensure equal and robust application through such measures as the establishment of the Electoral Offenses Commission and Tribunal;

(4) urges all Nigerians to fully and peacefully engage in the electoral process, insist on full enfranchisement, reject inflammatory or divisive rhetoric or actions, and seek to resolve any disputes over results through the legal system;

(5) calls upon the Independent National Electoral Commission to sustain confidence and trust in its management of the electoral process by—

(A) taking concrete measures to combat vote buying through voter education campaigns, enforcement of laws against voter inducement, and a nationwide ban on cell phones in the voting cubicle;

(B) releasing specimen ballots well in advance of Election Day so that civil society and other electoral stakeholders can conduct sufficient education to orient voters;

(C) making adequate arrangements to ensure the participation in the election of internally displaced persons (IDPs); and

(D) taking steps to clean the voter roll and ensure timely production and distribution of the Permanent Voter Card to new voters;

(6) encourages political parties in Nigeria to adhere to and enforce existing codes of conduct that commit parties to democratic electoral standards regarding campaign use of resources, engagement of voters, peaceful resolution of disputes, and acceptance of verified and credible results;

(7) condemns any efforts on the part of any politicians or political parties in Nigeria to

politicize the security and law enforcement agencies;

(8) encourages civil society organizations in Nigeria to—

(A) promote the peaceful participation of citizens in the electoral process and draw on existing inter-religious and peacebuilding bodies to enhance their efforts;

(B) disseminate information about citizen-based observation findings and analysis to increase public knowledge and understanding about the conduct of the elections; and

(C) continue leading important early warning and response mechanisms to mitigate election-related violence, including monitoring efforts to incite violence or further inflame tensions;

(9) supports efforts by the Department of State, including the Bureau of Conflict and Stabilization Operations, and the United States Agency for International Development (USAID) to assist election-related preparation in Nigeria, including through programs focused on conflict mitigation; and

(10) calls on the United States Government and other international partners, especially election-focused nongovernmental organizations, to—

(A) continue to support efforts by the Government of Nigeria to address the remaining electoral preparation challenges and identify gaps in which additional resources or diplomatic engagement could make important contributions to the conduct of the elections; and

(B) support civil society organizations and media organizations working towards transparency and accountability in the use of state resources around the election period.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. KAINÉ (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 2, disapproving the President’s proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation; which was ordered to lie on the table.

SA 2. Mr. KAINÉ (for himself, Mr. VAN HOLLEN, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 109, to prohibit taxpayer funded abortions; which was ordered to lie on the table.

SA 3. Mr. McCONNELL (for Mr. JOHNSON (for himself and Mr. PETERS)) proposed an amendment to the bill H.R. 251, to extend by 15 months the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

SA 4. Mr. McCONNELL (for Mr. JOHNSON (for himself and Mr. PETERS)) proposed an amendment to the bill H.R. 251, *supra*.

TEXT OF AMENDMENTS

SA 1. Mr. KAINÉ (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 2, disapproving the President’s proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 2. APPROPRIATIONS FOR FISCAL YEAR 2019.

(a) The provisions of the following measures of the 116th Congress are hereby enacted into law: