

“(ii) ENGINEERING STANDARDS; AESTHETIC REQUIREMENTS.—A State or local government or instrumentality thereof may regulate the placement, construction, and modification of small personal wireless service facilities for reasons of objective and reasonable—

“(I) structural engineering standards based on generally applicable codes;

“(II) safety requirements; or

“(III) aesthetic or concealment requirements.

“(iii) TIMEFRAMES.—

“(I) IN GENERAL.—A State or local government or instrumentality thereof shall act on a complete request for authorization to place, construct, or modify a small personal wireless service facility not later than—

“(aa)(AA) for collocation of a small personal wireless service facility, 60 days after the date on which the complete request is filed, except as provided in item (bb); or

“(BB) for any other action relating to a small personal wireless service facility, 90 days after the date on which the complete request is filed, except as provided in item (cc);

“(bb) for collocation of a small personal wireless service facility, if the State or the area under the jurisdiction of the local government has a population of fewer than 50,000 people—

“(AA) 90 days after the date on which the complete request is filed, if during the 30-day period ending on that date of filing, the applicable wireless service provider filed fewer than 50 requests for collocation of a small personal wireless service facility with the State or local government or instrumentality thereof; or

“(BB) 120 days after the date on which the complete request is filed, if during the 30-day period ending on that date of filing, the applicable wireless service provider filed not fewer than 50 requests for collocation of a small personal wireless service facility with the State or local government or instrumentality thereof; or

“(cc) for any other action relating to a small personal wireless service facility, if the State or the area under the jurisdiction of the local government has a population of fewer than 50,000 people—

“(AA) 120 days after the date on which the complete request is filed, if during the 30-day period ending on that date of filing, the applicable wireless service provider filed fewer than 50 requests for any other action relating to a small personal wireless service facility with the State or local government or instrumentality thereof; or

“(BB) 150 days after the date on which the complete request is filed, if during the 30-day period ending on that date of filing, the applicable wireless service provider filed not fewer than 50 requests for any other action relating to a small personal wireless service facility with the State or local government or instrumentality thereof.

“(II) APPLICABILITY.—The applicable timeframe under subclause (I) shall apply collectively to all proceedings required by a State or local government or instrumentality thereof for the approval of the request.

“(III) NO TOLLING.—A timeframe under subclause (I) may not be tolled by any moratorium, whether express or de facto, imposed by a State or local government on the consideration of any request for authorization to place, construct, or modify a small personal wireless service facility.

“(IV) TEMPORARY WAIVER.—The Commission may temporarily waive the applicability of subclause (I) for not longer than a single 30-day period for any complete request upon a demonstration by a State or local government that the waiver would be consistent with the public interest, convenience, and necessity.

“(iv) DEEMED GRANTED.—If a State or local government or instrumentality thereof has neither granted nor denied a request within the applicable timeframe under subclause (I) of clause (iii), including any temporary waiver granted under subclause (IV) of that clause, the request shall be deemed granted on the date that is 31 days after the date on which the government instrumentality receives a written notice of the failure from the applicant.

“(v) FEES.—Notwithstanding any other provision of law, a State or local government may charge a fee to consider an application for the placement, construction, or modification of a small personal wireless facility, or to use a right-of-way or a facility in a right-of-way owned or managed by the State or local government for the placement, construction, or modification of a small personal wireless facility, if the fee is—

“(I) competitively neutral, technology neutral, and nondiscriminatory;

“(II) publicly disclosed; and

“(III)(aa) except as provided in item (bb), based on actual and direct costs, such as costs for—

“(AA) review and processing of applications;

“(BB) maintenance;

“(CC) emergency responses;

“(DD) repairs and replacement of components and materials resulting from and affected by the installation of small personal wireless facilities, improvements, and equipment that facilitates the deployment and installation of such facilities; or

“(EE) inspections; or

“(bb) calculated in accordance with section 224, in the case of a fee charged for the placement, construction, or modification of a small personal wireless facility on a pole, in a right-of-way, or on any other facility that may be established under that section.

“(vi) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to prevent any State or local government from imposing any additional limitation or requirement relating to consideration by the State or local government of an application for the placement, construction, or modification of a small personal wireless service facility.

“(D) DEFINITIONS.—For purposes of this paragraph—

“(i) the term ‘antenna’ means an apparatus designed for the purpose of emitting radio-frequency radiation, to be operated or operating from a fixed location for the transmission of writing, signs, signals, data, images, pictures, and sounds of all kinds;

“(ii) the term ‘communications network’ means a network used to provide a communications service;

“(iii) the term ‘communications service’ means—

“(I) cable service, as defined in section 602;

“(II) information service;

“(III) telecommunications service; or

“(IV) personal wireless service;

“(iv) the term ‘complete request’ means a request for which the applicant has not received written notice from the State or local government within 10 business days of submission—

“(I) stating in writing that the request is incomplete; and

“(II) identifying the information causing the request to be incomplete;

“(v) the term ‘generally applicable code’ includes a uniform building, fire, electrical, plumbing, or mechanical code adopted by a national code organization, or a local amendment to such a code, to the extent not inconsistent with this Act;

“(vi) the term ‘network interface device’ means a telecommunications demarcation device and cross-connect point that—

“(I) is adjacent or proximate to—

“(aa) a small personal wireless service facility; or

“(bb) a structure supporting a small personal wireless service facility; and

“(II) demarcates the boundary with any wireline backhaul facility;

“(vii) the term ‘personal wireless service’ means—

“(I) commercial mobile service;

“(II) commercial mobile data service (as that term is defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

“(III) unlicensed wireless service; and

“(IV) common carrier wireless exchange access service;

“(viii) the term ‘personal wireless service facility’ means a facility for the provision of personal wireless service;

“(ix) the term ‘small personal wireless service facility’—

“(I) means a personal wireless service facility in which each antenna is not more than 3 cubic feet in volume; and

“(II) does not include a wireline backhaul facility;

“(x) the term ‘unlicensed wireless service’—

“(I) means the offering of telecommunications service using a duly authorized device that does not require an individual license; and

“(II) does not include the provision of direct-to-home satellite service, as defined in section 303(v); and

“(xi) the term ‘wireline backhaul facility’ means an above-ground or underground wireline facility used to transport communications service or other electronic communications from a small personal wireless service facility or its adjacent network interface device to a communications network.”.

SEC. 3. GAO STUDY OF BROADBAND DEPLOYMENT ON TRIBAL LAND AND ON OR NEAR TRUST LAND.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) in consultation with the Secretary of Agriculture, the Director of the Bureau of Indian Affairs, and the Federal Communications Commission, study the process for obtaining a grant of a right-of-way to deploy broadband infrastructure on Tribal land or on or near trust land, as defined in section 3765 of title 38, United States Code;

(2) in conducting the study under paragraph (1), consider the unique challenges involved in broadband deployment on Tribal land and on or near trust land; and

(3) submit to Congress a report on the study conducted under paragraph (1).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 227—EX-PRESSING SUPPORT FOR HEALTH AND WELLNESS COACHES

Mr. HEINRICH submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 227

Whereas the Centers for Disease Control and Prevention considers chronic diseases to be “the public health challenge of the 21st century”;

Whereas decades of research have linked lifestyle factors, such as inactivity, poor diet, tobacco smoking, and sustained stress, with increased risk for major illnesses and death;

Whereas the costs associated with the treatment of many chronic diseases are high and often preventable;

Whereas a health and wellness coach is a new type of healthcare worker who serves as a supportive mentor to motivate individuals to make positive health choices and move toward specific wellness goals;

Whereas health and wellness coaches support clients in achieving good health—

- (1) based on the goals of each client; and
- (2) in a manner consistent with the treatment plan recommended by a healthcare provider for the client;

Whereas health and wellness coaches assist clients in making healthy lifestyle changes by encouraging them—

- (1) to use insight;
- (2) to use personal strengths and resources;
- (3) to set goals;
- (4) to create action steps; and
- (5) to hold themselves accountable;

Whereas health and wellness coaches play a vital role in improving individual wellness that complements, and does not replace, the work of healthcare professionals; and

Whereas an increasing number of studies demonstrate how health and wellness coaches help—

- (1) to improve individual health and wellness; and
- (2) to reduce healthcare costs: Now, therefore, be it

Resolved, That the Senate supports the efforts of the health and wellness coaches of the United States in their important work to improve the health and wellness of the people of United States.

PRIVILEGES OF THE FLOOR

Mr. PAUL. Mr. President, I ask unanimous consent that the following interns in my office be given floor privileges through June 28 of this year, 2019: Blythe Edwards, Chris Salamah, Isaac Wong, Stephen Hillenmeyer, Claire Moody, Lizzy Dawahare, Lachlan Mersky, Nick Lebert, Payton Howard, and Matthew McCall.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the democratic leader, pursuant to Public Law 101-509, the appointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Denise A. Hibay of New York.

DEFENDING ELECTIONS AGAINST TROLLS FROM ENEMY REGIMES ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 96, S. 1328.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1328) to designate foreign persons who improperly interfere in United States elections as inadmissible aliens, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1328) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1328

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 “Defending Elections against Trolls from Enemy Regimes Act” or “DETER Act”.

SEC. 2. DEFINED TERM.

Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

“(53) The term ‘improper interference in a United States election’ means conduct by an alien that—

“(A)(i) violates Federal criminal, voting rights, or campaign finance law; or

“(ii) is under the direction of a foreign government; and

“(B) interferes with a general or primary Federal, State, or local election or caucus, including—

“(i) the campaign of a candidate; and

“(ii) a ballot measure, including—

“(I) an amendment;

“(II) a bond issue;

“(III) an initiative;

“(IV) a recall;

“(V) a referral; and

“(VI) a referendum.”.

SEC. 3. IMPROPER INTERFERENCE IN UNITED STATES ELECTIONS.

(a) INADMISSIBILITY.—Section 212(a)(3) of the Immigration and Nationality Act (8

U.S.C. 1182(a)(3)) is amended by adding at the end the following:

“(H) IMPROPER INTERFERENCE IN A UNITED STATES ELECTION.—Any alien who a consular officer, the Secretary of Homeland Security, the Secretary of State, or the Attorney General knows, or has reasonable grounds to believe, is seeking admission to the United States to engage in improper interference in a United States election, or who has engaged in improper interference in a United States election, is inadmissible.”.

(b) DEPORTABILITY.—Section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)) is amended by adding at the end the following:

“(8) IMPROPER INTERFERENCE IN A UNITED STATES ELECTION.—Any alien who has engaged, is engaged, or at any time after admission engages in improper interference in a United States election is deportable.”.

ORDERS FOR TUESDAY, JUNE 4, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, June 4; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Saul nomination. I further ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; and finally, that all time during recess, adjournment, morning business, and leader remarks count postcloture on the Saul nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

Thereupon, the Senate, at 6:55 p.m., adjourned until Tuesday, June 4, 2019, at 10 a.m.