

the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Mr. LANKFORD, Mr. TESTER, and Mr. SCOTT, of South Carolina):

S. 1851. A bill to amend the Higher Education Act of 1965 to provide Federal Pell Grants to Iraq and Afghanistan veteran's dependents; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President. When a U.S. servicemember gives their life in service to their Nation, they often leave behind family who we are equally indebted to. Ensuring that these survivors are provided every opportunity to succeed and get a quality education supports our values and upholds our promise to servicemembers and military families. Unfortunately, our ability to uphold our promise to dependents of servicemembers who were killed in action (KIA) in Iraq and Afghanistan following the attacks on September 11, 2001 has been affected.

As a result of sequestration, the U.S. Department of Education (ED) sent a letter to institutions requiring them to reduce the Iraq and Afghanistan Service Grant awards by about 6.2% or almost \$400 per recipient for the 2018–2019 award year. These grants are critical for students to use for tuition, books, and room and board and any future cut would be significant for a young college student. Many children and dependents of servicemembers who were KIA in Iraq and Afghanistan are now reaching college age so more and more students will not be receiving as much in grants as they should be getting and rightfully deserve.

Today, I am pleased to introduce with my colleagues Senator LANKFORD, Senator TESTER, and Senator SCOTT (from South Carolina) a bipartisan bill called the Protecting our Gold Star Families' Act of 2019. This legislation will move the Iraq and Afghanistan Service Grant program to the Pell Grant program to stabilize the funding source for these awards and ensure Gold Star families have access to the maximum Pell Grant funding available if they previously did not qualify for Pell Grants. Additionally the bill would align eligibility requirements under existing Department of Veterans Affairs grants such as the Fry Scholarship with ED and the Iraq and Afghanistan Service program to ensure that all Gold Star families are receiving the award.

While Virginia public universities already offer tuition assistance to dependents whose parents were killed in action or were permanently disabled under the state's Virginia Military Survivors and Dependents Education

Program (VMSDEP), these funds could be used to offset tuition at private institutions and could also cover additional expenses, including room and board, books, and supplies. Over 500 Virginians have attended or are currently attending college at public universities with assistance through VMSDEP and would qualify for these Pell Grants as well.

Our Gold Star families have made the ultimate sacrifice for this country. Helping them afford college is the least we can do. We should give our servicemembers a peace of mind that if anything happens to them, the nation they served will look out for their children and help them access a high-quality education. As more of our post 9/11 Gold Star children are starting to reach college age, now is the right time to improve the program. I hope that my colleagues will incorporate this bipartisan bill in a reauthorization of the Higher Education Act.

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

S. 1852. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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. 1852

*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 "Fairness in Federal Disaster Declarations Act of 2019".

#### SEC. 2. REGULATORY ACTION REQUIRED.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this Act referred to as the "Administrator" and "FEMA", respectively) shall amend the rules of the Administrator under section 206.48 of title 44, Code of Federal Regulations, as in effect on the date of enactment of this Act, in accordance with the provisions of this Act.

(b) NEW CRITERIA REQUIRED.—The amended rules issued under subsection (a) shall provide for the following:

(1) PUBLIC ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the need for public assistance—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

- (i) estimated cost of the assistance, 10 percent;
- (ii) localized impacts, 40 percent;
- (iii) insurance coverage in force, 10 percent;
- (iv) hazard mitigation, 10 percent;
- (v) recent multiple disasters, 10 percent;
- (vi) programs of other Federal assistance, 10 percent; and

(vii) economic circumstances described in subparagraph (B), 10 percent; and

(B) FEMA shall consider the economic circumstances of—

(i) the local economy of the affected area, including factors such as the local assessable

tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State; and

(ii) the economy of the State, including factors such as the unemployment rate of the State, as compared to the national unemployment rate.

(2) INDIVIDUAL ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the severity, magnitude, and impact of the disaster and the evaluation of the need for assistance to individuals—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

- (i) concentration of damages, 20 percent;
- (ii) trauma, 20 percent;
- (iii) special populations, 20 percent;
- (iv) voluntary agency assistance, 10 percent;

(v) insurance, 20 percent;

(vi) average amount of individual assistance by State, 5 percent; and

(vii) economic considerations described in subparagraph (B), 5 percent; and

(B) FEMA shall consider the economic circumstances of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

(c) EFFECTIVE DATE.—The amended rules issued under subsection (a) shall apply to any disaster for which a Governor requested a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and was denied on or after January 1, 2012.

By Mr. REED (for himself, Mr. GRASSLEY, and Mr. LEAHY):

S. 1854. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am reintroducing the Stronger Enforcement of Civil Penalties Act along with Senator GRASSLEY and Senator LEAHY. This bill will help securities regulators better protect investors and demand greater accountability from market players. Even after a financial crisis that devastated our nation's economy, we continue to see calculated wrongdoing by some on Wall Street, and without the consequence of meaningful penalties to serve as an effective deterrent, I worry this disturbing culture of misconduct will persist.

Today, the amount of penalties the Securities and Exchange Commission (SEC) can fine an institution or individual is restricted by statute. During hearings I held in 2011 as Chairman of the Banking Committee's Securities, Insurance, and Investment Subcommittee, I learned how this limitation significantly interferes with the SEC's ability to perform its enforcement duties. At that time, a Federal judge had criticized the SEC for not obtaining a larger settlement against Citigroup, a major player in the financial crisis that settled with the agency in an amount that was far below the cost the bank had inflicted on investors. The SEC explained that a statutory prohibition against levying a larger penalty led to the low settlement amount. Indeed, then SEC Chairman

Mary L. Schapiro in 2011 also explained that “the Commission’s statutory authority to obtain civil monetary penalties with appropriate deterrent effect is limited in many circumstances.”

The bipartisan bill we are reintroducing seeks to update the SEC’s outdated civil penalties statutes. This bill strives to make potential and current offenders think twice before engaging in misconduct by increasing the maximum statutory civil monetary penalties, directly linking the size of the penalties to the amount of losses suffered by victims of a violation, and substantially raising the financial stakes for repeat offenders of our nation’s securities laws.

Specifically, our bill would expand the SEC’s options to tailor penalties to the specific circumstances of a given violation. In addition to raising the per violation caps for severe, or “third tier,” violations to \$1 million per offense for individuals and \$10 million per offense for entities, the legislation would also give the SEC additional options to obtain greater penalties based on the ill-gotten gains of the violator or on the financial harm to investors.

Our bill also strives to deter repeat offenders on Wall Street through two provisions. The first would allow the SEC to triple the penalty cap applicable to recidivists who have been held either criminally or civilly liable for securities fraud within the previous five years. The second would allow the SEC to seek a civil penalty against those who violate existing federal court or SEC orders, an approach that would be more efficient, effective, and flexible than the current civil contempt remedy. These changes would greatly improve the SEC’s ability to levy robust penalties against repeat offenders.

Slightly more than half of all U.S. households are invested in the stock market. All of our constituents deserve a strong cop on the beat that has the necessary tools to go after fraudsters and pursue the difficult cases arising from our increasingly complex financial markets. The Stronger Enforcement of Civil Penalties Act will enhance the SEC’s ability to demand meaningful accountability from Wall Street, which in turn will increase transparency and confidence in our financial system. I urge our colleagues to support this important bipartisan legislation.

By Mr. DURBIN:

S. 1863. A bill to require the Secretary of the Interior to conduct a special resource study of the sites associated with the life and legacy of the noted American philanthropist and business executive Julius Rosenwald, with a special focus on the Rosenwald Schools, and for other purposes; to the Committee on Energy and Natural Resources.

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. 1863

*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 “Julius Rosenwald and Rosenwald Schools Study Act of 2019”.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) Julius Rosenwald was born in 1862 in Springfield, Illinois, to Samuel Rosenwald and his wife, Augusta Hammerslough, a Jewish immigrant couple from Germany;

(2) in 1868, Samuel Rosenwald purchased the Lyon House, where Julius grew up and lived with his family until the 1880s, which—

(A) was diagonally across the street from the home where Abraham Lincoln lived prior to becoming president; and

(B)(i) was restored recently before the date of enactment of this Act; and

(ii) as of that date of enactment, was within the boundary of the Lincoln Home National Historic Site, a unit of the National Park System;

(3) Julius Rosenwald—

(A) learned the clothing trade with relatives in New York City; and

(B) used that knowledge on moving to Chicago, where he became part-owner and president of Sears, Roebuck & Company, which—

(i) he transformed into a retailing powerhouse in the early 20th century; and

(ii) could be considered the Amazon of its day;

(4) the embodiment of the Jewish concept of “*tzedakah*”, righteousness and charity, Rosenwald used his fortune for numerous philanthropic activities, particularly to enhance the lives of African-Americans, including by—

(A) providing \$25,000 for the construction of Young Men’s Christian Associations (commonly known as “YMCA’s”) for African-Americans during the Jim Crow era in cities that raised \$75,000; and

(B) eventually, supporting the construction of YMCAs in 24 cities across the United States;

(5)(A) after his introduction to Booker T. Washington in 1911, Julius Rosenwald—

(i) joined the Board of Trustees of the Tuskegee Institute; and

(ii) financially contributed to a pilot program to build 6 schools in rural Alabama for African-American children who were receiving little to no education; and

(B) the donations by Rosenwald described in subparagraph (A) were matched by the local African-American communities that were committed to providing education for their children;

(6)(A) the success of the pilot program referred to in paragraph (5)(A)(ii) led to the construction of more than 5,300 Rosenwald Schools and related buildings over a 20-year period in 15 southern States under the direction of the Julius Rosenwald Fund;

(B) the schools described in subparagraph (A)—

(i) were the result of a 3-way partnership among the Julius Rosenwald Fund, local communities that, although generally poor, contributed land, labor, materials, and money to build and maintain the schools, and local governments that were required by law to provide public schools for all children but divided funds unequally between black and white systems; and

(ii) often became the focus of great pride and affection among the applicable communities;

(C) during the 1920s, 1930s, and 1940s,  $\frac{1}{3}$  of all African-American children in the South were educated in Rosenwald Schools;

(D) a 2011 study by 2 Federal Reserve economists concluded that the schools played a significant role in narrowing the gap between the educational levels of black and white students in the South; and

(E) Members of Congress and poet Maya Angelou are among prominent graduates of Rosenwald Schools;

(7) the Julius Rosenwald Fund—

(A) supported early National Association for the Advancement of Colored People cases that eventually led to the Supreme Court decision in *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954), which outlawed segregation in public education; and

(B) provided fellowships to talented African-Americans in the arts and sciences—

(i) including the acclaimed historian John Hope Franklin, noted writer and civil rights activist W.E.B. Du Bois, artist Jacob Lawrence, singer Marian Anderson, diplomat Ralph Bunche, and many others; and

(ii) some of whom worked under Thurgood Marshall on the Supreme Court case referred to in subparagraph (A);

(8) Rosenwald also—

(A) provided support for a number of Historically Black Colleges and Universities, including Fisk, Dillard, and Howard Universities; and

(B) used his wealth for other worthy causes, including the creation of the Jewish United Fund of Metropolitan Chicago and the Museum of Science and Industry in Chicago; and

(9) the contributions of Julius Rosenwald to improving the lives of African-Americans, as well as the lives of those who reside in Chicago and throughout the United States, are worthy of recognition and further examination.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) ROSENWALD SCHOOL.—The term “Rosenwald School” means any of the 5,357 schools and related buildings constructed in 15 southern States during the period of 1912 through 1932 by the philanthropy of Julius Rosenwald.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(3) SHPO.—The term “SHPO” means the State Historic Preservation Officer of any of the 14 States in which Rosenwald Schools exist as of the date of enactment of this Act.

#### SEC. 4. SPECIAL RESOURCE STUDY.

(a) IN GENERAL.—The Secretary shall conduct a special resource study of the sites associated with the life and legacy of Julius Rosenwald, with special focus on the Rosenwald Schools.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) determine the sites of national significance associated with the life and legacy of businessman and noted philanthropist Julius Rosenwald, with special focus on the Rosenwald Schools;

(2) give priority to studying any Rosenwald School recommended to the Secretary by an SHPO;

(3) determine the suitability and feasibility of designating 1 or more new units of the National Park System to include representative Rosenwald Schools and other sites associated with the life and legacy of Julius Rosenwald, including an interpretive center in or near Chicago, Illinois—

(A) to commemorate the career and overall philanthropic activities of Rosenwald; and

(B) to address the scope and significance of the Rosenwald Schools initiative;

(4) take into consideration other alternatives for preservation, protection, and interpretation of the legacy of Julius Rosenwald and the Rosenwald Schools by—

(A) Federal, State, or local governmental entities; or

(B) private and nonprofit organizations;

(5) consult with, as determined appropriate by the Secretary, relevant—

(A) Federal, State, and local governmental entities;

(B) private and nonprofit organizations; or

(C) any other interested individuals; and

(6) identify costs associated with any potential Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives described in paragraph (4).

(c) **APPLICABLE LAW.**—The study under subsection (a) shall be conducted in accordance with section 100507 of title 54, United States Code.

(d) **RESULTS.**—Not later than 3 years after the date on which funds are first made available for the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing—

(1) the results of the study; and

(2) any conclusions and recommendations of the Secretary relating to the study.

By Mr. DAINES (for himself, Mr. GRASSLEY, Mr. TOOMEY, Mr. BARRASSO, and Mr. CRAMER):

S.J. Res. 49. A joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

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.J. RES. 49

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within 7 years after the date of its submission by the Congress:*

“ARTICLE—

“The Congress shall have power to prohibit the physical desecration of the flag of the United States.”.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 250—EXPRESSING THE SENSE OF THE SENATE THAT THE DEPARTMENT OF THE INTERIOR HAS BROKEN A COMMITMENT TO THE BLACKFEET TRIBE TO DEFEND THE CANCELLATION OF ALL LEASES IN THE BADGER-TWO MEDICINE AREA AND URGING THE DEPARTMENT OF THE INTERIOR TO WORK CLOSELY WITH THE BLACKFEET TRIBE TO DEFEND THE BADGER-TWO MEDICINE AREA FROM OIL AND GAS DEVELOPMENT

Mr. TESTER submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 250

Whereas the Badger-Two Medicine area is sacred to the Blackfeet Tribe and holds critical and unique importance in the culture and history of the Blackfeet Tribe;

Whereas the Department of the Interior issued leases for the development of oil and gas resources in the Badger-Two Medicine area without proper Tribal consultation;

Whereas the Department of the Interior has sought to cancel all remaining leases in the Badger-Two Medicine area, citing violations of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and division A of subtitle III of title 54, United States Code (formerly known as the “National Historic Preservation Act” (16 U.S.C. 470 et seq.)), before the leases were issued;

Whereas the 2 remaining leaseholders in the Badger-Two Medicine area, Solenex LLC and W. A. Moncrief, challenged the cancellation of their leases in a district court of the United States;

Whereas former Secretary of the Interior Ryan Zinke committed to the Blackfeet Tribe that the Department of the Interior would continue to defend the lease cancellations in court after the district court ruled against the Department;

Whereas the Department of the Interior appealed the decision in the Solenex LLC case, but did not appeal the decision in the W. A. Moncrief case, instead moving to dismiss the W. A. Moncrief case and reissuing the W. A. Moncrief lease;

Whereas the Department of the Interior argued that the court of appeals does not have jurisdiction to consider an appeal taken by the intervenors in the W. A. Moncrief case, an argument that would deny the Tribal leaders who intervened in that case the ability to defend the Badger-Two Medicine area on appeal;

Whereas the Federal Government has the duty to honor the trust responsibilities of the Federal Government to the Blackfeet Tribe and the promises made by the Secretary of the Interior to the leadership of the Blackfeet Tribe, and the development of the Badger-Two Medicine area would be a complete abandonment of that duty; and

Whereas the Forest Service and the Department of the Interior have publicly and repeatedly acknowledged the importance of protecting the landscape of the Badger-Two Medicine area from further development through—

(1) moratoriums on new leases;

(2) suspensions on drilling activity;

(3) management plans focused on preserving the landscape;

(4) the voluntary retirement of leases; and

(5) the cancellation of active leases: Now, therefore, be it

*Resolved, That—*

(1) it is the sense of the Senate that the Department of the Interior—

(A) has broken the commitment made by the Department to the Blackfeet Tribe;

(B) has failed—

(i) to honor the trust responsibilities of the Department to the Blackfeet Tribe; and

(ii) to regain the credibility of the Department; and

(C) must actively pursue and defend, in and out of the courtroom, the cancellation of all leases in the Badger-Two Medicine area; and

(2) the Senate urges the Department of the Interior—

(A) to work closely with the Blackfeet Tribe to protect the Badger-Two Medicine area from oil and gas leases; and

(B) to remedy the mistakes of the Department that led to the leases being issued without—

(i) proper consultation with the Blackfeet Tribe; and

(ii) compliance with environmental and historic preservation laws.

SENATE RESOLUTION 251—RECOGNIZING 2019 AS THE INTERNATIONAL YEAR OF THE SALMON, A FRAMEWORK OF COLLABORATION ACROSS THE NORTHERN HEMISPHERE TO SUSTAIN AND RECOVER SALMON STOCKS THROUGH RESEARCH, PARTNERSHIPS, AND PUBLIC ACTION

Ms. MURKOWSKI (for herself, Ms. COLLINS, Mr. SULLIVAN, Mr. KING, Mr. WYDEN, Mr. MERKLEY, Mrs. MURRAY, and Ms. CANTWELL) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 251

Whereas salmon are a vital resource, providing communities with cultural and social value, food security, and economic opportunity;

Whereas salmon are critically important to marine and aquatic ecosystems and indicators of the health of rivers and oceans that people, fish, and wildlife depend on;

Whereas salmon can be vulnerable to impacts from human interference, including development pressures and climate change;

Whereas drawing on science, Indigenous knowledge, and the experience of fishers, policy makers, resource managers, and others is essential to conserve salmon;

Whereas people from all walks of life can learn about the value of salmon and support salmon conservation; and

Whereas salmon migrations span national boundaries, and collaborating and sharing knowledge across borders is critical to sustaining salmon stocks: Now, therefore, be it

*Resolved, That the Senate recognizes 2019 as the International Year of the Salmon, a unique, hemispheric-level collaboration bringing people together in order to ensure that healthy wild salmon populations persist into the future.*

## AMENDMENTS SUBMITTED AND PROPOSED

SA 392. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1790, to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the