

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4378. An act making continuing appropriations for fiscal year 2020, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 2486. An act to reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions.

H.R. 4378. An act making continuing appropriations for fiscal year 2020, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2621. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Jerry D. Harris, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2622. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "National Industrial Security Program (NISP)" (RIN0790-AI71) received in the Office of the President of the Senate on September 12, 2019; to the Committee on Armed Services.

EC-2623. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Office of Inspector General (OIG) Privacy Program" (RIN0790-AK58) received in the Office of the President of the Senate on September 18, 2019; to the Committee on Armed Services.

EC-2624. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Transitional Compensation (TC) for Abused Dependents" (RIN0790-AI99) received in the Office of the President of the Senate on September 18, 2019; to the Committee on Armed Services.

EC-2625. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments to Update Cross-References to the Commission's FOIA Regulations" (17 CFR Parts 200, 201, 229, 230, and 240) received in the Office of the President of the Senate on September 18, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-2626. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled "Trade Authorities Extension: Economic Impact of Trade Agreements Implemented under the Bipartisan Trade Act of 2015"; to the Committee on Finance.

EC-2627. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress: The Child Welfare Sys-

tem Response to Sex Trafficking of Children"; to the Committee on Finance.

EC-2628. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC-2629. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services, to Taiwan to support the 30/40mm MK44 Bushmaster Automatic Cannon System and associated Ammunition Handling System for the Clouded Leopard Vehicle Program in the amount of \$50,000,000 or more (Transmittal No. DDTTC 19-010); to the Committee on Foreign Relations.

EC-2630. A communication from the Secretary of Labor, transmitting, pursuant to law, the Pension Benefit Guaranty Corporation's Office of Inspector General's Semiannual Report to Congress and the Pension Benefit Guaranty Corporation Management's Response for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-2631. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2017 through March 31, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-2632. A communication from the Acting Director of the Office of Personnel Management, transmitting, pursuant to law, the annual report of the Chief Human Capital Officers Council for 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-2633. A communication from the Acting Chairman of the Administrative Conference of the United States, transmitting, a report of four recommendations adopted by the Administrative Conference of the United States at its 71st Plenary Session; to the Committee on Homeland Security and Governmental Affairs.

EC-2634. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Promoting Telehealth in Rural America" ((RIN3060-AF85) (FCC 19-78)) received in the Office of the President of the Senate on September 17, 2019; to the Committee on Commerce, Science, and Transportation.

EC-2635. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Safety Standard for Infant Bouncer Seats" (16 CFR Part 1229) received in the Office of the President of the Senate on September 17, 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-137. A joint resolution adopted by the Legislature of the State of California urging

the United States Congress to enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 3

Whereas, Two Federal Social Security Administration laws, the Windfall Elimination Provision and the Government Pension Offset, passed by Congress more than 30 years ago without statistical analysis, diminish or eliminate the fully earned Social Security benefits or large numbers of public service employees in California; and

Whereas, These provisions affect workers who have been employed in a government position that is not coordinated with the Social Security program, such as California public school teachers who have not been able to receive Social Security credits since 1965; and

Whereas, Most peace officers, including the California Highway Patrol, firefighters, and many other public servants working for cities and special districts are not covered by Social Security, making them subject to these provisions; and

Whereas, In California, more than 300,000 retirees have had their Social Security benefits diminished or completely eliminated by these laws; and

Whereas, Effective government requires highly qualified and motivated personnel, and California government agencies need to compete to recruit and retain outstanding employees, including hiring 16,000 new public school teachers each year; and

Whereas, The recruitment and retention of qualified individuals reentering the workforce is impeded by these two provisions, which reduce or eliminate the Social Security retirement benefits either earned by workers, themselves, or received through dependent status; and

Whereas, The Government Pension Offset severely cuts, and usually eliminates, all spousal and survivor benefits that were earned from what is deemed by the State of California to be community property income; and

Whereas, The Government Pension Offset requires that a recipient of benefits report any yearly cost-of-living increase in the recipient's public pension, so that the recipient's Social Security benefits may be reduced by two-thirds of that amount; and

Whereas, The Windfall Elimination Provision cuts earned Social Security benefits from work that is separate from the work for which the individual earned a pension from a governmental entity; and

Whereas, The Windfall Elimination Provision subverts the purpose of Social Security retirement benefits by eliminating the formula that reimburses low-income workers at a higher rate than high-income workers, causing severe hardships for those who have not had high-paying public service; and

Whereas, Until 2005, there were no requirements that a public employer advise new workers that they would be subject to these penalties; Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature requests that the Congress of the United States enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act, and further requests that President Donald Trump sign that legislation; and be it further

Resolved, That the Secretary or the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the

United States, and to the author for appropriate distribution.

POM-138. A joint resolution adopted by the General Assembly of the State of Arkansas applying to the United States Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of the United States Congress; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 3

Whereas, the founders of the United States Constitution empowered state legislators to be guardians of liberty against excessive use of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has ceased to operate under a proper interpretation of the United States Constitution; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the United States Constitution through a convention of the states under Article V of the United States Constitution for the purpose of restraining these and related abuses of power: Now, Therefore, be it

Resolved, By the Senate of the Ninety-second General Assembly of the State of Arkansas and by the House of Representatives, a majority of all Members elected to each House agreeing thereto: That the General Assembly hereby applies to the United States Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of the United States Congress; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this application to the President of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, the members of the Arkansas congressional delegation, and the presiding officers of each house of the legislatures in the several states, requesting their cooperation; and be it further

Resolved, That this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds (⅔) of the several states have made applications on the same subject; and be it further

Resolved, That the General Assembly adopts this application expressly subject to the following reservations, understandings, and declarations:

(1) An application to the United States Congress to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to the United States Congress other than the power to call such a convention. The power of the United States Congress to exercise this ministerial duty consists solely of the

authority to name a reasonable time and place for the initial meeting of a convention;

(2) The United States Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds (⅔) of the legislatures of the several states;

(3) The United States Congress does not have the power or authority to determine any rules for the governing of a convention for proposing amendments called pursuant to Article V of the United States Constitution. The United States Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

(4) By definition, an amendment convention of the states means that states shall vote on the basis of one (1) state, one (1) vote;

(5) A convention for proposing amendments convened pursuant to this application shall be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights of the United States Constitution shall not be authorized for consideration at any stage. This application shall be void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights of the United States Constitution;

(6) Pursuant to Article V of the United States Constitution, the United States Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The General Assembly recommends that the United States Congress select ratification by the legislatures of the several states;

(7) The General Assembly may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and

(8) Delegates are bound to the instructions provided by the General Assembly and a failure to follow the instructions provided constitutes a breach of the delegate's duty and subjects them to recall and replacement.

POM-139. A joint resolution adopted by the General Assembly of the State of Arkansas applying to the United States Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of the United States Congress; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 3

Whereas, the founders of the United States Constitution empowered state legislators to be guardians of liberty against excessive use of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has ceased to operate under a proper interpretation of the United States Constitution; and

Whereas, the federal government has invaded the legitimate roles of the states

through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the United States Constitution through a convention of the states under Article V of the United States Constitution for the purpose of restraining these and related abuses of power: Now, therefore, be it

Resolved, By the Senate of the Ninety-second General Assembly of the State of Arkansas and by the House of Representatives, a majority of all Members elected to each House agreeing thereto: That the General Assembly hereby applies to the United States Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of the United States Congress; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this application to the President of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, the members of the Arkansas congressional delegation, and the presiding officers of each house of the legislatures in the several states, requesting their cooperation; and be it further

Resolved, That this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds (⅔) of the several states have made applications on the same subject; and be it further

Resolved, That the General Assembly adopts this application expressly subject to the following reservations, understandings, and declarations:

(1) An application to the United States Congress to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to the United States Congress other than the power to call such a convention. The power of the United States Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;

(2) The United States Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds (⅔) of the legislatures of the several states;

(3) The United States Congress does not have the power or authority to determine any rules for the governing of a convention for proposing amendments called pursuant to Article V of the United States Constitution. The United States Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

(4) By definition, an amendment convention of the states means that states shall vote on the basis of one (1) state, one (1) vote;

(5) A convention for proposing amendments convened pursuant to this application shall

be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights of the United States Constitution shall not be authorized for consideration at any stage. This application shall be void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights of the United States Constitution;

(6) Pursuant to Article V of the United States Constitution, the United States Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The General Assembly recommends that the United States Congress select ratification by the legislatures of the several states;

(7) The General Assembly may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and

(8) Delegates are bound to the instructions provided by the General Assembly and a failure to follow the instructions provided constitutes a breach of the delegate's duty and subjects them to recall and replacement.

POM-140. A resolution adopted by the Board of Selectmen of the Town of Hampton, New Hampshire, urging the United States Congress to enact the Energy Innovation and Carbon Dividend Act of 2019; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 253. A bill to coordinate the provision of energy retrofitting assistance to schools (Rept. No. 116-107).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 762. A bill to amend the Energy Policy and Conservation Act to provide for the dissemination of information regarding available Federal programs relating to energy efficiency projects for schools, and for other purposes (Rept. No. 116-108).

By Ms. COLLINS, from the Committee on Appropriations, without amendment:

S. 2520. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2020, and for other purposes (Rept. No. 116-109).

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

S. 2522. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes (Rept. No. 116-110).

By Mr. KENNEDY, from the Committee on Appropriations, without amendment:

S. 2524. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2020, and for other purposes (Rept. No. 116-111).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRAHAM for the Committee on the Judiciary.

W. Stephen Muldrow, of Puerto Rico, to be United States Attorney for the District of Puerto Rico for the term of four years.

Michael D. Baughman, of Pennsylvania, to be United States Marshal for the Western District of Pennsylvania for the term of four years.

Kerry Lee Pettingill, of Oklahoma, to be United States Marshal for the Eastern District of Oklahoma for the term of four years.

Fernando L. G. Sablan, of Guam, to be United States Marshal for the District of Guam and concurrently United States Marshal for the District of the Northern Mariana Islands for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. TILLIS (for himself and Ms. HIRONO):

S. 2509. A bill to rename the Office of Technology Assessment as the Congressional Office of Technology, to revise the functions and duties of the Office, and for other purposes; to the Committee on Rules and Administration.

By Mr. BOOKER:

S. 2510. A bill to amend the Internal Revenue Code of 1986 to provide a refundable tax credit for certain teachers as a supplement to State effort to provide teachers with a livable wage, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM (for himself and Ms. SINEMA):

S. 2511. A bill to amend title 40, United States Code, to provide the Marshal of the Supreme Court of the United States and Supreme Court Police with the authority to protect the Chief Justice of the United States, any Associate Justice of the Supreme Court, and other individuals in any location, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER (for himself and Mrs. GILLIBRAND):

S. 2512. A bill to prohibit a court from awarding damages based on race, ethnicity, gender, religion, or actual or perceived sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Ms. HASSAN (for herself and Mr. LEE):

S. 2513. A bill to provide for joint reports by relevant Federal agencies to Congress regarding incidents of terrorism, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 2514. A bill to amend the Internal Revenue Code of 1986 to ensure that workers and communities that are responsible for record corporate profits benefit from the wealth that those workers and communities help to create, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY:

S. 2515. A bill to require the Food and Drug Administration to conduct a study on the effects of radiofrequency radiation in the 5G networks on human health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself and Mr. LEE):

S. 2516. A bill to amend the Fair Debt Collection Practices Act to restrict the debt collection practices of certain debt collectors; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. MARKEY, Mr. BLUMENTHAL, Mr. REED, Ms. HIRONO, Mr. WYDEN, Mrs. MURRAY, and Mr. MERKLEY):

S. 2517. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. BRAUN):

S. 2518. A bill to amend title 49, United States Code, to establish an Assistant Secretary for Rural Economic Investment and an Office of Rural Economic Investment, to ensure that rural communities are adequately represented in Federal decision-making for transportation policy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROMNEY (for himself and Mr. MERKLEY):

S. 2519. A bill to protect the public health by prohibiting non-tobacco e-cigarette flavors and ensuring electronic nicotine delivery systems are tamper-proof; to the Committee on Finance.

By Ms. COLLINS:

S. 2520. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2020, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. KAINE (for himself and Ms. HASSAN):

S. 2521. A bill to award grants for the recruitment, retention, and advancement of direct care workers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN:

S. 2522. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; from the Committee on Appropriations; placed on the calendar.

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

S. 2523. A bill to amend section 455(m) of the Higher Education Act of 1965 in order to allow adjunct faculty members to qualify for public service loan forgiveness; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 2524. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2020, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. SHAHEEN (for herself and Mr. GARDNER):

S. 2525. A bill to require the Director of the National Institute of Standards and Technology to conduct a study of personal protective equipment worn by firefighters to determine the prevalence and concentration of per- and polyfluoroalkyl substances, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET (for himself and Mr. GARDNER):

S. 2526. A bill to require the Secretary of Energy to identify and convey to the State of Colorado land for use as a storage site for residual radioactive material, and for other purposes; to the Committee on Energy and Natural Resources.