

during the session of the Senate on Thursday, October 17, 2019, at 10:30 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, October 16, 2019, at 10 a.m., to conduct a hearing on the following nominations: Halil Suleyman Ozerden, of Mississippi, to be United States Circuit Judge for the Fifth Circuit, David B. Barlow, to be United States District Judge for the District of Utah, John Fitzgerald Kness, to be United States District Judge for the Northern District of Illinois, R. Austin Huffaker, Jr., to be United States District Judge for the Middle District of Alabama, Lee Philip Rudofsky, to be United States District Judge for the Eastern District of Arkansas, Justin Reed Walker, to be United States District Judge for the Western District of Kentucky, Eleni Maria Roumel, of Maryland, to be a Judge of the United States Court of Federal Claims, Danielle J. Hunsaker, of Oregon, to be United States Circuit Judge for the Ninth Circuit, Steven J. Menashi, to be United States Circuit Judge for the Second Circuit, William Joseph Nardini, of Connecticut, to be United States Circuit Judge for the Second Circuit, Jodi W. Dishman, to be United States District Judge for the Western District of Oklahoma, Karen Spencer Marston, to be United States District Judge for the Eastern District of Pennsylvania, Richard Earnest Myers II, to be United States District Judge for the Eastern District of North Carolina, Sarah E. Pitlyk, to be United States District Judge for the Eastern District of Missouri, Anuraag Singhal, to be United States District Judge for the Southern District of Florida, Daniel Mack Traynor, to be United States District Judge for the District of North Dakota, and David M. DeVillers, to be United States Attorney for the Southern District of Ohio, Department of Justice.

SUBCOMMITTEE ON SECURITY

The Subcommittee on Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, October 17, 2019, at 10:30 a.m., to conduct a hearing.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

The Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, October 17, 2019, at 10 a.m., to conduct a hearing.

MEASURE READ THE FIRST TIME—S. 2644

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 2644) to impose sanctions with respect to Turkey, and for other purposes.

Mr. McCONNELL. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

HIDDEN FIGURES CONGRESSIONAL GOLD MEDAL ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 214, H.R. 1396.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 1396) to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden, to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson, and to award a Congressional Gold Medal to honor all of the women who contributed to the success of the National Aeronautics and Space Administration during the Space Race.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1396) was ordered to a third reading, was read the third time, and passed.

CRIMINAL ANTITRUST ANTI-RETALIATION ACT OF 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 163, S. 2258.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2258) to provide anti-retaliation protections for antitrust whistleblowers.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2258) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2258

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 "Criminal Antitrust Anti-Retaliation Act of 2019".

SEC. 2. AMENDMENT TO ACPERA.

The Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (Public Law 108-237; 15 U.S.C. 1 note) is amended by inserting after section 215 the following:

"SEC. 216. ANTI-RETALIATION PROTECTION FOR WHISTLEBLOWERS.

"(a) WHISTLEBLOWER PROTECTIONS FOR EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS.—

"(1) IN GENERAL.—No employer may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against a covered individual in the terms and conditions of employment of the covered individual because of any lawful act done by the covered individual—

"(A) to provide or cause to be provided to the Federal Government or a person with supervisory authority over the covered individual (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct) information relating to—

"(i) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, the antitrust laws; or

"(ii) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws; or

"(B) to cause to be filed, testify in, participate in, or otherwise assist a Federal Government investigation or a Federal Government proceeding filed or about to be filed (with any knowledge of the employer) relating to—

"(i) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, the antitrust laws; or

"(ii) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws.

"(2) LIMITATION ON PROTECTIONS.—Paragraph (1) shall not apply to any covered individual if—

"(A) the covered individual planned and initiated a violation or attempted violation of the antitrust laws; or

"(B) the covered individual planned and initiated a violation or attempted violation of another criminal law in conjunction with a violation or attempted violation of the antitrust laws; or

"(C) the covered individual planned and initiated an obstruction or attempted obstruction of an investigation by the Department of Justice of a violation of the antitrust laws.

"(3) DEFINITIONS.—In this section:

"(A) ANTITRUST LAWS.—The term 'antitrust laws' means section 1 or 3 of the Sherman Act (15 U.S.C. 1 and 3).

"(B) COVERED INDIVIDUAL.—The term 'covered individual' means an employee, contractor, subcontractor, or agent of an employer.

"(C) EMPLOYER.—The term 'employer' means a person, or any officer, employee, contractor, subcontractor, or agent of such person.

"(D) FEDERAL GOVERNMENT.—The term 'Federal Government' means—

"(i) a Federal regulatory or law enforcement agency; or

"(ii) any Member of Congress or committee of Congress.

“(E) PERSON.—The term ‘person’ has the same meaning as in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)).

“(4) RULE OF CONSTRUCTION.—The term ‘violation’, with respect to the antitrust laws, shall not be construed to include a civil violation of any law that is not also a criminal violation.

“(b) ENFORCEMENT ACTION.—

“(1) IN GENERAL.—A covered individual who alleges discharge or other discrimination by any employer in violation of subsection (a) may seek relief under subsection (c) by—

“(A) filing a complaint with the Secretary of Labor; or

“(B) if the Secretary of Labor has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

“(2) PROCEDURE.—

“(A) IN GENERAL.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

“(B) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to any individual named in the complaint and to the employer.

“(C) BURDENS OF PROOF.—An action brought under paragraph (1)(B) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code.

“(D) STATUTE OF LIMITATIONS.—A complaint under paragraph (1)(A) shall be filed with the Secretary of Labor not later than 180 days after the date on which the violation occurs.

“(E) CIVIL ACTIONS TO ENFORCE.—If a person fails to comply with an order or preliminary order issued by the Secretary of Labor pursuant to the procedures set forth in section 42121(b) of title 49, United States Code, the Secretary of Labor or the person on whose behalf the order was issued may bring a civil action to enforce the order in the district court of the United States for the judicial district in which the violation occurred.

“(c) REMEDIES.—

“(1) IN GENERAL.—A covered individual prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the covered individual whole.

“(2) COMPENSATORY DAMAGES.—Relief for any action under paragraph (1) shall include—

“(A) reinstatement with the same seniority status that the covered individual would have had, but for the discrimination;

“(B) the amount of back pay, with interest; and

“(C) compensation for any special damages sustained as a result of the discrimination including litigation costs, expert witness fees, and reasonable attorney’s fees.

“(d) RIGHTS RETAINED BY WHISTLE-BLOWERS.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any covered individual under any Federal or State law, or under any collective bargaining agreement.”

CONGRATULATING THE WASHINGTON MYSTICS ON WINNING THE 2019 WOMEN’S NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 364, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 364) congratulating the Washington Mystics on winning the 2019 Women’s National Basketball Association championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 364) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

WORLD FOOD DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 365, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 365) designating October 16, 2019, and October 16, 2020, as “World Food Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I know of no further debate on the measure.

The PRESIDING OFFICER. If there is no further debate, the question is on adoption of the resolution.

The resolution (S. Res. 365) was agreed to.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR MONDAY, OCTOBER 21, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 3 p.m., Monday, October 21; 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, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Treaties Calendar No. 5, Treaty Document No. 116-1; finally, that the cloture motions filed during today’s session ripen at 5:30 p.m. on Monday.

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

ADJOURNMENT UNTIL MONDAY, OCTOBER 21, 2019, AT 3 P.M.

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

There being no objection, the Senate, at 5:10 p.m., adjourned until Monday, October 21, 2019, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL TRANSPORTATION SAFETY BOARD

THOMAS B. CHAPMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2023, VICE THO DINH-ZARR, TERM EXPIRED.

DEPARTMENT OF STATE

JOSEPH MANSO, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

JENNY A. MCGEE, OF TEXAS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE R. DAVID HARDEN.

DEPARTMENT OF STATE

DOROTHY SHEA, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LEBANESE REPUBLIC.

JOHN JOSEPH SULLIVAN, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE RUSSIAN FEDERATION.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

CYNTHIA ATTWOOD, OF VIRGINIA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2025. (RE-APPOINTMENT)

AMANDA WOOD LAIHOW, OF MAINE, TO BE A MEMBER OF OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR THE REMAINDER OF A TERM EXPIRING APRIL 27, 2023, VICE HEATHER L. MACDOUGALL, RESIGNED.

THE JUDICIARY

FERNANDO L. AENLLE-ROCHA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE S. JAMES OTERO, RETIRED.

ADAM L. BRAVERMAN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE ROGER T. BENITEZ, RETIRED.

UNITED STATES PAROLE COMMISSION

ALMO J. CARTER, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE UNITED STATES PAROLE COMMISSION FOR A TERM OF SIX YEARS, VICE CRANSTON J. MITCHELL, TERM EXPIRED.

THE JUDICIARY

BERNARD MAURICE JONES II, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA, VICE JOE L. HEATON, RETIRED.