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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mrs. LESKO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 23, 2018.

I hereby appoint the Honorable DEBBIE LESKO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 8, 2018, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at noon), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day.

As we anticipate the 20th anniversary of that terrible day, we ask Your blessing once again upon the families of Officer Jacob Chestnut and Detective John Gibson, who laid down their lives in defending the safety of the U.S. Capitol. We ask as well Your protection for the entire Capitol Police force, who mourns the loss of their brothers in uniform. Thank You for calling them all to their lives of service.

Please hear our prayers for the Members of this assembly, upon whom the authority of government is given. Help them to understand the tremendous responsibility they have to represent both their constituencies and the people of this great Nation of ours.

Give each Member peace and equanimity, and give all Americans generosity of heart, to understand that governance is not simple but difficult work, at times requiring sacrifice and forbearance.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Florida (Mr. BILIRAKIS) come forward and lead the House in the Pledge of Allegiance.

Mr. BILIRAKIS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

BUILDING CODES

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, as we enter the hurricane season, I would like to recognize those within the building and code enforcement community for the work they do to maintain the resilience of our homes and commercial buildings.

The International Code Council has established a building safety campaign that is recognized annually by jurisdictions across the Nation. Its purpose is to reinforce the need for the adoption of modern building codes; a strong system of code compliance; and a well-trained, professional workforce to provide public safety.

In the 10 years since Florida adopted the statewide building code under Governor Bush—I was in the legislature at the time; he showed great leadership—the code's adoption and application reduced windstorm actual losses by as much as 72 percent.

Year after year, we see the type of devastation that Mother Nature can bring, and it is important we are doing all that we can to minimize its damage.

CONGRATULATING HERMAN BELL

(Mr. DUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNN. Mr. Speaker, I rise today to congratulate an exceptional member of the Air Force on his retirement from government service: Mr. Herman Bell. Herman will retire this week as the chief of public affairs of Tyndall Air Force Base, capping a career of more than 46 years of government service.

Herman enlisted in the Air Force in 1972 and retired as a master sergeant in 1993. He has served in the 325th Fighter Wing Public Affairs Office since that time. His keen leadership over the last 25 years at Tyndall and the many years

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before that on Active Duty is a testament to the core values instilled in all those who serve in our Air Force.

Mr. Speaker, please join me in saying thank you to Herman Bell and to his family for their years of service and sacrifice, and wish them luck as they move on to a new chapter in life.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 19, 2018.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 19, 2018, at 5:38 p.m.:

Appointment:

Creating Options for Veterans' Expedited Recovery (COVER Commission).

Commission on Social Impact Partnerships.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 20, 2018.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on July 20, 2018 at 12:25 p.m., said to contain a message from the President regarding the continuation of the national emergency with respect to transnational criminal organizations.

With best wishes, I am

Sincerely,

ROBERT F. REEVES,
Deputy Clerk of the House.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115–142)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2018.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

DONALD J. TRUMP.
THE WHITE HOUSE, *July 20, 2018.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

NATIONAL SUICIDE HOTLINE IMPROVEMENT ACT OF 2018

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2345) to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2345

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 ''National Suicide Hotline Improvement Act of 2018''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''Commission'' means the Federal Communications Commission;

(2) the term ''covered dialing code'' means a simple, easy-to-remember, 3-digit dialing code; and

(3) the term ''N11 dialing code'' means an abbreviated dialing code consisting of 3 digits, of which—

(A) the first digit may be any digit other than ''1'' or ''0''; and

(B) each of the last 2 digits is ''1''.

SEC. 3. STUDIES AND REPORTS.

(a) PRIMARY STUDY.—

(1) IN GENERAL.—The Commission, in coordination with the Assistant Secretary for Mental Health and Substance Use and the Secretary of Veterans Affairs, shall conduct a study that—

(A) examines the feasibility of designating an N11 dialing code or other covered dialing code to be used for a national suicide prevention and mental health crisis hotline system; and

(B) analyzes the effectiveness of the National Suicide Prevention Lifeline as of the date on which the study is initiated, including how well the lifeline is working to address the needs of veterans.

(2) REQUIREMENTS.—

(A) COMMISSION.—In conducting the study under paragraph (1), the Commission shall—

(i) consider—

(I) each of the N11 dialing codes, including the codes that are used for other purposes; and

(II) other covered dialing codes;

(ii) consult with the North American Numbering Council; and

(iii) review the information provided by the Assistant Secretary for Mental Health and Substance Use and the Secretary of Veterans Affairs under subparagraphs (B) and (C), respectively, of this paragraph.

(B) SAMHSA STUDY AND REPORT TO ASSIST COMMISSION.—To assist the Commission in conducting the study under paragraph (1), the Assistant Secretary for Mental Health and Substance Use shall analyze and, not later than 180 days after the date of enactment of this Act, report to the Commission on—

(i) the potential impact of the designation of an N11 dialing code, or other covered dialing code, for a suicide prevention and mental health crisis hotline system on—

(I) suicide prevention;

(II) crisis services; and

(III) other suicide prevention and mental health crisis hotlines, including—

(aa) the National Suicide Prevention Lifeline; and

(bb) the Veterans Crisis Line; and

(ii) possible recommendations for improving the National Suicide Prevention Lifeline generally, which may include—

(I) increased public education and awareness; and

(II) improved infrastructure and operations.

(C) VA STUDY AND REPORT TO ASSIST COMMISSION.—To assist the Commission in conducting the study under paragraph (1), the Secretary of Veterans Affairs shall study and, not later than 180 days after the date of enactment of this Act, report to the Commission on how well the National Suicide Prevention Lifeline and the Veterans Crisis Line, as in effect on the date on which the study is initiated, is working to address the needs of veterans.

(b) PRIMARY COMMISSION REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission, in coordination with the Assistant Secretary for Mental Health and Substance Use and the Secretary of Veterans Affairs, shall submit a report on the study conducted under subsection (a) that recommends whether a particular N11 dialing code or other covered dialing code should be used for a national suicide prevention and mental health crisis hotline system to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Veterans' Affairs of the Senate;

(D) the Committee on Energy and Commerce of the House of Representatives; and

(E) the Committee on Veterans' Affairs of the House of Representatives.

(2) ADDITIONAL CONTENTS.—If the report submitted by the Commission under paragraph (1) recommends that a dialing code should be used, the report shall also—

(A) outline the logistics of designating such a dialing code;

(B) estimate the costs associated with designating such a dialing code, including—

(i) the costs incurred by service providers, including—

(I) translation changes in the network; and

(II) cell site analysis and reprogramming by wireless carriers; and

(ii) the costs incurred by States and localities;

(C) provide recommendations for designating such a dialing code;

(D) provide a cost-benefit analysis comparing the recommended dialing code with the National Suicide Prevention Lifeline, as in effect on the date on which the report is submitted; and

(E) make other recommendations, as appropriate, for improving the National Suicide Prevention Lifeline generally, which may include—

(i) increased public education and awareness; and

(ii) improved infrastructure and operations.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this Act. This Act shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LANCE) and the gentlewoman from Michigan (Mrs. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2345, the National Suicide Hotline Improvement Act of 2018. This critical legislation seeks to designate a new, easy-to-remember, three-digit dialing code for a national suicide prevention hotline.

We all know by heart to dial 911 during an emergency, and we have faith and confidence that somebody who can help will be on the line. It shouldn't be any different for someone in a mental health crisis.

According to the Centers for Disease Control and Prevention, suicide is on the rise across the country. Sadly, more than half of those who die by suicide do not have a known mental health condition.

We also want to make note of the number of servicemembers and veterans in need of prevention services. We will work with our minority on this study to review how these patriots can seek help, whether stateside or overseas.

You never truly know what battles an individual is fighting, and that is why a national three-digit suicide hotline could help make the difference between life and death.

Mr. Speaker, I look forward to advancing this potentially lifesaving legislation, and I reserve the balance of my time.

Mrs. DINGELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support H.R. 2345, the National Suicide Hotline Improvement Act.

Suicide is now the tenth leading cause for death in adults aged 18 to 64, and, for every suicide, there are 25 attempts. Earlier this year, the Centers for Disease Control and Prevention found that suicide rates increased by 28 percent between 1999 and 2016. Mr. Speaker, 49 States experienced an increase in suicide rates during that period.

As my colleague said, we also know that the risk is significantly higher for veterans. Veteran men are at a 19 percent higher risk, and veteran women are at a 2½ times higher risk than nonveteran women.

These statistics point to a problem that is all too real and, sadly, all too common. That fact was evident last month when, unfortunately, both Kate Spade and Anthony Bourdain, both very successful in their careers, took their own lives.

It is heartbreaking when someone is suffering so much that they choose to end their own life. Unfortunately, I know it in my own family, when people are afraid to reach out.

The National Suicide Prevention Hotline Improvement Act before us today would make it easier for people wanting to connect with someone through that hotline. The bill would set up a process to give Americans an easy-to-remember, three-digit code, like 911, to call when they or their loved one are in crisis, rather than the current 10-digit number.

The bill would also require the Substance Abuse and Mental Health Services Administration to study the effectiveness of the National Suicide Prevention Lifeline, currently known as 1–800–273–TALK, and the Department of Veterans Affairs would be required to study the effectiveness of the Veterans Crisis Line.

The Senate has passed a companion bill by unanimous consent. H.R. 2345 is a bipartisan, commonsense bill, and I want to thank the authors, Congressman CHRIS STEWART of Utah and Congresswoman EDDIE BERNICE JOHNSON of Texas, for the very hard work and leadership they put into this bill.

Mr. Speaker, I urge my colleagues to support it today, and I reserve the balance of my time.

Mr. LANCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. STEWART), the sponsor of this legislation.

Mr. STEWART. Mr. Speaker, I would like to thank my friends from New Jersey and Michigan for their help on this important bill.

Mr. Speaker, I would like to begin with a startling statistic. Every 9 minutes, someone in the United States attempts suicide or is successful, and for every suicide-related death, there are 25 attempts. These are truly heartbreaking statistics. Sadly, they hit close to home in Utah, which ranks fifth for the highest suicide deaths in the U.S.

One example is Madison Radtke, a charitable and loving young lady who unexpectedly took her own life. I have gotten to know Madison's family, and it has been an honor to do so. Madison is remembered for her kindness to others and for her ability to see the good in each person.

Here is something that is startling and should be terrifying to those of us who are parents: Madison didn't show any sign of suicidal thoughts. To others around her, she seemed to be making the most of the prime of her life.

This is a sad reminder that suicide can strike anywhere. These are our neighbors, our coworkers, our friends, our family members. I believe that we have the power and we have the responsibility to reach out and to help them. Yes, there are many tools available for people who are struggling with mental illness or thoughts of suicide, but, tragically, some of these resources are simply too difficult to find in a time of urgent need.

□ 1415

The National Suicide Prevention Lifeline dialing number is cumbersome and is very hard to remember, and most people have never even heard of it. Additionally, in Utah and many other States, there are various other entities that provide service, but there is not one consolidated number for people to call.

After the recent passing, as has been mentioned, of Kate Spade and Anthony Bourdain, calls to the National Suicide Prevention Lifeline jumped 25 percent. While the hotline number has increased access, I know we can do better, and that is the purpose of this bill. This is where Congress can help.

I introduced the National Suicide Hotline Improvement Act to streamline and to provide easy access to potentially lifesaving resources by designating a new and very simple national

three-digit dialing number, very similar to 911, for national suicide prevention and mental health crisis.

The study will also examine the overall effectiveness of the current National Suicide Prevention Lifeline and Veterans Crisis Line for individuals both here and abroad and their access to that. Ultimately, the report will recommend ways to improve the existing system.

I recognize this legislation alone is not a panacea. It is not going to solve every problem. There is much more that we can do and we must do, and some of the solutions will require a multifaceted approach; but it is an important step and one that has the potential to avert tragedy, such as the loss of Madison, and to save many lives.

For those of us who have seen firsthand and been impacted by the tragedy of suicide or attempted suicide, it is simply time for us to act.

Mrs. DINGELL. Mr. Speaker, I yield 3 minutes to gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the cosponsor of this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H.R. 2345, the National Suicide Hotline Improvement Act, and I want to thank Mr. STEWART and the committee leaders for the hard work in presenting this on the floor today.

This bipartisan legislation asks the Federal Communications Commission and the Substance Abuse and Mental Health Services Administration to study the designation of a three-digit dialing code similar to 911. Even 3-year-olds can remember 911. When a family is in crisis, an 800 number sometimes is difficult to remember.

The suicide prevention and mental health crisis hotline system makes it all American because we are faced with these kinds of incidences many times every day. The bill also requires them to perform a cost-and-benefit service analysis of using a three-digit dialing code for a national suicide prevention and mental health crisis hotline system and examine the overall effectiveness of the current National Suicide Prevention Lifeline and Veterans Crisis Line and recommend ways to improve the current system.

Each year, 45,000 Americans take their own life, an average of 123 completed suicides every day, and an additional 1 million-plus Americans attempt suicide each year. While there are many resources for individuals experiencing a mental health crisis, it can be difficult to find these resources during this extreme time of need.

The current National Suicide Prevention Lifeline has increased access, but the dialing code can be cumbersome to remember, 1–800–273–TALK. Just try to remember dialing that many digits.

Unfortunately, in many States where there are numerous entities providing services, there is not always one consolidated number to call. The National Suicide Prevention Hotline Improvement Act is an important step to achieve that end. This legislation will build upon the success of the National Suicide Prevention Lifeline to increase access to lifesaving services while evaluating new and innovative ways to improve the current system. It is critical that we move quickly on this bill so that we can begin saving more lives each day.

Mr. LANCE. Mr. Speaker, this is important legislation. It is completely bipartisan in nature.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), a distinguished member of the House Energy and Commerce Committee.

Mr. BILIRAKIS. Mr. Speaker, I appreciate Mr. Vice Chairman.

Mr. Speaker, we have all heard the upsetting statistic of 21 veterans committing suicide each and every day. It is unacceptable. This is a crisis for our veterans, their families, the future of our current servicemembers, and our country.

As vice chairman of the Veterans' Affairs Committee, I have worked to make it a better and healthier life for our true American heroes. That is why I am proud to support H.R. 2345, the National Suicide Hotline Improvement Act.

When a veteran is in crisis, they need immediate assistance from the Veterans Crisis Hotline. Unfortunately, the current suicide hotline number can be difficult to remember during a time of need and can add minutes to getting help or, even worse, discourage veterans from accessing this important service.

H.R. 2345 would study the feasibility and need of a three-digit dialing code, similar to 911, for the suicide hotline. The bill also studies the effectiveness of the hotline for our Nation's veterans.

This study is an important step in recognizing suicidal thoughts as an emergency, providing those in need the most reliable tools to get help, and continuing to improve a hotline that has already saved countless lives, including many veterans.

For these reasons, I am proud to cosponsor H.R. 2345 and support its passage.

Mrs. DINGELL. Mr. Speaker, we have no further speakers. So I would like to say that perhaps, today, this House can act together and save a life, and I urge my colleagues to support H.R. 2345.

Mr. Speaker, I yield back the balance of my time.

Mr. LANCE. Mr. Speaker, I am pleased that this bipartisan piece of legislation has reached the floor of the House. I hope and trust that it will be voted on in an overwhelmingly bipartisan fashion, and I commend the sponsors, a Republican and a Democrat, for working together on this needed legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 2345, the "National Suicide Hotline Improvement Act," which provides resources to improve suicide hotlines in the United States.

Mr. Speaker, it is critical that we address the public heath crisis of suicide in the United States.

Suicide is the 10th leading cause of death in the United States—each year, 44,965 Americans die by suicide, more than half by firearm.

On average, 123 Americans commit suicide each day.

The 2016 annual age-adjusted suicide rate in my state of Texas was 12.57 per 100,000 individuals, which was similar to the national average for that year.

However, there has been a steady increase in suicides in the decade since 2007, when the suicide rate was 10.48 per 100,000.

Suicides in Texas have increased by 23 percent over the past 15 years.

The steady increase coincides with new data that names suicide as the second leading cause of death among people ages 10–34 in America.

Even more alarming are rates of suicide among our veterans—those who have given the ultimate sacrifice and deserve protection tantamount to their service.

According to a Veterans Affairs study released last year, risk for suicide was 22 percent higher among veterans when compared to U.S. non-veteran adults.

After adjusting for differences in age, risk for suicide was 19 percent higher among male veterans when compared to U.S. non-veteran adult men.

After adjusting for differences in age, risk for suicide was 2.5 times higher among female veterans when compared to U.S. non-veteran adult women.

But the victims of suicide are more than mere statistics.

They are our parents, children, siblings, and loved ones.

They are our co-workers, our peers, and our servicemen and women.

They deserve more.

There are many organizations and individuals working tirelessly to ensure all of our fellow citizens receive the aid they need.

I commend the National Suicide Prevention Lifeline, a network of 161 crisis centers that provides a 24/7, toll-free hotline available to anyone in suicidal crisis or emotional distress.

There are five such centers in Texas, including one in my home city of Houston.

The National Suicide Prevention Lifeline reports that it experienced an increase of 100 percent in calls between 2014 and 2017, revealing just how prevalent suicide has become.

The helpline answered more than 2 million calls in 2017, up from approximately one million calls in 2014. In 2015 and 2016, the helpline answered more than 1.5 million calls each year.

Those on the front lines of the suicide prevention efforts deserve more help.

H.R. 2345, the National Suicide Hotline Improvement Act, would require the Federal Communications Commission (FCC) to coordinate with the Substance Abuse and Mental Health Services Administration and consult with the Department of Veterans Affairs for suicide prevention efforts.

The Act would lead to the examination of the feasibility of designating a three-digit dialing code for a national suicide prevention and mental health crisis hotline system.

Further, the Act directs the FCC to study and report to Congress on the effectiveness of the current National Suicide Prevention Lifeline, including how well it addresses the needs of veterans.

Mr. Speaker, our citizens and our suicide prevention centers deserve decisive action against suicide.

I urge my colleagues to join me in voting for H.R. 2345 to reduce the incidence of suicides in America.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, H.R. 2345, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LANCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PRECISION AGRICULTURE CONNECTIVITY ACT OF 2018

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4881) to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4881

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 ''Precision Agriculture Connectivity Act of 2018''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Precision agriculture technologies and practices allow farmers to significantly increase crop yields, eliminate overlap in operations, and reduce inputs such as seed, fertilizer, pesticides, water, and fuel.

(2) These technologies allow farmers to collect data in real time about their fields, automate field management, and maximize resources.

(3) Studies estimate that precision agriculture technologies can reduce agricultural operation costs by up to 25 dollars per acre and increase farm yields by up to 70 percent by 2050.

(4) The critical cost savings and productivity benefits of precision agriculture cannot be realized without the availability of reliable broadband Internet access service delivered to the agricultural land of the United States.

(5) The deployment of broadband Internet access service to unserved agricultural land is critical to the United States economy and to the continued leadership of the United States in global food production.

(6) Despite the growing demand for broadband Internet access service on agricultural land, broadband Internet access service is not consistently available where needed for agricultural operations.

(7) The Federal Communications Commission has an important role to play in the deployment of broadband Internet access service on unserved agricultural land to promote precision agriculture.

SEC. 3. TASK FORCE.

(a) DEFINITIONS.—In this section—

(1) the term ''broadband Internet access service''—

(A) means a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up Internet access service; and

(B) also encompasses any service that the Commission finds to be providing a functional equivalent of the service described in subparagraph (A);

(2) the term ''Commission'' means the Federal Communications Commission;

(3) the term ''Department'' means the Department of Agriculture;

(4) the term ''Secretary'' means the Secretary of Agriculture; and

(5) the term ''Task Force'' means the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States established under subsection (b).

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Commission shall establish the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States.

(c) DUTIES.—

(1) IN GENERAL.—The Task Force shall consult with the Secretary, or a designee of the Secretary, and collaborate with public and private stakeholders in the agriculture and technology fields to—

(A) identify and measure current gaps in the availability of broadband Internet access service on agricultural land;

(B) develop policy recommendations to promote the rapid, expanded deployment of broadband Internet access service on unserved agricultural land, with a goal of achieving reliable capabilities on 95 percent of agricultural land in the United States by 2025;

(C) promote effective policy and regulatory solutions that encourage the adoption of broadband Internet access service on farms and ranches and promote precision agriculture;

(D) recommend specific new rules or amendments to existing rules of the Commission that the Commission should issue to achieve the goals and purposes of the policy recommendations described in subparagraph (B);

(E) recommend specific steps that the Commission should take to obtain reliable and standardized data measurements of the availability of broadband Internet access service as may be necessary to target funding support, from future programs of the Commission dedicated to the deployment of broadband Internet access service, to unserved agricultural land in need of broadband Internet access service; and

(F) recommend specific steps that the Commission should consider to ensure that the expertise of the Secretary and available farm data are reflected in future programs of the Commission dedicated to the infrastructure deployment of broadband Internet access service and to direct available funding to unserved agricultural land where needed.

(2) NO DUPLICATE DATA REPORTING.—In performing the duties of the Commission under paragraph (1), the Commission shall ensure that no provider of broadband Internet access service is required to report data to the Commission that is, on the day before the date of enactment of this Act, required to be reported by the provider of broadband Internet access service.

(3) HOLD HARMLESS.—The Task Force and the Commission shall not interpret the phrase ''future programs of the Commission'', as used in subparagraphs (E) and (F) of paragraph (1), to include the universal service programs of the Commission established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(4) CONSULTATION.—The Secretary, or a designee of the Secretary, shall explain and make available to the Task Force the expertise, data mapping information, and resources of the Department that the Department uses to identify cropland, ranchland, and other areas with agricultural operations that may be helpful in developing the recommendations required under paragraph (1).

(5) LIST OF AVAILABLE FEDERAL PROGRAMS AND RESOURCES.—Not later than 180 days after the date of enactment of this Act, the Secretary and the Commission shall jointly submit to the Task Force a list of all Federal programs or resources available for the expansion of broadband Internet access service on unserved agricultural land to assist the Task Force in carrying out the duties of the Task Force.

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Task Force shall be—

(A) composed of not more than 15 voting members who shall—

(i) be selected by the Chairman of the Commission, in consultation with the Secretary; and

(ii) include—

(I) agricultural producers representing diverse geographic regions and farm sizes, including owners and operators of farms of less than 100 acres;

(II) an agricultural producer representing tribal agriculture;

(III) Internet service providers, including regional or rural fixed and mobile broadband Internet access service providers and telecommunications infrastructure providers;

(IV) representatives from the electric cooperative industry;

(V) representatives from the satellite industry;

(VI) representatives from precision agriculture equipment manufacturers, including drone manufacturers, manufacturers of autonomous agricultural machinery, and manufacturers of farming robotics technologies;

(VII) representatives from State and local governments; and

(VIII) representatives with relevant expertise in broadband network data collection, geospatial analysis, and coverage mapping; and

(B) fairly balanced in terms of technologies, points of view, and fields represented on the Task Force.

(2) PERIOD OF APPOINTMENT; VACANCIES.—

(A) IN GENERAL.—A member of the Task Force appointed under paragraph (1)(A) shall serve for a single term of 2 years.

(B) VACANCIES.—Any vacancy in the Task Force—

(i) shall not affect the powers of the Task Force; and

(ii) shall be filled in the same manner as the original appointment.

(3) EX-OFFICIO MEMBER.—The Secretary, or a designee of the Secretary, shall serve as an ex-officio, nonvoting member of the Task Force.

(e) REPORTS.—Not later than 1 year after the date on which the Commission establishes the Task Force, and annually thereafter, the Task Force shall submit to the Chairman of the Commission a report, which shall be made public not later than 30 days

after the date on which the Chairman receives the report, that details—

(1) the status of fixed and mobile broadband Internet access service coverage of agricultural land;

(2) the projected future connectivity needs of agricultural operations, farmers, and ranchers; and

(3) the steps being taken to accurately measure the availability of broadband Internet access service on agricultural land and the limitations of current, as of the date of the report, measurement processes.

(f) TERMINATION.—The Commission shall renew the Task Force every 2 years until the Task Force terminates on January 1, 2025.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this Act. This Act shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LANCE) and the gentlewoman from Michigan (Mrs. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud, today, to rise in support of H.R. 4881, authored by my colleagues, Digital Commerce and Consumer Protection Subcommittee Chairman BOB LATTA and Congressman DAVE LOEBSACK.

New and exciting technologies are improving efficiency in nearly every sector of our economy. Rural America should not be left behind.

The bill before us today focuses on the broadband needs of rural economies, our farmers and ranchers, to help take advantage of precision agriculture with improved internet access, GPS, and emerging technologies.

Cutting-edge innovation like the Internet of Things, drones, and self-driving machines can assist in monitoring crops, reading soil, and more. Precision agriculture connects rural communities to the 21st century economy.

This bill is a prime example of how the Energy and Commerce Committee is leading the way to close the digital divide. I thank Mr. LATTA and Mr. LOEBSACK for their good work on this legislation.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mrs. DINGELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support H.R. 4881, the Precision Agriculture Connectivity Act of 2018.

Access to broadband internet service is essential for participating in modern American life for both individuals and businesses. Farmers are no different. For them, a reliable, high-speed internet connection has become a necessity for managing their businesses efficiently. Farmers use it to collect realtime data on crops, buy equipment, verify weather forecasts, and check grain and feed prices.

Studies estimate that the use of broadband in precision agriculture can increase crop yields by 70 percent by the year 2050 and significantly reduce operation costs. Yet many people living in this country still do not have reliable high-speed internet service.

The Precision Agriculture Connectivity Act of 2018 would help facilitate the deployment of broadband to agricultural land by establishing a task force, led by the Federal Communication Commission in consultation with the Secretary of Agriculture. The task force will identify and measure gaps in the availability of broadband on agricultural lands.

It will also develop policy recommendations to promote the rapid expanded deployment of broadband on unserved agricultural lands and promote effective policy and regulatory solutions to encourage the adoption of broadband on farms and ranches.

Moreover, the task force will recommend specific steps that the FCC should take to obtain reliable and standardized data on the availability of broadband and make sure that such data is reflected in future FCC broadband infrastructure programs.

H.R. 4881 is a bipartisan, commonsense bill, and I want to thank the authors, Mr. LOEBSACK and Mr. LATTA, for the very hard work they have put into this measure. I urge my colleagues to support it today.

Mr. Speaker, I reserve the balance of my time.

Mr. LANCE. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. LATTA), the sponsor of the legislation and the distinguished chairman of the Digital Commerce and Consumer Protection Subcommittee.

Mr. LATTA. Mr. Speaker, I rise in support of H.R. 4881, the Precision Agriculture Connectivity Act, as amended, to help improve high-speed broadband access for our Nation's farmers.

I represent the largest farm income-producing district in the State of Ohio; therefore, I am fortunate to visit farms across the region and learn about new technologies, like the Internet of Things equipment, that are helping to improve farm productivity and sustainability.

But the unfortunate reality is that lack of high-speed broadband in rural areas, specifically in farm communities, hinders the use of advanced technologies in agriculture operations. That is why I introduced H.R. 4881, along with my friend, the gentleman from Iowa (Mr. LOEBSACK).

Our bill would require the Federal Communications Commission to establish a task force, in collaboration with the Department of Agriculture, to review the connectivity and technology needs of precision agriculture in the United States.

I believe by combining minds from these two expert agencies, along with relevant private stakeholders, the task force will be able to offer tangible solutions that will promote rapid, expanded deployment of broadband in unserved areas, creating a pathway for precision agriculture in our rural farmlands.

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The true benefits of precision agriculture cannot be realized without the availability of reliable broadband internet access service. For example, with broadband, farmers can use connected tractors and other advanced technologies to collect field data in realtime to help with crop management. This type of technology helps farmers maximize resources, which can reduce costs and increase crop yields by up to 70 percent by 2050, helping to maintain America's long-term leadership in global food production.

Two farming seasons ago, I drove a tractor with GPS capabilities. My mom was raised on a farm in northwest Ohio, and, early on, my grandfather still used a team of horses. My grandfather would be amazed at how straight the furrows I made that day were, thanks to the connected tractor. I never touched the steering wheel. Because of broadband, the connected tractor was able to go down an entire row, without human control, and place fertilizer in furrows within one inch of where those seeds would be planted in the spring. It is technology like this that helps farmers maximize resources and promote environmentally sustainable practices.

My bill will encourage this type of technology by bringing much-needed broadband to rural, agricultural areas.

Not only do I urge my colleagues to support H.R. 4881, but I would also like to quote the support of FCC Commissioner Carr. He said:

> In my time on the Commission, I have seen firsthand the difference that broadband connectivity makes for America's farmers and ranchers.

He goes on to say:

> . . . running agriculture operations today requires expertise in agronomy, technology, and data analytics. Bringing all of those skills together to improve crop yields and efficiency increasingly requires a high-speed broadband connection. So I am pleased to see this bill move forward and hope that it becomes law.

Mr. Speaker, I thank the gentleman for his handling of the bill today, and I urge support of the bill.

Mrs. DINGELL. Mr. Speaker, I strongly support passage of this bill, and I yield back the balance of my time.

Mr. LANCE. Mr. Speaker, I hope that everyone supports this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr.

LANCE) that the House suspend the rules and pass the bill, H.R. 4881, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LANCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PREVENTING ILLEGAL RADIO ABUSE THROUGH ENFORCEMENT ACT

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5709) to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5709

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 ''Preventing Illegal Radio Abuse Through Enforcement Act'' or the ''PIRATE Act''.

SEC. 2. PIRATE RADIO ENFORCEMENT ENHANCEMENTS.

Title V of the Communications Act of 1934 (47 U.S.C. 501 et seq.) is amended by adding at the end the following new section:

''SEC. 511. ENHANCED PENALTIES FOR PIRATE RADIO BROADCASTING; ENFORCEMENT SWEEPS; REPORTING.

''(a) INCREASED GENERAL PENALTY.—Any person who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting shall be subject to a fine of not more than $2,000,000.

''(b) VIOLATION OF THIS ACT, RULES, OR REGULATIONS.—Any person who willfully and knowingly violates this Act or any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation, restriction, or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is or may hereafter become party, relating to pirate radio broadcasting shall, in addition to any other penalties provided by law, be subject to a fine of not more than $100,000 for each day during which such offense occurs, in accordance with the limit described in subsection (a).

''(c) FACILITATION.—Any person who knowingly and intentionally facilitates pirate radio broadcasting shall be subject to a fine of not more than $2,000,000.

''(d) ANNUAL REPORT.—Not later than one year after the date of enactment of the PIRATE Act, and annually thereafter, the Commission shall submit to the House Committee on Energy and Commerce and the Senate Committee on Commerce, Science, and Transportation a report summarizing the implementation of this section and associated enforcement activities for the previous fiscal year, which may include the efforts by the Commission to enlist the cooperation of Federal, State, and local law enforcement personnel (including United States Attorneys and the United States Marshals Service) for service of process, collection of fines or forfeitures, seizures of equipment, and enforcement of orders.

''(e) ENFORCEMENT SWEEPS.—

''(1) ANNUAL SWEEPS.—Not less than once each year, the Commission shall assign appropriate enforcement personnel to focus specific and sustained attention on the elimination of pirate radio broadcasting within the top five radio markets identified as prevalent for such broadcasts. Such effort shall include identifying, locating, and taking enforcement actions designed to terminate such operations.

''(2) ADDITIONAL MONITORING.—Within six months after conducting the enforcement sweeps required by paragraph (1), the Commission shall conduct monitoring sweeps to ascertain whether the pirate radio broadcasting identified by enforcement sweeps is continuing to broadcast and whether additional pirate radio broadcasting is occurring.

''(3) NO EFFECT ON REMAINING ENFORCEMENT.—Notwithstanding paragraph (1), the Commission shall not decrease or diminish the regular enforcement efforts targeted to pirate radio broadcast stations for other times of the year.

''(f) STATE AND LOCAL GOVERNMENT AUTHORITY.—The Commission may not preempt any State or local law prohibiting pirate radio broadcasting.

''(g) REVISION OF COMMISSION RULES REQUIRED.—The Commission shall revise its rules to require that, absent good cause, in any case alleging a violation of subsection (a) or (b), the Commission shall proceed directly to issue a 'Notice of Apparent Liability' without first issuing a 'Notice of Unlicensed Operations'.

''(h) PIRATE RADIO BROADCASTING DATABASE.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, and semi-annually thereafter, the Commission shall publish a database in a clear and legible format of all licensed radio stations operating in the AM and FM bands. The database shall be easily accessible from the Commission home page through a direct link. The database shall include the following information:

''(A) Each licensed station, listed by the assigned frequency, channel number, or Commission call letters.

''(B) All entities that have received a Notice of Unlicensed Operation, Notice of Apparent Liability, or Forfeiture Order by the Commission.

''(2) CLEAR IDENTIFICATION.—The Commission shall clearly identify in the database—

''(A) each licensed station as a station licensed by the Commission; and

''(B) each entity described in paragraph (1)(B) as operating without a Commission license or authorization.

''(i) DEFINITIONS.—In this section:

''(1) PIRATE RADIO BROADCASTING.—The term 'pirate radio broadcasting' means the transmission of communications on spectrum frequencies between 535 to 1705 kHz or 87.7 to 108 MHz without a license issued by the Federal Communications Commission, but does not include unlicensed operations in compliance with part 15 of title 47, Code of Federal Regulations.

''(2) FACILITATES.—The term 'facilitates' means providing access to property (and improvements thereon) or providing physical goods or services, including providing housing, facilities, or financing, that directly aid pirate radio broadcasting.

''(3) KNOWINGLY AND INTENTIONALLY.—The term 'knowingly and intentionally' means the person was previously served by the Commission with a notice of unlicensed operations, notice of apparent liability, or citation for efforts to facilitate pirate radio broadcasting.''.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this Act or the amendment made by this Act. This Act and the amendment made by this Act shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LANCE) and the gentlewoman from Michigan (Mrs. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I yield myself such time as I may consume because, in my judgment, this is an important bill that we should all support.

The Preventing Illegal Radio Abuse Through Enforcement Act, or PIRATE Act, combats the very serious issue of unlawful broadcasting, often called ''pirate radio,'' and gives the Federal Communications Commission additional powers to issue fines on any person who willfully and knowingly broadcasts radio transmissions over AM or FM frequencies without a license from the Federal Communications Commission.

I thank my colleague, Congressman TONKO of New York, for joining me in offering this bipartisan legislation.

New Jersey, where I live, has one of the largest concentrations of pirate radio operators in the country. Pirate radio signals have been found to interfere with the emergency alert system and Federal Aviation Administration operations, causing significant harm to public safety. They also disrupt the business of licensed broadcasters who comply with the multitude of FCC regulations. Minority-owned broadcasters are disproportionately harmed by pirate radio operators in urban areas.

Knocking down pirate radio broadcasts prevents these bad actors from interfering with the licensed broadcasters public safety officials rely on to transmit communications during times of emergency. These unlawful broadcasts are interfering with the news and information programming people count on and needlessly clogging the information highway at important times.

It is time to take these pirates off the air by hiking the penalties and working with the Federal Communications Commission on enforcement. Chairman Pai and Commissioner O'Rielly have been able partners in

making sure these broadcasts are stopped. This bill will give the FCC even more tools to take down these illegal broadcasts.

This act increases fines tenfold for illegal pirate operations to $100,000 in an effort to boost the deterrent against these broadcasts.

The bill further holds those who facilitate pirate operations liable, while also streamlining the enforcement process. It also takes a further step in instituting enforcement sweeps by requiring the FCC to conduct biannual enforcement sweeps in the top five radio markets with significant illegal pirate operations, which would include the New Jersey and major New York media market.

I commend Chairman Pai for his leadership on this issue. Since 2017, the FCC has significantly cracked down on this illegal activity, and this bill will ensure future commissions continue this rigorous enforcement, helping to ensure that these illegal operators stay off the air.

The issue of pirate radio operators is a more pressing public issue than it seems. We have to clean up the airwaves to make way for public safety announcements, Federal Aviation Administration conversations, and other important information. Radio frequencies are not toys for unlicensed broadcasters.

Mr. Speaker, I urge all Members to support this important legislation, and I reserve the balance of my time.

Mrs. DINGELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support H.R. 5709, the Preventing Illegal Radio Abuse Through Enforcement Act, otherwise known as the PIRATE Act.

Unauthorized radio operators, called pirate broadcasters, are a growing threat to the public airwaves. Not only do they cause an annoyance by interfering with news and entertainment programs of legitimate broadcasters, but they pose a serious risk in time of emergencies by preventing the public from hearing critical public safety alerts and messages. And they put their own listeners at risk because they are not equipped to carry these messages.

They may also interfere with the communication channels of important agencies like the Federal Aviation Administration.

The FCC has stepped up its enforcement against pirate broadcasters, but we can do more. The bill before us today increases the fines that can be levied against pirate broadcasters from $10,000 per day, currently, to $100,000 per day. It also sets a maximum penalty of $2 million for pirate broadcasters and those that knowingly and intentionally facilitate pirate broadcasters.

The bill also ensures that the FCC continues its sustained enforcement efforts on pirate broadcasters, while balancing the other important missions of the enforcement bureau and its field staff.

State and local prosecutors can be partners in this effort. The bill ensures that laws prohibiting pirate broadcasters enacted by States and cities are not preempted.

H.R. 5709 is a bipartisan, commonsense bill. And, yes, I agree with my colleague here about what a good bill this is. I thank the authors, Mr. LANCE and Mr. TONKO, for the very hard work they put into this measure, and I urge my colleagues to support it today.

Mr. Speaker, I reserve the balance of my time.

Mr. LANCE. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. BILIRAKIS), a member of the Energy and Commerce Committee.

Mr. BILIRAKIS. Mr. Speaker, as members of the Communications and Technology Subcommittee, we have heard of the impact pirate radio operators have had on the authorized radio community.

There have also been instances in which emergency service communications have been hindered because of their illegal operators, including off the Gulf Coast of Florida. In Florida, we have worked closely with local law enforcement to identify and shut down pirate radio operators, as well as confiscate their equipment.

However, I have heard from the Federal Communications Commission countless times that, on a Federal level, there is limited authority to crack down on these operators and prevent their reestablishment. The PIRATE Act will help give teeth to FCC enforcement of illegal radio operators.

By hitting them in their pocketbook, the FCC can better stop these illegal actors for good. The recent success we have had in Florida proves the need for stronger penalties on these bad actors.

The PIRATE Act will help give teeth to the FCC enforcement of illegal radio operators. For this reason, I am proud to cosponsor H.R. 5709, and I support its passage.

Mrs. DINGELL. Mr. Speaker, once again, I urge my colleagues to support H.R. 5709, and I yield back the balance of my time.

Mr. LANCE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, H.R. 5709, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EDUCATING MEDICAL PROFESSIONALS AND OPTIMIZING WORKFORCE EFFICIENCY AND READINESS ACT OF 2018

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3728) to amend title VII of the Public Health Service Act to reauthorize certain programs relating to the health professions workforce, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3728

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 ''Educating Medical Professionals and Optimizing Workforce Efficiency and Readiness Act of 2018'' or the ''EMPOWER Act of 2018''.

SEC. 2. REAUTHORIZATION OF HEALTH PROFESSIONS WORKFORCE PROGRAMS.

(a) CENTERS OF EXCELLENCE.—Subsection (i) of section 736 of the Public Health Service Act (42 U.S.C. 293) is amended to read as follows:

''(i) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $23,711,000 for each of fiscal years 2019 through 2023.''.

(b) HEALTH PROFESSIONS TRAINING FOR DIVERSITY.—Section 740 of the Public Health Service Act (42 U.S.C. 293d) is amended—

(1) in subsection (a), by striking ''$51,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014'' and inserting ''$48,970,000 for each of fiscal years 2019 through 2023'';

(2) in subsection (b), by striking ''$5,000,000 for each of the fiscal years 2010 through 2014'' and inserting ''$1,190,000 for each of fiscal years 2019 through 2023''; and

(3) in subsection (c), by striking ''$60,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2014'' and inserting ''$14,189,000 for each of fiscal years 2019 through 2023''.

(c) PRIMARY CARE TRAINING AND ENHANCEMENT.—Section 747(c)(1) of the Public Health Service Act (42 U.S.C. 293k(c)(1)) is amended by striking ''$125,000,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 through 2014'' and inserting ''$48,924,000 for each of fiscal years 2019 through 2023''.

(d) TRAINING IN GENERAL, PEDIATRIC, AND PUBLIC HEALTH DENTISTRY.—Section 748(f) of the Public Health Service Act (42 U.S.C. 293k–2(f)) is amended by striking ''$30,000,000 for fiscal year 2010 and such sums as may be necessary for each of fiscal years 2011 through 2015'' and inserting ''$40,673,000 for each of fiscal years 2019 through 2023''.

(e) AREA HEALTH EDUCATION CENTERS.—Section 751(j)(1) of the Public Health Service Act (42 U.S.C. 294a(j)(1)) is amended by striking ''$125,000,000 for each of the fiscal years 2010 through 2014'' and inserting ''$38,250,000 for each of fiscal years 2019 through 2023''.

(f) NATIONAL CENTER FOR HEALTHCARE WORKFORCE ANALYSIS.—

(1) IN GENERAL.—Section 761(e)(1)(A) of the Public Health Service Act (42 U.S.C. 294n(e)(1)(A)) is amended by striking ''$7,500,000 for each of fiscal years 2010 through 2014'' and inserting ''$5,663,000 for each of fiscal years 2019 through 2023''.

(2) TECHNICAL CORRECTION.—Section 761(e)(2) of the Public Health Service Act (42 U.S.C. 294n(e)(2)) is amended by striking ''subsection (a)'' and inserting ''paragraph (1)''.

(g) PUBLIC HEALTH WORKFORCE.—Section 770(a) of the Public Health Service Act (42 U.S.C. 295e(a)) is amended by striking ''$43,000,000 for fiscal year 2011, and such sums as may be necessary for each of the fiscal years 2012 through 2015'' and inserting

''$17,000,000 for each of fiscal years 2019 through 2023''.

SEC. 3. EDUCATION AND TRAINING RELATING TO GERIATRICS.

Section 753 of the Public Health Service Act (42 U.S.C. 294c) is amended to read as follows:

''SEC. 753. EDUCATION AND TRAINING RELATING TO GERIATRICS.

''(a) GERIATRICS WORKFORCE ENHANCEMENT PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall award grants or contracts under this subsection to entities described in paragraph (1), (3), or (4) of section 799B, section 801(2), or section 865(d), or other health professions schools or programs approved by the Secretary, for the establishment or operation of geriatrics workforce enhancement programs that meet the requirements of paragraph (2).

''(2) REQUIREMENTS.—A geriatrics workforce enhancement program meets the requirements of this paragraph if such program supports the development of a health care workforce that maximizes patient and family engagement and improves health outcomes for older adults by integrating geriatrics with primary care and other appropriate specialties. Special emphasis should be placed on providing the primary care workforce with the knowledge and skills to care for older adults and collaborating with community partners to address gaps in health care for older adults through individual, system, community, and population level changes. Areas of programmatic focus may include the following:

''(A) Transforming clinical training environments to integrated geriatrics and primary care delivery systems to ensure trainees are well prepared to practice in and lead in such systems.

''(B) Developing providers who can assess and address the needs and preferences of older adults and their families and caregivers at the individual, community, and population levels.

''(C) Creating and delivering community-based programs that will provide older adults and their families and caregivers with the knowledge and skills to improve health outcomes and the quality of care for such adults.

''(D) Providing Alzheimer's disease and related dementias (ADRD) education to the families and caregivers of older adults, direct care workers, health professions students, faculty, and providers.

''(3) DURATION.—The Secretary shall award grants and contracts under paragraph (1) for a period not to exceed five years.

''(4) APPLICATION.—To be eligible to receive a grant or contract under paragraph (1), an entity described in such paragraph shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(5) EQUITABLE GEOGRAPHIC DISTRIBUTION.—The Secretary may award grants and contracts under paragraph (1) in a manner which will equitably distribute such grants and contracts among the various regions of the United States.

''(6) PRIORITY.—In awarding grants and contracts under paragraph (1), the Secretary may give priority to programs that—

''(A) have the goal of improving and providing comprehensive coordinated care of older adults, including medical, dental, and psychosocial needs;

''(B) support the training and retraining of faculty, preceptors, primary care providers, and providers in other specialties to increase their knowledge of geriatrics and gerontology;

''(C) provide clinical experiences across care settings, including ambulatory care, hospitals, post-acute care, nursing homes, federally qualified health centers, and home and community-based services;

''(D) emphasize education and engagement of family caregivers on disease self-management, medication management, and stress reduction strategies;

''(E) provide training to the health care workforce on disease self-management, motivational interviewing, medication management, and stress reduction strategies;

''(F) provide training to the health care workforce on social determinants of health in order to better address the geriatric health care needs of diverse populations;

''(G) integrate geriatrics competencies and interprofessional collaborative practice into health care education and training curricula for residents, fellows, and students;

''(H) substantially benefit rural or underserved populations of older adults;

''(I) integrate behavioral health competencies into primary care practice, especially with respect to elder abuse, pain management, and advance care planning; or

''(J) offer short-term intensive courses that—

''(i) focus on geriatrics, gerontology, chronic care management, and long-term care that provide supplemental training for faculty members in medical schools and other health professions schools or graduate programs in psychology, pharmacy, nursing, social work, dentistry, public health, allied health, or other health disciplines, as approved by the Secretary; and

''(ii) are open to current faculty, and appropriately credentialed volunteer faculty and practitioners, to upgrade their knowledge and clinical skills for the care of older adults and adults with functional and cognitive limitations and to enhance their interdisciplinary teaching skills.

''(b) GERIATRIC ACADEMIC CAREER AWARDS.—

''(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide Geriatric Academic Career Awards to eligible entities applying on behalf of eligible individuals to promote the career development of such individuals as academic geriatricians or other academic geriatrics health professionals.

''(2) ELIGIBILITY.—

''(A) ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means—

''(i) an entity described in paragraph (1), (3), or (4) of section 799B or section 801(2); or

''(ii) an accredited health professions school or graduate program approved by the Secretary.

''(B) ELIGIBLE INDIVIDUAL.—For purposes of this subsection, the term 'eligible individual' means an individual who—

''(i) is board certified in internal medicine, family practice, psychiatry, or licensed dentistry, or has completed any required training in a discipline and is employed in an accredited health professions school or graduate program that is approved by the Secretary;

''(ii) has completed an approved fellowship program in geriatrics or gerontology, or has completed specialty training in geriatrics or gerontology as required by the discipline and any additional geriatrics or gerontology training as required by the Secretary; and

''(iii) has a junior (non-tenured) faculty appointment at an accredited school of allopathic medicine, osteopathic medicine, nursing, social work, psychology, dentistry, pharmacy, or other allied health disciplines in an accredited health professions school or graduate program that is approved by the Secretary.

''(3) LIMITATIONS.—An eligible entity may not receive an award under paragraph (1) on behalf of an eligible individual unless the eligible entity—

''(A) submits to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require, and the Secretary approves such application;

''(B) provides, in such form and manner as the Secretary may require, assurances that the eligible individual on whose behalf an application was submitted under subparagraph (A) will meet the service requirement described in paragraph (7); and

''(C) provides, in such form and manner as the Secretary may require, assurances that such individual has a full-time faculty appointment in an accredited health professions school or graduate program and documented commitment from such school or program to spend 75 percent of the total time of such individual on teaching and developing skills in interprofessional education in geriatrics.

''(4) REQUIREMENTS.—In awarding grants under this subsection, the Secretary—

''(A) shall give priority to eligible entities that apply on behalf of eligible individuals who are on the faculty of institutions that integrate geriatrics education, training, and best practices into academic program criteria;

''(B) may give priority to eligible entities that operate a geriatrics workforce enhancement program under subsection (a);

''(C) shall ensure that grants are equitably distributed across the various geographical regions of the United States, including rural and underserved areas;

''(D) shall pay particular attention to geriatrics health care workforce needs among underserved populations and rural areas; and

''(E) may not require an eligible individual, or an eligible entity applying on behalf of an eligible individual, to be a recipient of a grant or contract under this part.

''(5) MAINTENANCE OF EFFORT.—An eligible entity receiving an award under paragraph (1) on behalf of an eligible individual shall provide assurances to the Secretary that funds provided to such individual under this subsection will be used only to supplement, not to supplant, the amount of Federal, State, and local funds otherwise expended by such individual.

''(6) AMOUNT AND TERM.—

''(A) AMOUNT.—The amount of an award under this subsection for eligible individuals who are physicians shall equal $100,000 for fiscal year 2017, adjusted for subsequent fiscal years to reflect the increase in the Consumer Price Index. The Secretary shall determine the amount of an award under this subsection for individuals who are not physicians.

''(B) TERM.—The term of any award made under this subsection shall not exceed 5 years.

''(7) SERVICE REQUIREMENT.—An eligible individual on whose behalf an application was submitted and approved under paragraph (3)(A) shall provide training in clinical geriatrics or gerontology, including the training of interprofessional teams of health care professionals.

''(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $40,737,000 for each of fiscal years 2019 through 2023. Notwithstanding the preceding sentence, no funds shall be made available to carry out subsection (b) for a fiscal year unless the amount made available to carry out this section for such fiscal year is more than the amount made available to carry out this section for fiscal year 2017.''.

The SPEAKER pro tempore (Mr. BACON). Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and

the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. BURGESS).

□ 1445

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the author of the Educating Medical Professionals and Optimizing Workforce Efficiency and Readiness Act of 2018, I rise in strong support of this bill. H.R. 3728 moved with strong bipartisan support through regular order in the full Energy and Commerce Committee and the subcommittee, which I chair. This legislation reauthorizes the title VII health professions workforce program for fiscal years 2019 through 2023.

Title VII programs have expired but have continued to receive appropriations. In fact, in fiscal year 2018, the appropriations levels for the program actually increased. Reauthorizing these physician workforce programs will provide much-needed stability for those who depend upon this funding.

Title VII of the Public Health Service Act includes various programs that are vital to building and maintaining a well-educated, well-trained physician workforce.

The EMPOWER Act reauthorizes funding for the Area Health Education Centers at more than $38 million a year. These centers are critical in providing both medical education and healthcare services to medically underserved areas.

The bill also reauthorizes programs that incentivize diversity in the physician workforce, including the Centers of Excellence Program, which this bill authorizes at a level of $23 million per year. This particular program provides grants to medical schools that have a disproportionate number of minority students for the purpose of expanding the schools' capacity or to improve curriculum.

Primary care is an important aspect of our Nation's healthcare system and how many Americans receive the majority of their healthcare services. H.R. 3728 reauthorizes funding for our Primary Care Training and Enhancement Program at more than $48 million per year. This program provides grants to hospitals and health professional schools to develop and operate supplemental primary care training programs.

Lastly, this bill aims to strengthen our workforce that cares for the geriatric population. The bill makes strides toward modernizing the Geriatrics Workforce Enhancement Program and the Geriatric Academic Career Award. With an aging population, our workforce needs to be adequately trained in handling the unique needs of our seniors. These two programs enable physicians and other providers to achieve that training.

Lastly, I want to thank Representatives SCHAKOWSKY and BUCSHON and their staffs and the majority and minority staffs on the Energy and Commerce Committee for their work on this legislation.

Reauthorizing title VII programs is long overdue, especially in a time where our existing physician workforce is struggling to keep up with the demands for healthcare services. I urge strong support of the legislation, and I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3728, the Educating Medical Professionals and Optimizing Workforce Efficiency and Readiness Act, the EMPOWER Act.

I thank the main sponsors of the bill—Representative and Chair MICHAEL BURGESS, Representative JAN SCHAKOWSKY, and Representative LARRY BUCSHON—for their work on this important bill.

This legislation will reauthorize title VII health professional workforce programs under the Public Health Service Act that support loan repayment and provider training experiences in primary care, dentistry, rural, and underserved areas.

These programs include the Centers of Excellence, the Health Professions Training for Diversity Program, Primary Care Training and Enhancement grants, and Training in General, Pediatric, and Public Health Dentistry grants.

Investing in these programs helps ensure the availability of providers who are increasingly in demand across the country. These grants help support the health professional workforce by improving the diversity and distribution and supply of health professionals with an emphasis on primary care and interdisciplinary education and training.

This legislation will also boost training for geriatric providers who are needed to respond to our aging workforce.

I ask my colleagues to join me in voting for this important piece of legislation that will continue support for our Nation's health professions workforce programs.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would just point out that reauthorizing these title VII programs is long overdue. The House of Representatives in the last Congress, the 114th Congress, did provide the reauthorization. It never made it through the other body, unfortunately. It is time to do that work now, and that is what this bill, today, purports to do.

Mr. Speaker, this is an important bill. It is long overdue. I urge all Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 3728, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DR. BENJY FRANCES BROOKS CHILDREN'S HOSPITAL GME SUPPORT REAUTHORIZATION ACT OF 2018

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5385) to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5385

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 ''Dr. Benjy Frances Brooks Children's Hospital GME Support Reauthorization Act of 2018''.

SEC. 2. PROGRAM OF PAYMENTS TO CHILDREN'S HOSPITALS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.

Section 340E of the Public Health Service Act (42 U.S.C. 256e) is amended—

(1) in subsection (a), by striking ''and each of fiscal years 2014 through 2018,'' and inserting ''each of fiscal years 2014 through 2018, and each of fiscal years 2019 through 2023,'';

(2) in subsection (b)(3)(D), by inserting ''and the end of fiscal year 2022,'' after ''fiscal year 2018,''; and

(3) in subsection (f)—

(A) in paragraph (1)(A)—

(i) in clause (iv), by striking ''; and'' and inserting a semicolon;

(ii) in clause (v), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(vi) for each of fiscal years 2019 through 2023, $105,000,000.''; and

(B) in paragraph (2)—

(i) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(F) for each of fiscal years 2019 through 2023, $220,000,000.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. BURGESS).

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are considering H.R. 5385, the Dr. Benjy Frances Brooks Children's Hospital Graduate Medical Education Support Reauthorization Act of 2018. This bill, which was submitted by Representative GENE GREEN and myself, reauthorizes the Children's Hospital Graduate Medical Education programs at $325 million per year for the fiscal years 2019 through 2023. This is an increase of $10 million above the enacted fiscal year 2018 level. This bill recently moved through regular order in the Energy and Commerce Committee and its Subcommittee on Health.

Congress created the Children's Hospital Graduate Medical Education program in 1999 as part of the Healthcare Research and Quality Act, which authorized funding to directly support medical residency training at children's hospitals for 2 years.

Prior to the establishment of Children's Hospital Graduate Medical Education, children's hospitals received minimal graduate medical education funding because Medicare is the primary funding source of graduate medical education programs, and children's hospitals have few Medicare patients.

Since the establishment of this program, Children's Hospital Graduate Medical Education funding has provided critical support to our pediatric workforce, which still is struggling to keep up with the demands for their services. The Children's Hospital Graduate Medical Education program is especially crucial in training pediatric subspecialists.

Children's hospitals have a unique patient population with medical conditions from which pediatric medical residents can learn and develop critical skills. The experience gained from such a residency helps to prepare and train physicians for the complex reality of pediatric medicine that they will face in the future of their medical careers.

I can say as an OB/GYN who did his residency at Parkland Hospital in Dallas, residency programs play a vital role in shaping our Nation's physician workforce. Our pediatric workforce is no exception.

According to the Children's Hospital Association, almost half of children's hospitals reported vacancies for child and adolescent psychiatry, in addition to developmental pediatrics. The Children's Hospital Association also reports that pediatric specialists in emergency medicine, physical medicine, rehabilitation, endocrinology, rheumatology, hospitalists, pain management/palliative care, and adolescent medicine are frequently reported as experiencing vacancies longer than 12 months.

The workforce shortage is something that I am concerned about, and that is why passing this legislation is an integral part of maintaining and sustaining our workforce.

In 2016, Children's Hospital Graduate Medical Education funding helped to support over 7,000 residents at 58 hospitals across the country.

Mr. GREEN and I agreed to name this bill after Dr. Benjy Frances Brooks, who was born and raised in my district in north Texas, in Lewisville, Texas. Dr. Brooks went on to become the first female pediatric surgeon in the State and to establish pediatric surgery as a separate division at the University of Texas Medical School at Houston. It is an honor to move this bill in Dr. Brooks' name.

Our children deserve the best care available to them, and ensuring that we have an adequately prepared workforce is the first step in providing quality healthcare to children. Passing H.R. 5385 is vital to the maintenance and growth of this workforce and to the health of our Nation's children.

I urge support of this legislation, and I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5385, the Dr. Benjy Frances Brooks Children's Hospital GME Support Reauthorization Act of 2018.

I am proud to introduce this legislation that will reauthorize the Children's Hospital Graduate Medical Education program with our subcommittee chairman, Congressman MICHAEL BURGESS. The CHGME program was created by Congress in 1999 to provide payments to children's hospitals to support medical residency training programs.

The Children's Hospital GME program is necessary due to how hospitals typically receive support for GME through Medicare, and these payments are based on hospitals' Medicare patient volume. Because the Medicare program is used primarily by people who are over the age of 65 and children's hospitals treat, primarily, people below the age of 18, children's hospitals have low Medicare patient volume and receive few Medicare GME payments.

Children's Hospital GME funds go toward training our Nation's pediatric workforce, including pediatricians and pediatric subspecialists, as well as other physician types in nonpediatrics, focused specialists that may rotate through children's hospitals for a period of time during their residency.

Since its creation, the Children's Hospital GME program has made it possible for thousands of pediatricians to receive training, including at Texas Children's Hospital in Houston, home of one of the largest academic pediatric departments in the United States, which has a number of clinics in our Houston area district.

Physicians receiving training in one of the 58 freestanding children's hospitals in 29 States go on to serve in the rural and other underserved areas, helping to alleviate the pediatric workforce shortage impacting communities throughout America.

The CHGME program is needed now more than ever to help train the pediatric workforce that will be required to meet the needs of our children and our grandchildren. Our legislation will reauthorize the CHGME program for 5 years at $325 million, and a $25 million increase over current levels. The current authorization will expire at the end of September, so it is imperative that we reauthorize this important program.

Our bipartisan legislation has 57 cosponsors, nearly equally divided between Democrats and Republicans. In addition, this legislation has strong support from outside stakeholders, the American Hospital Association, and the Children's Hospital Association.

I thank Dr. BURGESS and all our colleagues on the Energy and Commerce Committee for their hard work and support for this important legislation, and I ask for all Members to join us in support of the Dr. Benjy Frances Brooks Children's Hospital GME Support Reauthorization Act of 2018.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield as much time as he may consume to the gentleman from Oregon (Mr. WALDEN), chairman of the full committee.

Mr. WALDEN. Mr. Speaker, I want to thank my colleagues Mr. GENE GREEN and, certainly, Dr. BURGESS for their great leadership on this issue.

I rise is support of H.R. 5385, the Dr. Benjy Frances Brooks Children's HOSPITAL GME Support Reauthorization Act of 2018, and I want to thank them for their good work on this.

As you have heard, this reauthorizes payments to children's hospitals that operate graduate medical education programs, and it does so for the next 5 years, giving these programs great certainty going forward. This legislation will continue to enable the Nation's freestanding children's hospitals to provide education to graduates of medical schools, enhance pediatric research capabilities, and care for these vulnerable and underserved children.

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Representative GREEN and Chairman BURGESS partnered to lead this bipartisan bill in our committee, and they brought about unanimous votes in both the Health Subcommittee and in our full committee. I appreciate their work on this and thank them and their staffs for the great work they all have done as we work together to reauthorize these very, very important programs.

Mr. Speaker, I urge my colleagues to support us in this legislation from the Energy and Commerce Committee.

Mr. GENE GREEN of Texas. Mr. Speaker, we have no further speakers,

and I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

I only want to point out that 2018 is the 100-year anniversary of the birth of Dr. Benjy Brooks, so it seemed an appropriate time to recognize her contributions to the fields of pediatric surgery and medicine in general.

Again, she was born in the town in which I practiced medicine for a number of years. I first encountered her at the University of Texas Medical School at Houston when I was a medical student back there in the 1970s. Surely, hers is a legacy of which all Texans can be proud.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 5385, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING ACT

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1676) to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1676

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 ''Palliative Care and Hospice Education and Training Act''.

SEC. 2. PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING.

(a) IN GENERAL.—Part D of title VII of the Public Health Service Act (42 U.S.C. 294 et seq.) is amended by inserting after section 759 the following:

''SEC. 759A. PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING.

''(a) PALLIATIVE CARE AND HOSPICE EDUCATION CENTERS.—

''(1) IN GENERAL.—The Secretary shall award grants or contracts under this section to entities described in paragraph (1), (3), or (4) of section 799B, and section 801(2), for the establishment or operation of Palliative Care and Hospice Education Centers that meet the requirements of paragraph (2).

''(2) REQUIREMENTS.—A Palliative Care and Hospice Education Center meets the requirements of this paragraph if such Center—

''(A) improves the interprofessional team-based training of health professionals in palliative care, including residencies, traineeships, or fellowships;

''(B) develops and disseminates interprofessional team-based curricula relating to the palliative treatment of the complex health problems of individuals with serious or life-threatening illnesses;

''(C) supports the training and retraining of faculty to provide instruction in interprofessional team-based palliative care;

''(D) supports interprofessional team-based continuing education of health professionals who provide palliative care to patients with serious or life-threatening illness;

''(E) provides students (including residents, trainees, and fellows) with clinical training in interprofessional team-based palliative care in appropriate health settings, including hospitals, hospices, home care, long-term care facilities, and ambulatory care centers;

''(F) establishes traineeships for individuals who are preparing for advanced education nursing degrees, social work degrees, or advanced degrees in physician assistant studies, with a focus in interprofessional team-based palliative care in appropriate health settings, including hospitals, hospices, home care, long-term care facilities, and ambulatory care centers;

''(G) supports collaboration between multiple specialty training programs (such as medicine, nursing, social work, physician assistant, chaplaincy, and pharmacy) and clinical training sites to provide training in interprofessional team-based palliative care; and

''(H) does not duplicate the activities of existing education centers funded under this section or under section 753 or 865.

''(3) EXPANSION OF EXISTING CENTERS.—Nothing in this section shall be construed to—

''(A) prevent the Secretary from providing grants to expand existing education centers, including geriatric education centers established under section 753 or 865, to provide for education and training focused specifically on palliative care, including for non-geriatric populations; or

''(B) limit the number of education centers that may be funded in a community.

''(b) PALLIATIVE MEDICINE PHYSICIAN TRAINING.—

''(1) IN GENERAL.—The Secretary may make grants to, and enter into contracts with, schools of medicine, schools of osteopathic medicine, teaching hospitals, and graduate medical education programs for the purpose of providing support for projects that fund the training of physicians (including residents, trainees, and fellows) who plan to teach palliative medicine.

''(2) REQUIREMENTS.—Each project for which a grant or contract is made under this subsection shall—

''(A) be staffed by full-time teaching physicians who have experience or training in interprofessional team-based palliative medicine;

''(B) be based in a hospice and palliative medicine fellowship program accredited by the Accreditation Council for Graduate Medical Education;

''(C) provide training in interprofessional team-based palliative medicine through a variety of service rotations, such as consultation services, acute care services, extended care facilities, ambulatory care and comprehensive evaluation units, hospices, home care, and community care programs;

''(D) develop specific performance-based measures to evaluate the competency of trainees; and

''(E) provide training in interprofessional team-based palliative medicine through one or both of the training options described in paragraph (3).

''(3) TRAINING OPTIONS.—The training options referred to in subparagraph (E) of paragraph (2) are as follows:

''(A) 1-year retraining programs in hospice and palliative medicine for physicians who are faculty at schools of medicine and osteopathic medicine, or others determined appropriate by the Secretary.

''(B) 1- or 2-year training programs that are designed to provide training in interprofessional team-based hospice and palliative medicine for physicians who have completed graduate medical education programs in any medical specialty leading to board eligibility in hospice and palliative medicine pursuant to the American Board of Medical Specialties.

''(4) DEFINITIONS.—For purposes of this subsection, the term 'graduate medical education' means a program sponsored by a school of medicine, a school of osteopathic medicine, a hospital, or a public or private institution that—

''(A) offers postgraduate medical training in the specialties and subspecialties of medicine; and

''(B) has been accredited by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association through its Committee on Postdoctoral Training.

''(c) PALLIATIVE MEDICINE AND HOSPICE ACADEMIC CAREER AWARDS.—

''(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide awards, to be known as the 'Palliative Medicine and Hospice Academic Career Awards', to eligible individuals to promote the career development of such individuals as academic hospice and palliative care physicians.

''(2) ELIGIBLE INDIVIDUALS.—To be eligible to receive an award under paragraph (1), an individual shall—

''(A) be board certified or board eligible in hospice and palliative medicine; and

''(B) have a junior (non-tenured) faculty appointment at an accredited (as determined by the Secretary) school of medicine or osteopathic medicine.

''(3) LIMITATIONS.—No award under paragraph (1) may be made to an eligible individual unless the individual—

''(A) has submitted to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require, and the Secretary has approved such application;

''(B) provides, in such form and manner as the Secretary may require, assurances that the individual will meet the service requirement described in paragraph (6); and

''(C) provides, in such form and manner as the Secretary may require, assurances that the individual has a full-time faculty appointment in a health professions institution and documented commitment from such institution to spend a majority of the total funded time of such individual on teaching and developing skills in education in interprofessional team-based palliative care.

''(4) MAINTENANCE OF EFFORT.—An eligible individual who receives an award under paragraph (1) shall provide assurances to the Secretary that funds provided to the eligible individual under this subsection will be used only to supplement, not to supplant, the amount of Federal, State, and local funds otherwise expended by the eligible individual.

''(5) AMOUNT AND TERM.—

''(A) AMOUNT.—The amount of an award under this subsection shall be equal to the award amount provided for under section 753(c)(5)(A) for the fiscal year involved.

''(B) TERM.—The term of an award made under this subsection shall not exceed 5 years.

''(C) PAYMENT TO INSTITUTION.—The Secretary shall make payments for awards under this subsection to institutions, including schools of medicine and osteopathic medicine.

''(6) SERVICE REQUIREMENT.—An individual who receives an award under this subsection shall provide training in palliative care and hospice, including the training of interprofessional teams of health care professionals. The provision of such training shall constitute a majority of the total funded obligations of such individual under the award.

''(d) PALLIATIVE CARE WORKFORCE DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary shall award grants or contracts under this subsection to entities that operate a Palliative Care and Hospice Education Center pursuant to subsection (a)(1).

''(2) APPLICATION.—To be eligible for an award under paragraph (1), an entity described in such paragraph shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(3) USE OF FUNDS.—Amounts awarded under a grant or contract under paragraph (1) shall be used to carry out the fellowship program described in paragraph (4).

''(4) FELLOWSHIP PROGRAM.—

''(A) IN GENERAL.—Pursuant to paragraph (3), a Palliative Care and Hospice Education Center that receives an award under this subsection shall use such funds to offer short-term intensive courses (referred to in this subsection as a 'fellowship') that focus on interprofessional team-based palliative care that provide supplemental training for faculty members in medical schools and other health professions schools with programs in psychology, pharmacy, nursing, social work, physician assistant education, chaplaincy, or other health disciplines, as approved by the Secretary. Such a fellowship shall be open to current faculty, and appropriately credentialed volunteer faculty and practitioners, who do not have formal training in palliative care, to upgrade their knowledge and clinical skills for the care of individuals with serious or life-threatening illness and to enhance their interdisciplinary and interprofessional teaching skills.

''(B) LOCATION.—A fellowship under this paragraph shall be offered either at the Palliative Care and Hospice Education Center that is sponsoring the course, in collaboration with other Palliative Care and Hospice Education Centers, or at medical schools, schools of nursing, schools of pharmacy, schools of social work, schools of chaplaincy or pastoral care education, graduate programs in psychology, physician assistant education programs, or other health professions schools approved by the Secretary with which the Centers are affiliated.

''(C) CONTINUING EDUCATION CREDIT.—Participation in a fellowship under this paragraph shall be accepted with respect to complying with continuing health profession education requirements. As a condition of such acceptance, the recipient shall subsequently provide a minimum of 18 hours of voluntary instruction in palliative care content (that has been approved by a palliative care and hospice education center) to students or trainees in health-related educational, home, hospice, or long-term care settings.

''(5) TARGETS.—A Palliative Care and Hospice Education Center that receives an award under paragraph (1) shall meet targets approved by the Secretary for providing training in interprofessional team-based palliative care to a certain number of faculty or practitioners during the term of the award, as well as other parameters established by the Secretary.

''(6) AMOUNT OF AWARD.—Each award under paragraph (1) shall be in the amount of $150,000. Not more than 24 Palliative Care and Hospice Education Centers may receive an award under such paragraph.

''(7) MAINTENANCE OF EFFORT.—A Palliative Care and Hospice Education Center that receives an award under paragraph (1) shall provide assurances to the Secretary that funds provided to the Center under the award will be used only to supplement, not to supplant, the amount of Federal, State, and local funds otherwise expended by such Center.

''(e) PALLIATIVE CARE AND HOSPICE CAREER INCENTIVE AWARDS.—

''(1) IN GENERAL.—The Secretary shall award grants or contracts under this subsection to individuals described in paragraph (2) to foster greater interest among a variety of health professionals in entering the field of palliative care.

''(2) ELIGIBLE INDIVIDUALS.—To be eligible to receive an award under paragraph (1), an individual shall—

''(A) be an advanced practice nurse, a social worker, physician assistant, pharmacist, chaplain, or student of psychology who is pursuing a doctorate, masters, or other advanced degree with a focus in interprofessional team-based palliative care or related fields in an accredited health professions school; and

''(B) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(3) CONDITIONS OF AWARD.—As a condition of receiving an award under paragraph (1), an individual shall agree that, following completion of the award period, the individual will teach or practice palliative care in health-related educational, home, hospice, or long-term care settings for a minimum of 5 years under guidelines established by the Secretary.

''(4) PAYMENT TO INSTITUTION.—The Secretary shall make payments for awards under paragraph (1) to institutions that include schools of medicine, osteopathic medicine, nursing, social work, psychology, chaplaincy or pastoral care education, dentistry, and pharmacy, or other allied health discipline in an accredited health professions school or program (such as a physician assistant education program) that is approved by the Secretary.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $15,000,000 for each of the fiscal years 2019 through 2023.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective beginning on the date that is 90 days after the date of enactment of this Act.

SEC. 3. HOSPICE AND PALLIATIVE NURSING.

(a) NURSE EDUCATION, PRACTICE, AND QUALITY GRANTS.—Section 831(b)(3) of the Public Health Service Act (42 U.S.C. 296p(b)(3)) is amended by inserting ''hospice and palliative nursing,'' after ''coordinated care,''.

(b) PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING PROGRAMS.—Part D of title VIII of the Public Health Service Act (42 U.S.C. 296p et seq.) is amended by adding at the end the following:

''SEC. 832. PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to eligible entities to develop and implement, in coordination with programs under section 759A, programs and initiatives to train and educate individuals in providing interprofessional team-based palliative care in health-related educational, hospital, hospice, home, or long-term care settings.

''(b) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a) shall use funds under such grant to—

''(1) provide training to individuals who will provide palliative care in health-related educational, hospital, home, hospice, or long-term care settings;

''(2) develop and disseminate curricula relating to palliative care in health-related educational, hospital, home, hospice, or long-term care settings;

''(3) train faculty members in palliative care in health-related educational, hospital, home, hospice, or long-term care settings; or

''(4) provide continuing education to individuals who provide palliative care in health-related educational, home, hospice, or long-term care settings.

''(c) APPLICATION.—An eligible entity desiring a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(d) ELIGIBLE ENTITY.—For purposes of this section, the term 'eligible entity' shall include a school of nursing, a health care facility, a program leading to certification as a certified nurse assistant, a partnership of such a school and facility, or a partnership of such a program and facility.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2019 through 2023.''.

SEC. 4. DISSEMINATION OF PALLIATIVE CARE INFORMATION.

Part A of title IX of the Public Health Service Act (42 U.S.C. 299 et seq.) is amended by adding at the end the following new section:

''SEC. 904. DISSEMINATION OF PALLIATIVE CARE INFORMATION.

''(a) IN GENERAL.—Under the authority under section 902(a) to disseminate information on health care and on systems for the delivery of such care, the Director may disseminate information to inform patients, families, and health professionals about the benefits of palliative care throughout the continuum of care for patients with serious or life-threatening illness.

''(b) INFORMATION DISSEMINATED.—

''(1) MANDATORY INFORMATION.—If the Director elects to disseminate information under subsection (a), such dissemination shall include the following:

''(A) PALLIATIVE CARE.—Information, resources, and communication materials about palliative care as an essential part of the continuum of quality care for patients and families facing serious or life-threatening illness (including cancer; heart, kidney, liver, lung, and infectious diseases; as well as neurodegenerative disease such as dementia, Parkinson's disease, or amyotrophic lateral sclerosis).

''(B) PALLIATIVE CARE SERVICES.—Specific information regarding the services provided to patients by professionals trained in hospice and palliative care, including pain and symptom management, support for shared decisionmaking, care coordination, psychosocial care, and spiritual care, explaining that such services may be provided starting at the point of diagnosis and alongside curative treatment and are intended to—

''(i) provide patient-centered and family-centered support throughout the continuum of care for serious and life-threatening illness;

''(ii) anticipate, prevent, and treat physical, emotional, social, and spiritual suffering;

''(iii) optimize quality of life; and

''(iv) facilitate and support the goals and values of patients and families.

''(C) PALLIATIVE CARE PROFESSIONALS.—Specific materials that explain the role of professionals trained in hospice and palliative care in providing team-based care (including pain and symptom management, support for shared decisionmaking, care coordination, psychosocial care, and spiritual care) for patients and families throughout the continuum of care for serious or life-threatening illness.

''(D) RESEARCH.—Evidence-based research demonstrating the benefits of patient access to palliative care throughout the continuum of care for serious or life-threatening illness.

''(E) POPULATION-SPECIFIC MATERIALS.—Materials targeting specific populations, including patients with serious or life-threatening illness who are among medically underserved populations (as defined in section 330(b)(3)) and families of such patients or health professionals serving medically underserved populations. Such populations shall include pediatric patients, young adult and adolescent patients, racial and ethnic minority populations, and other priority populations specified by the Director.

''(2) REQUIRED PUBLICATION.—Information and materials disseminated under paragraph (1) shall be posted on the Internet websites of relevant Federal agencies and departments, including the Department of Veterans Affairs, the Centers for Medicare & Medicaid Services, and the Administration on Aging.

''(c) CONSULTATION.—The Director shall consult with appropriate professional societies, hospice and palliative care stakeholders, and relevant patient advocate organizations with respect to palliative care, psychosocial care, and complex chronic illness with respect to the following:

''(1) The planning and implementation of the dissemination of palliative care information under this section.

''(2) The development of information to be disseminated under this section.

''(3) A definition of the term 'serious or life-threatening illness' for purposes of this section.''.

SEC. 5. CLARIFICATION.

None of the funds made available under this Act (or an amendment made by this Act) may be used to provide, promote, or provide training with regard to any item or service for which Federal funding is unavailable under section 3 of Public Law 105–12 (42 U.S.C. 14402).

SEC. 6. ENHANCING NIH RESEARCH IN PALLIATIVE CARE.

(a) IN GENERAL.—Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following new section:

''SEC. 409K. ENHANCING RESEARCH IN PALLIATIVE CARE.

''The Secretary, acting through the Director of the National Institutes of Health, shall develop and implement a strategy to be applied across the institutes and centers of the National Institutes of Health to expand and intensify national research programs in palliative care in order to address the quality of care and quality of life for the rapidly growing population of patients in the United States with serious or life-threatening illnesses, including cancer; heart, kidney, liver, lung, and infectious diseases; as well as neurodegenerative diseases such as dementia, Parkinson's disease, or amyotrophic lateral sclerosis.''.

(b) EXPANDING TRANS-NIH RESEARCH REPORTING TO INCLUDE PALLIATIVE CARE RESEARCH.—Section 402A(c)(2)(B) of the Public Health Service Act (42 U.S.C. 282a(c)(2)(B)) is amended by inserting ''and, beginning January 1, 2019, for conducting or supporting research with respect to palliative care'' after ''or national centers''.

SEC. 7. CUT-GO OFFSET.

The total amount authorized to be appropriated to the Office of the Secretary of Health and Human Services for each of fiscal years 2019 through 2023 is the amount that is $20,000,000 below the total amount appropriated to such Office for fiscal year 2018.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1676. As we have heard, this is the Palliative Care and Hospice Education and Training Act, and it is sponsored by my colleague from New York, Representative ELIOT ENGEL.

This bipartisan legislation will authorize the Department of Health and Human Services to award grants or contracts for palliative care and hospice education centers, promote the career development of nurses and physicians in palliative care, and promote research and outreach in the delivery of care for patients with serious or life-threatening illnesses at the National Institutes of Health.

Now, I have heard about this bill's impact from palliative care specialists and disease advocates all across Oregon. Dawn Frazier in Bend, Oregon, told me about her daughter, Rhonda, who tragically passed away at the age of 34. She suffered from early onset Alzheimer's.

In an opinion piece that Dawn had published in the Bend Bulletin, she wrote: ''Palliative and hospice care are vital services for people with Alzheimer's and other dementias. For people with advanced dementia, team-based care—which focuses on managing and easing symptoms, reducing pain and stress, and increasing comfort—improves quality of life, controls costs, and enhances patient and family satisfaction.''

She wrote: ''Here in Oregon, 19 percent of people in hospice have a primary diagnosis of dementia. Yet, the availability and quality of palliative and hospice care is a concern.''

Dawn went on to say that this bill will help make critical palliative care and hospice services available to millions of patients across the country.

I have long been a supporter of this bipartisan legislation and programs for palliative and hospice care. My own parents both received valuable care in this regard, especially hospice care, as their lives came to a close.

This is all part of why I am a cosponsor, along with 284 of my colleagues in the House, and why I have worked with Representative ENGEL and our subcommittee chair on the Energy and Commerce Subcommittee for Health, Chairman BURGESS, to move this legislation forward in the Energy and Commerce Committee, where, by the way, it received unanimous votes in both our Health Subcommittee and in our full committee.

So, Mr. Speaker, I urge my colleagues to vote ''yes'' on this important measure. Let's advance our public health.

Mr. Speaker, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1676, the Palliative Care and Hospice Education and Training Act.

Mr. Speaker, I thank my colleague and our committee member, Congressman ELIOT ENGEL, for introducing this important legislation. I would also like to thank other cosponsors: Congressman BUDDY CARTER, also a member on our committee, and Representative TOM REED for their work and support on this legislation.

Palliative care complements efforts to treat or cure illness by focusing on patients' quality of life. It is appropriate for patients with serious illnesses, starting at the point of diagnosis through treatment, and onward through hospice and the end of life.

Palliative care entails communication with patients and their families to coordinate care, determine patient preferences, and assist with medical decisionmaking.

A growing body of research has documented the benefits of high-quality palliative and hospice care for patients in hospitals and payers, and the healthcare system as a whole.

Palliative and hospice care have been associated with enhanced quality of life for patients, reduced hospital expenditures and lengths of stay, and other positive outcomes, including longer patient survival time.

Despite the benefits of palliative care, many Americans aren't aware of the supports available to them. There is also a shortage of educated providers who can offer quality palliative care.

The Palliative Care and Hospice Education and Training Act will address these issues.

This legislation will help create an infrastructure to improve palliative care training for healthcare providers, encourage the National Institutes of Health to expand its research on palliative care and pain management, and ensure Americans have an understanding of how palliative care may benefit them and their loved ones.

I am a proud cosponsor of this legislation. In fact, this bill has 285 cosponsors, two-thirds of the entire House of Representatives.

I ask my colleagues to join me in supporting this important legislation that will expand our Nation's research and infrastructure on palliative care and pain management.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REED), who has been a real leader on this issue and several others related to healthcare, and especially on diabetes.

Mr. REED. Mr. Speaker, I thank the chairman for recognizing me and for the opportunity to speak, and my colleagues on the other side of the aisle for the efforts that they have put into the Palliative Care and Hospice Education and Training Act.

Mr. Speaker, I rise in strong support of this bill, because hospice and palliative care is an underutilized piece of medical treatment in America. This bill is designed to promote not only the care that is provided under palliative and hospice care, but also to empower the workforce of today and tomorrow to provide these critical healthcare delivery systems to our aging population, to our family members, and to our dear fellow citizens.

Mr. Speaker, I am strongly in support of this legislation, because this is something that is personal, as I lost my mom 9 months to the day she was diagnosed with lymphoma and passed in my arms. The woman who taught me how to live, and my 11 older brothers and sisters, also taught me how to die.

We in America need to have a conversation across this entire Nation about how important it is to recognize that we are all mortal and that, at the end of our life, we need to face that critical question of what type of healthcare we want to receive to make sure that our quality of life is preserved and the quantity of life is extended as much as possible in order to enjoy that life.

Under this act, Mr. Speaker, one of the key components of it is to provide the professionalism that is necessary to have that conversation with families, with children like myself in that situation. I hope that we will have this conversation with our loved ones much sooner rather than at that end of times.

By engaging in this legislation, Mr. Speaker, we will promote palliative and hospice care, and make sure that all Americans know that this care is available to them. Not only will it allow them to enjoy peace in their final days, but it will provide a quality of life that no other care that I know of does. That is palliative and hospice care to make you comfortable and enjoy your loved ones as we end our time on this Earth.

Mr. Speaker, I urge my colleagues to support this legislation and join us in this effort.

Mr. WALDEN. Mr. Speaker, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. ENGEL), a member of our Energy and Commerce Committee and cosponsor of this bill.

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding to me. Mr. Speaker, I want to thank my colleagues on both sides of the aisle. This is clearly a bipartisan collaboration.

I am proud to be the main sponsor of H.R. 1676, the Palliative Care and Hospice Education and Training Act, and I urge my colleagues to support this important bill.

The goal of palliative care is to alleviate suffering for patients and their loved ones, accompanying efforts to treat or cure illness. So while the illness is being treated, there is support being given to the person who is sick and for their loved ones as well.

It entails support from a team of doctors, nurses, social workers, physician assistants, clergy persons, and other specialists who provide an extra layer of assistance, including help with medical decisionmaking and coordination of care across multiple settings. It is appropriate at any age and at any stage in a serious illness.

Palliative and hospice care have been associated with enhanced quality of life for patients, but too many people simply don't know about these benefits. On top of that, there is a shortage of educated providers who can offer quality palliative and hospice care.

That is where this bill comes in.

The Palliative Care and Hospice Education and Training Act addresses these issues by expanding opportunities for training in palliative and hospice care.

This bill also aims to better educate patients, families, and health professionals about palliative care's benefits, and encourages NIH to expand research around this topic.

Ultimately, this bill will help us ensure that there is a well-trained palliative care workforce available to care for patients, a goal that I believe will also be critical to turning the tide of the ongoing opioid epidemic.

One of the goals of palliative care is to provide relief from the pain of a serious illness. By creating the infrastructure needed to better educate health professionals on palliative care, this legislation will also help ensure health professionals are able to properly manage patients' pain and practice appropriate evidence-based prescribing, a space where, as the opioid crisis has shown, we need to do much better.

Mr. Speaker, I want to thank Chairman WALDEN, Ranking Member PALLONE, Chairman BURGESS, and Ranking Member GREEN for helping to move this bill forward. I also want to thank Congressman TOM REED and Congressman BUDDY CARTER, who coauthored the bill, and all of its 285 bipartisan cosponsors. This is about as bipartisan as you can get.

We are dealing with issues that people sometimes don't like to talk about, end of life issues, issues of that nature, but it is something that must be talked about, because families need help. This will give the families the help that they need.

I think every one of us has felt the pain and stress of a serious illness either personally or standing alongside a loved one. By passing this bill, we will take an important step to bring much, much needed relief to both patients and their loved ones.

Mr. Speaker, I want to thank my colleagues on the committee and all the people who worked to make this bill bipartisan. We can all be proud of this when it becomes law.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. GENE GREEN of Texas. Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I will close by again thanking my colleagues on both sides of the aisle. Thanks to the gentleman from New York, the gentleman from Texas, my colleagues on this side of the aisle. I know Dr. PHIL ROE, who chairs our Veterans' Affairs Committee, a very strong advocate and supporter of this, could not be here to speak on it because of a conflict.

Mr. Speaker, let me just say this is really important. It will change lives. It will improve lives. With that, I hope our colleagues will join us in supporting this very important measure.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 1676, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1515

TITLE VIII NURSING WORKFORCE REAUTHORIZATION ACT OF 2018

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 959) to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 959

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Title VIII Nursing Workforce Reauthorization Act of 2018''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. General provisions.
Sec. 3. Nurse practitioners, nurse midwives, nurse anesthetists, and other advanced education nurses.
Sec. 4. Increasing nursing workforce diversity.
Sec. 5. Strengthening capacity for basic nurse education and practice.
Sec. 6. Student loans.
Sec. 7. National Advisory Council on Nurse Education and Practice.
Sec. 8. Other provisions.

SEC. 2. GENERAL PROVISIONS.

(a) APPLICATION.—Section 802(c) of the Public Health Service Act (42 U.S.C. 296a(c)) is amended by striking ''shall address relevant national nursing needs that the project will meet'' and inserting ''shall address relevant national nursing needs that the project will address and how the project aligns with the national nursing service goals referred to in section 806(a)''.

(b) USE OF FUNDS.—Section 803 of the Public Health Service Act (42 U.S.C. 296b) is amended by adding at the end the following:

''(c) SUPPLEMENT NOT SUPPLANT.—Funds awarded as a grant under this title for a project or activity shall be used to supplement, not supplant, the non-Federal funds that would otherwise be made available for such project or activity.''.

(c) GENERALLY APPLICABLE PROVISIONS.—Section 806 of the Public Health Service Act (42 U.S.C. 296e) is amended—

(1) in subsection (b), by amending paragraph (2) to read as follows:

''(2) EVALUATIONS.—The Secretary shall establish procedures to ensure the annual evaluation of programs and projects operated by recipients of grants under this title. Such procedures shall ensure that continued funding for such programs and projects will be conditioned upon the submission of—

''(A) data demonstrating that satisfactory progress has been made by the program or project in meeting the performance outcome standards (as described in section 802) of such program or project; and

''(B) a detailed description of activities conducted by such program or project to meet such performance outcome standards.'';

(2) in subsection (e)(2), by inserting '', and have relevant expertise and experience'' after ''who are not officers or employees of the Federal Government''; and

(3) by adding at the end the following:

''(i) ANNUAL REPORT ON NURSING WORKFORCE PROGRAMS.—Annually, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a report containing an assessment of the programs and activities of the Department of Health and Human Services related to enhancing the nursing workforce, including the extent to which programs and activities under this title meet identified goals and performance measures developed for the respective programs and activities.''.

SEC. 3. NURSE PRACTITIONERS, NURSE MIDWIVES, NURSE ANESTHETISTS, AND OTHER ADVANCED EDUCATION NURSES.

Section 811 of the Public Health Service Act (42 U.S.C. 296j) is amended—

(1) in subsection (b)—

(A) by striking ''R.N./Master's'' and inserting ''R.N./graduate''; and

(B) by inserting ''clinical nurse leaders,'' before ''or public health nurses'';

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(3) by inserting after subsection (e) the following new subsection:

''(f) AUTHORIZED CLINICAL NURSE SPECIALIST PROGRAMS.—Clinical nurse specialist programs eligible for support under this section are education programs that—

''(1) provide registered nurses with full-time clinical nurse specialist education; and

''(2) have as their objective the education of clinical nurse specialists who will upon completion of such a program be qualified to effectively provide care through the wellness and illness continuum to inpatients and outpatients experiencing acute and chronic illness.''; and

(4) by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $74,581,000 for each of fiscal years 2019 through 2023.''.

SEC. 4. INCREASING NURSING WORKFORCE DIVERSITY.

Section 821 of the Public Health Service Act (42 U.S.C. 296m) is amended by adding at the end the following:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $17,343,000 for each of fiscal years 2019 through 2023.''.

SEC. 5. STRENGTHENING CAPACITY FOR BASIC NURSE EDUCATION AND PRACTICE.

(a) NURSE EDUCATION, PRACTICE, QUALITY, AND RETENTION GRANTS.—Section 831 of the Public Health Service Act (42 U.S.C. 296p) is amended—

(1) in the section heading, by striking ''**AND QUALITY**'' and inserting ''**QUALITY, AND RETENTION**'';

(2) in subsection (b), by amending paragraph (2) to read as follows:

''(2) providing care for underserved populations and high-risk groups, which may include the elderly, individuals with HIV/AIDS, individuals with mental health or substance use disorders, individuals who are homeless, and victims and survivors of domestic violence;'';

(3) in subsection (c), by amending paragraph (1) to read as follows:

''(1) GRANTS FOR CAREER LADDER PROGRAMS.—The Secretary may award grants to and enter into contracts with eligible entities for programs—

''(A) to promote career advancement for—

''(i) nursing personnel in a variety of training settings, cross training or specialty training among diverse population groups, and the advancement of individuals, including to become professional registered nurses, advanced practice registered nurses, and nurses with graduate nursing education; and

''(ii) individuals, including licensed practical nurses, licensed vocational nurses, certified nurse assistants, and diploma degree or associate degree nurses, to become baccalaureate-prepared registered nurses or nurses with graduate nursing education;

''(B) to assist individuals in obtaining education and training required to enter the nursing profession and advance within such profession, such as by providing career counseling and mentoring; and

''(C) to develop and implement internships, accredited fellowships, and accredited residency programs in collaboration with one or more accredited schools of nursing to encourage mentoring and development of specialties.'';

(4) by striking subsection (e) (relating to preference);

(5) by redesignating subsections (f) through (h) as subsections (e) and (g), respectively;

(6) in subsection (e), as so redesignated, by striking ''The Secretary shall submit to the Congress before the end of each fiscal year a'' and inserting ''As part of the report on nursing workforce programs described in section 806(i), the Secretary shall'';

(7) by amending subsection (f), as redesignated by paragraph (5), to read as follows:

''(f) DEFINITIONS.—For purposes of this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' includes an accredited school of nursing, a health care facility, a partnership of such a school and facility, a federally qualified health center, or a nurse-managed health clinic.

''(2) NURSE-MANAGED HEALTH CLINIC.—The term 'nurse-managed health clinic' means a nurse-practice arrangement, managed by advanced practice nurses, that provides primary care or wellness services to underserved or vulnerable populations that is associated with a school, college, university or department of nursing, federally qualified health center, or independent nonprofit health or social services agency.''; and

(8) in subsection (g), as redesignated by paragraph (5), by striking ''such sums as may be necessary for each of fiscal years 2010 through 2014'' and inserting ''$41,913,000 for each of fiscal years 2019 through 2023''.

(b) NURSE RETENTION GRANTS.—Section 831A of the Public Health Service Act (42 U.S.C. 296p–1) is repealed.

SEC. 6. STUDENT LOANS.

(a) LOAN REPAYMENT AND SCHOLARSHIP PROGRAMS.—Section 846 of the Public Health Service Act (42 U.S.C. 297n) is amended—

(1) in subsection (b)(1), by striking ''he began such practice'' and inserting ''the individual began such practice'';

(2) in subsection (d)(1), by striking ''(for fiscal years 2003 and 2004) and may (for fiscal years thereafter)'';

(3) in subsection (h), in the matter preceding paragraph (1), by striking ''Not later than'' through ''regarding'' and inserting ''The annual report on nursing workforce programs, as required by section 806(i), shall include information regarding the programs carried out under this section, including'';

and

(4) in subsection (i)(1), by striking ''such sums as may be necessary for each of fiscal years 2003 through 2007'' and inserting ''$87,135,000 for each of fiscal years 2019 through 2023''.

(b) NURSE FACULTY LOAN PROGRAM.—Section 846A of the Public Health Service Act (42 U.S.C. 297n–1) is amended by striking ''such sums as may be necessary for each of fiscal years 2010 through 2014'' and inserting ''$28,500,000 for each of fiscal years 2019 through 2023''.

SEC. 7. NATIONAL ADVISORY COUNCIL ON NURSE EDUCATION AND PRACTICE.

Section 851 of the Public Health Service Act (42 U.S.C. 297t) is amended—

(1) in subsection (b)(1)(A)(iv), by striking ''and nurse anesthetists'' and inserting ''nurse anesthetists, and clinical nurse specialists'';

(2) in subsection (d), by amending paragraph (3) to read as follows:

''(3) not later than 2 years after the date of enactment of the Title VIII Nursing Workforce Reauthorization Act of 2018, and every 2 years thereafter, prepare and submit to the Secretary, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a report describing the activities of the Council, including findings and recommendations made by the Council concerning the activities under this title.''; and

(3) in subsection (g), by striking ''under this title'' and inserting ''for carrying out parts B, C, and D of this title''.

SEC. 8. OTHER PROVISIONS.

(a) PUBLIC SERVICE ANNOUNCEMENTS.—Part G of title VIII of the Public Health Service Act (42 U.S.C. 297w et seq.) is repealed.

(b) FUNDING.—Part I of title VIII of the Public Health Service Act (42 U.S.C. 298d) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. BURGESS).

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 959, the Title VIII Nursing Workforce Reauthorization Act of 2018, which was introduced by the gentleman from Ohio (Mr. JOYCE).

The bill reauthorizes the title VIII Nursing Workforce Development Programs for fiscal years 2019 through 2023. Title VIII programs, in addition to the title VII physician workforce programs, expired several years ago, but have continued to receive appropriations. This bill reauthorizes title VIII programs at the fiscal year 2018 level.

While our appropriations process has continued to fund these programs without a reauthorization, there remains uncertainty regarding how much money the programs will receive each year.

These programs range from providing our advanced practice nurses with additional educational opportunities to increasing the nursing workforce diversity.

The bill includes grants for nurses at different levels of education to obtain further education so that they can advance within the nursing profession. Additionally, this legislation reauthorizes loan repayment scholarships and grants for education, practice, quality, and retention. These provisions are essential in educating and retaining a qualified nurse workforce.

Mr. Speaker, I urge Members to support H.R. 959, and I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 959, the Title VIII Nursing Workforce Reauthorization Act.

I thank the main sponsor of the legislation, Representative DAVID JOYCE, and original cosponsors including: Representative DORIS MATSUI, Representative KATHY CASTOR, and Representative TULSI GABBARD for their hard work on this important legislation.

An estimated 10,000 people are turning 65 years old in America every day. That trend will continue through the end of the decade. In addition to an aging population, the United States faces rising healthcare costs, prevalent chronic diseases, and the rise in substance abuse disorders. In order to meet this increased need for care, we need to grow the largest group of healthcare providers in our Nation: nurses.

The title VIII programs bolster nursing education at all levels, from entry-level preparation through graduate study, and provides support for institutions that educate nurses for practice in rural and medically underserved communities. This program is designed to address specific needs within the nursing workforce and America's patient population.

This legislation will reauthorize title VIII of the Public Health Service Act that provides Federal resources toward nursing workforce development programs, including the recruitment, retention, and advanced education of skilled nursing professionals.

This bill extends advanced education nursing grants to support clinical nurse specialists, clinical nurse leaders, defines nurse-managed health clinics, adds clinical nurse specialists to the National Advisory Council on Nurse Education and Practice, and reauthorizes loan repayments, scholarships, and grants for education, practice, quality, and retention.

This bipartisan legislation passed the Energy and Commerce Committee on voice vote earlier this month. I ask my colleagues to join me in supporting this important legislation to expand and strengthen our American nursing workforce, and I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. JOYCE), the author of the bill.

Mr. JOYCE of Ohio. Mr. Speaker, I rise today in support of my legislation, H.R. 959, the Title VIII Nursing Workforce Reauthorization Act of 2018.

First, I want to thank Chairman WALDEN and Ranking Member PALLONE for moving this legislation through the Energy and Commerce Committee. It is easy to see why nursing consistently ranks as the most trusted profession in America. As the husband of a nurse, and co-chair of the Congressional Nursing Caucus, I know the amount of dedication and support nurses put into their daily task of caring for every patient.

An estimated 10,000 baby boomers are turning 65 years old every day. In order to meet this increased demand for care, we need to grow the largest group of healthcare providers: nurses.

Despite the importance of nurses to the wellbeing of patients, we face a projected nursing shortage that will leave too many patients without the care that they need. The shortage will affect the entire healthcare system, so we need to do all we can to make sure that those individuals are interested in this valued career path and have access to high-quality education opportunities.

My bill authorizes funds for loan payback programs and grants for advanced education, workforce diversity, and nursing recruitment programs. This bill will expand our Nation's trained nursing workforce so they can provide the highest quality care American patients need.

Mr. Speaker, I am thankful for the incredible bipartisan support this bill has received on behalf of the Nation's nurses, and I urge my colleagues to support this important legislation.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Ms. GABBARD), who is a cosponsor of this bill.

Ms. GABBARD. Mr. Speaker, I would like to thank my colleague, Congressman JOYCE, who has been a great leader on these issues relating to our nursing workforce. I appreciate working with him as co-chair of the House Congressional Nursing Caucus, where we are able to bring a lot of these issues and challenges to life.

We all know that nurses and caregivers are the heartbeat of our healthcare providers. Day in and day out, they provide lifesaving care with empathy, compassion, and care in the most trying and stressful situations. But across the country, we continue to see nursing workforce shortages, especially in our rural and underserved communities, like many in my home State of Hawaii where people on different islands are literally separated by a body of water sometimes from getting access to the care that they need.

In the next 2 years alone, the United States is on track to face a shortage of nearly 200,000 nursing professionals. These shortages not only drive up the cost of healthcare for those most in need, but they actually endanger the wellbeing and care of our patients.

As our healthcare system faces heightened and complex challenges, like an aging population, increase in chronic diseases, an ever-worsening opioid epidemic, and so much more, our healthcare workers must have the training they need to address the needs of our communities.

Reauthorizing Federal funding for vital programs that provide nurses with training, education, and support, will help grow our nursing workforce, both in my home State of Hawaii and across the country, and expand access to the quality care for our children, our veterans, our seniors, and all of our communities.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and empower our nurses and healthcare professionals to continue serving and caring for the people in our communities.

Mr. GENE GREEN of Texas. Mr. Speaker, we have no further speakers, and I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time, and only to point out that this bill did pass in the previous Congress, in the 114th Congress, both in subcommittee and full committee, but was never enacted into law.

The author of that bill in the last Congress was our colleague, Lois Capps, on the Energy and Commerce Committee, and I know she will be grateful to see that her work has finally cleared the floor of the House and on to the Senate, and we will be successful.

Mr. Speaker, I yield back the balance of my time, and I urge an ''aye'' vote.

Mr. WALDEN. Mr. Speaker, I rise in support of H.R. 959, the Title VIII Nursing Workforce Reauthorization Act of 2018. I'd like to thank Representative DAVID JOYCE for his work on this important bill. It is one of four bipartisan public health bills the House will vote on today, each of which passed through the Energy and Commerce Committee unanimously at both the Health Subcommittee and our full committee.

H.R. 959 would reauthorize nursing workforce development programs, which support the recruitment, retention, and advanced education of skilled nursing professionals. The bill extends advanced education nursing grants to support clinical nurse specialists and clinical nurse leaders, defines nurse-managed health clinics, adds clinical nurse specialists to the National Advisory Council on Nurse Education, and reauthorizes loan repayments, scholarships, and grants for education, practice, quality, and retention.

In rural areas of the country, like my district in Oregon, nurses play an especially critical role in our health care delivery system, and they've told me about the importance of this legislation. That's why it's critical we reauthorize these programs.

Mr. Speaker, I urge my colleagues to support this bill.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 959, the Nursing Workforce Reauthorization Act of 2018.

It is undeniable that nurses play a critical role in our society's function, as they are trusted healthcare professionals who are the heart and soul of the healthcare system.

H.R. 959 amends the Public Health Service Act by extending support for nursing workforce programs and grants through the fiscal year 2022.

This bill will reauthorize the Title VIII nursing workforce development programs.

Further, eligibility for advanced nursing education grants will be expanded to include education programs for clinical nurse leaders and all combined registered nurse and graduate degree programs.

The Nursing Workforce Reauthorization Act bolsters nursing education at all levels, strengthens nursing education and funds institutions educating nurses to practice in rural and medically underserved communities.

For nearly six decades, the nursing workforce development programs have helped fortify the workforce by increasing the number of students, faculty, and practicing nurses.

Unfortunately, health inequities, inflated costs, and poor health care outcomes are intensifying because of today's shortfall of appropriately prepared licensed vocational/practical nurses (LVNs/LPNs), registered nurses (RNs), advanced practice registered nurses (APRNs), and nurse faculty.

This trend must be ameliorated, as the importance of nurses cannot be understated.

Nurses are extremely vital components to quality healthcare and patient education.

Nurses are the primary professionals delivering quality health care in the nation, as there are over 4.2 million Registered Nurses in practice today.

Moreover, the nurse workforce is expected to continue to grow, due to the current technological advancements for treatments, preventive care needs, and the rising demand from new health reform enrollments.

It is imperative that the nursing shortage in society be eliminated, as the need for qualified, experienced nurses is rising and will continue to do so.

Insufficient federal investments in nursing education, training, and the overall workforce will only be a detriment to our nation's quality of healthcare.

H.R. 959 ensures that nursing workforce development programs will continue to address the specific needs of the nursing and nurse faculty workforce as well as patients in our communities.

By modernizing the current nursing workforce development programs, through technical training and further financial funding, nurses will be able to fulfill the needs of their patients at the highest level.

Further funding and training for nurses at all levels ensures that all types and levels of nurses have concrete training and are able to deliver high quality healthcare.

I urge my colleagues to join me in supporting H.R. 959, which will strengthen the future of nursing and the health of the nation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 959, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ADVANCING CRITICAL CONNECTIVITY EXPANDS SERVICE, SMALL BUSINESS RESOURCES, OPPORTUNITIES, ACCESS, AND DATA BASED ON ASSESSED NEED AND DEMAND ACT

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3994) to establish the Office of Internet Connectivity and Growth, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3994

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 ''Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act'' or the ''ACCESS BROADBAND Act''.

SEC. 2. ESTABLISHMENT OF THE OFFICE OF INTERNET CONNECTIVITY AND GROWTH.

Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary shall establish the Office of Internet Connectivity and Growth within the National Telecommunications and Information Administration.

SEC. 3. DUTIES.

(a) OUTREACH.—The Office shall—

(1) connect with communities that need access to high-speed internet and improved digital inclusion efforts through various forms of outreach and communication techniques;

(2) hold regional workshops across the country to share best practices and effective strategies for promoting broadband access and adoption;

(3) develop targeted broadband training and presentations for various demographic communities through various media; and

(4) develop and distribute publications (including toolkits, primers, manuals, and white papers) providing guidance, strategies, and insights to communities as the communities develop strategies to expand broadband access and adoption.

(b) TRACKING OF FEDERAL DOLLARS.—

(1) BROADBAND INFRASTRUCTURE.—The Office shall track the construction and use of and access to any broadband infrastructure built using any Federal support in a central database.

(2) ACCOUNTING MECHANISM.—The Office shall develop a streamlined accounting mechanism by which any agency offering a Federal broadband support program and the Commission through the Universal Service Fund shall provide the information described in paragraph (1) in a standardized and efficient fashion.

(3) REPORT.—Not later than 1 year after the date of the enactment of this Act, and every year thereafter, the Office shall make public on the website of the Office and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the following:

(A) A description of the work of the Office for the previous year and the number of residents of the United States that received broadband as result of Federal broadband support programs and the Universal Service Fund program.

(B) A description of how many residents of the United States were provided broadband by which universal service mechanism or which Federal broadband support program.

(C) An estimate of the economic impact of such broadband deployment efforts on the local economy, including any effect on small businesses or jobs.

SEC. 4. STREAMLINED APPLICATIONS FOR SUPPORT.

(a) AGENCY CONSULTATION.—The Office shall consult with any agency offering a Federal broadband support program to streamline and standardize the applications process for financial assistance or grants for such program.

(b) AGENCY STREAMLINING.—Any agency offering a Federal broadband support program shall amend their applications for broadband support, to the extent practicable and as necessary, to streamline and standardize applications for Federal broadband support programs across the Government.

(c) SINGLE APPLICATION.—To the greatest extent practicable, the Office shall seek to create one application that may be submitted to apply for all, or substantially all, Federal broadband support programs.

(d) WEBSITE REQUIRED.—Not later than 180 days after the date of the enactment of this

Act, the Office shall create a central website through which potential applicants can learn about and apply for support through any Federal broadband support program.

SEC. 5. COORDINATION OF SUPPORT.

The Office, any agency that offers a Federal broadband support program, and the Commission through the Universal Service Fund shall coordinate with the Office to ensure that support is being distributed in an efficient, technology-neutral, and financially sustainable manner, with the goal of serving the largest number of persons in the United States while avoiding overbuilding and promoting the most job and economic growth for all residents of the United States.

SEC. 6. DEFINITIONS.

In this Act:

(1) AGENCY.—The term ''agency'' has the meaning given that term in section 551 of title 5, United States Code.

(2) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information.

(3) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(4) FEDERAL BROADBAND SUPPORT PROGRAM.—The term ''Federal broadband support program'' does not include any Universal Service Fund program and means any of the following programs (or any other similar Federal program) to the extent the program offers broadband internet service or programs for promoting broadband access and adoption for various demographic communities through various media for residential, commercial, community providers, or academic establishments:

(A) The Telecommunications and Technology Program of the Appalachian Regional Commission.

(B) The Telecommunications Infrastructure Loans and Loan Guarantees, the Rural Broadband Access Loans and Loan Guarantees, the Substantially Underserved Trust Areas Provisions, the Community Connect Grant Program, and the Distance Learning and Telemedicine Grant Program of the Rural Utilities Service of the Department of Agriculture.

(C) The Public Works and Economic Adjustment Assistance Programs and the Planning and Local Technical Assistance Programs of the Economic Development Administration of the Department of Commerce.

(D) The Community Development Block Grants and Section 108 Loan Guarantees, the Funds for Public Housing Authorities: Capital Fund and Operating Fund, the Multifamily Housing, the Indian Community Development Block Grant Program, the Indian Housing Block Grant Program, the Title VI Loan Guarantee Program, Choice Neighborhoods, the HOME Investment Partnerships Program, the Housing Trust Fund, and the Housing Opportunities for Persons with AIDS of the Department of Housing and Urban Development.

(E) The American Job Centers of the Employment and Training Administration of the Department of Labor.

(F) The Library Services and Technology Grant Programs of the Institute of Museum and Library Services.

(5) OFFICE.—The term ''Office'' means the Office of Internet Connectivity and Growth established pursuant to section 2.

(6) UNIVERSAL SERVICE FUND PROGRAM.—The term ''Universal Service Fund program'' means any program authorized under section 254 of the Communications Act of 1934 (47 U.S.C. 254) to help deploy broadband.

(7) UNIVERSAL SERVICE MECHANISM.—The term ''universal service mechanism'' means any funding stream provided by a Universal Service Fund program to support broadband access.

SEC. 7. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this Act. This Act shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LANCE) and the gentleman from New York (Mr. TONKO) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the ACCESS BROADBAND Act, which Congressman TONKO and I introduced last year. This bill would streamline the Federal grant programs related to broadband deployment, and track how Federal funds are used to a greater extent than is now the case. I thank Congressman TONKO for his leadership on this important issue.

Broadband internet is the lifeblood of the American economy, a critical tool for students, and an incubator for the next great innovation. This bill takes the right steps to ensure Federal broadband resources are working to expand access in underserved areas.

Being able to have access to the internet means being able to unlock tremendous potential, and we have to make sure that all Americans share in this success. Many local economies are relying on Congress to get this right.

In many areas of the country, the cost to deploy broadband infrastructure is prohibitive, which creates a need for Federal funding in cases where a market solution is not possible.

With several different broadband support programs across several Federal agencies, there is no single, comprehensive system tracking where and how Federal funds are being spent.

Access broadband creates an office within the National Telecommunications and Information Administration, with the task of simplifying the application process for the various support programs, coordinating between the various agencies, and tracking the use and effectiveness of Federal broadband funding.

By ensuring coordination, the office will help prevent overbuilding of broadband and make sure Federal funds are going where they are needed most, which should be unserved and underserved areas of the country.

This bill and the other bills we have been considering reflect the broad and encompassing jurisdiction of the Energy and Commerce Committee and the important day-to-day work and oversight we maintain over a significant portion of the Federal Government.

This type of work counts and these bills are important. Energy and Commerce accomplishments like reauthorizing the successful CHIP program, the Ray Baums Act, safely disposing of nuclear waste, and improving consumer protections, have been the pillars of our accomplishments this Congress, and this has occurred in a bipartisan capacity.

Bills like the ones we are considering today, keep the wheels of many critical government functions moving. The ACCESS BROADBAND bill is excellent legislation and will improve broadband for many Americans.

Mr. Speaker, I urge a ''yes'' vote, and I reserve the balance of my time.

Mr. TONKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to support H.R. 3994, the Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act, or in short, ACCESS BROADBAND Act.

Mr. Speaker, I thank the chair and ranking member for moving this measure forward, and offer special thanks to my friend, Representative LANCE, for partnering with me on this legislation. I also thank the bipartisan group of Members who have cosponsored this legislation, including 14 members of the Energy and Commerce Committee who have worked together and who agree that these are vital steps worth taking.

This bill is about serving the people. My own constituents continue to reach out about their limitations of access to broadband internet throughout the capital region. Some of these areas are rural and many are underserved and unserved entirely.

Other areas are underserved with a few houses having access, while many others are left with no affordable options in sight.

□ 1530

Constituents ask: When will we get access? What about western Schenectady County? What about Amsterdam? What about Berne? What about Fort Johnson? What about western Saratoga County in the 20th Congressional District?

I have heard from doctors who depend on broadband internet to read X-rays when they are on call. I hear from librarians who find students sitting in the library parking lot after hours so that they can access the internet and finish their homework assignments. I hear from workers who are forced to leave home to find high enough internet speed that they can upload or download large files. They all ask: When will we have access?

As a Congress, we owe these folk an answer. A lack of access to broadband internet in the capital region is one of many reasons I pushed to join the Energy and Commerce Committee and

why I have worked to advance this legislation.

This bill is the first part of that answer. H.R. 3994, the Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act, the ACCESS BROADBAND Act, would establish a coordinating office for Federal broadband resources.

It would use existing resources to streamline management of Federal broadband resources across multiple agencies and simplify the process for small businesses and local economic developers to access them.

Currently, there is no comprehensive system that tracks where Federal dollars are going and how the funding is impacting communities. Investments are made with little accountability and oversight on behalf of the taxpayer.

ACCESS BROADBAND, as an act, would begin to address the issues. This bill would track Federal broadband dollars and streamline management of Federal broadband resources across multiple agencies. Most notably, it would simplify the process for small businesses and local economic developers to access them.

There is still much more work to be done on this issue. I do hope that this can serve as a starting place for us to open doors of opportunity and access for the millions of Americans who require the better and improved outcomes by investing in broadband expansion.

I thank all of the members and staff working together on ACCESS BROADBAND, helping ensure that our communities can access the broadband resources they need to grow and to prosper.

Mr. Speaker, I urge a ''yes'' vote on this bill, and I reserve the balance of my time.

Mr. LANCE. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), who is a member of our committee.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of my colleague's bill, the ACCESS BROADBAND Act.

Mr. TONKO's legislation would move to establish an office of Internet Connectivity and Growth at the National Telecommunications and Information Administration to coordinate and track Federal funding for broadband across every agency.

This is important because the Federal Government's grant system can oftentimes be confusing and disjointed, making it difficult for communities and organizations to find grants they may be eligible for. As a result, they may be losing out on opportunities, especially when it comes to broadband needs.

Our rural communities continue to struggle, and one area that has been proven to be a boon is access to high-speed internet. By encompassing all of these grants into one area, we can help assist communities and organizations across the country in their search for Federal grant funding.

Access to broadband is a recipe for growth, allowing people to take and create new opportunities that may not have been there before. That is why I urge my colleagues to support this legislation.

Mr. TONKO. Mr. Speaker, I have no other speakers on my side. If the other side is ready to close, I yield back the balance of my time.

Mr. LANCE. Mr. Speaker, I urge passage of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, H.R. 3994, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2017

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1689) to protect private property rights.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1689

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 ''Private Property Rights Protection Act of 2017''.

SEC. 2. PROHIBITION ON EMINENT DOMAIN ABUSE BY STATES.

(a) IN GENERAL.—No State or political subdivision of a State shall exercise its power of eminent domain, or allow the exercise of such power by any person or entity to which such power has been delegated, over property to be used for economic development or over property that is used for economic development within 7 years after that exercise, if that State or political subdivision receives Federal economic development funds during any fiscal year in which the property is so used or intended to be used.

(b) INELIGIBILITY FOR FEDERAL FUNDS.—A violation of subsection (a) by a State or political subdivision shall render such State or political subdivision ineligible for any Federal economic development funds for a period of 2 fiscal years following a final judgment on the merits by a court of competent jurisdiction that such subsection has been violated, and any Federal agency charged with distributing those funds shall withhold them for such 2-year period, and any such funds distributed to such State or political subdivision shall be returned or reimbursed by such State or political subdivision to the appropriate Federal agency or authority of the Federal Government, or component thereof.

(c) OPPORTUNITY TO CURE VIOLATION.—A State or political subdivision shall not be ineligible for any Federal economic development funds under subsection (b) if such State or political subdivision returns all real property the taking of which was found by a court of competent jurisdiction to have constituted a violation of subsection (a) and replaces any other property destroyed and repairs any other property damaged as a result of such violation. In addition, the State or political subdivision must pay any applicable penalties and interest to reattain eligibility.

SEC. 3. PROHIBITION ON EMINENT DOMAIN ABUSE BY THE FEDERAL GOVERNMENT.

The Federal Government or any authority of the Federal Government shall not exercise its power of eminent domain to be used for economic development.

SEC. 4. PRIVATE RIGHT OF ACTION.

(a) CAUSE OF ACTION.—Any—(1) owner of private property whose property is subject to eminent domain who suffers injury as a result of a violation of any provision of this Act with respect to that property; or (2) any tenant of property that is subject to eminent domain who suffers injury as a result of a violation of any provision of this Act with respect to that property, may bring an action to enforce any provision of this Act in the appropriate Federal or State court. A State shall not be immune under the 11th Amendment to the Constitution of the United States from any such action in a Federal or State court of competent jurisdiction. In such action, the defendant has the burden to show by clear and convincing evidence that the taking is not for economic development. Any such property owner or tenant may also seek an appropriate relief through a preliminary injunction or a temporary restraining order.

(b) LIMITATION ON BRINGING ACTION.—An action brought by a property owner or tenant under this Act may be brought if the property is used for economic development following the conclusion of any condemnation proceedings condemning the property of such property owner or tenant, but shall not be brought later than seven years following the conclusion of any such proceedings.

(c) ATTORNEYS' FEE AND OTHER COSTS.—In any action or proceeding under this Act, the court shall allow a prevailing plaintiff a reasonable attorneys' fee as part of the costs, and include expert fees as part of the attorneys' fee.

SEC. 5. REPORTING OF VIOLATIONS TO ATTORNEY GENERAL.

(a) SUBMISSION OF REPORT TO ATTORNEY GENERAL.—Any—(1) owner of private property whose property is subject to eminent domain who suffers injury as a result of a violation of any provision of this Act with respect to that property; or (2) any tenant of property that is subject to eminent domain who suffers injury as a result of a violation of any provision of this Act with respect to that property, may report a violation by the Federal Government, any authority of the Federal Government, State, or political subdivision of a State to the Attorney General.

(b) INVESTIGATION BY ATTORNEY GENERAL.—Upon receiving a report of an alleged violation, the Attorney General shall conduct an investigation to determine whether a violation exists.

(c) NOTIFICATION OF VIOLATION.—If the Attorney General concludes that a violation does exist, then the Attorney General shall notify the Federal Government, authority of the Federal Government, State, or political subdivision of a State that the Attorney General has determined that it is in violation of the Act. The notification shall further provide that the Federal Government, State, or political subdivision of a State has 90 days from the date of the notification to demonstrate to the Attorney General either that: (1) it is not in violation of the Act; or

(2) that it has cured its violation by returning all real property the taking of which the Attorney General finds to have constituted a violation of the Act and replacing any other property destroyed and repairing any other property damaged as a result of such violation.

(d) ATTORNEY GENERAL'S BRINGING OF ACTION TO ENFORCE ACT.—If, at the end of the 90-day period described in subsection (c), the Attorney General determines that the Federal Government, authority of the Federal Government, State, or political subdivision of a State is still violating the Act or has not cured its violation as described in subsection (c), then the Attorney General will bring an action to enforce the Act unless the property owner or tenant who reported the violation has already brought an action to enforce the Act. In such a case, the Attorney General shall intervene if it determines that intervention is necessary in order to enforce the Act. The Attorney General may file its lawsuit to enforce the Act in the appropriate Federal or State court. A State shall not be immune under the 11th Amendment to the Constitution of the United States from any such action in a Federal or State court of competent jurisdiction. In such action, the defendant has the burden to show by clear and convincing evidence that the taking is not for economic development. The Attorney General may seek any appropriate relief through a preliminary injunction or a temporary restraining order.

(e) LIMITATION ON BRINGING ACTION.—An action brought by the Attorney General under this Act may be brought if the property is used for economic development following the conclusion of any condemnation proceedings condemning the property of an owner or tenant who reports a violation of the Act to the Attorney General, but shall not be brought later than seven years following the conclusion of any such proceedings.

(f) ATTORNEYS' FEE AND OTHER COSTS.—In any action or proceeding under this Act brought by the Attorney General, the court shall, if the Attorney General is a prevailing plaintiff, award the Attorney General a reasonable attorneys' fee as part of the costs, and include expert fees as part of the attorneys' fee.

SEC. 6. NOTIFICATION BY ATTORNEY GENERAL.

(a) NOTIFICATION TO STATES AND POLITICAL SUBDIVISIONS.—

(1) Not later than 30 days after the enactment of this Act, the Attorney General shall provide to the chief executive officer of each State the text of this Act and a description of the rights of property owners and tenants under this Act.

(2) Not later than 120 days after the enactment of this Act, the Attorney General shall compile a list of the Federal laws under which Federal economic development funds are distributed. The Attorney General shall compile annual revisions of such list as necessary. Such list and any successive revisions of such list shall be communicated by the Attorney General to the chief executive officer of each State and also made available on the Internet website maintained by the United States Department of Justice for use by the public and by the authorities in each State and political subdivisions of each State empowered to take private property and convert it to public use subject to just compensation for the taking.

(b) NOTIFICATION TO PROPERTY OWNERS AND TENANTS.—Not later than 30 days after the enactment of this Act, the Attorney General shall publish in the Federal Register and make available on the Internet website maintained by the United States Department of Justice a notice containing the text of this Act and a description of the rights of property owners and tenants under this Act.

SEC. 7. REPORTS.

(a) BY ATTORNEY GENERAL.—Not later than 1 year after the date of enactment of this Act, and every subsequent year thereafter, the Attorney General shall transmit a report identifying States or political subdivisions that have used eminent domain in violation of this Act to the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives and to the Chairman and Ranking Member of the Committee on the Judiciary of the Senate. The report shall—

(1) identify all private rights of action brought as a result of a State's or political subdivision's violation of this Act;

(2) identify all violations reported by property owners and tenants under section 5(c) of this Act;

(3) identify the percentage of minority residents compared to the surrounding nonminority residents and the median incomes of those impacted by a violation of this Act;

(4) identify all lawsuits brought by the Attorney General under section 5(d) of this Act;

(5) identify all States or political subdivisions that have lost Federal economic development funds as a result of a violation of this Act, as well as describe the type and amount of Federal economic development funds lost in each State or political subdivision and the Agency that is responsible for withholding such funds; and

(6) discuss all instances in which a State or political subdivision has cured a violation as described in section 2(c) of this Act.

(b) DUTY OF STATES.—Each State and local authority that is subject to a private right of action under this Act shall have the duty to report to the Attorney General such information with respect to such State and local authorities as the Attorney General needs to make the report required under subsection (a).

SEC. 8. SENSE OF CONGRESS REGARDING RURAL AMERICA.

(a) FINDINGS.—The Congress finds the following:

(1) The founders realized the fundamental importance of property rights when they codified the Takings Clause of the Fifth Amendment to the Constitution, which requires that private property shall not be taken ''for public use, without just compensation''.

(2) Rural lands are unique in that they are not traditionally considered high tax revenue-generating properties for State and local governments. In addition, farmland and forest land owners need to have long-term certainty regarding their property rights in order to make the investment decisions to commit land to these uses.

(3) Ownership rights in rural land are fundamental building blocks for our Nation's agriculture industry, which continues to be one of the most important economic sectors of our economy.

(4) In the wake of the Supreme Court's decision in Kelo v. City of New London, abuse of eminent domain is a threat to the property rights of all private property owners, including rural land owners.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the use of eminent domain for the purpose of economic development is a threat to agricultural and other property in rural America and that the Congress should protect the property rights of Americans, including those who reside in rural areas. Property rights are central to liberty in this country and to our economy. The use of eminent domain to take farmland and other rural property for economic development threatens liberty, rural economies, and the economy of the United States. The taking of farmland and rural property will have a direct impact on existing irrigation and reclamation projects. Furthermore, the use of eminent domain to take rural private property for private commercial uses will force increasing numbers of activities from private property onto this Nation's public lands, including its National forests, National parks and wildlife refuges. This increase can overburden the infrastructure of these lands, reducing the enjoyment of such lands for all citizens. Americans should not have to fear the government's taking their homes, farms, or businesses to give to other persons. Governments should not abuse the power of eminent domain to force rural property owners from their land in order to develop rural land into industrial and commercial property. Congress has a duty to protect the property rights of rural Americans in the face of eminent domain abuse.

SEC. 9. SENSE OF CONGRESS.

It is the policy of the United States to encourage, support, and promote the private ownership of property and to ensure that the constitutional and other legal rights of private property owners are protected by the Federal Government.

SEC. 10. RELIGIOUS AND NONPROFIT ORGANIZATIONS.

(a) PROHIBITION ON STATES.—No State or political subdivision of a State shall exercise its power of eminent domain, or allow the exercise of such power by any person or entity to which such power has been delegated, over property of a religious or other nonprofit organization by reason of the nonprofit or tax-exempt status of such organization, or any quality related thereto if that State or political subdivision receives Federal economic development funds during any fiscal year in which it does so.

(b) INELIGIBILITY FOR FEDERAL FUNDS.—A violation of subsection (a) by a State or political subdivision shall render such State or political subdivision ineligible for any Federal economic development funds for a period of 2 fiscal years following a final judgment on the merits by a court of competent jurisdiction that such subsection has been violated, and any Federal agency charged with distributing those funds shall withhold them for such 2-year period, and any such funds distributed to such State or political subdivision shall be returned or reimbursed by such State or political subdivision to the appropriate Federal agency or authority of the Federal Government, or component thereof.

(c) PROHIBITION ON FEDERAL GOVERNMENT.—The Federal Government or any authority of the Federal Government shall not exercise its power of eminent domain over property of a religious or other nonprofit organization by reason of the nonprofit or tax-exempt status of such organization, or any quality related thereto.

SEC. 11. REPORT BY FEDERAL AGENCIES ON REGULATIONS AND PROCEDURES RELATING TO EMINENT DOMAIN.

Not later than 180 days after the date of the enactment of this Act, the head of each Executive department and agency shall review all rules, regulations, and procedures and report to the Attorney General on the activities of that department or agency to bring its rules, regulations and procedures into compliance with this Act.

SEC. 12. SENSE OF CONGRESS.

It is the sense of Congress that any and all precautions shall be taken by the government to avoid the unfair or unreasonable taking of property away from survivors of Hurricane Katrina who own, were bequeathed, or assigned such property, for economic development purposes or for the private use of others.

SEC. 13. DISPROPORTIONATE IMPACT.

If the court determines that a violation of this Act has occurred, and that the violation has a disproportionately high impact on the poor or minorities, the Attorney General shall use reasonable efforts to locate former owners and tenants and inform them of the violation and any remedies they may have.

SEC. 14. DEFINITIONS.

In this Act the following definitions apply:

(1) ECONOMIC DEVELOPMENT.—The term ''economic development'' means taking private property, without the consent of the owner, and conveying or leasing such property from one private person or entity to another private person or entity for commercial enterprise carried on for profit, or to increase tax revenue, tax base, employment, or general economic health, except that such term shall not include—

(A) conveying private property—

(i) to public ownership, such as for a road, hospital, airport, or military base;

(ii) to an entity, such as a common carrier, that makes the property available to the general public as of right, such as a railroad or public facility;

(iii) for use as a road or other right of way or means, open to the public for transportation, whether free or by toll; and

(iv) for use as an aqueduct, flood control facility, pipeline, or similar use;

(B) removing harmful uses of land provided such uses constitute an immediate threat to public health and safety;

(C) leasing property to a private person or entity that occupies an incidental part of public property or a public facility, such as a retail establishment on the ground floor of a public building;

(D) acquiring abandoned property;

(E) clearing defective chains of title;

(F) taking private property for use by a utility providing electric, natural gas, telecommunication, water, wastewater, or other utility services either directly to the public or indirectly through provision of such services at the wholesale level for resale to the public; and

(G) redeveloping of a brownfield site as defined in the Small Business Liability Relief and Brownfields Revitalization Act (42 U.S.C. 9601(39)).

(2) FEDERAL ECONOMIC DEVELOPMENT FUNDS.—The term ''Federal economic development funds'' means any Federal funds distributed to or through States or political subdivisions of States under Federal laws designed to improve or increase the size of the economies of States or political subdivisions of States.

(3) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States.

SEC. 15. LIMITATION ON STATUTORY CONSTRUCTION.

Nothing in this Act may be construed to supersede, limit, or otherwise affect any provision of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

SEC. 16. BROAD CONSTRUCTION.

This Act shall be construed in favor of a broad protection of private property rights, to the maximum extent permitted by the terms of this Act and the Constitution.

SEC. 17. SEVERABILITY AND EFFECTIVE DATE.

(a) SEVERABILITY.—The provisions of this Act are severable. If any provision of this Act, or any application thereof, is found unconstitutional, that finding shall not affect any provision or application of the Act not so adjudicated.

(b) EFFECTIVE DATE.—This Act shall take effect upon the first day of the first fiscal year that begins after the date of the enactment of this Act, but shall not apply to any project for which condemnation proceedings have been initiated prior to the date of enactment.

The SPEAKER pro tempore (Mr. CARTER of Georgia). Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1689, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased that the House is considering H.R. 1689, the Private Property Rights Protection Act. My bill aims to restore the property rights of all Americans that the Supreme Court took away in 2005.

The Founders of our country recognized the importance of an individual's right to personal property when they drafted the Constitution. The Fifth Amendment states: ''nor shall private property be taken for public use, without just compensation.''

In Kelo v. City of New London, the Supreme Court decided that economic development could be a public use under the Fifth Amendment's Takings Clause. In a 5–4 decision, the Court held that the government could take private property from an owner—in this case, Susette Kelo—to help a corporation or private developer—in this case, Pfizer.

The now infamous Kelo decision generated a massive backlash. As former Justice O'Connor stated: ''The government now has license to transfer property from those with fewer resources to those with more. The Founders cannot have intended this perverse result.''

Even in the 13 years since Kelo, polls show that Americans overwhelmingly oppose property being taken and transferred to another private owner, even if it is for the public economic good.

The Private Property Rights Protection Act is needed to restore to all Americans the property rights the Supreme Court invalidated. Although several States have since passed legislation to limit their power to eminent domain, and a number of supreme courts have barred the practice under their State constitutions, these laws exist on a varying degree.

H.R. 1689 would prohibit State and local governments that receive Federal economic development funds from using economic development as a justification for taking property from one person and giving to another private entity. Any State or local government that violates this prohibition will be ineligible to receive Federal economic development funds for 2 years.

The protection of property rights is one of the most important tenets of our government. I am mindful of the long history of eminent domain abuses, particularly in low-income and often predominantly minority neighborhoods, and the need to stop it. I am also mindful of the reasons we should allow the government to take the land when the way in which land is being used constitutes an immediate threat to public health and safety. I believe this bill accomplishes both goals.

Mr. Speaker, I urge my colleagues to join me in protecting private property rights for all Americans and limiting the dangerous effects of the Kelo decision on the most vulnerable in our society.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I claim the time in opposition to H.R. 1689, the Private Property Rights Protection Act of 2017.

While I believe this bill is well intentioned, it is the wrong approach to a serious problem. It seeks to prevent abuse of eminent domain power, but its provisions could cripple the finances of State and local governments without even providing a remedy to the victims of an unjust taking.

In Kelo v. City of New London, the Supreme Court upheld the right of a municipality to use eminent domain authority to take private property and to transfer it to another private entity for a public purpose. Building on a century of precedent defining public use to include a public purpose, the Court held such a transfer did not violate the Fifth Amendment's Takings Clause, which provides that no person's private property shall be taken for public use without just compensation.

Critics of the Kelo decision believe that the Court overreached and that eminent domain should be exercised only when the taken property will be owned by the government or by a private entity operating as a public utility.

□ 1545

H.R. 1689 would overturn Kelo by prohibiting any State or local government that receives Federal economic development funds from using eminent domain to transfer private property to another private entity for the purpose of economic development.

The bill broadly defines economic development funds to include any Federal funds distributed to States or localities under laws designed to improve or increase their economies. Should a State or local government violate this prohibition, it is subject to the loss of all such funds for 2 years.

This draconian remedy could potentially devastate the finances of State

and local governments. Even projects unrelated to takings could lose funding, and cities could face bankruptcy simply by incorrectly guessing whether a given project would sufficiently qualify as being for a public use. The potential loss of such funding would also have a chilling effect on a government's willingness to use eminent domain to promote legitimate economic development projects.

Even if a government never takes a prohibited action, it would likely be adversely impacted by this bill. Just the potential loss of significant Federal funding may make it impossible for a government to sell municipal bonds or could require a government to pay inordinate interest rates given the possibility that it might, at some point in the future, use eminent domain improperly and thereby lose all Federal economic aid and, with it, the ability to repay the bonds.

The power of eminent domain is an extraordinary one and it should be used with great care. Historically, there are examples of States and localities abusing eminent domain for purely private gain or to favor one community at the expense of another. When used inappropriately, this power has wrecked communities for projects, resulting in little economic benefit.

When used appropriately, however, eminent domain is an important tool, making possible transportation networks, irrigation projects, and other important public works that support communities and are integral to their economic and social well-being.

Unfortunately, this bill's vague definitions may prohibit projects that have a genuine public purpose while allowing others that historically have abused eminent domain.

For example, this bill allows use of eminent domain to give property to a private party ''such as a common carrier that makes the property available for use by the general public as of right.'' That would seem to include a stadium, which is privately owned and available for use by the general public as of right.

On the other hand, communities could be barred from using eminent domain to pursue affordable housing projects if they are built using a public-private partnership, such as the HOPE VI program, which uses Federal money to encourage private development of mixed-income housing.

Yet another shortcoming of the bill is that it does not actually help an aggrieved property owner or tenant because it would not allow them to sue to stop the allegedly prohibited taking. The bill only authorizes suit after a condemnation proceeding has concluded, when it is too late.

In addition, injured persons would not be entitled to any damages other than the just compensation they got at the time of the taking. All they could get is the psychic satisfaction they may receive from bankrupting their community after the fact.

I would also point out that this bill is unnecessary, since more than 40 States have already moved aggressively to narrow their eminent domain laws in the 13 years since Kelo was decided.

Finally, H.R. 1689 undermines federalism, and it may raise constitutional concerns. Subject to the Takings Clause, local land use decisions are generally left to the judgments of State and local governments, which are in the best position to weigh local conditions and competing interests. This is the essence of federalism, and Congress should not be in the business of sitting as a national zoning board.

Also, the loss of all economic funding, even for projects that may have nothing to do with takings, is so draconian that it may amount to an unconstitutional coercion of State and local governments.

Accordingly, I oppose this bill, and I would simply make two comments to amplify on what I said.

If you want to stop improper takings, all right, but have a proper remedy. Allow the alleged victim of the improper taking to go to court, sue for an injunction to stop the improper taking, and get monetary damages, if any. That would be at least a reasonable remedy.

Instead, this bill says that you can't go to court to get an injunction; you can't get damages. All you can do is wait until after the improper taking has occurred—you already lost your property—then you can go to court; and if the court finds you are right, that it was an improper use of the eminent domain procedure, then the government will lose economic aid for 2 years. It doesn't help the plaintiff. It doesn't help the property owner. All it does is bankrupt the community. So what is the point?

Second, as I mentioned before, this could injure communities that never do an improper taking because, if I am the mayor, I may not be able to float a bond lest somebody think that maybe my successor once or twice removed may, 20 years down the line or 10 years down the line, do an improper taking. And then the Federal Government would come in, stop all economic aid, and we wouldn't be able to repay the bonds.

So this would impair the ability of States or local governments to bond for projects. It wouldn't help the victim—there may even be no victim—but it would hurt the government. It makes no sense. This is a real problem.

Mr. Speaker, I urge my colleagues to vote ''no,'' and I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are two flaws in the gentleman's argument. The first flaw, we ought to go back to why the Kelo case got to the Supreme Court.

Mrs. Kelo owned a house. She didn't want to sell it. What the city decided is that the public purpose that was served was by condemning the house and allowing an office building to be built so that the community could collect higher property taxes because the office building would end up being assessed at a greater value than Mrs. Kelo's house. Now, that was the so-called public purpose.

The thing is, without this legislation, any property that could be taxed higher if it were condemned and there were a replacement property that was put up could end up being condemned under the Kelo decision, and the homeowner would be out of luck and out of their house and have to find some more housing.

The second complaint the gentleman from New York makes is that the penalties for violations are too severe. Well, you don't change the activity of anybody if there are no penalties at all or the penalty is just a tap on the wrist. Just think of what would happen if we still had a law that said that everybody had to stop at a red light, but there was never a fine or any points or any impact on one's insurance policy because there was no moving vehicle violation. Good luck everybody in this country getting home from work tonight if that were the attitude toward traffic violations. There has to be some kind of a severe violation.

If the city is concerned that they might be violating the terms of this bill, they can always go to court and ask that their condemnation action be withdrawn. Hopefully, the judge will grant it to be withdrawn with prejudice, but at least it can be withdrawn.

The city can stop this procedure any time they want to before there is an actual condemnation judgment that is entered by the court. This is designed to slow down and stop legislation when the sole public purpose is to collect more property taxes because there is a more expensive structure that is being built there.

Both of these arguments, I think, do not have any merit whatsoever and that is why this bill ought to pass.

Mr. Speaker, I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE), and I ask unanimous consent that he may control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I first comment, the gentleman from Wisconsin says that we object that the penalty is too severe. We do not object that the penalty is too severe. We object that the penalty is irrelevant, that the penalty won't help the plaintiff. It won't help to prevent the misuse, number one. And number two, it could be a plot that would have the practical effect, when there is no misuse, no taking at all, of having a deleterious effect on

the community's bond rating, even when there is no taking.

If you are going to do this bill and you want to narrow the definition of a public purpose, which is the purpose of the bill, I am not sure we can do that, given the fact that the Supreme Court has decided what it is. Assuming we could do that, fine, but have an appropriate remedy, a remedy that would enable the plaintiffs to get an injunction against the taking, that would give them monetary damages, which is the way we normally do things, not a remedy that will not prevent the taking and only will damage a community, whether or not it does any improper takings. That doesn't make sense.

Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, I want to ask the gentleman a couple of questions, but I want to preface my questions by saying I think that this is a terrible lost opportunity for serious, bipartisan legislation to address the problem of eminent domain abuse that has been taking place across the country and has been for several decades. I recommend to everybody a report of the Cato Institute by David Boaz, which summarizes what is taking place around the country.

One of the worst perpetrators of eminent domain abuse in the country is a business developer named Donald Trump. In the mid-1990s, he built the casino and the hotel in Atlantic City, but he wanted to evict a woman named Vera Coking, who was exactly in the same position as Mrs. Kelo would be in a decade later.

She had lived in this Victorian house at the end of the boardwalk in Atlantic City for several decades, but Donald Trump wanted to build a VIP limo parking lot to go with the existing hotel. He offered her some money and she said: No, thank you. My family has lived in this house for a long time. We want to stay here. Our kids go to school here.

He offered her a little bit more money and she said: No, it's not for sale. We are going to stay here.

So they created something called the Casino Reinvestment Development Authority, controlled by, essentially, the Trump Corporation, but they got the city to do it, and they tried to force her out. Luckily, the Cato Institute and some libertarian lawyers defended her rights.

But the legislation that is being brought forward today by the Republicans now on a totally partisan basis would do nothing for people in the situation of Mrs. Coking or Mrs. Kelo, because it doesn't give them any rights to sue. All it says is we are going to cut off money to government agencies.

It would be like saying: Well, in a case like that, we will cut off money to every city and town in New Jersey, not just Atlantic City, but to Newark, New Jersey, and to Freehold, New Jersey. We are going to cut off money all over the State.

It has got nothing to do with the actual problem. It doesn't help the people who are actually suffering under the problem of eminent domain abuse.

If we want to help them, let's give them a Federal right of action; or, if all you can do is cut off Federal money, cut off the particular city that is involved, but not every city or county that is receiving money under a Federal program.

Mr. NADLER made a point which I thought was really interesting, which is that this is a solution that doesn't address the problem. If we want to save people from getting evicted from their homes under the Kelo decision, which President Trump applauded and said he supports 100 percent, but if we want to save people from policies under the Kelo decision, shouldn't we give them rights rather than make some kind of Federal subsidy decision which is of constitutional question, in any event?

Mr. NADLER. Will the gentleman yield?

Mr. RASKIN. I yield to the gentleman from New York.

Mr. NADLER. Mr. Speaker, I agree with the gentleman. The standard way in which someone can vindicate rights is to sue. If the local government wants to abuse the rights of a homeowner, let's say, by an improper taking, the proper way for us to help is to give them the right to sue and to get injunctive relief. Let them go into Federal court and get an injunction which says: Do not tear down the building. Do not take away title. You can't do it because this is too broad a use of taking. It is a violation of the Fifth Amendment.

This bill won't actually help that person because it gives them no rights except the right after they have lost the property. It gives them the right to go to court and not get any relief for themselves, not get the property back, not get any monetary damages, not get an injunction. It gives them the right to go into court and seek to block financial aid to the community. So they can say, ''I took revenge on the community,'' but what is the point? It doesn't help them.

Mr. RASKIN. Reclaiming my time, rather than giving actual rights to people in the position of Mrs. Kelo or Mrs. Coking, who is going to be forced out of her house in Atlantic City, this, instead, places a very broad burden on the government and in such a way that it, I think, renders the whole legislation constitutionally suspect.

Mr. Speaker, don't we have constitutional decisions that say the government or Congress can't go so far as to punish an entire State government for something that one municipality does? Doesn't it seem like it is sort of going nuclear in order to get a mosquito?

I yield to the gentleman from New York.

□ 1600

Mr. NADLER. I think there are such decisions, and this would seem to violate them.

Mr. RASKIN. Isn't that what the Medicaid decision was all about?

Mr. NADLER. Yes. The Medicaid decision said you cannot draft the local government to exercise a function for the Federal Government, which this would seem to do also.

Mr. RASKIN. Doesn't it also say that we can't threaten to drive you out of the Medicaid program entirely because you refuse to accept one particular program that we want to impose upon you?

Mr. NADLER. That is exactly what it said.

Mr. RASKIN. Not only is this legislation completely illusory in terms of not really helping people who have the problem, but it might just be struck down.

Mr. Speaker, how can you cut off the people of Newark, New Jersey, or Freehold, New Jersey, because of something that happens in Atlantic City, New Jersey? It doesn't even help the people in Atlantic City, New Jersey, who are facing the problem with the big real estate developer who has bought up all the political power to try to drive somebody out of their home.

Mr. NADLER. I agree with the gentleman. I think the gentleman from Maryland makes a very valid point.

Mr. Speaker, for all these reasons, I oppose this bill. I would simply say: We agree there is a serious problem with abuse of eminent domain, and we agree there may very well be decent legislation that would do something about the problem.

If you are going to do it, draft legislation that really deals with the problem, that is constitutional, that will protect the small person such as Mrs. Kelo but that won't bankrupt the community in a way that is probably unconstitutional anyway.

This bill is not the solution. We could, on a bipartisan basis, work for an intelligent solution, but this is not it. Accordingly, I urge a ''no'' vote.

Mr. Speaker, I urge the defeat of this legislation, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Virginia has 14 minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time.

First of all, the protection of private ownership of property is vital to individual freedom and national prosperity. It is also one of the most fundamental constitutional principles, as the Founders enshrined property rights protections throughout the Constitution, including in the Fifth Amendment, which provides that private property shall not be taken for public use without just compensation.

This clause created two conditions to the government taking private property: first, the subsequent use of the property must be for the use of the public and, second, that the government must pay the owner just compensation for the property.

However, more than a decade ago the Supreme Court, in the 5–4 Kelo v. City of New London decision, expanded the ability of State and local governments to exercise eminent domain powers beyond what is allowed by the text of the Constitution, by allowing government to seize property under the vague guise of economic development, even when the public use turns out to be nothing more than the generation of tax revenues by another private party after the government takes property from private individuals and gives it to another private entity.

As the dissenting Justices observed, by defining public use so expansively, the result of the Kelo decision is, effectively, to delete the words ''for public use'' from the Takings Clause of the Fifth Amendment. The specter of condemnation hangs over all property. The government now has license to transfer property from those with few resources to those with more. The Founders cannot have intended this perverse result.

In the wake of this decision, State and local governments can use eminent domain powers to take the property of any individual for nearly any reason. Cities may now bulldoze citizens' homes, farms, churches, and small businesses to make way for shopping malls or other developments.

To help prevent such abuse, using Congress' constitutional legislative powers, it is important Congress finally passes the Private Property Rights Protection Act.

I want to thank Mr. SENSENBRENNER for reintroducing this legislation. He and I have worked together on this issue for many years, and I am pleased that this legislation incorporates many provisions from legislation I helped to introduce in the 109th Congress, the STOPP Act.

Specifically, the Private Property Rights Protection Act would prohibit State and local governments from receiving Federal economic development funds for 2 years when they use economic development as a justification for taking property from one person and giving it to another private entity.

In addition, this legislation grants adversely affected landowners the right to use appropriate legal remedies to enforce the provisions of the bill and allows State and local governments to cure violations by giving the property back to the original owner.

The bill also includes a carefully crafted definition of economic development that protects traditional uses of eminent domain, such as taking land for public uses like roads and pipelines, while prohibiting abuses of the eminent domain power.

No one should have to live in fear of the government's taking their home, farm, or business simply to give it to a wealthier person or corporation. As the Institute for Justice's witness observed during a hearing on this bill, using eminent domain so that another richer, better-connected person may live or work on the land you used to own tells Americans that their hopes, dreams, and hard work do not matter as much as money and political influence. The use of eminent domain for private development has no place in a country built on traditions of independence, hard work, and protection of property rights.

This legislation has passed the House three times previously, either by voice vote or with the support of at least 80 percent of House Members in an overwhelmingly bipartisan vote, only to be stalled in the Senate. But the fight for people's homes continues, as will this committee's efforts to protect Federal taxpayers from any involvement in eminent domain abuse.

Just a few years ago, every single Republican Member voted for the very same legislation on the House floor, as did two-thirds of Democratic Members. I urge my colleagues to join me in supporting this overwhelmingly bipartisan effort.

I want to respond to some of the issues raised by the gentleman from New York and the gentleman from Maryland. Pursuant to Congress' powers under the Constitution's Spending Clause, the Private Property Rights Protection Act conditions the receipt of Federal economic development funds on State and local governments agreeing not to use eminent domain for private economic development takings.

Federal law currently permits expending Federal funds to support the use of eminent domain for these abusive takings. In our current economy, and with the Federal Government running deficits every year, Congress should not be spending American taxpayers' scarce economic development funds to support State and local governments that unconstitutionally deprive hardworking Americans of their homes, farms, and small businesses.

By conditioning the receipt of Federal economic development funds on State and local governments agreeing not to take property for commercial development, this provision in the bill ends the Federal Government's complicit support of eminent domain abuse.

The enforcement provisions in the base bill are comprehensive, and they include all manner of relief from preliminary injunctions and temporary restraining orders, to the awarding of attorney's fees, to the ability of the State or locality to return or replace the property to avoid the penalties under the bill. Even those comprehensive enforcement mechanisms, on their own, are not enough. We must end Federal monetary support for economic development takings.

If State governments retain control over eminent domain decisions, then, of course, those States should be held responsible for the State's own actions. But in Virginia, my State, local governments are not allowed to condemn property for economic development purposes. In Virginia, the so-called Dillon Rule provides that localities can act only in areas in which the State general assembly has granted clear authority.

So, in Virginia, local governments have only the authorities granted to them by the General Assembly, and the Virginia General Assembly has empowered local governments in Virginia to condemn property for roads, schools, and other public uses, but local governments do not have the right to condemn property for economic development.

In fact, back in 2000, Virginia Beach city government tried to condemn private property on the oceanfront to help a Hilton hotel build a parking garage, but Circuit Court Judge H. Thomas Padrick, Jr., ruled that Virginia Beach could not use eminent domain for that purpose, finding that the legislature did not intend to allow a city to condemn property solely for its economic benefit and development.

Indeed, after the Supreme Court handed down its notorious decision in the Kelo case, a spokeswoman for the Virginia attorney general said the following:

> As per the constitution of Virginia, public use in eminent domain is defined by the general assembly. There is no proviso in our constitution to use eminent domain for economic development.

As a result of the Kelo decision, this bill won't have an impact on Virginia.

Finally, regarding Representative RASKIN's comments about how the bill relates to the Supreme Court's NFIB v. Sebelius case, the ObamaCare case, the bill, as currently drafted, would certainly not run afoul of anything in it for several reasons.

The court made clear in the case that Congress may attach appropriate conditions to Federal taxing and spending programs to preserve its control over the use of Federal funds. That is what the bill does: deny the use of Federal economic development funds to jurisdictions that have demonstrated their willingness to abuse eminent domain and thereby demonstrated their willingness to use Federal funds to further future abuses of eminent domain if allowed to do so.

The court went on to cite the South Dakota v. Dole case, in which a Federal law threatened to withhold 5 percent of a State's Federal Highway Fund if the State did not raise its drinking age to 21. The court found that the condition was directly related to one of the main purposes for which highway funds are expended: safe interstate travel.

In the same way, the bill's restrictions are directly related to one of the main purposes for which Congress should intend Federal economic development funds to be expended: economic development that does not infringe on the property rights of individual property owners.

The court pointed out that, in the South Dakota v. Dole case, the Federal funds at stake constituted less than one-half of 1 percent of South Dakota's budget at the time; whereas, the potential loss of funds at issue in NFIB v.

Sebelius were such that Medicaid spending accounts were over 20 percent of the average State's total budget.

No one is claiming that Federal economic development funds, however defined, would constitute anything near 20 percent of a State's total budget.

In NFIB v. Sebelius, the court also cited the Pennhurst v. Halderman case and characterized its holdings as, though Congress' power to legislate under the Spending Clause is broad, it does not include surprising participating States with post-acceptance or retroactive conditions.

That, of course, is not the case with the bill, which applies its prohibition upon the receipt of Federal economic development funds only after a State had been found by a court, in a final judgment on the merits, to have violated the act.

Finally, not only is it implausible that the bill would ever run afoul of Supreme Court precedent due to the relatively small size of Federal economic development funds in the context of a State or a locality's entire annual budget; the bill contains a further safety valve in that it gives the attorney general the discretion to promulgate precisely which Federal funding streams are Federal economic development funds under the bill. So, if a constitutional issue ever arose, the attorney general could simply scale back the size of its promulgated list accordingly.

It seems to me it can't be claimed this bill is unconstitutional under any reasonable reading of any existing Supreme Court precedent.

Regarding federalism values generally, the key point is that there actually is a very close nexus between Federal development funding and eminent domain, even if the funding is not used on eminent domain projects.

Money is fungible, of course. If the bill were amended to disallow only the use of Federal economic development funds on eminent domain projects, it would be very easy for an offending jurisdiction to game the system by artificially segmenting a project into parts that use eminent domain and parts that don't. That segmentation would happen both vertically, by dividing a project into stages, and horizontally, by dividing a single project into very small geographic segments.

The entirely appropriate federalism message the base bill sends to States and localities is that, if you are going to do economic development but abuse eminent domain, that is fine, but you will be on your own for a while and go without Federal taxpayer complicity in your abuse of eminent domain.

Mr. Speaker, this is good legislation. The concerns addressed by the minority are addressed clearly in this legislation. There is strong bipartisan support for this bill. Mr. Speaker, I urge my colleagues to pass this and, once again, send it to the United States Senate, where we can only hope that they will someday see the wisdom of protecting the constitutional rights of law-abiding citizens.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1689.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANTI-TERRORISM CLARIFICATION ACT OF 2018

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5954) to amend title 18, United States Code, to clarify the meaning of the terms ''act of war'' and ''blocked asset'', and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5954

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 ''Anti-Terrorism Clarification Act of 2018''.

SEC. 2. CLARIFICATION OF THE TERM "ACT OF WAR".

(a) IN GENERAL.—Section 2331 of title 18, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) the term 'military force' does not include any person that—

''(A) has been designated as a—

''(i) foreign terrorist organization by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

''(ii) specially designated global terrorist (as such term is defined in section 594.310 of title 31, Code of Federal Regulations) by the Secretary of State or the Secretary of the Treasury; or

''(B) has been determined by the court to not be a 'military force'.''.

(b) APPLICABILITY.—The amendments made by this section shall apply to any civil action pending on or commenced after the date of the enactment of this Act.

SEC. 3. SATISFACTION OF JUDGMENTS AGAINST TERRORISTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by inserting at the end following:

''(e) USE OF BLOCKED ASSETS TO SATISFY JUDGMENTS OF U.S. NATIONALS.—For purposes of section 201 of the Terrorism Risk Insurance Act of 2002 (28 U.S.C. 1610 note), in any action in which a national of the United States has obtained a judgment against a terrorist party pursuant to this section, the term 'blocked asset' shall include any asset of that terrorist party (including the blocked assets of any agency or instrumentality of that party) seized or frozen by the United States under section 805(b) of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1904(b)).''.

(b) APPLICABILITY.—The amendments made by this section shall apply to any judgment entered before, on, or after the date of enactment of this Act.

SEC. 4. CONSENT OF CERTAIN PARTIES TO PERSONAL JURISDICTION.

(a) IN GENERAL.—Section 2334 of title 18, United States Code, is amended by adding at the end the following:

''(e) CONSENT OF CERTAIN PARTIES TO PERSONAL JURISDICTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of any civil action under section 2333 of this title, a defendant shall be deemed to have consented to personal jurisdiction in such civil action if, regardless of the date of the occurrence of the act of international terrorism upon which such civil action was filed, the defendant—

''(A) after the date that is 120 days after the date of enactment of this subsection, accepts—

''(i) any form of assistance, however provided, under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.);

''(ii) any form of assistance, however provided, under section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291) for international narcotics control and law enforcement; or

''(iii) any form of assistance, however provided, under chapter 9 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349bb et seq.); or

''(B) in the case of a defendant benefiting from a waiver or suspension of section 1003 of the Anti-Terrorism Act of 1987 (22 U.S.C. 5202) after the date that is 120 days after the date of enactment of this subsection—

''(i) continues to maintain any office, headquarters, premises, or other facilities or establishments within the jurisdiction of the United States; or

''(ii) establishes or procures any office, headquarters, premises, or other facilities or establishments within the jurisdiction of the United States.

''(2) APPLICABILITY.—Paragraph (1) shall not apply to any defendant who ceases to engage in the conduct described in paragraphs (1)(A) and (1)(B) for 5 consecutive calendar years.''.

(b) APPLICABILITY.—The amendments made by this section shall take effect on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1615

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 5954, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Congress enacted the Anti-Terrorism Act of 1992 in order to help combat international terrorism and to provide some level of financial

justice to American victims of terrorism. The 1992 act added a civil remedy to the ATA's existing criminal regime, removing jurisdictional hurdles that often confounded terrorism victims' ability to get their day in court. The act has been largely successful.

However, from time to time, the 1992 act has also needed modifications to ensure that it is fully serving its purposes. For instance, just last Congress, in the Justice Against Sponsors of Terrorism Act, I helped lead the charge in the House to amend the civil liability provision to make sure that those who aid and abet or conspire with foreign terrorist organizations are liable under the ATA.

In addition, in 2012, the Judiciary Committee worked to lengthen the statute of limitations on civil ATA claims to provide victims with the time they need to file these often complex lawsuits.

The bill we are considering today, the Anti-terrorism Clarification Act, builds on these previous technical amendments to the ATA. It makes three needed improvements in order to better ensure that victims of international terrorism can obtain justice in U.S. courts against terrorists and their supporters.

First, the bill clarifies the ATA's act of war exception. Defendants accused of aiding and abetting acts of international terrorism have been attempting to use this exception as a means of avoiding civil liability, even in cases in which the plaintiffs' injuries were caused by the actions of designated terrorist groups.

For example, in Kaplan v. Central Bank of Iran, the defendant financial institution successfully argued that rocket attacks against civilians carried out by Hezbollah, a designated foreign terrorist organization, were acts of war and, thus, outside the scope of the ATA's civil liability provisions.

The act of war exception should not be a liability shield for those who aid or abet attacks carried out by designated terrorist organizations.

This legislation amends the definition of ''act of war'' in the ATA to clarify that the exception does not apply to U.S. Government-designated foreign terrorist organizations or specially designated global terrorists.

Second, at the urging of Representative POSEY, the author of the CAPTIVE Act, we included language in the bill to strengthen the ATA's civil enforcement regime by permitting victims of narcoterrorism to satisfy their court-awarded judgments with the assets of foreign narcotics drug kingpins. Assets blocked by the Federal Government under the Kingpin Designation Act are not currently available to victims, leaving victims of the FARC and other narcoterrorists without a meaningful method of getting compensation for their injuries.

Finally, this legislation addresses recent Federal court decisions that have called into question the continued ability of victims to bring terrorists and their supporters to justice under the ATA's civil liability regime.

The ATA was specifically designed to provide extraterritorial jurisdiction over terrorists who attack U.S. nationals overseas. However, these recent cases have severely limited the extraterritorial scope of the ATA.

The Anti-terrorism Clarification Act amends the jurisdiction and venue section of the ATA to make clear that defendants who take advantage of certain benefits provided by the U.S. Government shall be deemed to have consented to personal jurisdiction in U.S. courts in ATA civil actions. No defendant should be able to accept U.S. foreign assistance while simultaneously dodging responsibility in U.S. courts for supporting or carrying out terrorist attacks that harm Americans.

I want to thank Ranking Member NADLER, along with Senate Judiciary Committee Chairman GRASSLEY and Senate Commerce, Science, and Transportation Committee Ranking Member NELSON for joining me in introducing this bicameral and bipartisan bill.

I urge my colleagues to support us in passing this legislation to clarify ambiguities in the ATA that terrorist sponsors have exploited to evade liability so that we can help ensure that Americans are able to hold terrorists and their supporters accountable.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5954, the Anti-terrorism Clarification Act of 2018. This bipartisan bill, of which I am proud to be the lead Democratic sponsor, amends the Anti-Terrorism Act, or ATA, to make it easier for American victims of international terrorism to have their day in court, to obtain some measure of justice for their injuries, and to hold terrorists accountable for their heinous acts.

The ATA provides that U.S. nationals, or their survivors or heirs, may recover treble damages and attorney's fees and costs for any civil action arising from an injury sustained by an act of international terrorism.

H.R. 5954 seeks to minimize certain procedural obstacles that ATA plaintiffs have encountered in their attempts to obtain full relief for their injuries. For example, the ATA contains an exception for injuries caused by an ''act of war,'' which it defines, in relevant part, as including ''armed conflict between military forces of any origin.''

Unfortunately, this ambiguous statutory language has led to considerable confusion among Federal courts as to the proper scope of the act of war exception, and even as to the proper kind of analysis to apply when the armed conflict at issue involves a terrorist group such as Hamas or Hezbollah.

For example, in one case, the court found that the act of war exception prevented U.S. civilians injured by Hezbollah rocket attacks into Israel from pursuing their claims under the ATA. Yet, in another case, a different court concluded that gunshots fired into Israel by Hamas that resulted in injury to a U.S. civilian did not constitute an act of war and, therefore, was compensable.

H.R. 5954 resolves this confusion by specifying, among other things, that a foreign terrorist organization or a specially designated global terrorist, as designated by the executive branch, is not a ''military force'' and, therefore, is subject to ATA liability.

This change makes it clear that violent actions targeted at U.S. civilians by a terrorist group are acts of terrorism that could give rise to liability under the ATA. Indeed, to read the act of war exception otherwise, as some courts have done, threatens to undermine the ATA's entire purpose.

Even if victims successfully obtain a judgment under the ATA, many plaintiffs find it impossible to obtain full compensation for their injuries because there are not sufficient assets available to satisfy the judgment. This bill would address that problem as well.

Under current law, terrorism victims can reach assets blocked pursuant to the Trading with the Enemy Act or the International Emergency Economic Powers Act to satisfy terrorism-related court judgments. This bill would simply allow terrorism victims also to attach assets that have been blocked pursuant to the Foreign Narcotics Kingpin Designation Act.

The final hurdle to bringing ATA claims that this bill helps overcome is an overly narrow reading of personal jurisdiction that some courts have applied, which has prevented some victims from bringing those responsible for their injuries to justice.

Most recently, this occurred in the Second Circuit's misguided decision in Sokolow v. PLO. In Sokolow, several plaintiffs, including Morris and Eva Waldman, two of my constituents, sought relief under the ATA for injuries sustained as a result of various terrorist attacks in Israel that killed or injured U.S. citizens.

Although a district court awarded the plaintiffs $655 million in damages, the Second Circuit reversed, wrongly concluding, in my view, that the district court lacked personal jurisdiction over the defendants in that case; namely, the Palestinian Liberation Organization and the Palestinian Authority. The court reasoned that the defendants' contacts, including maintaining offices in Washington and New York and the activities associated with those offices, were insufficient to support personal jurisdiction.

This bill responds to the Second Circuit's decision by deeming a party to have consented to personal jurisdiction if the party accepts foreign assistance of any kind from the United States beginning 120 days after the bill's enactment date. In the case of the PLO, or affiliated entities, it would also deem

consent if the defendant maintains an office in the U.S. jurisdiction 120 days or more after the enactment date. By undertaking one of these acts, a potential defendant is sufficiently on notice that it is consenting to personal jurisdiction in an ATA case.

My support for H.R. 5954 is part of my longstanding efforts to secure a measure of justice for terrorism victims, including leading House efforts to reauthorize the 9/11 Victims Compensation Fund. I was also the lead House Democratic sponsor of the Justice Against Sponsors of Terrorism Act, which helped ensure that 9/11 victims and other victims of terrorism on American soil can bring their claims in court, regardless of where the foreign conduct occurred. This bill is a natural extension of those efforts.

For these reasons, I support this important bipartisan measure.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. POSEY), who has been a real champion in protecting the rights of the victims of terrorism.

Mr. POSEY. Mr. Speaker, I thank my good friend Chairman GOODLATTE for introducing this legislation.

Mr. Speaker, this bill we are considering is, obviously, as you heard from both sides, a great piece of legislation that will ensure American victims of international terrorism can obtain justice in U.S. courts by holding accountable those who commit, aid, or abet terrorist activity abroad.

I have long been fighting for victims of terrorism. In fact, in 2014, I introduced legislation that would allow victims of narcoterrorism to recover court-awarded damages. A version of the bill, known as the CAPTIVE Act, passed the House by unanimous consent in 2016.

I am ecstatic that we have a bill that seeks to help a number of victims, including those I have been fighting for since 2014.

On February 13, 2003, four Americans who were Department of Defense contractors on a U.S. Government counternarcotics flight mission in Colombia were shot down by the Revolutionary Armed Forces of Colombia, also known as FARC. It is a violent guerilla gang heavily involved in narcotics trafficking.

The pilot, Tom Janis, who was immediately executed by the terrorists, and three Floridians, Keith Stansell, Mark Gonsalves, and Tom Howes, who is my constituent, were kidnapped, held hostage in the jungle, and tortured for more than 5½ years until they were rescued by the Colombian army. These heroes are seeking long-deserved justice for themselves and their families against those who carried out unthinkable acts of violence.

Today, victims cannot access frozen assets under the Kingpin Act. The bill before us, the Anti-terrorism Clarification Act, would change that by finally closing the loophole to allow these former hostages and the family of the slain pilot access to the assets of narcotics-trafficking partners of the foreign terrorist organization FARC and other organizations that are frozen under the Kingpin Act. We owe it to these brave Americans and others, and their families, to make them whole again.

Mr. Speaker, it is a simple piece of legislation. It would make it easier for all victims of narcoterrorism to recover court-awarded damages. I urge support.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, although nothing can ever bring back the lives lost to terrorism or repair the emotional scars of the survivors, terrorism victims deserve the chance to achieve some justice through our courts. Congress' purpose in passing the ATA was to give them that chance.

I believe H.R. 5954 will help further that purpose by addressing procedural barriers that have unfairly stood in their way.

In closing, I thank Judiciary Committee Chairman BOB GOODLATTE for his leadership on this important measure. I strongly support H.R. 5954, and I urge my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, this is a good bill. I urge my colleagues to support it, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 5954, the Anti-Terrorism Clarification Act of 2018, which amends title 18 of the United States Code to clarify the meaning of the terms ''act of war'' and ''blocked asset.''

Mr. Speaker, it is vital that we correctly classify terrorist activities.

H.R. 5954 (1) clarifies ambiguities in the Anti-terrorism Act of 1992 (ATA's) ''act of war'' exception that allow designated foreign terrorists and their supporters to avoid liability; (2) closes a loophole that prevents victims of narco-terrorism from enforcing their judgments against terrorist assets that have been blocked by the Treasury Department; and (3) addresses lower court decisions that have allowed entities that sponsor terrorist activity against U.S. nationals overseas to avoid the jurisdiction of U.S. courts.

This will amend the Anti-Terrorism Act (ATA) to make it easier for plaintiffs to pursue claims under that statute.

H.R. 5954 has three principal provisions.

First, it would clarify and narrow the ''act of war'' exception to liability under the ATA.

Second, the bill would provide that ATA plaintiffs may reach the assets of a defendant That have been blocked pursuant to the Foreign Narcotics Kingpin Designation Act to satisfy an ATA judgment.

Third, H.R. 5954 would establish that for purposes of any ATA civil action, a defendant is ''deemed to have consented'' to personal jurisdiction in such civil action regardless of when the act of international terrorism at issue took place if the defendant accepted U.S. foreign assistance funds or, in certain circumstances, the defendant maintains an office or other facilities within U.S. jurisdiction.

H.R. 5954 legislation is necessary to allow injured persons to pursue their claims and I offer my support.

I urge my colleagues to join me in supporting H.R. 5954.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 5954, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1630

FOUNDATION OF THE FEDERAL BAR ASSOCIATION CHARTER AMENDMENTS ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4100) to amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4100

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 ''Foundation of the Federal Bar Association Charter Amendments Act of 2017''.

SEC. 2. ORGANIZATION.

Section 70501 of title 36, United States Code, is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 3. MEMBERSHIP.

Section 70503 of title 36, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.'';

(2) by redesignating subsection (c) as subsection (b); and

(3) by adding at the end the following:

''(c) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, sexual orientation, or national origin.''.

SEC. 4. GOVERNING BODY.

Section 70504 of title 36, United States Code, is amended to read as follows:

''§ 70504. Governing body

''(a) BOARD OF DIRECTORS.—The board of directors is the governing body of the corporation. The board may exercise, or provide for the exercise of, the powers of the corporation. The board of directors and the responsibilities of the board are as provided in the bylaws.

''(b) OFFICERS.—The officers and the election of the officers are as provided for in the bylaws.

''(c) NONDISCRIMINATION.—The requirements for serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, sexual orientation, or national origin.''.

SEC. 5. RESTRICTIONS.

Section 70507 of title 36, United States Code, is amended to read as follows:

"§ 70507. Restrictions

''(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

''(b) POLITICAL ACTIVITIES.—The corporation or a director or officer in his or her corporate capacity may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

''(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter. This subsection does not prevent the payment, in amounts approved by the board of directors, of—

''(1) reasonable compensation; or

''(2) reimbursement for expenses incurred in undertaking the corporation's business, to officers, directors, or members.

This subsection does not prevent the award of a grant to a Federal Bar Association chapter of which an officer, director, member may be a member. This subsection also does not prevent the payment of reasonable compensation to the corporation's employees for services undertaken on behalf of the corporation.

''(d) LOANS.—The corporation may not make a loan to a director, officer, member, or employee.

''(e) IMMUNITY FROM LIABILITY.—Members and private individuals are not liable for the obligations of the corporation.

''(f) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities; it may, however, acknowledge this charter.''.

SEC. 6. PRINCIPAL OFFICE.

Section 70508 of title 36, United States Code, is amended by striking ''the District of Columbia,'' and inserting ''a United States location decided by the board of directors and specified in the bylaws,''.

SEC. 7. SERVICE OF PROCESS.

Section 70510 of title 36, United States Code, is amended to read as follows:

"§ 70510. Service of process

''The corporation shall comply with the law on service of process of the State or District in which it is incorporated.''.

SEC. 8. DEPOSIT OF ASSETS ON DISSOLUTION OR FINAL LIQUIDATION.

Section 70512 of title 36, United States Code, is amended to read as follows:

"§ 70512. Deposit of assets on dissolution or final liquidation

''On dissolution or final liquidation of the corporation, any assets of the corporation remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the charter and bylaws.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4100, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the mission of the Federal Bar Association is to ''strengthen the Federal legal system and administration of justice by serving the interests and the needs of the Federal practitioner, both public and private, the Federal judiciary, and the public they serve.''

The Federal Bar Association's membership includes more than 18,000 Federal lawyers, including 1,500 Federal judges, who, as the Association states, ''work together to promote the sound administration of justice and integrity, quality, and independence of the judiciary.''

The FBA received a Federal charter in 1954. STEVE CHABOT has introduced H.R. 4100, the Foundation of the Federal Bar Association Charter Amendments Act. The Foundation wrote to the Judiciary Committee stating that:

We wholeheartedly endorse H.R. 4100, which would provide for technical changes to the Federal charter of the Foundation of the Federal Bar Association. . . . The technical amendments embodied in H.R. 4100 will provide reasonable and necessary flexibility to the Foundation to assist in the governance and management of the Foundation's affairs. Under the legislation, the mission of the Foundation of the Federal Bar Association will remain unchanged in the promotion and support of legal research and education concerning the Federal administration of justice, the advancement of the science of jurisprudence, and the fostering of improvements in the practice of Federal law. . . . Since 1954, and especially over the past two decades, the Foundation has devoted significant effort toward the enlargement of its educational and charitable programs, including the creation of a fellows program, support of academic and legal scholarship, creation of donor advised funds, establishment of assistance funds for the victims of terrorism and natural disasters, creation of scholarship programs for law students and the children of Federal attorneys, and grant assistance for Federal Bar Association chapters conducting pro bono and other community service projects. . . . These wide-ranging efforts have been successful, but also have exposed the limitations of the Foundation's 1954 charter, particularly with respect to eligibility for membership and governance of the Foundation. . . . The technical corrections . . . would address these concerns and provide greater flexibility to the Foundation in a fashion similar to the authority and privileges enjoyed by other . . . organizations federally chartered by Congress. . . .

The bill, among other things, allows the Foundation to have its principal office outside of the District of Columbia, gives its board of directors more leeway in meeting its responsibilities, and adds a nondiscrimination clause.

Mr. Speaker, I urge my colleagues to support H.R. 4100, and I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4100, the Foundation of the Federal Bar Association Charter Amendments Act of 2017, provides the Federal Bar Association, FBA, with the organizational flexibility it needs to fully meet its contemporary mission, and I support it.

The original 1954 charter created a framework that has effectively served FBA for the last six decades. During these years, the Foundation has strengthened Federal jurisprudence, advanced legal education, and promoted effective legal practice.

The organization's initiatives have also directly improved the lives of our people. For example, one of its community outreach programs, the Wills for Veterans Initiative, is a pro bono project where FBA chapters provide will drafting and signing services for veterans in their communities. I know a number of my constituents who participate have very much enjoyed working on this project. Another initiative establishes a mentorship program for law school students to work with experienced attorneys.

The current FBA charter must be amended to allow the organization greater flexibility of operation and growth. For example, the existing charter codifies strict membership and governance requirements that constrain member development and nimble governance of the organization. This rigidity presents serious challenges as the organization seeks to expand its critical charitable and educational initiatives.

H.R. 4100 makes technical fixes to the FBA charter that will give the FBA the needed flexibility. For instance, in the place of legislatively fixed membership criteria, it permits the FBA to proactively establish and update membership criteria through the bylaws process. Similar provisions authorize enhanced flexibility in the composition and duties of the members of the board of directors.

In general, this measure would enable the FBA to swiftly meet its organizational needs and overcome the challenges of the times.

I want to note, for the RECORD, that while the language of the bill's proposed nondiscrimination provision prohibits discrimination on the basis of, among other things, sex and sexual orientation, it does not explicitly prohibit discrimination on the basis of gender identity, as most of the new anti-discrimination legislation does.

While the prohibition on discrimination on the basis of sex already covers gender identity discrimination, the FBA's current diversity statement expressly states that the FBA should not exclude persons based on gender identity.

In light of this, and because it should be made clear that everyone is protected against invidious discrimination, I hope that when the Senate takes up our measure, it will explicitly clarify that this language includes protection against discrimination on the basis of gender identity. I know that Congressman CICILLINE of Rhode Island wants to address this point as well.

I believe that H.R. 4100 will help the FBA to flourish for many decades to come. I strongly support this bill. I look forward to the FBA's continued positive involvement in our Nation's legal system, and I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. CHABOT), chairman of the Small Business Committee.

Mr. CHABOT. Mr. Speaker, I thank the gentleman for his leadership on this issue and for yielding.

Mr. Speaker, today, I rise in support of a bill that I introduced, H.R. 4100, which, put simply, helps support those Federal attorneys who prosecute major drug traffickers, white collar criminals, and other Federal crimes, and the judges who preside over those cases in our Federal courts.

The Federal Bar Association was founded back in 1920 and charted by Congress in 1954. However, in the nearly 64 years of its existence, its charter has never been amended.

As a former educator, attorney, and current senior member of the Judiciary Committee, I would note the important work that the Federal Bar Association does to bring civics education to classrooms in my State of Ohio, and they bring that same expertise to other areas all across the country.

Without legislation like H.R. 4100, it takes an act of Congress to even allow the Federal Bar Association to make simple changes to their bylaws. More specifically, this legislation gives the association the authority to choose the location of its principal office, restricts its officers from engaging in political activity, and makes other technical changes to conform to commonly used language and other things.

This legislation provides the Federal Bar Association the continued ability to support legal research, pro bono, and community projects; continue to educate grade schoolchildren on the Federal judiciary system; and improve the practice of Federal law in our Federal courtrooms all across America.

Mr. Speaker, I again want to thank the chairman, Chairman GOODLATTE, for his leadership in helping to bring this very important legislation to the floor for consideration, and I urge my colleagues on both sides of the aisle to support it.

Mr. RASKIN. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to speak about H.R. 4100.

The Federal Bar Association is the Nation's premier association for practitioners in Federal courts and, as such, should, of course, be open to all, regardless of sexual orientation or gender identity.

Currently, the FBA recognizes the importance of nondiscrimination and has adopted a diversity statement that includes race, gender, ethnicity, national origin, religion, age, disability, sexual orientation, and gender identity.

Diversity statements are valuable, but they do not carry the weight of law. The addition of a nondiscrimination provision to the FBA charter is an important action, but it is really unfortunate that my Republican colleagues have excluded gender identity as an enumerated protected characteristic in the law. I am not sure if they are pandering to the most extremes in their party or to their political base, but it is wrong.

Gender identity is an individual's personal and internal identification as a man, a woman, neither, or both. For transgender people, their gender identity may not match their biological or legal sex. Despite the efforts to exclude gender identity from H.R. 4100, transgender people will be protected from discrimination under Federal law.

Discrimination on the basis of gender identity is a form of sex discrimination. Laws prohibiting discrimination on the basis of sex protect transgender people.

Numerous Federal circuit and district court opinions have held that our Nation's nondiscrimination laws that prohibit discrimination on the basis of sex protect transgender people from discrimination. That includes title VII of the Civil Rights Act of 1964, the Equal Credit Opportunity Act, and title IX of the Education Amendments of 1972.

The Equal Employment Opportunity Commission determined in Macy v. Holder that title VII's prohibitions on sex discrimination also prohibit discrimination on the basis of gender identity. This decision is binding on the Federal Government with respect to employment practices.

While gender identity will be covered by the sex nondiscrimination provision, it is better to enumerate gender identity. Our laws work best when there are clear expectations.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RASKIN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Rhode Island.

Mr. CICILLINE. Listing out protected characteristics helps those making determinations about membership understand their obligations, and helps those seeking membership understand their rights. There is no reason to refuse to include gender identity as a protected characteristic.

While I do not oppose H.R. 4100, I hope that we can continue to discuss and take into account the issues that impact the lives of LGBTI individuals and will work toward a charter that protects everyone from discrimination.

Mr. GOODLATTE. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, given that the D.C. Circuit Court of Appeals has determined that title VII sex discrimination includes discrimination against people based on their gender identity, it seems somewhat petty and churlish to exclude those words from the language of this charter. I hope that this will be corrected when the legislation goes through. Otherwise, I consider this a very fine bill.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 4100.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

KNOWLEDGEABLE INNOVATORS AND WORTHY INVESTORS ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2245) to include New Zealand in the list of foreign states whose nationals are eligible for admission into the United States as E–1 and E–2 nonimmigrants if United States nationals are treated similarly by the Government of New Zealand.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2245

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 ''Knowledgeable Innovators and Worthy Investors Act'' or the ''KIWI Act''.

SEC. 2. NONIMMIGRANT TRADERS AND INVESTORS.

For purposes of clauses (i) and (ii) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), New Zealand shall be considered to be a foreign state described in such section if the Government of New Zealand provides similar nonimmigrant status to nationals of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 2245, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, E–1 visas are nonimmigrant visas available for treaty traders, and E–2 visas are available for treaty investors.

Pursuant to the Immigration and Nationality Act, these visas are available to aliens who are ''entitled to enter the United States under and in pursuance of the provisions of a treaty of commerce and navigation between the United States and the foreign state of which he is a national, and their spouse and children . . . solely to either carry on substantial trade, including trade in services or trade in technology, principally between the United States and the foreign state of which he is a national, or to develop and direct the operations of an enterprise in which he has invested . . . a substantial amount of capital. . . . ''

Alien employees of treaty traders and treaty investors may receive visas if they are coming to the United States ''to engage in duties of an executive or supervisory character, or, if employed in a lesser capacity, if they have special qualifications that make the services to be rendered essential to the efficient operation of the enterprise.''

There are no numerical caps on E–1 or E–2 visas. Aliens may be admitted initially for a period of 2 years and can apply for extensions in 2-year increments.

The United States has entered into treaties of commerce since at least 1815, when we entered into a Convention to Regulate Commerce with the United Kingdom.

□ 1645

Currently, the nationals of 83 countries are eligible for E–1 or E–2 status. In fiscal year 2017, in total, about 50,000 E–1 and E–2 visas were issued.

In the past, countries became eligible for the E–1 and E–2 programs through treaties signed with the United States. However, in 2003, the Judiciary Committee reached an understanding with the U.S. Trade Representative that no immigration provisions were to be included in future trade agreements. Henceforth, legislation would be required to add countries.

The bill we are considering today, S. 2245, makes New Zealand nationals eligible for E–1 and E–2 visas. I want to thank Mr. ISSA for all of his work on this issue, and for introducing companion legislation in the House. I am also appreciative of the Embassy of New Zealand for seeking E visa status in the right way.

I urge my colleagues to support S. 2245, and I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

S. 2245, the Knowledgeable Innovators and Worthy Investors Act, or KIWI Act, is bipartisan legislation to allow citizens of New Zealand to participate, along with the people of more than 80 other countries, in the E–1 and E–2 visa programs for treaty traders and treaty investors, so long as New Zealand provides the same reciprocal treatment to citizens of the United States.

I favor this commonsense bill that will facilitate trade by making it easier for New Zealanders to invest here and will lead to the creation of new jobs in the United States.

The E–1 treaty trader program provides temporary visas to employees of firms engaged in substantial trade with our country. The E–2 treaty investor program provides temporary visas to foreign investors who make substantial investments in American enterprise.

These visas help increase trade with and direct investments in the U.S. More than 80 countries already participate in the programs, including almost all of our democratic allies and trading partners. Yet New Zealand, one our closest and dearest allies, is not on the list.

There are already many New Zealand companies in the U.S., just as there are many of our companies in New Zealand. In 2016, our two countries engaged in approximately $12 billion of bilateral trade in goods and services; and the U.S. is already the second most popular destination for New Zealand foreign investment, accounting for 17 percent of all foreign investment by New Zealanders in 2016, for a total of $3.2 billion dollars.

Bringing New Zealand into the E–1 and E–2 programs will increase trade and bilateral investment flows, helping both of our countries accelerate economic growth and job creation.

While so much of our foreign policy is consumed today with dangerous and counterproductive trade wars against our allies, which is harmful to our farmers, especially our soybean, corn, and livestock farmers, I am glad that this bill will actually strengthen ties with one of America's closest and most steadfast allies.

Congratulations are in order for Senator HIRONO, who championed this bill in the Senate, where it passed last month by unanimous consent. I also congratulate my Judiciary colleague, DARRELL ISSA, who authored the companion bill in the House. They both deserve credit for identifying this deficiency in our immigration laws and working across the aisle to craft a smart solution that has gained broad support in the body for adoption. Our country will be more prosperous and so, presumably, will be New Zealand as a result of their efforts.

I also want to thank Chairman GOODLATTE and Chairwoman ILEANA ROS-LEHTINEN of the Foreign Affairs Committee for their support and work on behalf of this important legislation.

I urge my colleagues to support S. 2245, the KIWI Act.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I want to thank the gentleman from Maryland and Ranking Member NADLER and others for their work on this legislation, as well as Congressman ISSA and Senator HIRONO. This is very good legislation and it's overdue. I urge my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COLLINS of New York). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, S. 2245.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LA PAZ COUNTY LAND CONVEYANCE ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2630) to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2630

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 ''La Paz County Land Conveyance Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term ''County'' means La Paz County, Arizona.

(2) FEDERAL LAND.—The term ''Federal land'' means the approximately 8,800 acres of land managed by the Bureau of Land Management and designated as ''Federal land to be conveyed'' on the map.

(3) MAP.—The term ''map'' means the map prepared by the Bureau of Land Management entitled ''Proposed La Paz County Land Conveyance'' and dated May 24, 2017.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. CONVEYANCE TO LA PAZ COUNTY, ARIZONA.

(a) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a request from the County to convey all or a portion of the Federal land, subject to valid existing rights and to such terms and conditions as the Secretary determines to be necessary and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the County all right, title, and interest of the United States in and to the Federal land identified on the map.

(b) PHASED CONVEYANCE.—

(1) IN GENERAL.—The Secretary shall convey the public land described in subsection (a) in parcels over a period of up to 20 years, as is required to carry out the phased development of renewable energy or other economic development.

(2) PAYMENT OF FAIR MARKET VALUE.—A parcel shall be conveyed by the Secretary on payment by La Paz County, Arizona, to the Secretary, of the fair market value of the parcel, as determined under paragraph (3).

(3) APPRAISAL TO DETERMINE FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the Federal land to be conveyed—

(A) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) based on an appraisal that is conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisition; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(c) PROTECTION OF TRIBAL CULTURAL ARTIFACTS.—To the greatest extent practicable, the County and all subsequent owners of land conveyed under this Act shall—

(1) make good faith efforts to avoid disturbing Tribal artifacts;

(2) minimize impacts on Tribal artifacts if they are disturbed;

(3) work with the Colorado River Indian Tribes Tribal Historic Preservation Office to identify artifacts of cultural and historic significance; and

(4) allow Tribal representatives to rebury unearthed artifacts at or near where they were discovered.

(d) AVAILABILITY OF MAP.—

(1) IN GENERAL.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CORRECTIONS.—The Secretary and the County may, by mutual agreement—

(A) make minor boundary adjustments to the Federal land to be conveyed under subsection (a); and

(B) correct any minor errors in the map, an acreage estimate, or the description of the Federal land.

(e) WITHDRAWAL.—The Federal land is withdrawn from the operation of the mining and mineral leasing laws of the United States.

(f) COSTS.—As a condition of the conveyance of the Federal land under subsection (a), the County shall pay—

(1) an amount equal to the appraised value determined in accordance with subsection (b)(3); and

(2) all costs related to the conveyance, including all surveys, appraisals, and other administrative costs associated with the conveyance of the Federal land to the County under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2630, the La Paz County Land Conveyance Act, is authored by Congressman PAUL GOSAR of Arizona. It directs the Secretary of the Interior to convey 8,000 acres of Federal land to La Paz County, Arizona, at fair market value for the construction of a solar field.

La Paz County is among the few counties in the United States with nearly 95 percent of its land owned by the Federal, State, or Tribal governments. Because of the immense Federal footprint in the county, a land transfer is necessary so that it can secure enough space for this type of development. The county will not only pay for the land, but all the administrative costs of the transfer as well.

The county has already worked with the BLM to identify a site adjacent to preexisting and proposed electric, fiber optic, and natural gas transmission lines. A review of the proposed site by the BLM has not revealed any endangered species or historic resources in the area, and much of the proposed site already has a significant amount of surface disturbance.

La Paz County suffers high unemployment, and this land conveyance will not only provide additional energy to the growing southern California and Phoenix markets, but it will also bring good-paying jobs to many families in the county.

I urge adoption of the measure, and I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

This bill, authored by Representative PAUL A. GOSAR, authorizes the conveyance of approximately 8,800 acres of Bureau of Land Management land to La Paz County, Arizona, for the development of renewable energy. The BLM land has been identified as suitable for disposal, and the county is required to pay full-market value and all the administrative costs associated with the conveyance. The bill also includes important safeguards for Tribal cultural property and is supported by the Colorado River Indian Tribes.

This is a targeted sale of public land for a very specific public purpose that ensures a fair return for taxpayer-owned assets. Our support for this bill does not mean that we support the wholesale disposal of public land.

Federal land is a public resource, and the conveyance of any part of this resource should include guarantees to protect the public's interest. The proceeds of any conveyance authorized by Congress should be reinvested back into land conservation efforts.

Without this important safeguard, the accumulation of individual conveyances potentially threatens the viability of our system of public lands. This is not yet included in this bill, so I do hope, Mr. Speaker, that we can work with our Senate colleagues to make this bill even better as it moves through the legislative process.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. GOSAR), the author of this measure, the chairman of the Western Caucus of the House of Representatives.

Mr. GOSAR. Mr. Speaker, I rise today in support of my bipartisan bill, H.R. 2630, the La Paz County Land Conveyance Act.

La Paz County, Arizona, is a county in western Arizona defined by the Colorado River, the vast Arizona desert, and a massive Federal footprint. This bipartisan bill helps facilitate a land transfer from the Bureau of Land Management to the county.

Specifically, H.R. 2630 directs the Secretary of the Interior to convey 8,800 acres of Federal land to La Paz County for the purpose of economic development opportunities and facilitating renewable electrical generation. The bill allows the county to take advantage of one of the best assets they have—sunshine—and pursue utility-scale solar energy production.

This legislation requires the county to pay fair-market value for the land involved in this transfer. H.R. 2630 also requires the county to pay for all costs related to the conveyance, including all surveys, appraisals, and all other administrative costs.

I would like to provide a little more background about La Paz County to help explain why this bill is so important.

By population, La Paz is Arizona's second smallest county, with just under 21,000 permanent residents. More than a third of those people are over the age of 65.

The unemployment rate in the county is stubbornly high, with La Paz County consistently ranking in the top 5 counties in Arizona, out of 15, in terms of highest unemployment rate.

Currently, only 6 percent of the land in La Paz County is in private ownership. Federal, State, or Tribal governments own almost 95 percent of the land within the county, nearly two-thirds of which is owned by the BLM. Because of the immense Federal footprint in the county, a land conveyance is necessary to allow for new opportunities for economic development.

H.R. 2630, will help create new, good-paying jobs for La Paz County residents and generate new revenues to fund important county services like education, transportation, and law enforcement.

The plot of land the county has identified, with the assistance of the BLM, is ideally situated on the edge of the La Paz-Maricopa County line, adjacent to existing and proposed fiber optic, electric, and natural gas transmission lines. Further, the transferred parcels are conveniently located next to the Ten West Link, a 114-mile transmission line that will further interconnect Arizona and California.

Initial review shows that the land does not contain any endangered species, cultural resources, and already has a significant level of surface disturbance.

The legislation was drafted at the request of the county in collaboration with the Tribes and other stakeholders. The Congressional Budget Office estimates the bill will generate $6 million for the Federal Government.

Solar energy development on land conveyed by the bill will provide good-paying local jobs and help empower the county to determine its own economic future.

Finally, the renewable energy generated as a result of this bill will assist with ensuring a balanced portfolio and provide clean, renewable power to help meet the electricity demands of the West.

I am pleased to have had La Paz County Supervisor D.L. Wilson out to testify in favor of the bill, and I appreciate all the county's hard work on behalf of this effort.

I am also pleased to have received a letter of support for the bill from the Colorado River Indian Tribes, which started, in part: ''While we acknowledge that this legislation only addresses a small portion of the county, it is our hope that we can use this cooperative model to ensure that future developments on other lands are also conducted in a culturally sensitive way.''

This is good public policy. I urge my colleagues to vote ''yes'' in favor of this bipartisan jobs bill that embraces a true all-of-the-above energy strategy.

Ms. BORDALLO. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I would ask all of the Members to consider what plight their districts would be in, their counties would be in if 95 percent of the land in that county was off the public tax rolls, with severe restrictions on its use. The effect is economically devastating.

This is a small step in the direction of giving La Paz County a little more control over its economic future. It is an excellent bill, and I urge its adoption.

I yield back the balance of my time.

□ 1700

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 2630, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ESTABLISHING THE ADAMS MEMORIAL COMMISSION

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1220) to establish the Adams Memorial Commission to carry out the provisions of Public Law 107–62, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1220

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADAMS MEMORIAL COMMISSION.

(a) COMMISSION.—There is established a commission to be known as the ''Adams Memorial Commission'' (referred to in this section as the ''Commission'') for the purpose of establishing a permanent memorial to honor John Adams and his legacy as authorized by Public Law 107–62, located in the city of Washington, District of Columbia, including sites authorized by Public Law 107–315.

(b) MEMBERSHIP.—The Commission shall be composed of—

(1) four persons appointed by the President, not more than two of whom may be members of the same political party;

(2) four Members of the Senate appointed by the President pro tempore of the Senate in consultation with the Majority Leader and Minority Leader of the Senate, of which not more than two appointees may be members of the same political party; and

(3) four Members of the House of Representatives appointed by the Speaker of the House of Representatives in consultation with the Majority Leader and Minority Leader of the House of Representatives, of which not more than two appointees may be members of the same political party.

(c) CHAIR AND VICE CHAIR.—The members of the Commission shall select a Chair and Vice Chair of the Commission. The Chair and Vice Chair shall not be members of the same political party.

(d) VACANCIES.—Any vacancy in the Commission shall not affect its powers if a quorum is present, but shall be filled in the same manner as the original appointment.

(e) MEETINGS.—

(1) INITIAL MEETING.—Not later than 45 days after the date on which a majority of the members of the Commission have been appointed, the Commission shall hold its first meeting.

(2) SUBSEQUENT MEETINGS.—The Commission shall meet at the call of the Chair.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum but a lesser number of members may hold hearings.

(g) NO COMPENSATION.—A member of the Commission shall serve without compensation, but may be reimbursed for expenses incurred in carrying out the duties of the Commission.

(h) DUTIES.—The Commission shall consider and formulate plans for a permanent memorial to honor John Adams and his legacy, including the nature, location, design, and construction of the memorial.

(i) POWERS.—The Commission may—

(1) make such expenditures for services and materials for the purpose of carrying out this section as the Commission considers advisable from funds appropriated or received as gifts for that purpose;

(2) accept gifts, including funds from the Adams Memorial Foundation, to be used in carrying out this section or to be used in connection with the construction or other expenses of the memorial; and

(3) hold hearings, enter into contracts for personal services and otherwise, and do such other things as are necessary to carry out this section.

(j) REPORTS.—The Commission shall—

(1) report the plans required by subsection (h), together with recommendations, to the President and the Congress at the earliest practicable date; and

(2) in the interim, make annual reports on its progress to the President and the Congress.

(k) APPLICABILITY OF OTHER LAWS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(l) TERMINATION.—The Commission shall terminate 7 years after the date of the enactment of this Act.

SEC. 2. AMENDMENT TO PUBLIC LAW 107–62.

Public Law 107–62 is amended by striking ''Adams Memorial Foundation'' each place it occurs and inserting ''Adams Memorial Commission''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, several of the central figures in the winning of American independence and the founding of our constitutional republic are given short shrift among the memorials in this capital city, and none among them is more deserving than John Adams.

By all accounts, he was the animating figure in pushing the Continental Congress to declare independence; he was indefatigable in the prosecution of the war, both from stations at home and from Europe; and is our first vice president under Washington; and as our second President, he established many of the traditions and policies that set our course.

Public Law 107–62 authorized the nonprofit Adams Memorial Foundation to establish a memorial to John Adams in the District of Columbia under the Commemorative Works Act and to collect private donations for that purpose. No Federal funds can be used for the memorial.

The foundation has developed initial design concept, it has conducted location reviews, and coordinated with Congress, the National Park Service, and other stakeholders, but it has not yet been able to select a site, design the memorial, receive the approvals, or raise sufficient funds for construction.

Under the Commemorative Works Act, the foundation's authority to erect a memorial expires in December of 2020.

H.R. 1220, by Congressman STEPHEN LYNCH of Massachusetts, would transfer that authority to the Adams Memorial Commission.

The commission would have all the powers and responsibilities of the foundation and would consist of 12 members. Its authority to erect a memorial will expire in 7 years, consistent was the CWA timeline.

Mr. Speaker, I ask for adoption of the measure, and I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. LYNCH), the bill's sponsor.

Mr. LYNCH. Mr. Speaker, let me first thank the gentleman from California for his kind words on behalf of my legislation and on behalf of John Adams in particular.

Mr. Speaker, I want to thank the gentlewoman from Guam, Ms. BORDALLO, for yielding this time.

Mr. Speaker, I rise to express strong support for my bill, H.R. 1220, the Adams Memorial Commission Act. This bipartisan legislation establishes the Adams Memorial Commission, which, as the chairman recognized, will consider, formulate, report plans for a memorial here in Washington, D.C., honoring John Adams and his profound and lasting legacy in the history of the United States.

The bipartisan Adams Memorial Commission will be composed of four Presidential appointees, four members of the Senate and four members of the House of Representatives. The commission will be required to report its recommendations for the nature, location, design, and construction of a fitting memorial to the President and the Congress and will then provide annual reports on the memorial's progress.

Mr. Speaker, it is important to keep in mind the lasting legacy of John Adams' family and their service to our Nation and his prominent role in our Nation's history. John Adams was one of the most influential Founding Fathers of the United States.

Born in 1735 in Braintree, Massachusetts, a section of which is now known as Quincy, John Adams was educated at Harvard and spent his early career as a lawyer. Later on as a leader of the American Revolution, John Adams served as a delegate to both the First and Second Continental Congresses, and was regarded as the leading voice championing independence from Great Britain.

Adams' prominent role in our Nation's formation of laws is still recognized to this day. In fact, one great benefit I had as a Massachusetts legislator coming here to Washington, D.C., is John Adams drafted the rules of the House in Massachusetts, which we adopted here in our Nation's Capitol in this Congress, which still stand today.

Adams not only helped draft the Declaration of Independence, but also authored the constitution of the Commonwealth of Massachusetts, which is the oldest written constitution still in place today.

After serving as U.S. representative to France and the Netherlands during the Revolutionary War, Adams became the first vice president under President George Washington. In 1796, Adams was elected the second President of the United States and in 1800 became the first occupant of the White House.

John Adams' legacy was instilled through his entire family. John's wife, Abigail, is known as an advocate for women's rights, and his son, John Quincy Adams, later served as our Nation's sixth President, and his family legacy goes on.

While commemorative works have been established for former Presidents, including George Washington, Thomas Jefferson, and Abraham Lincoln here in Washington, D.C., John Adams and his legacy are notably not represented in our Nation's capital, and that is a gap that we seek to cure.

Mr. Speaker, this memorial is long overdue. President Adams was a remarkable leader and a steadfast public servant. It is a glaring oversight that there is no memorial in our Nation's capital honoring John Adams and his family for their role in shaping our Nation.

H.R. 1220 would complement the important work that the Adams Memorial Foundation has accomplished over the years.

So as Members of Congress, I ask that we should pass this bipartisan bill and begin the process of establishing the commemorative memorial that President Adams and his family rightly deserve, that they rightly, by their courage and service, have earned.

Mr. Speaker, I thank the bipartisan cosponsors of this bill, I thank you, Mr. Speaker, for your courtesy, and the kind words by the chairman from California and Ms. BORDALLO, and I thank the bipartisan sponsors of this bill, and urge my colleagues on both sides of the aisle to stand in favor of and pass H.R. 1220.

Mr. MCCLINTOCK. Mr. Speaker, I have no further speakers and I am ready to close.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to add a few words to this bill. Nearly 20 years ago, Congress authorized the Adams Memorial Foundation to construct a commemorative work with private funds in honor of President John Adams, First Lady Abigail Adams, President John Quincy Adams, and other prominent members of the Adams family associated with the early history of the United States.

Mr. Speaker, I want to thank Congressman LYNCH and the entire Massachusetts delegation for their hard work and commitment to honoring the legacy of one their State's most influential political families.

A permanent memorial in the Nation's capital is a fitting tribute, and I hope that we can work with our Senate colleagues to deliver this bill to the President's desk and finally get it done.

Mr. Speaker, I urge a ''yes'' vote on this bill, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I just want to compliment Congressman LYNCH and thank him on behalf of the Nation for keeping this memorial alive and keeping its momentum going.

This is highly deserved, it is long overdue, and this measure takes us another step toward the recognition of one of America's greatest Founding Fathers.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 1220, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EASTERN LEGACY EXTENSION ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3045) to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3045

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 ''Eastern Legacy Extension Act''.

SEC. 2. EXTENSION OF LEWIS AND CLARK NATIONAL HISTORIC TRAIL.

(a) EXTENSION.—Section 5(a)(6) of the National Trails System Act (16 U.S.C. 1244(a)(6)) is amended—

(1) by striking ''three thousand seven hundred'' and inserting ''4,900'';

(2) by striking ''Wood River, Illinois,'' and inserting ''the Ohio River in Pittsburgh, Pennsylvania,''; and

(3) by striking ''maps identified as, 'Vicinity Map, Lewis and Clark Trail' study report dated April 1977.'' and inserting ''the map entitled Lewis and Clark National Historic Trail Authorized Trail Including Proposed Eastern Legacy Extension, dated April 2018, and numbered 648/143721.''

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 60 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, H.R. 3045, which comes to us by Congressman LUKE MESSER of Indiana, would extend the Lewis and Clark National Historic Trail.

Its purpose is to preserve and interpret for future generations the Corps of Discovery's important preparations for its trailblazing journey into the Western United States.

In 1803, President Thomas Jefferson charged Captains Meriwether Lewis and William Clark with finding a water route to the Pacific Ocean across the United States' newly purchased Louisiana Territory and with seeking out and identifying wildlife, vegetation, and native populations along the way.

The journey contributed greatly to the scientific knowledge and helped to foster profound political, social, economic, cultural, and environmental changes to the lands and the peoples of the North American continent.

The Lewis and Clark National Historic Trail was established in 1978 and spans 3,700 miles following the route of the Lewis and Clark expedition west of the Mississippi River from Wood River, Illinois, to Astoria, Oregon.

H.R. 3045 would extend the Lewis and Clark National Historic Trail by 1,200 miles, with a new eastern boundary at Pittsburgh, Pennsylvania, following the path of the Ohio River.

The Eastern Legacy Extension of the trail encompasses important history and key moments for the expedition.

In February of 2018, at the direction of Congress, the National Park Service completed a study on the proposed extension of this trail. The study found the route proposed for inclusion in H.R. 3045 to be nationally significant, suitable and feasible for inclusion in the existing Lewis and Clark National Historic Trail.

The Eastern Legacy Extension provided by this legislation recognizes the significance of the planning, preparation, and beginning preparations for the expedition, and will provide new opportunities for Americans to learn about the Corps of Discovery and the lands along the Ohio River where Lewis and Clark refined the techniques that prepared them for the hardships of the long trip west.

Mr. Speaker, I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill extends the Lewis and Clark National Historic Trail by 1,200 miles to include three new segments that correspond to the preparation and return phases of the expedition.

Under the Consolidated Natural Resources Act of 2018, the study of possible additional Eastern Legacy sites to add to the Lewis and Clark Historic Trail identified three nationally significant trail segments.

The first trail identified is a segment of the Ohio River that Meriwether Lewis used as a testing ground for supplies and weapons prior to his epic journey.

Another trail, stretching from the falls of Ohio to the confluence of the Ohio and Mississippi Rivers, recognizes where Lewis and Clark first met.

The last trail that will be included under this bill begins at the confluence of the Ohio and Mississippi River and stretches until the Wood River in Illinois, which is the current starting point of the National Historic Trail.

The Lewis and Clark story is an important part of our collective history, and I hope that we can continue working together to discover and preserve pieces of America's legacy.

Mr. Speaker, I urge my colleagues to join me in supporting this bill sponsored by Representative LUKE MESSER.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. MESSER), the author of this measure.

Mr. MESSER. Mr. Speaker, I want to thank the gentleman from California, Chairman MCCLINTOCK, for his help on this bill; the gentlewoman from Guam, my friend, Ms. BORDALLO, for her support as well; Chairman BISHOP and all the members and staff of the Natural Resources Committee for their important work and for bringing this legislation to the House floor today.

Mr. Speaker, I also want to recognize my son, Hudson, I guess named after a river, for tagging along with me and being here as well.

Mr. Speaker, as most of us learned in high school history, in 1803, Meriwether Lewis and William Clark were commissioned by President Jefferson to find a water route to the Pacific Ocean across the United States.

This bill, the Eastern Legacy Extension Act, formally recognizes the important role States like Indiana, my home State, played in the expedition by extending the Lewis and Clark National Historic Trail to the east.

Currently, the trail only marks the western portion of Lewis and Clark's expedition. However, these explorers, as other speakers have said, traveled nearly 1,000 miles along the Ohio and Mississippi Rivers in States like Pennsylvania, Ohio, Indiana, and Illinois before arriving in present day Missouri.

In fact, the town of Clarksville, Indiana, is named after William Clark after he famously stopped there to recruit members for the expedition.

To properly recognize this historic expedition and preserve the entire route Lewis and Clark took, Congress previously requested the National Park Service to study extending the trail along the route they took east of the Mississippi.

□ 1715

In February 2018, the final study was released, recommending that Congress designate the eastern leg of the expedition as part of the trail. This bill makes that a reality, and by recognizing the eastern portions of the Lewis and Clark Expedition, we make the entire national trail stronger.

This legislation will increase tourism opportunities for communities in Indiana and the rest of the 4,900-mile route and promote historic appreciation for the role Lewis and Clark played in making our country what it is today.

Mr. Speaker, I would like to thank the Lewis and Clark Trail Heritage Foundation for their work on this legislation and, again, thank the committee and the chairmen for their work, too. I urge my colleagues to support this bill.

Ms. BORDALLO. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, the Lewis and Clark Expedition was literally one of the seminal events that produced this great Nation, spanning from coast to coast, and the completion of this full trail is an important step in recognizing the heroism and the vision of those who came before us to build this Nation.

Mr. Speaker, I would ask for adoption of the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 3045, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT AND DINGELL-JOHNSON SPORT FISH RESTORATION ACT AMENDMENTS

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5875) to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Federal Aid in Sport Fish Restoration Act, to provide parity for United States territories and the District of Columbia, to make technical corrections to such Acts and related laws, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5875

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPORTIONMENT UNDER PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) EQUIVALENT MINIMUM APPORTIONMENT AMONG STATES AND TERRITORIES OF TAX REVENUES ACCRUING TO FUND.—The first subsection (c) of section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c), relating to apportionment of certain revenues accruing to the fund, is amended by striking ''among the States'' and all that follows through the end of the first sentence and inserting: ''among the States and each of American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the United States Virgin Islands in proportion to the ratio that the population of each State and each such territory bears to the population of all the States and such territories, except that each State shall be apportioned not more than 3 percent of such revenues, and each State and each such territory shall be apportioned not less than 1 percent of such revenues.''.

(b) APPORTIONMENT OF WILDLIFE CONSERVATION AND RESTORATION ACCOUNT AMONG TERRITORIES AND THE DISTRICT OF COLUMBIA.—The second subsection (c) of section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c), as added by section 902(e) of H.R. 5548, as introduced in the 106th Congress and enacted into law by section 1(a)(2) of Public Law 106–55, and relating to apportionment of the Wildlife Conservation and Restoration Account, is amended by striking paragraph (1) and inserting the following:

''(1) The Secretary of the Interior shall apportion from the Wildlife Conservation and

Restoration Account to each of the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the United States Virgin Islands a sum equal to not more than one-half of 1 percent of such Account.''.

(c) REPEAL OF PERCENTAGE RESTRICTIONS ON APPORTIONMENTS TO TERRITORIES.—Section 8A of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g–1) is amended by striking ''as he shall determine, not exceeding'' and all that follows through '', in any one year,'' and inserting ''as the Secretary shall determine for each year,''.

SEC. 2. TECHNICAL CORRECTIONS TO PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT.

(a) The first section and section 12 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669, 669i) are each amended by striking ''Secretary of Agriculture'' each place it appears and inserting ''Secretary of the Interior''.

(b) Paragraph (2) of section 3(a) of such Act (16 U.S.C. 669b(a)) is amended—

(1) by moving such paragraph 2 ems to the left; and

(2) by striking ''16 U.S.C. 669(b)(1))'' and inserting ''subsection (b)(1)''.

(c)(1) Section 4 of such Act (16 U.S.C. 669c) is amended by redesignating the second subsection (c) (as added by section 902(e) of H.R. 5548, as introduced in the 106th Congress and enacted into law by section 1(a)(2) of Public Law 106–55; relating to apportionment of the Wildlife Conservation and Restoration Account) and subsection (d) as subsections (d) and (e), respectively.

(2) Section 2(6) of such Act (16 U.S.C. 669a(6)) is amended by striking ''section 304(d)'' and inserting ''section 4(e)''.

(3) Section 3(c)(2) of such Act (16 U.S.C. 669b(c)(2)) is amended by striking ''sections 4(d) and (e) of this Act,'' and inserting ''section 4(e),''.

(d) Subsection (d) of section 4 of such Act (16 U.S.C. 669c), as redesignated by subsection (c)(1) of this section, is further amended in paragraph (2)(A)—

(1) in clause (i)—

(A) by striking ''one-third of which is based'' and inserting ''One-third of such amount shall be apportioned based''; and

(B) by striking ''; and'' and inserting a period; and

(2) in clause (ii), by striking ''two-thirds of which is based'' and inserting ''Two-thirds of such amount shall be apportioned based''.

(e) Section 6 of such Act (16 U.S.C. 669e) is amended—

(1) in subsection (a)—

(A) by inserting ''(1)'' before the first sentence;

(B) by redesignating paragraphs (1) and (2), as in effect before the enactment of this paragraph, as subparagraphs (A) and (B) of paragraph (1) (as designated by the amendment made by subparagraph (A) of this paragraph), and moving such subparagraphs 2 ems to the right; and

(C) by inserting ''(2)'' before ''The Secretary of the Interior shall approve''; and

(2) in subsection (b), by striking ''option (1) of subsection (a) of this section,'' and inserting ''subsection (a)(1)(A),''.

SEC. 3. APPORTIONMENT UNDER DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 12 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777K) is amended by striking ''as he shall determine, not exceeding for Puerto Rico'' and all that follows through ''in any one year, but the Secretary'' and inserting ''as the Secretary shall determine, except the Secretary''.

SEC. 4. TECHNICAL CORRECTIONS RELATING TO DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

(a) CORRECTIONS TO DINGELL-JOHNSON SPORT FISH RESTORATION ACT.—Section 4(a)(1) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)(1)) is amended by striking ''Protection,'' and inserting ''Protection''.

(b) CORRECTIONS TO RELATED LAWS.—

(1) Section 111(f)(3) of Public Law 101–593 (16 U.S.C. 777e–1(f)(3)) is amended by striking ''section'' and inserting ''subsection''.

(2) Section 7404(d)(1) of Public Law 105–178 (16 U.S.C. 777g–1(d)(1)) is amended by striking ''section 4(a)(4)'' and inserting ''section 4(a)(3)(A)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5875, introduced by my colleague from Guam (Ms. BORDALLO), addresses the existing disparity between the 50 States and the U.S. territories with regard to the formulas within the Pittman-Robertson and Dingell-Johnson conservation programs. While the territories are included in the statutory definition as States, they are not afforded an opportunity to receive an equal share of Pittman-Robertson and Dingell-Johnson funding.

The legislation provides the Secretary of the Interior with greater flexibility in apportioning conservation funds and requires parity between the States and the territories with respect to funding for basic hunter education programs.

Under current law, each State is guaranteed at least a 1 percent share of yearly Pittman-Robertson apportionment. However, the current statute caps Puerto Rico's share at one-fourth of 1 percent and the four other U.S. territory shares at just one-sixth of 1 percent. In other words, they pay the fees and the taxes, but they don't get equal access to the funds.

H.R. 5875 specifically removes the existing caps on funds for basic hunter education programs and would mandate that each territory and State receive not less than 1 percent in any given year. The bill also removes additional restrictions on apportionments for wildlife and sport fishing restoration projects.

The absence of caps will allow the Secretary of the Interior to exercise discretion in apportioning Pittman-Robertson and Dingell-Johnson funds to the five U.S. territories in proportion to their populations, as it is done currently for each of the 50 States.

The user-pays approach facilitated by Pittman-Robertson and Dingell-Johnson has consistently delivered significant benefits to hunters, recreational shooters, and all citizens through the delivery of on-the-ground wildlife and habitat conservation activities.

It is time we make the apportionment of these important funds fair to all 50 States and the territories. I urge adoption of the measure, and I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very pleased that the full House will soon vote on my bill, H.R. 5875, supported by all six Members of Congress representing the U.S. territories and the District of Columbia. My bipartisan bill will ensure that Guam, the other U.S. territories, and D.C. receive their fair share of annual funding under the Pittman-Robertson and Dingell-Johnson acts.

This Federal funding supports fish and wildlife conservation and enhances hunting, sport fishing, boating, and other outdoor recreational opportunities at no cost to taxpayers.

Each State and territorial fish and wildlife agency receives a yearly allocation of this Federal funding. However, current Federal law places arbitrary caps on how much funding the five territories and D.C. may receive, forcing us to split the smallest State's share six ways. My bipartisan bill will fix this by providing each territory and D.C. the same funding percentage guaranteed for each State.

My bill will also allow the Secretary of the Interior to exercise his or her full discretion in allocating this funding based on the same criteria applied to the States.

Lastly, H.R. 5875 will make technical changes in the U.S. Code to correct errors in these two Federal laws.

I thank our Natural Resources Committee chairman, Mr. ROB BISHOP, for his partnership in bringing my bill to the floor.

I urge a ''yes'' vote on this bipartisan bill.

Mr. Speaker, I want to thank my colleague, Representative MCCLINTOCK from California, for his very favorable comments on this bill, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I want to thank the gentlewoman for bringing this bill to the House. This really is an injustice to think that the people of the territories pay the full amount of the fees and yet only get a fraction of the benefits that are afforded to the States that are paying the same fees. This corrects that injustice.

Mr. Speaker, I urge the bill's adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 5875, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MILL SPRINGS BATTLEFIELD NATIONAL MONUMENT ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5979) to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5979

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 ''Mill Springs Battlefield National Monument Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''Map'' means the map entitled ''Mill Springs Battlefield National Monument, Nancy, Kentucky'' numbered 297/145513, and dated June 2018.

(2) MONUMENT.—The term ''Monument'' means the Mill Springs Battlefield National Monument established by section 3(a).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. ESTABLISHMENT OF MILL SPRINGS BATTLEFIELD NATIONAL MONUMENT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established, as a unit of the National Park System, the Mill Springs Battlefield National Monument in the State of Kentucky, to preserve, protect, and interpret for the benefit of present and future generations the nationally significant historic resources of the Mill Springs Battlefield and its role in the American Civil War.

(2) CONDITIONS.—The Monument shall not be established until the Secretary—

(A) has entered into a written agreement with the owner of any private or non-Federal land within the Mill Springs Battlefield National Monument boundary as depicted on the Map, providing that such property shall be donated to the United States for inclusion in the Monument to be managed consistently with the purposes of the Monument; and

(B) has determined that sufficient land or interests in land have been acquired within the boundary of the Monument to constitute a manageable unit.

(b) BOUNDARIES.—The boundaries of the Monument shall be the boundaries generally depicted on the Map.

(c) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) ACQUISITION AUTHORITY.—The Secretary may only acquire land or an interest in land located within the boundary of the Monument by—

(1) donation;

(2) purchase with donated funds; or

(3) exchange.

(e) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Monument in accordance with—

(A) this Act; and

(B) the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to the Secretary for this purpose, the Secretary shall prepare a general management plan for the Monument in accordance with section 100502 of title 54, United States Code.

(B) SUBMIT TO CONGRESS.—On completion of the general management plan, the Secretary shall submit it to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(f) PRIVATE PROPERTY PROTECTION.—No private property or non-Federal public property shall be managed as part of the Monument without the written consent of the owner of such property.

(g) NO BUFFER ZONES.—Nothing in this Act, the establishment of the Monument, or the management of the Monument shall be construed to create buffer zones outside of the Monument. The fact that an activity or use can be seen, heard, or detected from within the Monument shall not preclude the conduct of that activity or use outside of the Monument.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California.

There was no objection.

Mr. MCCLINTOCK. I yield myself such time as I may consume.

Mr. Speaker, H.R. 5979, introduced by Representative HAL ROGERS of Kentucky, establishes the Mill Springs Battlefield National Monument in Kentucky as a unit of the National Park System.

The Battle of Mill Springs was one of Kentucky's largest Civil War battles and played a crucial role in the Union's success by securing the Cumberland Gap and providing the gateway into Tennessee.

The Battle of Mill Springs bolstered the Union's morale, as it was the first major victory of the war following the disastrous defeat at First Manassas. Winning the battle enabled the Union to push all Confederate powers out of Kentucky and allowed them to advance into Confederate strongholds in Middle Tennessee.

Mill Springs Battlefield was designated as a National Historic Landmark in 1994. The boundary was expanded in 2008 and now encompasses over 1,500 acres. The nonprofit Mill Springs Battlefield Association currently owns 900 acres of battlefield land and operates a visitors center at the site.

H.R. 5979 establishes the Mill Springs Battlefield National Monument as a unit of the National Park System. The proposed monument would be approximately 1,500 acres, of which 900 will be donated to the Park Service.

I am grateful to Mr. ROGERS for sponsoring this legislation. It is the right way to create a national monument. Monuments ought to be created through the open legislative process of Congress and not via executive fiat.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, which is sponsored by Representative ROGERS from Kentucky, establishes the Mill Springs Battlefield National Monument in the State of Kentucky to preserve, protect, and interpret for current and future generations, the historic resources of the Mill Springs Battlefield and its role in the American Civil War.

Mill Springs Battlefield in Pulaski County, Kentucky, was the site of the Union's first decisive victory in the western theater of the American Civil War. Given the Confederacy's presence in the South, the Union's performance in Kentucky was perceived as a pivotal turning point in the war.

President Abraham Lincoln articulated the strategic importance of Kentucky by stating: ''I hope to have God on my side, but I must have Kentucky.''

This monument designation is a fitting tribute to the historical significance of Mill Springs and an encouraging sign that we can continue to work across political lines to ensure that our most important places are preserved for future generations.

Mr. Speaker, I urge adoption of this bill, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I am now pleased to yield such time as he may consume to gentleman from Kentucky (Mr. ROGERS), the distinguished author of this measure.

Mr. ROGERS of Kentucky. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today in support of H.R. 5979, the Mill Springs Battlefield National Monument Act, legislation that I introduced that directs the Secretary of the Interior to establish the Mill Springs Battlefield National Monument as a unit of the National Park System.

On January 19, 1862, the small Kentucky town of Logan's Cross Roads erupted in a blast of artillery and musket fire as Confederate and Union forces clashed in the Battle of Mill Springs.

When the smoke cleared, it was clear that the Union was victorious and had secured its first significant victory in the Civil War. To honor the site, the Mill Springs Battlefield in Pulaski and Wayne Counties in Kentucky was designated a U.S. National Historic Landmark district in 1994.

Realizing the need to preserve and protect the battlefield for the future,

the Mill Springs Battlefield Association was founded in 1992. That association currently owns more than 900 acres of the battlefield that they have pieced together over the years with their own money and grant money from various sources. They even built a $1.7 million, 10,000-square-foot visitor center and museum at the site, which is adjacent to the Mill Springs National Cemetery, which, of course, was started by the deaths from this battle.

Mr. Speaker, while the association is currently doing an exemplary job in maintaining the battlefield, it simply does not have the financial resources to adequately preserve and maintain this site in perpetuity.

To ensure that the Mill Springs Battlefield is protected for future generations, I introduced this legislation to add the battlefield to the National Park System. This will ensure that the battlefield where the Union first tasted victory is protected, preserved, and promoted well into the future.

Mr. Speaker, this effort is supported by the Secretary of the Interior, Ryan Zinke, as well as the National Park Service.

It is also supported by many in Kentucky, including our Governor, our friends in our congressional delegation, and countless local and regional leaders.

□ 1730

It is also supported by the Battlefield Association which is willing to donate their property, some 900 of the acres, to make this national monument a reality.

I am particularly grateful to Chairman MCCLINTOCK, Chairman BISHOP, and their staff who worked closely with us to bring this bill to the floor. I can't thank the chairman enough for the great work that he does.

I would also like to specifically thank my friend and colleague, Senate Majority Leader MITCH MCCONNELL, who is ushering companion legislation through the Senate.

Finally, Mr. Speaker, I want to thank the men and women of the Mill Springs Battlefield Association. Without their decades of work to piece together and preserve this important site, none of this would be possible today. They stage an annual reenactment of this battle which is realistic to the nth degree, and I would invite everyone to attend the annual reunion of this battle in January of next year.

Mr. Speaker, I urge the passage of the Mill Springs Battlefield National Monument Act.

Ms. BORDALLO. Mr. Speaker, I urge the support of this bill. I have no further speakers, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, these historic sites provide a tangible link between our generation and those who came before us and allow us to draw inspiration from the deeds and sacrifices of those who built this country and secured freedom for all Americans. This is an important part of that story, and I would ask for adoption of the measure.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 5979, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIONAL COMEDY CENTER RECOGNITION ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6077) recognizing the National Comedy Center in Jamestown, New York, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6077

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 ''National Comedy Center Recognition Act''.

SEC. 2. DESIGNATION OF NATIONAL COMEDY CENTER IN JAMESTOWN, NEW YORK.

(a) CONGRESSIONAL RECOGNITION.—Congress—

(1) recognizes that the National Comedy Center, located in Jamestown, New York, is the only museum of its kind that exists for the exclusive purpose of celebrating comedy in all its forms; and

(2) officially designates the National Comedy Center as the National Comedy Center.

(b) EFFECT OF RECOGNITION.—The National Comedy Center recognized in this section is not a unit of the National Park System, and the designation shall not be construed to require or permit Federal funds to be expended for any purpose related to the Center.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the National Comedy Center in downtown Jamestown, New York, is a nonprofit institution that tells the story of comedy in America.

Opening next month, the center is a live performance space as well as an interactive museum. It is the first national scale, nonprofit, cultural institution with a visitor experience dedicated to comedy outside of the U.S. Senate.

The museum is acquiring the personal archives of prominent American comedians and will showcase more than 50 exhibits on the history of comedy from early vaudeville to today. In addition, the center operates the Lucille Ball Desi Arnaz Museum, as Jamestown is the birthplace of Ms. Ball.

H.R. 6077 will officially designate the National Comedy Center in Jamestown, New York, as the National Comedy Center. The center will not be a part of or affiliated with the National Park System. Just to be crystal clear, this designation will not require Federal funds to be expended for any purpose related to the center—no joke.

Mr. Speaker, I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill is sponsored by Mr. REED of New York, and it officially designates the National Comedy Center in Jamestown, New York, as the National Comedy Center and recognizes it as the only museum that exists to celebrate comedy in the United States.

The National Comedy Center is set to open for the first time early next month. This honorary recognition will highlight the museum and the importance of the comedic arts which brighten the lives of everyday Americans.

I want to congratulate Congressman REED for his hard work on behalf of Jamestown, New York, and the Comedy Center. I am very happy to lend my support to the preservation of institutions that preserve parts of our cultural identity, and I do urge my colleagues to join me in supporting this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. REED), who is the author of this measure.

Mr. REED. Mr. Speaker, I thank Mr. MCCLINTOCK for yielding me such time as I may consume to address the subject matter of this bill.

Mr. Speaker, for once on this floor, this is a laughing matter. The purpose of this bill is to officially designate the National Comedy Center in Jamestown, New York, as the National Comedy Center for the United States of America.

Mr. Speaker, our country doesn't currently have a national center to recognize comedy and the important role it plays in American culture. I can think of no better place for such a center than in our district in the city of Jamestown, the birthplace of Lucille Ball.

Across the country and all over the world, people recognize Lucille Ball and ''I love Lucy'' as one of the most

popular television shows of all time. The National Comedy Center will celebrate her impact and many others in the world of comedy when it hosts this August the Lucille Ball Comedy Festival for the grand opening of the National Comedy Center.

All jokes aside, Mr. Speaker, this museum is much bigger than one person in Lucille Ball. This is about comedians who have practiced their art and have celebrated the healing aspects of humor in our society. With more than 50 exhibits that engage and excite, this museum is the first of its kind dedicated to celebrating comedy in all its forms and the people who share the laughter it brings.

It is the Cooperstown of baseball, the Dayton of pro football, and the Cleveland of Rock and Roll.

I would like to thank the men and women whose hard work and dedication to the National Comedy Center have gotten us here. In particular, I would like to thank all those who made the National Comedy Center in Jamestown, New York, possible; including Journey Gunderson, Tom Benson, and the rest of the National Comedy Center board for their tireless work; as well as former County Executive Vince Horrigan, and present Chautauqua County Executive George Borrello, as well as the mayor of Jamestown, Sam Teresi, for their unwavering support in this bipartisan endeavor.

I thank Greg Edwards of the Gebbie Foundation as well as all the other foundations and contributors that helped make this a reality. Most of all, we want to recognize the comedians and artists who have shared their talents for years with Jamestown to make this possible.

With that, Mr. Speaker, I ask my friends and colleagues to support this bill.

Ms. BORDALLO. Mr. Speaker, we should all be smiling when we say we support this bill—and that is no laughing matter.

Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I would ask for adoption of the measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 6077, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AMENDING THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT OF 2010

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2850) to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. USE OF FUNDS IN WMAT SETTLEMENT FUND FOR WMAT RURAL WATER SYSTEM.

(a) AUTHORIZATION OF WMAT RURAL WATER SYSTEM.—Section 307(a) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3080) is amended in the matter preceding paragraph (1) by inserting ‘‘, (b)(2),’’ after ‘‘subsections (a)’’.

(b) FUNDING.—Section 312(b)(2)(C)(i)(III) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3093) is amended by striking the period at the end and inserting the following: ‘‘, including the planning, design, and construction of the WMAT rural water system, in accordance with section 307(a).’’.

SEC. 2. EXPANSION OF PUEBLO OF SANTA CLARA LAND ELIGIBLE FOR 99-YEAR LEASE.

Subsection (a) of the first section of the Act of August 9, 1955 (commonly known as the ‘‘Long-Term Leasing Act’’) (25 U.S.C. 415(a)), is amended—

(1) by striking ‘‘Indians,,’’ and inserting ‘‘Indians,’’;

(2) by inserting ‘‘Ohkay Owingeh pueblo,’’ after ‘‘Cochiti,’’;

(3) by inserting ‘‘the pueblo of Santa Clara,’’ after ‘‘Pojoaque,’’;

(4) by striking ‘‘the the lands’’ and inserting ‘‘the land’’;

(5) by striking ‘‘lands held in trust for the Pueblo of Santa Clara,’’; and

(6) by striking ‘‘lands held in trust for Ohkay Owingeh Pueblo’’.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

The Claims Resolution Act of 2010 included four Indian water rights settlements. Title III of the act resolved the White Mountain Apache Tribes' water-related claims against the United States, the State of Arizona, and a number of other State and non-Federal parties.

In consideration for the Tribe's waiving its water-related claims against the United States and other parties, the act authorized funding for the construction of the White Mountain Apache rural water system to bring safe and reliable drinking water to the Tribe and to its members. Specifically, the rural water system will consist of a dam and reservoir, a treatment plant, and 55 miles of pipeline to serve the community.

The act also established the creation of the White Mountain Apache Tribal settlement fund that can be used to cover any cost overruns for the system and water-related economic development projects. The rural water system will serve a number of water-related activities that fit squarely with the settlement fund's authorized purposes.

To ensure the completion of the Tribe's rural water system, S. 2850 makes a technical amendment to the Claims Resolution Act to clarify that the Tribe may utilize funding from the settlement fund for planning, design, and conduction activities related to construction of the rural water system.

The bill also clarifies the 99-year lease authority for the Pueblo of Santa Clara and the Ohkay Owingeh Pueblo in New Mexico. The Indian Long-Term Leasing Act allows Indians to lease their lands subject to the approval of the Secretary of the Interior for public, religious, educational, recreational, residential, or business purposes of up to 25 years. Congress has amended the ILTLA more than 40 times to adjust the terms and conditions of Indian land leases, including the authorization of 99-year leases for lands held in trust for the Pueblo Santa Clara and the Ohkay Owingeh Pueblo of New Mexico.

S. 2850 clarifies that this 99-year lease authority also extends to lands in restricted deed status. These are lands held by a Tribe or individual Indians subject to a limitation on alienation or taxation.

Mr. Speaker, I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. O'HALLERAN).

Mr. O'HALLERAN. Mr. Speaker, I rise today in strong support of S. 2850 and to urge passage of this amendment to the White Mountain Apache Tribe Water Rights Quantification Act of 2010.

The White Mountain Apache Tribe Water Rights Quantification Act of 2010 resolved the Tribe's water claims against the Federal and State governments, as well as other parties and States. This act also authorized the White Mountain Rural Water System all while being budget neutral.

This bill is simply a straightforward, technical amendment which is necessary to clarify that authorization authority exists for the Tribe to use the settlement fund for water-related economic development projects. The Tribe needs this clarification in order to complete the construction of its rural water system, which is long overdue and a critical project for the community.

I thank Senator FLAKE, whose staff has worked closely with me and my office on this issue for the past year and a half. I also thank the chairman and ranking member for supporting this bill.

Given the importance of the water system and the implementation of the settlement legislation to the White Mountain Apache Tribe, I urge the swift passage of this bill and look forward to working together with all affected stakeholders on its implementation.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill makes a small change to the previously approved water rights settlement in order to allow the White Mountain Apache Tribe in Arizona to complete work on a rural water system.

Specifically, the bill clarifies that funding Congress has already authorized for water-related economic development projects can be used to cover possible construction cost overruns associated with the Tribe's main water project, which will provide drinking water supplies for Tribal members once completed.

In addition, section 2 of the bill clarifies that the Pueblos of Santa Clara and Ohkay Owingeh in New Mexico are authorized to lease all of their Tribal lands for up to 99 years. Currently, the Pueblos have the option to enter into 99-year leases only on their trust lands, as this option is not extended to their restricted fee lands.

Passage of this provision will correct that discrepancy, allowing the Pueblos the same flexibility in leasing terms that other Tribes already possess.

I would like to thank our New Mexico colleagues, Senator TOM UDALL and Congressman BEN RAY LUJÁN, for advocating for this issue and for getting this provision included in the legislation.

Mr. Speaker, I am happy to urge my colleagues to join me in supporting this bill which is sponsored by Senator JEFF FLAKE.

Mr. Speaker, I have no further speakers, so I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, as you have heard, this bill irons out a lot of problems with the settlement and clears the way for hopefully a very productive project.

Mr. Speaker, I urge its adoption, and I yield back the balance of my time.

□ 1745

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, S. 2850.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

QUINDARO TOWNSITE NATIONAL COMMEMORATIVE SITE ACT

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5613) to designate the Quindaro Townsite in Kansas City, Kansas, as a National Historic Landmark, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5613

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. QUINDARO TOWNSITE NATIONAL COMMEMORATIVE SITE ACT.

(a) SHORT TITLE.—This Act may be cited as the ''Quindaro Townsite National Commemorative Site Act''.

(b) DEFINITION.—In this Act, the term ''Secretary'' means the Secretary of the Interior.

(c) DESIGNATION.—The Quindaro Townsite in Kansas City, Kansas, as listed on the National Register of Historic Places, is hereby designated as the Quindaro Townsite National Commemorative Site. The Site shall not be considered a unit of the National Park System.

(d) ADMINISTRATION.—Nothing in this section shall affect the administration of the Quindaro Townsite by Kansas City or the State of Kansas.

(e) COOPERATIVE AGREEMENTS.—The Secretary, in consultation with the State of Kansas, Kansas City, Kansas, and affected subdivisions, may enter into cooperative agreements with appropriate public or private entities, for the purposes of protecting historic resources at Quindaro Townsite and providing educational and interpretive programs for the public.

(f) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to any entity with which the Secretary has entered into a cooperative agreement under subsection (e).

(g) EFFECT ON PRIVATE PROPERTY, LOCAL LAND USE, AND LAND ACQUISITION AUTHORITY.—Nothing in this Act authorizes the Secretary to—

(1) interfere with private property rights, or any local zoning ordinance or land use plan of the State or any political subdivision of the State; or

(2) acquire land or interests in land through condemnation or otherwise.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Quindaro Townsite in Kansas City preserves an important piece of our past whose history should be known by all. The site preserves the ruins of a frontier town on the Missouri River, founded in 1857 as a free-state port of entry during the Kansas Territory's fight over the question of slavery. The town's diverse inhabitants were antislavery and included Americans of European and African American descent, as well as members of the Wyandot Tribe.

The Quindaro area was the location of an African American refugee settlement that began during the Civil War and grew into a prominent African American community. It was also the site of the Freedman's University and its successor institution, Western University, the first Black university in Kansas.

The Quindaro Townsite is on the National Register of Historic Places and, importantly, has been designated as part of the National Underground Railroad Network to Freedom. Quindaro's early residents assisted fugitive slaves escaping across the Missouri River to freedom.

Supporters of Quindaro have long sought elevated status and recognition for the site. H.R. 5613 designates Quindaro Townsite as a national commemorative site. This establishes the townsite as an affiliated area of the National Park System and authorizes the Secretary of the Interior to offer technical assistance and support to Quindaro.

I want to compliment my colleague, Mr. YODER, for bringing this matter to the attention of the Congress and for the work he has done to ensure that this site receives national recognition.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, as amended, would designate the Quindaro Townsite in Kansas city, Kansas, as a national commemorative site, an honorary designation under the National Park System.

The town of Quindaro was founded in 1857 and was a key site during the Bleeding Kansas conflict, serving as a safe port of entry into Kansas on the Missouri River for those opposed to slavery. In addition, the town aided runaway slaves as they escaped to freedom in Kansas through the Underground Railroad.

Local government, private entities, and individual stakeholders in the area have been working to elevate the status of the Quindaro Townsite for years, and I am glad we were able to recognize its important cultural legacy with this bill.

I want to congratulate Congressman YODER on his hard work, and I want to commend my colleagues from across the aisle for coming up with an appropriate designation for this site. Designation of Quindaro Townsite as a national commemorative site is a fitting tribute that ensures the sacrifices, struggles, and triumphs of its early residents will never be forgotten.

Mr. Speaker, I urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. YODER), the author of this bill.

Mr. YODER. Mr. Speaker, I really appreciate the comments of the gentleman from California, as well as the gentlewoman from Guam. To hear my community talked about so positively here on the floor of the House is a source of pride for me and the many who have worked so many years to have this moment come to fruition.

Today, the House of Representatives has the opportunity to grant long overdue recognition to a historical site in Kansas City, Kansas, that has its roots in our Nation's struggle for freedom and equality.

H.R. 5613, the Quindaro Townsite National Commemorative Site Act, is my bill to confer an important new designation to a historic site that has been, unfortunately, overlooked on the Federal level for too long. By passing this legislation, we can take an important step toward preserving our heritage and learning from our past.

The story of Quindaro is rooted in the same ideals and principles that helped build our Nation and make it great today. At one time, Quindaro was a boomtown, a central location in the Bleeding Kansas conflict, a stop on the Underground Railroad, and a shining example of integrated society in our country.

At its height in the years leading up to the Civil War, Quindaro was a beacon of hope on the border between Kansas and Missouri, directly on the front lines of the fight against slavery. The town was founded by Free Soilers for the stated purpose of shepherding antislavery activists and escaped slaves into Kansas. For many, Quindaro was a gateway that led from oppression into freedom.

In 1861, the question of slavery in Kansas was finally decided, and our great State was accepted into the Union as a free State. With its purpose having been served, the town of Quindaro soon faded away. However, families of freed slaves settled in the area, establishing the roots of a community that continues to this very day.

This confluence of history, with Bleeding Kansas, the Underground Railroad, and an enduring African American community, is a unique combination that is rare in our country.

In spite of Quindaro's notable history, today, the ruins of the town sit largely overlooked by those outside of the nearby community. The first mention of an effort to preserve this historic site is found in a local newspaper more than 90 years ago. Unfortunately, nine decades have passed without much significant investment in the site.

Local stakeholders have worked hard to protect the site and preserve its stories. I thank those who worked to elevate Quindaro. There are many who deserve recognition for that work, but I would especially like to thank Marvin Robinson, the Allen Chapel AME Church, the Western University Association, the Wyandotte County Unified Government, and the Freedom's Frontier National Heritage Area, as well as Taylor Huhn in my office for his work to bring this bill to fruition.

I thank them for their years of dedication, for raising the historic site to my attention, and for educating me on its importance to community, State, and the Nation.

Today, we have an opportunity to bring meaningful Federal support to the folks who have dedicated their lives to Quindaro. The national commemorative site designation will be a crucial step toward spreading the story of Quindaro beyond the city limits of Kansas City to people around the Nation and will hopefully lead to their goal of becoming a national historic landmark.

Quindaro's legacy of people who were willing to lay down their lives in the name of freedom is the legacy of America. By preserving what remains of this town, we take a small but meaningful step toward preserving every good and noble thing that our great Nation stands for.

I urge my colleagues to join me in supporting our national heritage and pass this valuable legislation.

Ms. BORDALLO. Mr. Speaker, I wish to mention that I have enjoyed working with Mr. MCCLINTOCK of California on these Natural Resources bills. It was a joy to have bipartisanship.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentlewoman for her kind comments.

Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES of Kansas. Mr. Speaker, I rise today in support of H.R. 5613, to designate the Quindaro Townsite in Kansas City, Kansas, a national commemorative site.

Quindaro was founded in 1857 to provide a safe haven for antislavery activists moving into Kansas during the struggle to help make the territory a free State. Located on the banks of the Missouri River, the site quickly became a vital port and a stop on the Underground Railroad. Although the town dwindled after Kansas became a State, Quindaro's short but rich history is an important reminder of Kansas' role in our Nation's history.

Currently, the site sits on the National Register of Historic Places. However, designating Quindaro a national commemorative site would qualify the downtown for additional Federal assistance as Quindaro pursues the ultimate goal of being a national historic landmark.

H.R. 5613 is a great step forward in that process and will help preserve an important piece of Kansas and American history. I am proud to cosponsor this bill, and I thank Representative KEVIN YODER for bringing it forward. I urge my colleagues to support it.

Mr. MCCLINTOCK. Mr. Speaker, I would again like to say what a great pleasure it has been for me to work with Ms. BORDALLO and the members of the Natural Resources Committee. It truly does work in a bipartisan manner, most of the time. And it is no coincidence that, most of the time, it is productive work.

Mr. Speaker, I urge adoption of the measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, H.R. 5613, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to designate the Quindaro Townsite in Kansas City, Kansas, as a National Commemorative Site.''.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 55 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FRANCIS ROONEY of Florida) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2345, by the yeas and nays; and

H.R. 4881, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

NATIONAL SUICIDE HOTLINE IMPROVEMENT ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2345) to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 379, nays 1, not voting 48, as follows:

[Roll No. 366]

YEAS—379

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Babin
Bacon
Banks (IN)
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blum
Blunt Rochester
Bost
Boyle, Brendan F.
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Dunn
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hurd
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—1

Amash

NOT VOTING—48

Arrington
Barletta
Barton
Black
Blackburn
Blumenauer
Bonamici
Brady (PA)
Buchanan
Butterfield
Clarke (NY)
Cummings
Duncan (TN)
Ellison
Graves (LA)
Graves (MO)
Grijalva
Gutiérrez
Hanabusa
Herrera Beutler
Hunter
Issa
Jayapal
King (IA)
Kustoff (TN)
Langevin
Lipinski
Maloney, Carolyn B.
Maloney, Sean
McHenry
Moore
Noem
Perlmutter
Pittenger
Pocan
Roby
Rohrabacher
Rooney, Thomas J.
Russell
Ryan (OH)
Speier
Thompson (MS)
Tsongas
Turner
Vela
Walz
Webster (FL)
Wilson (FL)

□ 1853

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRECISION AGRICULTURE CONNECTIVITY ACT OF 2018

The SPEAKER pro tempore (Mr. FERGUSON). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4881) to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 4, not voting 46, as follows:

[Roll No. 367]

YEAS—378

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Babin
Bacon
Banks (IN)
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blum
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Dunn
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hurd
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran

O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Peters
Peterson
Pingree
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Sánchez
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Upton
Valadao
Vargas
Veasey
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—4

Amash
Biggs
Massie
Sanford

NOT VOTING—46

Arrington
Barletta
Barton
Black
Blackburn
Blumenauer
Brady (PA)
Buchanan
Butterfield
Clarke (NY)
Cummings
Duncan (TN)
Ellison
Graves (LA)
Graves (MO)
Grijalva
Gutiérrez
Hanabusa
Hunter
Issa
Jayapal
King (IA)
Kustoff (TN)
Langevin
Lipinski
Maloney, Carolyn B.
Maloney, Sean
McHenry
Moore
Noem
Perlmutter
Perry
Pittenger
Pocan
Roby
Rohrabacher
Rooney, Thomas J.
Ryan (OH)
Speier
Thompson (MS)
Tsongas
Turner
Vela
Velázquez
Walz
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1901

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to require the Federal Communications Commission to establish a task force for reviewing the connectivity and technology needs of precision agriculture in the United States.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. PERRY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 367.

PERSONAL EXPLANATION

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on July 23, 2018, for travel restrictions due to inclement weather. Had I been present, I would have voted as follows:

"Yes" on rollcall No. 366.
"Yes" on rollcall No. 367.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 184, PROTECT MEDICAL INNOVATION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 6311, INCREASING ACCESS TO LOWER PREMIUM PLANS AND EXPANDING HEALTH SAVINGS ACCOUNTS ACT OF 2018

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 115–860) on the resolution (H. Res. 1011) providing for consideration of the bill (H.R. 184) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices, and providing for consideration of the bill (H.R. 6311) to amend the Internal Revenue Code of 1986 and the Patient Protection and Affordable Care Act to modify the definition of qualified health plan for purposes of the health insurance premium tax credit and to allow individuals purchasing health insurance in the individual market to purchase a lower premium copper plan, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6199, RESTORING ACCESS TO MEDICATION ACT OF 2018, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JULY 27, 2018, THROUGH SEPTEMBER 3, 2018

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 115–861) on the resolution (H. Res. 1012) providing for consideration of the bill (H.R. 6199) to amend the Internal Revenue Code of 1986 to include certain over-the-counter medical products as qualified medical expenses, and providing for proceedings during the period from July 27, 2018, through September 3, 2018, which was referred to the House Calendar and ordered to be printed.

REPORT ON H.R. 6470, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Mr. COLE, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115–862) on the bill (H.R. 6470) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2019, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2069

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2069.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2069

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2069.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2069

Mrs. DINGELL. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 2069.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2069

Ms. NORTON. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 2069, the Fostering Stable Housing Opportunities Act of 2017.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2069

Mr. LOWENTHAL. Mr. Speaker, I ask unanimous consent to withdraw as a cosponsor of H.R. 2069.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CUBAN HEROES OF THE ISRAEL WAR

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, in the seven decades since its independence, Israel has become a shining light in an otherwise dark region filled with human rights abusers all around her.

That would not have been possible were it not for those who fought for their ancestral country, but also for our shared values of freedom and democracy.

In fact, over 4,000 foreign individuals, Jews and non-Jews, from 58 countries volunteered to fight in 1948 alongside

the Israeli forces. Machal, volunteers from outside the country, they are called.

Amongst these mighty warriors, 23 Cuban Jews bravely answered the call to arms and left Cuba to come to Israel's aid and secure her independence.

This Sunday, the Inter-American Chapter of Hadassah in my congressional district is honoring these courageous Cuban heroes, particularly the four remaining survivors.

Mr. Speaker, the sacrifice and heroism of Cuban Jews during the Israeli 1948 War of Independence will never be forgotten by us.

CALLING ATTENTION TO CHILD DETENTION RULES

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, it is still going on. The Trump administration is still holding thousands of little children in jails across this country in cages, cyclone fencing, cages.

These are babies and toddlers, preschoolers and adolescents. Their only crime is their desire to breathe free.

And just when you think the pit of the Trump administration's soul could get no darker, heartbreaking reports emerge from inside these so-called detention facilities.

These children are prohibited from touching one another. No hugs, not even from their siblings. They can't run around. They have to wake up at unreasonably early hours, with their jailers banging and making noise as if it is Alcatraz, for everyone to get out of bed.

Some of these children only get 1 hour to play outside a day. They are being held in strip malls and abandoned motels.

Some are banned from sending mail to their siblings. Others have scrubbed toilets or handled bags of unsanitary used toilet paper.

Mr. Speaker, these so-called detention facilities are nothing more than jails for children, baby jails. Let's end this madness.

THE BENEFITS OF TAX REFORM

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, I rise today to share the benefits of tax reform.

Earlier this year, President Trump visited the Sheffer Corporation, a small manufacturing company in my district that pledged $1,000 bonuses to all 126 of its employees as a result of the Tax Cuts and Jobs Act.

During the President's visit to Cincinnati, he invited Sheffer employees on stage to talk about their plans for their new bonuses.

A mom in the audience said she is using her bonus as spare cash for when she sends her children off to college this year. As any parent of a college student knows, the expenses add up and every dollar makes a difference.

The President also invited a young man to the stage to speak. He wants to start a family, and said that this money will go towards a home to raise his children.

While the recent law is an enormous step forward, we must and will continue to move forward to implement smart policies that give Americans the freedom to compete, innovate, and seize the opportunity to carve out a better future for themselves and their families.

THREE IMPORTANT ITEMS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, there are three items that I think are important for our colleagues.

A number of Members traveled to Texas to physically assess where we were in the reunification of these children and their families. Let me just say that those who are tasked with trying to do this dastardly, difficult task are putting their best foot forward, but they are dealing with a policy that is broken and chaotic. I witnessed the attempt to reunify families. There were about 20 children in the room, and we witnessed four reunifications, and each of us would have our heart broken, because children are still in shock, some didn't recognize their parents. I believe that this is a chaotic system that this administration must fix immediately.

I also want to bring to the attention of my colleagues about the Medicare payments to doctors, unequal payments. I am absolutely opposed. Give doctors a fair assessment of their treatment.

And, finally, do we realize, Mr. Speaker, that those immigrants who joined the military are now being kicked out? Do we have any heart? They have sacrificed their lives to wear the uniform. We need to stand up against it, Mr. Speaker.

HONORING SERGEANT FIRST CLASS CHRISTOPHER CELIZ

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of Sergeant First Class Christopher Celiz, who passed away in the line of duty at the age of 32.

Sergeant Celiz was assigned to Hunter Army Airfield in the First Congressional District of Georgia.

On July 12, he was struck by enemy small arms fire during a combat operation in Afghanistan. Sergeant Celiz was immediately taken for medical treatment, but passed away from his injuries.

His regiment commander described him as always leading from the front and being a national treasure who led his Rangers with passion, confidence, and an infectiously positive attitude.

A husband and father, I will keep Sergeant Celiz's family in my thoughts and prayers.

Because of Sergeant Celiz's service and bravery, he has been awarded the Purple Heart, the Bronze Star, and the Meritorious Service Medal.

CARTER PAGE FISA WARRANT

(Mr. KRISHNAMOORTHI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHI. Mr. Speaker, the release of the Carter Page FISA warrant makes it clear that the FBI was right to examine the connections between Page and the Trump campaign as well as their communications with Russian sources.

These warrants cast serious doubt on the credibility of the so-called Nunes memo, which is demonstrably inaccurate.

Earlier today, the President's press secretary announced that the administration was considering stripping top level former national security officials of their security clearances on the grounds that they, ''politicized public service.''

I would question whether any use of intelligence could be more political than writing a misleading document, namely the Nunes memo, to unjustifiably malign the integrity and competence of the FBI in order to shield the President.

It is clear that congressional Republicans are attempting to delegitimize the FBI and, through it, Special Counsel Robert Mueller's ongoing investigation.

We must protect the independence and integrity of this investigation, and I urge Speaker RYAN and the House leadership to do so immediately.

□ 1915

AMERICAN TAXPAYERS HAVE MORE MONEY IN THEIR POCKETS

(Mr. HUDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUDSON. Mr. Speaker, America has always been the land of opportunity, but I am hearing, as I travel my district, a renewed sense of optimism that is exciting. Our economy is stronger. Families have more money in their paychecks. Workers are seeing bonuses and better wages. Unemployment is at historic lows. Job openings are at historic highs, and confidence is soaring.

As a direct result of our tax cuts, about 90 percent of our workers are

keeping more of what they make. The average tax cut this year in my district was over $900. Like a constituent who commented on my Facebook wall put it: ''Any time that the American taxpayer has more money in their pocket, it's a good thing.'' Mr. Speaker, I couldn't agree more.

Businesses and workers are seeing tremendous benefits, too. With the tax savings, businesses all across the country are expanding and hiring more people. In my district, a local brewery can now purchase new equipment and raise wages. A local manufacturer told me she plans to expand operations and bring on new employees.

Working with the Trump administration, I will continue to work to build on this progress so that more people can achieve their American Dream.

HONORING THE LIFE OF WILLIAM ''BILL'' WOLFE, JR.

(Mr. KIHUEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIHUEN. Mr. Speaker, today I rise to remember the life of William ''Bill'' Wolfe, Jr. Bill attended the Route 91 festival in Las Vegas on October 1.

Bill and his wife, Robyn, had two kids together, Ethan and Trevor. Bill worked as a senior project manager for Dewberry Engineers, Inc.

Bill lived for his community. He enjoyed being a wrestling coach with the Shippensburg Elementary wrestling program and a coach for a Little League team.

Although he loved coaching, he loved being outdoors more. Bill enjoyed hunting, fishing, boating, camping, gardening, and jogging.

Bill and Robyn had traveled to the Route 91 festival to celebrate the 20th anniversary of their wedding. Unfortunately, they were separated when the gunfire erupted, and Robyn later found out that Bill did not survive.

Bill is remembered for being very smart and always being willing to help others. He was passionate about everything he did and was loved by many.

I would like to extend my condolences to William ''Bill'' Wolfe, Jr.'s family and friends. Please know that the city of Las Vegas, the State of Nevada, and the whole country grieve with you.

THANKING ALZHEIMER'S AMBASSADORS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, earlier today I met with Christie Glick in my Bellefonte office. Christie is an Alzheimer's ambassador in my district, and through the Alzheimer's Ambassador Program, people like Christie work throughout the country to connect with Members of Congress and share their personal experiences with Alzheimer's disease.

Alzheimer's is the sixth leading cause of death in the United States, and it has reached crisis proportions. There is no effective treatment, no means of prevention, and no method of slowing the progression of this disease. Sadly, one in three seniors will die with the disease.

According to the Centers for Disease Control and Prevention, 5 million Americans were living with Alzheimer's disease in the year 2013. That number is expected to almost triple to 14 million by the year 2050.

Mr. Speaker, Alzheimer's not only has a devastating impact on those who are diagnosed with the disease, but also their caregivers and loved ones. My own mom, Mary Thompson, lived with Alzheimer's for 10 years until it took her life.

Mr. Speaker, I thank Christie and all of the Alzheimer's ambassadors for the important work that they do to raise awareness about Alzheimer's disease and to never stop searching for a cure.

RECOGNIZING JOCELYN DORSEY

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to recognize the historic retirement of broadcast pioneer and Atlanta, Georgia, treasure, Jocelyn Dorsey. She is really a national treasure.

Jocelyn's list of achievements and accolades are too long for me to recite here, but needless to say, her groundbreaking 40-plus-year career has served as an inspiration to so many, and she has been a role model to so many of us, not just African Americans, but all Americans, all Georgians.

So we tip our hats to her and wish her the best in her retirement. I understand that long-distance motorcycle trips may very well be in her future.

I hope that she will keep us abreast of her exploits in the future. We will miss her but know that she will always be in our hearts, and we will always look forward to hearing about her life as she proceeds on.

So I congratulate Jocelyn Dorsey for a job well done.

THE 12TH WOMAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, last week I was joined in the House gallery by five incredible young women. Each of them has their own story of survival. Each was sexually assaulted while in college. They call themselves the 12th Woman.

Mr. Speaker, one in five women will be sexually assaulted while in college in the United States. Sexual assault is a crime that tries to steal the dignity, self-respect, and humanity of the victim.

Mr. Speaker, the 12th Woman has something to say about that. They came to Congress and publicly told their heartbreaking stories on the steps of our Capitol, demanding change not only at their own school, Texas A&M, but nationwide. These ladies are determined not only to be survivors, but victors over their assault.

Mr. Speaker, my grandmother taught me that there is no stopping a bold, tenacious, Texas woman who has made up her mind.

Abbie, Meghan, Sydney, Kirsten, and Nikki have made up their minds with unwavering resolve that sexual assault on campus will stop.

And that is just the way it is.

PUTIN'S DANGEROUS ACTIONS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, like a bull in a china shop, President Trump bulldozed his way through the NATO summit, offending our allies, and then in Helsinki was shamefully servile to Russia's autocratic ruler, Vladimir Putin. Autocrat Putin boasts a long list of brutal and violent threats to liberty here at home and abroad.

In early 2014, Russian forces illegally invaded Ukraine's Crimea and the Donbass region. Thousands have been killed and millions of Ukrainians displaced.

On February 27, 2015, Russian freedom fighter, Boris Nemtsov, was gunned down outside the Kremlin's crimson walls.

In the 2016 election, Russian intelligence services used social media and cyber attacks to target our democratic elections and those of several of our allies.

According to the Committee to Protect Journalists, 58 Russian journalists have been brutally murdered since 1992.

Mr. Speaker, Russia is ''Murder Incorporated'' under Putin's abhorrent rule.

I include in the RECORD a long list of some of Russia's brutal, murderous actions.

BRUTAL AND UNDEMOCRATIC ACTIONS OF DICTATOR VLADIMIR PUTIN'S RUSSIA

2000—Putin was supposed to face a second-round runoff in the 2000 presidential election, had it not been for widespread fraud. Biased coverage by large media outlets controlled by the Russian state and Kremlin supporters can be accredited for this. (Freedom House)

2003—Mikhail Khodorkovsky is arrested by Russian authorities and charged with fraud. The trial was criticized for lack of due process. Charges against him were grounded in reasonable suspicion.

2003—Russia ranked 86 out of 133 countries in Transparency International's 2003 Corruption Perceptions Index.

2003—Russia saw a significant deterioration of fundamental rights and the emergence of an increasingly aggressive foreign

policy, reflecting the consolidation of power by former security and military officers. Russia's constitutional court struck down key provisions of the law that banned journalists from making positive or negative observations about candidates or parties.

2006 October 7—Anna Politkovskaya, a journalist who exposed the corruption of the Russian army and its conduct in Chechnya, was shot and killed in the lobby of her apartment.

2006—Alexander Litvinenko is poisoned. Litvinenko was a former officer of the Russian Federal Security Service (FSB) and KGB, who fled from court prosecution in Russia and received political asylum in the United Kingdom.

2008—Russia wages a war against Georgia. Today, thousands of Russian troops occupy Abkhazia and the Tskhinvali region, which constitutes about 20% of Georgia's internationally recognized territory. Russia has never fulfilled its obligations under the Six-Point Cease-Fire Agreement (also known as the Sarkozy Plan) that ended the fighting.

2010: Polish Air Force Tu–154 Crash over Smolensk, Russia. Antoni Macierewicz (Poland's defense minister) claims the fatal crash which killed Poland's President Lech Kaczynski, the First Lady and 94 others in 2010 in Russia was preceded by two explosions on board. A previous Polish government concluded that pilot error was to blame for the crash, but Law and Justice ordered a new investigation which concluded this year that the plane was brought down by explosions on board. No international analysis was allowed by Russia.

2013—Putin signs law banning gay publications. ''It officially declares that gays and lesbians are inferior beings,'' says Elena Klimova, a gay rights activist in Russia who was convicted under the law in 2014.

2014—Putin illegally invades Ukraine. More than 10,000 have been killed, and millions of Ukrainians have been displaced.

2014—Russia occupies Crimean Peninsula and nearly ten thousand Crimean Tatars are displaced from their homes. Russia under the Putin regime has violated UN human rights, and infringements of the Geneva Convention.

2014—Russian forces shoot down Malaysia Airlines Flight MH17 over occupied Ukrainian territory, killing 298 innocent passengers. Russia attempts to use disinformation and propaganda to cover up obfuscate the truth of its brutality.

2014—Human rights abuses in Russia are more prevalent than ever. The LGBTQ+ community is targeted. Independent media report that 31 civilians were killed in the first nine months of 2014. Abduction-style detentions, torture, and enforced disappearances persisted in the North Caucasus, as did attacks against government critics, the report says, adding that the situation is particularly bad in Dagestan.

2014—Oleg Sentsov, Ukrainian filmmaker, is arrested under charges of running ''terrorist organizations'' in Crimea.

2015—Natalya Sharina, the director of the Ukrainian Literature Library in Moscow, was put under house arrest in 2015 under the charges of inciting ethnic hatred and spreading ''anti-Russian propaganda.''

2015—Journalist Boris Nemstov is shot and killed. Nemstov was planning on leading a rally to protest the war in Ukraine days before his killing.

2016—Russian authorities arrested Roman Sushchenko, a Ukrainian journalist with the state news service, Ukrinform, on dubious espionage charges.

2016—Russia attacks U.S. election. Wisconsin, Ohio, California and 10 other states said they were among 21 states that Russian government hackers targeted in an effort to sway the 2016 presidential election in favor of Donald Trump though no votes were changed.

Federal and congressional intelligence groups that have stated that Russia interfered in the election: CIA, Office of the Director of National Intelligence, FBI, NSA, Justice Department, House Intelligence Committee, Senate Intelligence Committee.

2017: In December, the Central Election Commission banned opposition leader Aleksey Navalny from challenging Putin in the 2018 presidential election, removing from the contest the only credible opposition to have announced a campaign.

2017—Russian authorities banned the activities of the Jehovah's Witnesses, which was deemed an extremist group.

2017: Investigative journalist and Novy Peterburg cofounder Nikolay Andrushchenko died in April, weeks after he was severely beaten, and Dmitriy Popkov, editor of the investigative online outlet Ton-M, was shot to death in May.

2017—Workers on stadiums built for the 2017 FIFA Confederations Cup and 2018 World Cup reported exploitation, including non-provision of contracts, non-payment of wages, and retaliation for reporting abuses. The Building and Woodworkers International trade union reported at least 17 deaths on stadiums since construction began.

2017—By February 2017, the number of people imprisoned for extremist speech spiked to 94, from 54 in 2015.

2017—In the first six months of 2017 alone, the number of people administratively punished by Russian authorities for supposedly violating the country's regulations on public gatherings was two-and-a-half times higher than throughout 2016.

2017—Denis Voronenkov, a onetime Communist member of Russia's lower house of parliament, dies after being shot outside a hotel in Kyiv. President Poroshenko calls the shooting a ''Russian state terrorist act.'' Voronenkov, who fled to Ukraine in 2016, is the latest in a string of Putin and Russia's critics who were killed or injured under mysterious circumstances.

2017—Russia interferes in the French election between opponents Emmanuel Macron and Marine Le Pen. The Macron presidential campaign accused the Kremlin of election meddling, saying that servers belonging to the team were hacked by a group likely to be associated with Russia.

2018—Father and daughter Sergei and Yulia Skripal are poisoned. British foreign secretary Boris Johnson said on 16 March that it was ''overwhelmingly likely'' that the poisoning had been ordered directly by Russian president Putin, which marked the first time the British government accused Vladimir Putin of personally ordering the poisoning.

2018: Donald Trump accepts Putin's lies on Russian interference in U.S. elections over statement from U.S. Intelligence Community: ''My people came to me, Dan Coats came to me and some others, they think it's Russia. I have President Putin, he just said it's not Russia. I will say this; I don't see any reason why it would be. I have great confidence in my intelligence people, but I will tell you that President Putin was extremely strong and powerful in his denial today.'' —Trump, Helsinki Conference 2018

Ms. KAPTUR. Mr. Speaker, I urge our President to see Putin for what he is: an enemy of liberty, not a competitor.

HUMAN TRAFFICKING

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, human trafficking hurts women and children all around the world. Sadly, the United States is no exception.

As many as 300,000 American children are at risk of child sexual exploitation. It is happening in every community around the country. Every weekend in Minnesota, as many as 45 Minnesota girls are sold for sex.

But there is good news. The Fight Online Sex Trafficking Act, a new law which was passed with bipartisan support earlier this year to crack down on websites that facilitate trafficking, is making a difference. Backpage.com, the single largest online source of sex trafficking has now been shut down by Federal law enforcement.

Mr. Speaker, July 30 marks World Day against Trafficking in Persons. It is another opportunity to raise awareness and also redouble our efforts in the fight against traffickers and helping victims.

UPHOLD OUR COMMITMENT TO NATO ALLIANCE

(Mr. CORREA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CORREA. Mr. Speaker, tonight I want to discuss the importance of NATO to our Nation and to Europe.

In 1949, the United States and 11 other countries created NATO. Today, 29 countries make up this alliance.

At the heart of NATO is article 5, which says that an attack on one ally is attack on all allies.

On September 12, 2001, for the first time ever, article 5 was invoked. 9/11, an attack on America, was an attack on all.

Most recently, the country of Montenegro joined the NATO Alliance. And last week, sadly, the President expressed doubt that the U.S. should come to Montenegro's defense. This is disturbing.

The only time article 5 has been invoked has been for America. When our Nation was at its most vulnerable point, NATO stepped up and had our back. We must uphold our commitment to this critical alliance.

PERMANENTLY REPEAL MEDICAL DEVICE EXCISE TAX

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise in support of H.R. 184, the Protect Medical Innovation Act.

Many medical device manufacturers in North Carolina's Fifth District have reported how the medical device excise tax hinders medical innovation, costs jobs, decreases research and development, and slows capital expansion.

A fundamentally flawed policy enacted under ObamaCare, the medical

device excise tax was intended to spare taxpayers healthcare costs. Instead, it burdens those taxpayers, and innovators are the backbone of our economy.

According to the Tax Foundation, the medical device tax cost approximately 21,800 jobs from 2013 to 2015. Furthermore, the tax is hidden from consumers at purchase and passed off to them in higher prices.

Congress has suspended this tax twice before, and as an original cosponsor of this legislation, I urge my colleagues to vote for its permanent repeal with the Protect Medical Innovation Act this week.

MARIJUANA DATA COLLECTION

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, for decades, bad data and misinformation have fueled the failed war on drugs that has wasted billions of taxpayer dollars, incarcerating Americans for nonviolent marijuana charges.

Our outdated marijuana policies have turned everyday Americans into criminals, strained our criminal justice system, cost taxpayers tremendously, and torn families apart, all for a substance that is proven to be far less harmful and dangerous than alcohol.

Our Federal policy should be based on actual science and fact, not misplaced stigma and outdated myths. However, the fact that marijuana is currently classified as a schedule I drug, the same category as heroin and cocaine, restricts and even discourages scientific research on marijuana, limiting our ability to create science-based policies.

I will be introducing the bipartisan Marijuana Data Collection Act with my colleague Congressman CARLOS CURBELO so that we can get studies to set the record straight. Our bill would authorize a nonpartisan evidence-based report that analyzes current marijuana policies across the country and their effects on our communities.

I urge my colleagues to support this bipartisan legislation.

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MILITARY SPOUSES

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, families who are veterans also sacrifice a great deal when their loved ones have been deployed and even when they come home. Current law, unfortunately, doesn't allow a spouse to be recognized by the VA-provided grave marker after that spouse has passed away.

Some veterans in the north State in my district recognized this issue and brought it to my attention. The VA even requested this change in this year's budget request. The budget requires a change in law by Congress.

That is why I introduced the Honoring Veterans' Families Act in order to correct this problem. Under the legislation, the VA will have the ability to replace the marker of a veteran to add an inscription about their spouse following the loss of that spouse.

Veterans certainly should have the option of including their spouse on their own tombstone if they so choose. This is a bill that, unfortunately, is needed to once again honor our veterans and the sacrifices of their families. Let's hope we can pass it.

THE AMERICAN DREAM IS ALIVE AT TONY'S PIZZA AND GRINDERS

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, the American Dream is alive and well in Texas-22. It is alive in the south loop Ellington area, and it is alive and thriving at Tony's Pizza and Grinders.

Tony's is a walking, talking American Dream. In 1996, the Canolli family left war-torn Kosovo. They started their life here in Michigan. But shortly, they saw the bright light of the Lone Star State and moved to Texas. That is where they started Tony's.

The Canollis are special because they care more about others than about making dollars. Through Hurricane Harvey, they gave free food to the Southeast Volunteer Fire Department so they could keep saving lives.

If you want the freshest and the best pizza in America, try the Mrs. Marie's. That is amore.

CELEBRATING LIEUTENANT TIMOTHY COREY

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, sometimes we don't even realize that we are surrounded by heroes. Today I rise to celebrate the courageous actions of a Yorkville resident, Lieutenant Timothy Corey from my district. He was recently honored with the New York State Senate Liberty Medal, one of the highest civilian honors in New York State.

While on vacation in North Myrtle Beach, Lieutenant Corey discovered a young boy stuck in an outdoor pool intake pipe. In an instant, he jumped into the water and rescued the young man and for 8 minutes breathed air into the drowning boy, ultimately saving his life. The young boy was released from the hospital just 6 days later.

The bravery displayed by Lieutenant Corey often goes unrecognized, so, Mr. Speaker, it is my distinct honor to now recognize Lieutenant Timothy Corey as a true hero in our community.

A BETTER WAY AGENDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from California (Mrs. MIMI WALTERS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. MIMI WALTERS of California. Mr. Speaker, before I begin, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. MIMI WALTERS of California. Mr. Speaker, 2 years ago, House Republicans made a promise to the American people that there was a better way forward under our leadership. Our Better Way Agenda outlined a pathway toward safer communities, a stronger military, and a robust economy. Since then, House Republicans have compiled a record of results, not rhetoric. Thanks to this progress, the American people are better off now.

Republicans started by moving bills that address some of the biggest issues plaguing cities and towns across the country:

We have passed over 50 bills to put an end to the opioid epidemic in our communities.

FOSTA, which will dismantle the online sex trafficking industry, was signed into law.

We are also keeping our children safe by providing additional funding and resources for school safety programs.

We are rebuilding our military, ensuring our troops have the tools, training, and equipment they need to carry out their missions and keep us safe both at home and abroad. Our brave men and women in uniform received their largest pay raise in nearly 10 years.

We are keeping our promise to provide our veterans with the care they have earned by overhauling the VA and ensuring that they have access to reliable, quality care.

The Tax Cuts and Jobs Act has undoubtedly had the most significant positive effect on the daily lives of Americans. Tax reform has led to unprecedented economic growth across our Nation. Americans are keeping more of their hard-earned paychecks, while companies in all 50 States are creating jobs and opportunity for all.

At home in Orange County, the unemployment rate has dropped to a near 20-year low, while pay and benefits continue to rise. Nationally, jobless claims have fallen to their lowest levels since 1969, and economic confidence is soaring.

Mr. Speaker, I could go on about the numerous accomplishments House Republicans have achieved in the last 18 months, but the American people don't

need convincing. They are seeing the results firsthand. Our Nation is, without question, better off now, and we will continue our work to improve the lives of all Americans.

I am proud to introduce my friend and fellow committee member on the Energy and Commerce Committee, Congressman BUDDY CARTER from the First District of Georgia.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise today to join my colleagues in discussing how Americans are better off now.

Two years ago, I told the First District of Georgia about our Better Way Agenda, our bold agenda to tackle some of our Nation's greatest challenges and improve the lives of everyday Americans.

Now, 2 years later, I am thrilled Americans are experiencing the results. We have instituted sound, progrowth policies, and the economy is booming.

Now people are no longer asking: Where are the jobs? Instead, thanks to tax reform, rolling back burdensome regulations, and more, we have more job openings than job seekers.

Just last week, I visited a local business called Game Changers, with locations in Richmond Hill and Savannah. While there, I learned their revenue is up at both of their locations. They are hiring new employees at both locations, and they have increased wages and given bonuses to their employees.

It is incredible to hear these stories of how local small businesses and hardworking Georgians are thriving again.

That is not all. As the proud Representative of every branch of the military, I have been fighting for our troops, veterans, and military families because they deserve better. Republicans have taken historic actions to rebuild our military and fix the VA.

After years of neglect, we have provided new investments in training, equipment, and personnel to reverse the damage of the last decade. Members of our military put their lives on the line for our country, and we are working to provide the support to ensure they are the most well-prepared and well-equipped force on the planet.

Finally, we have made major strides to make our communities safer, including fighting the opioid epidemic. The House has passed more than 50 bills combating this crisis that is killing 115 Americans every day.

The list goes on and on. House Republicans are fighting every day for Americans in Washington to deliver results, not rhetoric. I hear it from small businesses, big businesses, and citizens in the First District all the time. Americans are truly better off now.

Mrs. MIMI WALTERS of California. Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. FOXX), who sits on the House Committees on Education and the Workforce and Oversight and Government Reform. VIRGINIA FOXX is the Congresswoman who represents North Carolina's Fifth District.

Ms. FOXX. Mr. Speaker, I thank Congresswoman WALTERS, and I appreciate her leading this Special Order tonight to bring to the attention of the American people the fact that they are better off now than they were 2 years ago. This is an important message for us to share with the American people. Many of us are doing it individually, but we appreciate the gentlewoman's leadership on this.

Mr. Speaker, 2 years ago, House Republicans promised to replace our broken Tax Code and rein in the runaway administrative state that stifled our economy and made it harder for businesses to create jobs and grow.

We proposed a better way to grow the economy with solutions for hardworking Americans who were being chewed up by our system and struggling to get by. This Congress, we have delivered on our promises, and I am pleased to say that North Carolinians are better off now.

We passed the most significant tax reform in over 30 years, and everyday Americans are already reaping the benefits. According to the Tax Foundation, the average increase in take-home pay for a family of four in the Fifth District is $1,843. I would like to say that again, Mr. Speaker: $1,843. Those are hard-earned wages being kept in paychecks and not sent to Washington to finance inefficient government bureaucracy.

Speaking of bureaucracy, Mr. Speaker, this Congress has also enacted historic regulatory relief, with 16 Congressional Review Act resolutions becoming law. Five of those resolutions came out of the House Committee on Education and the Workforce, which I chair, and I was able to get a sixth enacted that I sponsored that came through another committee.

We have rolled back some of the most burdensome Obama-era regulations concocted by Washington bureaucrats who thought they knew better than American farmers and business owners. But Republicans did not agree with them.

North Carolina's economy is evidence that Republicans' policies are working for the American people. Just compare the North Carolina Department of Commerce's figures from June of last year to this year and you will see that our State now stands 100,000 jobs ahead. There is still work to be done, but thanks to tax and regulatory relief, North Carolinians are better off now.

Again, I want to thank Congresswoman MIMI WALTERS for leading this Special Order tonight, Mr. Speaker.

Mrs. MIMI WALTERS of California. Mr. Speaker, I have the privilege to introduce the chairwoman of the House Republican Conference.

Mr. Speaker, I yield to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. Mr. Speaker, I thank my friend and colleague for yielding and for hosting us this evening in a Special Order to talk more about Americans who are better off now because of our hard work over this Congress. I want to just join in sharing why Americans and their families are better off, and it is because Republicans have provided a better way and results that work.

After years of struggling to get ahead, hardworking men and women are now seeing jobs, opportunity, and confidence come roaring back. This is the comeback story that was made possible at the beginning through our Better Way Agenda. Over the past 2 years, we have worked hard to deliver on that agenda.

Mr. Speaker, at better.gop, you can check out the promises that we have kept and why, as a result, America is stronger at home and abroad with a booming economy, safer communities, and a revived military.

After historic tax reform and our work to rein in Obama-era regulations, unemployment is at a historic low, job openings at a record high, paychecks are growing, and wages are rising right along with consumer confidence.

In my home State of Washington, the average wage increase just hit a 10-year high, and those increases are benefiting rural communities as well, like Garfield County.

Garfield County is in my district. It is the smallest county in the State of Washington, and the average wage increase has been 8.7 percent in the last year.

Asotin County is another small, rural county, and they have seen a 6.6 percent increase in the last year. For other rural counties, unemployment rates are dropping sharply.

Pend Oreille County is in my district. They have seen a 3.2 percent drop in their unemployment rate.

For families and small businesses that are no longer overtaxed and overregulated, they have confidence again that they can achieve a better life and reach their full potential. That is what I am most excited about. I am excited about the hope and the optimism that it is bringing to people in eastern Washington and across this country.

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It wasn't that long ago, in 2010, unemployment was at 9.9 percent. Our policies have unleashed economic growth. It is now at 4 percent. More Americans are coming off the sidelines and into the workforce. Just last month, there were 600,000 Americans. I am proud to say that it includes people with disabilities.

As The Washington Post recently reported, the jobless rate for workers with disabilities has fallen at a faster rate than the general population. This is great news because Washington State is getting ready to launch our ABLE accounts. I was proud to lead efforts in tax reform to provide a way for

those with disabilities to explore work, get a part-time job or an internship, and take that money and put it back into their ABLE account.

Today, 50,000 people in my State will be eligible for ABLE accounts. It will help them find a job that gives them independence, dignity, and purpose. We all recognize that a job is a foundation for a better life.

A booming economy isn't the only reason why Americans are better off. We have also made significant investments to combat the opioid crisis and human trafficking, target dangerous criminals, and make schools safer.

After the Obama administration left our Armed Forces depleted, we have made good on promises to revive and rebuild our military. In addition to giving our troops the biggest pay increase in almost a decade, we have provided for the largest increase in defense in 15 years. Our troops, including those I have the privilege of representing at Fairchild Air Force Base, will now have additional resources to train, address the readiness crisis, and keep America secure.

Madam Speaker, the American people don't want rhetoric. They want results. After years of slow growth, lack of confidence, stagnant wages, and a stagnant economy, they asked for a better way. I am proud to have been a part of a group that has proven that we can get those results done. By putting people first and focusing on improving lives, we have delivered real results and a better way forward. That is why Americans are better off today. I invite everyone to learn more at better.gop.

Mrs. MIMI WALTERS of California. Madam Speaker, I yield to the gentleman from Georgia (Mr. FERGUSON), serving on the Committee on the Budget, the Committee on Transportation and Infrastructure, and the Committee on Education and the Workforce, representing the Third District of Georgia.

Mr. FERGUSON. Madam Speaker, I thank my colleague from California for leading this Special Order.

What a year and half it has been since I came to Congress. There have been a lot of positive things that have gone on, and I think Americans feel that they are better off now.

If you listen to the media and the rhetoric, you wouldn't know it. Every time I travel home and I talk to the folks in the Third District of Georgia, I get this sense of optimism, this reality that they are doing better. Their wages are up. There are more job opportunities. They are doing better. They feel safer, and they feel more secure.

In spite of what you might have heard on TV and in the other parts of the media, more than 177 bills have been signed into law in the 115th Congress. That is the most of any Congress at this point since 2008. The results are clear: Americans are better off.

I have heard from small businesses like Shred-X in Griffin, Georgia; Custom Truck and Body Works in Woodbury, Georgia; and Emma Hill Manufacturing in LaGrange, Georgia. All of these businesses are making investments. They are expanding. They are being more productive. Most importantly, they are hiring more people, and they are investing in their people with higher wages and better training. Families are doing better throughout our district.

But these businesses are doing more than simply investing in their people and in their businesses. They are investing in their communities. So our communities are becoming more helpful.

All of this is a result of a tax reform bill, a better regulatory environment, and a changing attitude in education that ensures that people pursue their talents and not just a degree. They are involved in making sure that they are able to make a living in viable careers for a long period of time.

It is not just the economy that is making us more secure. We have invested heavily in our military, and we have fully funded our men and women serving this Nation. Most importantly, when they returned home, we have made the changes in the VA that, over time, will make sure that they have the benefits that they have earned and, quite candidly, that they deserve.

We have also made investments in many other areas. Think about what we have been able to accomplish with human trafficking. We are beginning to take steps to really change how we view addiction and the opioid crisis. We are making progress, and that is making Americans better.

So it is easy to get caught up in the news of the moment, to get clouded from the really good things that are happening. But we are here to remind America that things are better now because of the work that we have done in this House of Representatives.

Mrs. MIMI WALTERS of California. Madam Speaker, I yield back the balance of my time.

TRUMP'S LIFELONG LEGACY: STACKING THE COURTS

The SPEAKER pro tempore (Ms. FOXX). Under the Speaker's announced policy of January 3, 2017, the gentleman from Pennsylvania (Mr. EVANS) is recognized for 60 minutes as the designee of the minority leader.

Mr. EVANS. Madam Speaker, it is with great honor that I rise today to anchor this CBC Special Order hour. I would like to thank the CBC chair, Chairman RICHMOND, for his leadership in this effort.

For the next 60 minutes, we have an opportunity to speak directly to the American people about issues of great importance to the Congressional Black Caucus and many of the constituents we represent.

GENERAL LEAVE

Mr. EVANS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore (Mr. FERGUSON). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EVANS. Mr. Speaker, I am going to do something highly unusual today, because my colleague who is here from the District of Columbia knows an awful lot about this subject. I have watched her; I have observed her. She has taught a few classes and a few people on this subject matter, and she is an expert.

So I think the best way to start off is with a person who was a former law professor who teaches, who really understands what our Supreme Court means as the third element, with the legislative and the chief executive. I have heard her in Congressional Black Caucus meetings.

Mr. Speaker, I yield to the gentlewoman from the District of Columbia, Congresswoman ELEANOR HOLMES NORTON.

Ms. NORTON. Mr. Speaker, I very much appreciate the kind words of my friend from Pennsylvania, and I certainly appreciate his leadership of this Special Order this evening. It is a subject of immense importance to the American people, none more so, Mr. Speaker, than people of color in the United States of America.

So I would like to begin this Special Order by speaking about President Trump's district and circuit court nominees and then about his Supreme Court nominee, Brett Kavanaugh, who serves on the Court of Appeals for the District of Columbia. That is the circuit of my own home district, the District of Columbia.

Mr. Speaker, long before I came to the House, I had the distinct honor of arguing and winning a case before the United States Supreme Court. That case was a free speech case where I represented plaintiffs with whom I profoundly disagreed. As we look at the President's nominees, especially to the Supreme Court, one wonders today how these nominees would rule.

Let's look first at President Trump's nominees so far to the circuit courts and the district court. This is an amazing, unprecedented figure for the 21st century. His nominees are 90.1 percent white, 2.3 percent African American.

Now, one way to look at this is to look at another Republican President. So I said to my staff: Find the racial makeup of President Bush's nominees.

Remember, African Americans don't expect a Republican President to offer anything like the number of nominees of, for example, President Barack Obama, not because he was African American, but because he was, after all, a Democrat. That is not the standard to which I am holding this President. The standard I am holding this President to is, by comparison, to Republican Presidents.

The lion's share of President Bush's appointees was also White. I had no complaint then. I don't recall the Congressional Black Caucus taking to the floor and saying: How come the lion's share of President Bush's nominees was White, more than 85 percent?

That reflected his party and his supporters.

But 8.5 percent of President Bush's nominees were African American, compared to 2.3 percent of Trump's nominees. So that means that President Bush—and I am looking at the comparable period; I am not looking at his overall two terms in office; I am looking at up until now—he had appointed three times as many African Americans to the bench. Far more Whites, and I have no complaint about that.

But the Supreme Court and the Federal courts have meant everything to African Americans. I do not need to point out that the political bodies, the House and the Senate, took many years to recognize equal protection for African Americans. It didn't happen, indeed, until the courts made it happen in Brown v. Board of Education in 1954, showing, I think, that the courts are of immense importance to a group that is not the majority and must depend upon the fairness of the majority and even more so on the courts, which are supposed to play no favorites whatsoever, only to equal justice under the law.

The President and the Republican Senate have made the Federal courts a top priority. I believe they have appointed as many as 40 nominees, if I am not mistaken. In fact, the Supreme Court means so much to them, even though they already have a majority on the Supreme Court with their most recent nominee, it means so much to them that our Republican friends in the Senate are wiping out their entire August recess to stay here to try to get Brett Kavanaugh nominated, and there is a fierce fight underway.

I am speaking about not only Brett Kavanaugh, the judge who sits on the D.C. Circuit Court of Appeals, but I want to give you some sense of judges who sit on other circuits in other district courts, to make it clear why the Congressional Black Caucus is so alarmed at what is happening with federal court nominees.

□ 2000

Some Federal court nominees proposed by this President have had to be rejected because they were unacceptable on any court, beyond any sense of conservatism.

Most recently—I believe it was just last week—Ryan Bounds was to serve on the Ninth Circuit Court of Appeals. A Republican Senate forced Majority Leader MITCH MCCONNELL to withdraw his name because two Republican Senators, Senator TIM SCOTT of South Carolina and Senator MARCO RUBIO of Florida, had indicated that they could not vote for Ryan Bounds because of remarks he had made on multiculturalism and racial issues. You don't want anybody on the bench who has already shown racial animus.

Since the Senate is so closely divided—51 Republicans to 49 Democrats—they were forced to withdraw Ryan Bounds' nomination.

I point that out to let you know that it is not a done deal that Brett Kavanaugh will go on the Supreme Court. That close number is going to hold up, we think, not only for Democrats, but when Senate hearings are over, we believe it will be very difficult even for some of our Republican friends to vote for Judge Kavanaugh.

Remember, the Senate represents a rather broad swath of people, so they will have to watch out for their own elections as well.

Let me give another example of how extreme President Trump's nominees to the Federal courts can be. Three more have had to be withdrawn related to race. Again, I am going to give you examples, and you will say nobody would ever have nominated such people to any court in the United States.

Last year, the White House was forced to withdraw a district court nominee, Brett Talley. What forced his withdrawal were reports that he had defended the first Ku Klux Klan in an online post—that is, the first, I suppose, emergence of the Ku Klux Klan—as recently as in a 2011 posting.

Jeff Mateer had his nomination withdrawn over reports that transgender children were—and I am quoting him now—part of ''Satan's plan.''

Now, look, if I were to call out these remarks, you might think that nobody thought of for the Federal bench would be who I was talking about, but that is exactly who we were talking about. That is why the Congressional Black Caucus cannot possibly support Judge Kavanaugh.

We understand that whatever nominee comes forward is going to be a conservative nominee. We are not asking for the nominee we would appoint. We are simply not asking for and will do all we can to oppose nominees who are beyond the American pale. I am speaking for the Congressional Black Caucus, which represents 17 million African Americans.

It is interesting to note that we have, in looking at Judge Kavanaugh, and here I am going on to the Supreme Court, in looking at his decisions, we have grown truly concerned about his lack of respect for precedent. I say that even though, increasingly, these precedents run against us. But when they have run for us, they have been on matters of equal protection under the law. And Judge Kavanaugh has shown an uncommon disrespect for precedent.

I invite my Republican friends, who also respect precedent because many of those precedents will reinforce their own views, to be leery of any judge who disregards precedent. His views on civil rights and equal protection have been out of the mainstream, but there haven't been a lot of them, so I have had to look closely to see what his views actually are.

I must say that, even his conservative colleagues and, I must emphasize, on the D.C. Circuit, which is now a conservative circuit with more Republican judges than Democratic judges, have often had to disagree with their colleague Judge Kavanaugh. He has achieved a higher number of dissents than any member of the D.C. Circuit Court annually.

How could that happen? This is a conservative court. Who is he dissenting from? He is dissenting from not only the Democratic appointees but from his own colleagues appointed by Republicans.

Now, of course, the notion of equal protection has disproportionately protected minorities and women, so we are very mindful of such decisions, even when they don't directly entail people of color whom we directly represent.

For example, we are concerned that no Americans be arrested without probable cause, and if you are a minority in any country, the probability of arrest will be greater than if you are among the majority.

We are concerned about the Affordable Care Act, again because of the disproportionate number of African Americans who are affected.

I am going to cite some decisions that show that Judge Kavanaugh cannot be trusted to uphold what even his conservative colleagues have said on such issues as these.

Let us look at arrests without probable cause. I bring that up because of the churning of relevent issues in our country. A week does not go by that there hasn't been a shooting of an African American by a police officer. This issue is among the very top in the African American community, the concern about overzealous police officers.

Kavanaugh has both spoken out and written, over and over again, in such a way to indicate that he would weaken probable cause standards that have stood for the ages—that is how long they have been there—making them, as he has written, more flexible.

As you consider this possible change as one about which African Americans are concerned, I hope you understand that most of the people who need probable cause in this country are White.

So decisions making it easier to do searches without a warrant or ''individualized suspicion''—I am quoting him—are decisions he believes need to be looked at more closely, even though the existing precedents has been clear, and they have not been challenged in other circuits.

Perhaps the rule that most Americans understand best is the so-called Miranda rule. That is a rule that says you don't have to incriminate yourself. Judge Kavanaugh appears to want to narrow that rule. I didn't think I would ever see the day when, after decades—must be 50 years—of Miranda juris prudence, there would be any judge sitting on any bench who would want to narrow the self-incrimination rule.

Of special interest to African Americans are Judge Kavanaugh's apparent

views on Roe v. Wade, or the right of a woman to choice. We don't know precisely where he stands on choice, but there is a very troubling precedent from this circuit involving an undocumented woman who had been found to be entitled to an abortion.

Now, that hadn't happened here. The case was in the D.C. Circuit, but the ruling was from a Texas court, perhaps the most conservative on matters of abortion, which made this woman go through many steps before deciding that she, indeed, qualified under Roe v. Wade for an abortion.

Judge Kavanaugh tried to do something that is unfathomable. The time was running. The House wants abortions done within 20 weeks. Roe v. Wade allows more time. The time was running, but Judge Kavanaugh ruled that she should have to get a sponsor before she could, in fact, enforce her constitutional rights to choice. His own court overruled Judge Kavanaugh.

I bring that up in no small part because African American women, for example, use abortion at a rate that is beyond the average American woman, so this issue matters to the Congressional Black Caucus.

On the Affordable Care Act, we have perhaps the most astonishing of Judge Kavanaugh's decisions. He hasn't said the ACA is unconstitutional. That is pretty hard to say at the circuit court level. But he has said something that has never been said before in American juris prudence: that a President may decline to enforce a law even after the Supreme Court has said that the law or statute is constitutional.

Understand what this means. The Affordable Care Act has been found to be constitutional. Yes, there are still attempts in this House to overturn it, but it stands. It is so popular that, while Brett Kavanaugh is being discussed in the Senate during the month of August, Senate Democrats are going to be talking about the Affordable Care Act because it has become one of the most popular laws in the United States today, even though the Republicans have done all they could to cripple it.

Judge Kavanaugh has said that the President may decline to enforce a law like the Affordable Care Act even after it is found to be constitutional. What happens to the rule of law if that becomes the standing law of the United States?

This is not just a wrong view but a dangerous view. It would allow Presidents to pick and choose which laws to enforce, notwithstanding the courts, that a President could stand as the sole decider of what laws to enforce, notwithstanding the jurisdiction of the United States Supreme Court.

□ 2015

Mr. Speaker, Brett Kavanaugh isn't fit to go to the Supreme Court of the United States based on the record he has shown. Yet Judge Kavanaugh seems to have gone out of his way to try to write his way onto the Supreme Court.

Why would he write so often in dissent? Why would he so often in write the law, views that are uncommon among Republicans?

I think he was trying to draw the attention of President Trump. And one of the reasons I think so is the last issue I will discuss, and that is this nominee's view, Judge Kavanaugh's view, of the independent counsel. You really had to dig this one up.

As recently as 2017, he dug back into a decision of long ago. This is a 1988 decision, Morrison v. Olson. He said he had not agreed with the author of the decision. It was Chief Justice William Rehnquist, the Republican Chief Justice. But he went out of his way to wonder about Judge Rehnquist's holding in that case, Morrison v. Olson, that the independent counsel was constitutional.

Why has Judge Kavanaugh gone out of his way to talk about the independent counsel when, in fact, there was no such case before him?

I think he was sending a signal to this President: Don't worry about the independent counsel as far as I am concerned. I quarrel with whether or not the independent counsel law is constitutional.

If there wasn't an independent counsel law, really, what would be the deterrent to a lawless President?

The deterrent, of course, would have to be impeachment. Impeachment is understood to be a political but difficult process. That is why it is very hard to get.

So right now, we have matters before the independent counsel that, indeed, are ordinary criminal and civil matters. The notion that somebody sitting on any Federal court of the United States believes that the independent counsel statute is unconstitutional or could be—he hasn't said that it is unconstitutional. He has come so close to it that it is noteworthy, for anyone judging whether he should go on the Supreme Court of the United States.

Judge Kavanaugh has demonstrated such a departure from established American law that one wonders why he wants to be on the Supreme Court of the United States. He has made a lifetime record of numerous dissents, I think, in order to show that he means to bring an even sharper departure from precedent than we have seen.

One of the most important and most conservative ways in which the courts operate is by precedent. So it is very hard to overturn precedent. But a determined member of the Court can chip away at precedent, and, we are sure, can chip away at the rights of the minority who is disproportionately dependent on a fair Supreme Court.

So I say to my good friend from Pennsylvania that we have our work cut out for us. But the President's district and circuit nominees have not all been upheld, and that should encourage us to know that, while we are not in the Senate, we do have two members of the Congressional Black Caucus who are in the Senate, and we must all be doing all we can here in the House to help them make the American people understand what is at stake and to make sure that the Court of Appeals for the District of Columbia Judge Brett Kavanaugh, does not become a member of the Supreme Court of the United States.

I thank my good friend for his leadership this evening.

Mr. EVANS. Mr. Speaker, I would ask my good colleague from the District one or two questions, if I could.

I listened very intently. One of my favorite decisions that came down was May 17, 1954, Brown v. Board of Education.

Mr. Speaker, the President asked Black Americans, after he came to the city of Philadelphia, he said: What do we have to lose? I think, ''what the hell do we have to lose?''

So I ask the gentlewoman that question in the context of Brown v. Board of Education, and that is over 64 years ago now. And for where we are, I just heard her very succinctly say about his ability to chip away and not, you know, be able to fully overturn.

So I would ask her to talk a little bit about how would she see anything relating to Brown v. Board of Education and his ability in any of his writings relating to that particular decision that came down.

Ms. NORTON. Mr. Speaker, my good friend who raises the question about Brown v. Board of Education may seem to be raising the question about such settled law, both with the American people and the courts, that it couldn't possibly come up.

If I may first respond to the gentleman by saying that one of President Trump's nominees was asked where she stood on Brown v. Board of Education, and she declined to give an answer. More than 50 years after the Supreme Court, for the first time, recognized that African Americans must be treated the same as everyone else in the United States, we now have a nominee who questions even that precedent.

You may not be able to overturn it, but consider the notion of chipping away any part of it, remembering what it meant is spread now not across schools, but across the juris prudence of equality.

I appreciate the question. I say to my good friend from Pennsylvania, I appreciate the question so that Americans will understand that our opposition to Judge Kavanaugh is not far-fetched, that we are talking about a Supreme Court nominee, who leads us to believe that the most settled of decisions could be rocked by this nominee to the Supreme Court.

Mr. EVANS. Mr. Speaker, I would ask one other question.

The gentlewoman also laid out the percentages of numbers. Does the gentlewoman think there is some sort of philosophical packing taking place here when she describes the 8 percent versus the 2 percent. But just the 8 percent, is there some type of strategy

going on here relating to packing the Court, the Highest Court in the land, at least in some way influencing for years, 25, 50 years down the line? Is there something going on here that the public should know and be aware of?

The gentlewoman has obviously studied the court system, the judicial system herself over many, many years. Has the gentlewoman ever seen—and I heard her make the comparison of President Bush, and I understood the comparison she made.

It seems like there is something else going on here besides just putting individuals on the Court, but there is something like some type of philosophical strategy going on here.

Am I missing some point in what the gentlewoman just laid out to us?

Ms. NORTON. Mr. Speaker, that is a most interesting question. And as the gentleman indicated, I pointed out that I didn't expect a Republican President to come anywhere near Democratic Presidents in proposing nominees. However, I don't expect complete disdain for the importance of the courts to African Americans. I would not expect the lowest number of African Americans appointed to the courts of the United States in memory, certainly not since the 20th century in Brown v. Board of Education.

There had been some sense among Republican Presidents that one way to indicate that a Republican President believed in equal justice was to propose some African Americans on the court. Now, when you get to 90 percent—more than 90 percent nominees White, you are sending a very strong message on equal protection to African Americans.

This President has been accused of racism because of some of the things he has said. For example, Charlottesville, when he seemed to be for those killing people and not against them. I am not sure what his personal views are, but I am sure that when he shows disdain for equal protection and has given us no evidence that he understands equal protection, that we have every reason to wonder what it is that he intends to do to show people of every background that he is for equal justice.

It does seem to me that the President needs to make some gesture to indicate that he believes that all people are created equal. The best gesture would be to bite into this 90 percent—this 2 percent figure, a little over 2 percent figure of African Americans appointed to the bench, raise that number, as the Congressional Black Caucus calls on him to do this evening.

He may have, for example, been reacting to those staff who have been giving him judges to appoint, but I say to you, I say to my good friend from Pennsylvania, that there are many Senators who, I am sure, have suggested some qualified African American nominees or could do so.

I would urge the President to wipe away this notion that he thinks the United States of America should have as close to an all White judiciary as he can get by talking to, listening to some Senators who I am almost certain will have already put forward some African Americans, or surely will be doing so in the future.

Mr. EVANS. Mr. Speaker, the one last question I would ask the gentlewoman: The Congressional Black Caucus gave a document, as a matter of fact, to the President that said we have a lot to lose.

In asking that question—and the gentlewoman has again done an excellent job in laying out historical perspective for where we are—obviously, as African Americans, it seems like, to me, there has to be a huge fear factor because, if the only check and balance, obviously, is the Congressional Black Caucus being the conscience of the Congress, and the United States Senate, you know, is that check and balance, what would you say to African Americans, Latinos, others relating to where we are, because this is a very crucial time.

What would the gentlewoman say when he says, ''What the hell do you have to lose?'' and we say, ''We have a lot to lose''? What would you say? What would you say to the people?

Ms. NORTON. Mr. Speaker, the most important thing I would say to the people is look at that 49–51 figure of how close the Senate is, and within a couple of months, there will be an election. We could turn a lot of this around.

If, as the polls tend to show, Democrats capture the House, and they are increasingly showing that they will keep the Senate, it seems to me all the American people can do now is take it to the ultimate remedy, and that is to change the Congress. And that way, it seems to me, would slow these nominees or get nominees where there will be some consultation with Democrats, as there has been in the past, often, in the Senate because you want to get your nominee through.

So I don't think, by any means, that there is anything to fear because there is an election coming and I believe that what this nominee for the Supreme Court and others for the district courts—and here we have African Americans mindful of the district courts and the courts of appeals throughout the United States. Surely all of that is, forgive the word, ammunition to go to the polls to make sure we halt this stripping of equal protection from the Federal courts of the United States.

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Mr. EVANS. Mr. Speaker, I thank my colleague from the great District of Columbia, where we need to make sure that she has a right to vote in this body is also something that needs to take place in terms of the District of Columbia and representation, and I thank her for that knowledge and information that she has provided to us.

I have someone else, Mr. Speaker, who I have grown deeply in understanding her thoughts and her comments. I had the chance of visiting the Seventh Congressional District in the great State of Alabama. She is moving and making a lot of things happen there in Alabama. She definitely said: ''I have to speak on this.'' I heard her give some comments before on this, and she has some real thoughts about what is taking place in the courts.

Mr. Speaker, I yield to the gentlewoman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, I commend the gentleman from Pennsylvania for his leadership on tonight's topic. I also associate myself with his comments, as well as the comments of Delegate ELEANOR HOLMES NORTON. Congresswoman NORTON has been a steward on the issue of judicial appointments in the United States Congress for many decades, and it is an honor to follow her tonight in her leadership against the Trump administration's attempt to stack the courts with extreme rightwing political allies.

Just as President Trump has attacked our Nation's free press, just as he has attacked our intelligence agency, this President is now targeting our Nation's third branch of government, our treasured court system. We cannot let President Trump destroy yet another institution of American democracy.

The importance of a fair and nonpartisan court system cannot be overestimated. It is our Supreme Court, overall, that decided Brown v. Board of Education, the case that ended segregation in America's schools. It was our courts which struck down voter suppression laws, like poll taxes that freed and allowed lots and lots of African Americans in my home State of Alabama to vote. It was the Supreme Court that protected the work of the free press and our Nation's newspapers when President Nixon attempted to silence them. And it was our Supreme Court which struck down discriminatory State laws prohibiting interracial and gay marriage.

Those court decisions were the product of judges and justices in our judicial system, who put our Constitution and the law first, irrespective of the pressure they faced from politicians and from Presidents.

Mr. Speaker, the opposite can be true as well. When our courts are stacked with political allies, who put politics first and justice last, our Nation suffers. We need think of no other than the infamous Supreme Court decision which paved the way for Japanese American internment camps as an example. It is a reminder of all that can go wrong when our courts are stacked with political allies.

Today, our court system continues to decide questions that will have consequences for generations to come. When it comes to gerrymandering and discriminatory voter ID laws, our courts are still considering cases that will impact our right to vote.

As this administration continues its assault on our free press, we should have no doubt that the courts will be

faced with First Amendment questions in the years to come.

That is why President Trump's attempt to stack the court is so concerning. Last year, this administration appointed nine appellate judges, more than any President since President Nixon during their first term in office. And where do those open appellate seats come from? These are judgeships which Republicans systematically held open during President Barack Obama's final 2 years. I can speak with authority on that fact because, in the State of Alabama, we had not one, not two, but three open Federal judgeships that were held open for 2-plus years, and one 11th Circuit appellate judgeship that was held open for 2 years.

Yes, the people of Alabama were not well served by the fact that my Republican colleagues withheld appointing any person to that, in hopes that they would win the Presidential election in 2016. Now it was a good bet for them, but it was a bad bet for the American people and for the people of Alabama. For you see, the judges that were sitting, took on an inordinate amount of caseload that was unacceptable.

I know that for one, in the Middle District of Alabama, there was a senior judge by the name of Myron Thompson, who had 120 percent caseload. Yes, that is right. As a senior judge, he not only had a caseload that surpassed his caseload when he was an active judge, but, as a senior judge, took on an extraordinary number of cases. Why? Because in the Middle District of Alabama, there was only one judge sitting, as well as one senior judge, Judge Thompson.

This is unacceptable. This is an unacceptable play towards politics that, in the end, disserved the people of Alabama and disserved the American public.

The same was true on the Supreme Court level. Yes, Judge Merrick Garland was supremely qualified to sit on the Supreme Court, and was President Obama's choice to sit on the Supreme Court. But a year prior to the 2016 election, the GOP decided that it was not the time for a judge to be appointed when a Federal election was going to take place within a year.

Now, one can say the same thing about the fact that we have a midterm election that is coming up in 2018. But, oh, no, we don't get the same courtesy. This is politics before people, it is unacceptable, and we should not take it sitting down. That is why I am very happy that the Congressional Black Caucus tonight, under the leadership of the gentleman from Pennsylvania, is talking about stacking of the Supreme Court and its importance to all Americans.

I can speak firsthand how important the court system was to the civil rights and voting rights movement of America. As a daughter of Selma, Alabama, and as the first Black congresswoman from the State of Alabama, I can tell you, unequivocally, that it was because of the protections of the equal protection amendment, it was because of the Constitution and those brave judges, judges like Frank Johnson of the Middle District of Alabama, who stood against pressure to do what was right for all Americans, interpreting the Constitution as it was meant to be: that all men and women are created equal, and that the equal protection of the law extends to all Americans, irrespective of race and gender.

So I think it is really important that we remember from whence we all come. This is a proud tradition that is important that we uphold.

What is even more concerning is the temperament displayed by the court picks under this administration and their lack of qualification for the job. Last year, President Trump nominated four judicial nominees who didn't pass the American Bar Association's standard for being rated qualified by the ABA. Now, that is a simple standard.

The ABA standard of requiring that one be qualified is simple: a nominee must show integrity, professional competence, and judicial temperament. During his 8 years in office, President Obama never—I repeat—never selected a judicial nominee who received an unqualified rating from the ABA. Yet, this President nominated four unqualified judicial candidates in a single year, which is the worst record in American history.

One was to a Federal bench in Alabama. The nominee was Brett Talley, who withdrew his name in 2017 for his lack of judicial experience. He had never tried a case, and yet this person was nominated by this administration to a life appointment on the bench in the Middle District of Alabama. Unacceptable. Thank God, calmer and cooler heads prevailed and he withdrew his name. But the reality is, having unqualified candidates should not go under this administration. We should stand up and speak out against it.

That is why I am glad to join with my colleagues from the Congressional Black Caucus as we talk about what is at stake. A heck of a lot is at stake. We have a lot to lose under this administration, and it starts with the Federal courts.

The reason President Trump has elected so many unqualified judges to fill our courts is that they are political allies of the extreme right. Every single one of President Trump's judicial nominees are allies of the rightwing, attacking women's rights, attacking human rights, attacking healthcare and workers' rights, and, of course, attacking voting rights.

President Trump's recent nominee of Judge Kavanaugh to the Supreme Court is no different. A review of Judge Kavanaugh's record shows that he will drive the Supreme Court further to the right, threatening and further attacking healthcare, our right to vote, affirmative action, and all of the important progress that we have made as a Nation when it comes to civil rights and civil liberties.

It was Judge Kavanaugh who upheld a discriminatory voter ID law as a judge on the D.C. Court of Appeals. Faced with a South Carolina voter ID law, which the Obama administration reported would disenfranchise tens of thousands of minority voters, Judge Kavanaugh ruled that the measure was not discriminatory.

The Obama administration said this same voter ID law violated the Voting Rights Act of 1965, a similar piece of legislation, and Judge Kavanaugh approved it. That is bad news for voting rights. And where I come from, representing Alabama's Seventh Congressional District, the voting rights, and the civil rights district of America, that is bad news for Americans. We should stand up for the equal rights of all Americans to vote. There should be no modern-day barriers to voting. And to have a Supreme Court nominee who has so blatantly gone against that is unacceptable.

Mr. Speaker, on voting rights and so many other issues, from healthcare to police brutality, the American people cannot trust Trump's judicial nominees to put the law before politics. We must call on the Senate to stop President Trump's attempt to stack the courts. Nothing less than the third branch of government, our democracy, is at stake.

Mr. Speaker, I thank the gentleman from Pennsylvania for allowing me to speak on this issue, and I ask that all Americans oppose this nominee to the Supreme Court.

Mr. EVANS. Mr. Speaker, I would like to ask my colleague from the great State of Alabama a question.

This President talked about cleaning up the swamp. She may recall he talked about that issue. From listening to her just now, it appears that we know how it was taking place with his Cabinet, but we are talking about something very sacred, and that is the courts. Can she talk a little bit about, does she see cleaning up the swamp taking place here relating to the courts? Because as I listened to her, it sounds like the courts are not being cleaned up.

Ms. SEWELL of Alabama. Mr. Speaker, the gentleman from Pennsylvania is exactly right. The swamp only needs to be cleaned up when the swamp doesn't agree with this President.

We have seen, in the nomination of Brett Talley to Alabama's Middle District, that he did not report that his wife worked for the White House counsel. Now, this, to me, is an important disclosure. You can't be more on the inside, in the swamp, drowning in the swamp, than to have a relationship like your wife working for the White House.

I think it is really hypocritical that this White House would talk about draining the swamp, and yet choose judicial nominees that are clearly in line with far rightwing views and are clearly a part of the problem, not a part of the solution.

I think that we, the American people, need to really speak out when it comes to the Supreme Court nominee, and, actually, all Federal judgeships.

I had the great honor of clerking for the first African American judge in the State of Alabama, Judge U.W. Clemon. It was a great honor of my life as a young lawyer to sit at his feet and to learn. And I have to tell you that it is disheartening to me to see people who are woefully unqualified getting the opportunity to be nominated to a Federal bench. These are life appointments, life appointments that allow people to sit in those seats for decades to come and, therefore, decide decisions decades to come.

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I know that when you talk to our Senators, they will, if they are truthful, tell you that some of the most pressing legacy issues for them are the nominations to the Supreme Court and the nominations to the Federal court. Why? Because these nominations, life appointments, have lasting effects that yield way beyond the actual nomination itself.

It is unfortunate to me, because when we think about, of the three branches government that worked for the civil rights movement and worked for all those freedom fighters, it was the Federal court that, with its independence, was able to grant so many opportunities to those freedom riders.

I think about Frank Johnson, a young judge from Montgomery, Alabama, who grew up in rural Alabama and had the temerity, had the audacity, had the courage to do what was right in the face of mounting pressures that came from his White citizenry around him to do the right thing and to actually issue that injunction that allowed marchers, such as our colleague, JOHN LEWIS, to march across the Edmund Pettus Bridge, which brought us the Voting Rights Act of 1965.

Where is our courage today? I ask the gentleman from Pennsylvania. We have to stand up in the face of such overt partisanship and speak out against it.

The balance of the Court is so important. So much of the progress that we have seen as a Nation, we have always been one Supreme Court Justice away from a lot of that progress being eroded. It is with great sadness that I see Justice Kennedy leave, but it is with greater sadness that I see the nominee, Kavanaugh, coming before the Senate for confirmation as the next Federal Justice.

I do know that politics and elections have consequences, but when I think about the scale of progress and what affects that progress, nothing is more telling, nothing is more important, than the Supreme Court.

I hope that aggrieved persons, irrespective of their gender, irrespective of their race and who they love, that they can come before the Supreme Court and get a fair hearing.

Mr. EVANS. Mr. Speaker, I would like to ask my colleague another question, but before I do that, may I inquire as to how much time is remaining.

The SPEAKER pro tempore (Mr. FASO). The gentleman from Pennsylvania has 4 minutes remaining.

Mr. EVANS. Mr. Speaker, in the past, Judge Kavanaugh has emphasized the importance of ''checking political alliances at the door.''

So I ask the gentlewoman that question relating to what she just said because, in addition to the dark future for landmark decisions like Roe v. Wade, voting rights, affirmative action, Brown v. Board of Education, accessibility to affordable healthcare could be greatly diminished, the gentlewoman said that has consequences. And this is his quote. He said ''check political alliances at the door.''

So tell us now, we have got about 4 minutes, tell us, can we believe that he will check the political alliances?

Ms. SEWELL of Alabama. Well, he has a very expansive record. He sat on the bench now for over a decade, so there is an expansive record there. I believe in looking at a person's record to be able to tell what they will do in the future.

His past has shown that he is squarely aligned with the Federalist Society, squarely aligned with the far right. It is because of his extreme views that he is now the nominee.

Now, I would love for him to prove me wrong, but one's history, one's past, is a judge of what one will do in the future. So my great fear is about issues such as the right of the executive branch to overreach. His decisions that relate to that, to me, are why I believe this President chose him, because there has been some overreaching going on in the executive branch, and this President feels that this judge will be more partial toward him.

Now, let's just be very clear. The judge should be about being partial toward the facts and toward the law, irrespective of who the petitioner is. I can tell you that often people say that justice is blind. But the reality is justice often is seen through the eyes of the experience of the judges. That is why it is important to have a bench that is diverse, a bench that has diversity of thought, diversity of philosophy and ideas, because, at the end of the day, we are not monolithic as a people. We all have different views, and we come to those perspectives based on our experiences.

Frankly, this particular judge, this particular nominee, Kavanaugh, does not show that diversity of experience. His views have been clearly aligned with the far right, and I believe that that is woefully out of character with the American public.

I believe that the American public is far more centrist than that and that the American public deserves better than that.

Mr. EVANS. Mr. Speaker, I thank my colleague from Alabama, and I really appreciate her comments and help.

In closing, Mr. Speaker, the Congressional Black Caucus, with both of my colleagues, all of them today, really have shown how we need to be very conscious of this decision that the Senate is about to make. This is extremely important in talking about the future in America, and we need to understand that we must operate under the Constitution and the rule of law.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, today I rise to join my colleagues in unequivocally condemning the President's gross assault on the independence of the federal judiciary by stacking the federal courts with unqualified nominees.

Since his inauguration a year and six months ago, the President and his supporters in the Senate have proceeded at breakneck speed to nominate ideological, often-unqualified candidates.

In his first 330 days in office, the President had won confirmation for 12 of his appeals court nominees—the most in an administration's first year since creation of the circuit court system in 1891.

The President's appellate nominees were approved by the Senate in an average of just 20 days after being voted out of the committee—which is eight times faster than President Obama's nominees.

As a senior member of the Judiciary Committee, I am concerned by the pervasive lack of oversight and partisanship that has poisoned our judiciary far more than the collection of highly publicized incidents would have us believe.

We must remember that the judiciary abuses of this Administration are the continuation of the shameless partisanship of Senate Republicans first began with the theft of the seat of Judge Merrick Garland.

Judge Garland had long been considered a prime prospect for the high court, serving as chief judge on the U.S. Court of Appeals for the District of Columbia Circuit—a frequent source of justices that is sometimes called the ''little Supreme Court.''

Widely regarded as a moderate, Judge Garland had been praised in the past by many Republicans, including influential senators such as ORRIN HATCH of Utah.

But even before President Obama had named Judge Garland, and in fact only hours after the death of Justice Antonin Scalia, Senate Majority Leader MITCH MCCONNELL declared in February 2016 that any appointment by the sitting president would be null and void.

Senator MCCONNELL foreclosed any consideration of a nominee for the vacancy until after the 2016 election, nearly a year away.

Mr. Speaker, Supreme Court picks have often been controversial.

There have been contentious hearings and floor debates and contested votes.

But never has a nominee been ignored entirely, as if no vacancy existed.

A federal lawsuit was filed to compel Senator MCCONNELL to hold a vote on Judge Garland, but it was dismissed because the plaintiff lacked stand-ins.

This president has used the levers of his office to continue to divide, rather than unite.

When confronted with a replacement to the Supreme Court's swing vote, the President has chosen an ideologue and a foot soldier of

the Republican Party and the conservative movement.

To be sure, Brett Kavanaugh has acceptable credentials and has enjoyed an undistinguished tenure as a member of the United States Court of Appeals for the District of Columbia Circuit.

But, it is not his credentials or his pedigree which is worrisome.

Rather, throughout his entire career—as a deputy in the right-wing's crusade against President Bill Clinton during the 1990s, as a political operative fighting to prevent the recount in Florida in 2000, which paved the way for the Supreme Court's decision in Bush v. Gore, and thereafter a decade as a stalwart conservative on the country's most important federal appellate court—Brett Kavanaugh has used his legal acumen in the service of decidedly and uncompromisingly conservative causes.

Instead of ensuring that the court will protect the rights of minorities, women, children, and society's most vulnerable, the President has chosen to politicize our halls of justice.

This President has used his Constitutional powers to push down on the scales of lady justice.

Both of the President's Supreme Court appointees—Neil Gorsuch and Brett Kavanaugh—have drawn withering criticism from respected organizations across the nation.

Marc Morial, the president of the National Urban League, the oldest and largest community-based nonpartisan civil rights organization of its kind, condemned Neil Gorsuch's nomination and the regression of the Supreme Court on civil rights issues.

More recently, the National Urban League, National Action Network, NAACP, NAACP Legal Defense Fund & National Coalition on Black Civic Participation urged citizens to contact Senators to delay confirming Brett Kavanaugh to the Supreme Court.

The Lawyers' Committee for Civil Rights Under Law, a nonprofit formed in 1963 at the request of President Kennedy to involve the private bar in providing legal services addressing racial discrimination, explicitly denounced Kavanaugh's nomination.

President and executive director of Lawyers' Committee for Civil Rights Kristen Clarke remarked that in this critical time for civil rights protections under attack by the administration, "it would be an abdication of [the Senate's] constitutional responsibility to merely rubber stamp Kavanaugh's nomination" on partisan grounds.

Rev. Al Sharpton, civil rights leader and President of National Action Network (NAN), released the following statement following President Donald Trump's announcement of the nomination of Brett Kavanaugh:

> Some will pass this off as a middle of the road pick. Don't be fooled. On every issue, Kavanaugh has proven to be an ideologue who will ignore our rights . . . This is a fight for the soul of our country, and we at National Action Network call on the Senate to stop Kavanaugh's nomination at any cost—his confirmation would be a disastrous attack on basic human rights.

The NAACP—with its cherished heritage of struggling for fair-minded justice, including when it was instrumental in defeating a Herbert Hoover nominee to the Supreme Court, John Parker—characterized the Kavanaugh nomination as an effort to "re-make the Court in President Trump's own image."

Fatima Goss Graves, President and CEO of the National Women's Law Center (NWLC) expressed strong concern that Kavanaugh's nomination could put women's health, equality, dignity, and even lives on the line: "it will shift the balance of the Court, and could roll back rights for an entire generation."

The backlash has not only to do with the abandonment of the pursuit of justice for blatant partisanship, but also the flagrant breach of protocol in nominating Kavanaugh.

Usually, the White House Counsel's office maintains a list of potential nominees on hand, along with some basic information about them, long before an opening appears.

An informal working group is assembled from several sections of the White House, including not just the counsel's office but legislative affairs, the vice president's office, the chief of staff, and the Attorney General.

Congressional leaders from both parties are consulted, as well: GOP strategist Ken Duberstein, who helped shepherd half a dozen Supreme Court nominees, said in an interview that it is critical the administration reaches out to both parties on Capitol Hill, as "there has to be some consultation, on both sides of the aisle, coming from the White House."

Instead of this time-honored, bipartisan process, the President has relied heavily on the Federalist Society—a nationwide organization of conservative lawyers that openly seeks to "reorder priorities within the legal system to place a premium on conservative values."

Leonard Leo, the executive vice president of the Federalist Society, went as far as to take leave from the Society to construct a list of nominees for the President: granting such unprecedented access to an unashamedly partisan organization is a departure from convention.

This approach—partisanship above justice; loyalty above protocol—should be concerning and insulting to every American whose civil liberties are at stake.

But more disturbing than partisanship in judicial nominations is the deliberate appointment of unqualified candidates.

Thomas Farr, the Raleigh attorney nominated for a judicial appointment to the U.S. District Court for the Eastern District of North Carolina, received the wholehearted support of the President and North Carolina's two U.S. senators, while two qualified African-American women could not even get a hearing.

Farr has been the lead attorney in a series of recent legislative efforts to suppress political participation by African Americans in the state.

In 2010, Farr advised the General Assembly in what federal courts later termed a "racial gerrymander" of North Carolina House, Senate and U.S. Congressional districts.

In separate lawsuits, each redistricting plan was proven to have intentionally discriminated against African-American voters.

In 2013, the North Carolina General Assembly enacted a bill that shortened early voting, required voters to present government-issued IDs and eliminated same-day voter registration and out-of-precinct voting—all of which are forms of marginalization and voter suppression.

Farr advised the legislature on the bill and then became lead counsel in a three-year battle to defend it.

Federal courts ruled the law unconstitutional and an attempt to disenfranchise African-American voters "with almost surgical precision."

Farr began his notorious in voter suppression and race-baiting career as a campaign aide to Senator Jesse Helms, who entered public life in campaigns that urged "White People Wake Up" and smeared the University of North Carolina as "the University of Negroes and Communists."

Helms was infamous for his diatribes against "Negro hoodlums" and "forced integration," and for touting the "purely scientific statistical evidence of natural racial distinction in group intellect."

Helms became the state's most vociferous opponent of the civil rights movement, which, as late as 2005, Helms railed had "ripped away at the customs and institutions people cared about."

During Farr's time on the campaign, the Helms Campaign Committee sent more than 105,000 post cards to African Americans falsely warning that they were ineligible to vote and could be arrested for voter fraud if they appeared at the polls.

Farr denied having any knowledge of this effort, but a former Department of Justice official said the Helms disciple "absolutely" was involved in this and earlier illegal voter suppression tricks that the campaign described as "ballot security efforts."

A 1992 consent decree prohibited the campaign from tactics "to intimidate, threaten, coerce, deter, or otherwise interfere with a qualified voter's exercise of the franchise"—and Thomas Farr signed the decree.

More than 20 years later, during Farr's defense of the election law that the Fourth District Court ruled targeted African-American voters "with almost surgical precision," the judge in Winston-Salem asked Farr, "Why don't y'all want people to vote?"

A track record that continues to raise this question should prevent anyone from being appointed to the federal bench.

But the problem is compounded by the fact that Farr would preside over the Eastern District, which contains a majority of the state's counties with the highest percentages of African–American residents.

Despite being home to North Carolina's "Black Belt," the Eastern District has never had an African-American judge in its nearly century and half of existence.

Senator BURR says Farr will "serve North Carolina well," and Senator TILLIS—a supporter of the massive voter suppression and racialized redistricting that allowed Republicans to take a super majority in the state legislature—calls the President's nominee "impeccably qualified."

In doing so while blocking the hearings of May-Parker and Timmons-Goodson, these Senators insist North Carolina be revealed as backward-looking and bitter during nationally televised Senate hearings for a morally stained and unrepentant figure like Thomas Farr.

Being a conservative is not the same thing as spending almost 40 years fighting to block full citizenship for all Americans.

This nomination is not just about what Thomas Farr stands for—it is about what America stands for.

Some nominations have been entirely inconsiderate of any standards of qualification that judicial nominees would otherwise be subject to.

Matthew Petersen, a Trump nominee to a lifetime appointment on the U.S. District Court

for the District of Columbia, withdrew from consideration for the seat in December 2017 days after a video clip showed him unable to answer basic questions about legal procedure.

Petersen, a graduate of the University of Virginia Law School, was a member of the Federal Election Commission since 2008 but had no trial experience.

His only connection to the Trump Administration was that his tenure on the FEC overlapped with that of White House counsel Don McGahn for about five years.

Petersen was one of three judicial nominees picked by President Trump to have withdrawn in that week amid criticism about their qualifications.

Senate Judiciary Committee Chairman CHARLES E. GRASSLEY told the White House to ''reconsider'' the nominations of the other two nominees, both of whom were reported to have endorsed positions or groups that embrace discrimination.

A day later, both nominations were pulled.

This gross disregard for competence is inconceivable in any profession, much less our government.

One of the two withdrawn for discrimination was Brett Talley.

Talley had been rated ''unanimously unqualified'' for the post by the American Bar Association after an evaluation that questioned his experience.

Talley had never argued a case, or even a motion, in federal court, he testified.

Mr. Talley nevertheless won preliminary approval from the Judiciary Committee's Republican majority to be a judge.

Even after Talley's nomination advanced through the Senate Judiciary Committee on an 11–9 party-line vote, media reports and good government groups cast doubt on his credentials for the spot on the U.S. District Court in Alabama.

As he was awaiting a Senate floor vote, it emerged that Mr. Talley had not disclosed that he was married to White House Counsel Don McGahn's chief of staff.

It was further publicized that he had failed to disclose that he had apparently written thousands of pseudonymous posts on a University of Alabama sports fan website, including one defending the early Ku Klux Klan.

Talley's withdrawal is celebrated as a case in which civic awareness and activism by various groups from media to good governance organizations pressured the government to do the right thing.

One such organization that is critical to safeguarding fairness of justice in our courtrooms is the American Bar Association, which gave Talley the ''unanimously unqualified'' rating.

Since 1953, this venerable legal organization has played a critical, behind-the-scenes role in assessing judicial nominees and their fitness to serve on the bench.

By the end of President Trump's first year, the ABA deemed at least four of Trump's judicial nominees ''not qualified.''

But with the ABA emerging as a major stumbling block in President Trump's effort to transform the courts, our colleagues in the GOP accused the nonpartisan group of holding a liberal slant and is seeking to sideline it.

Instead of being equally concerned of the quality of judicial nominees put forth by this Administration, our colleagues chose to ignore the ABA and discredit the century-old group.

ABA President Hilarie Bass said the group is a ''nonpartisan organization that has focused on legal issues and not politics'' and that it has vetted thousands of judicial nominees ''fairly and in a nonpartisan fashion'' under both Republican and Democratic administrations.

However, our colleagues are engaged in a desperate charge against factual truth itself.

''The ABA's record on judicial nominations has been highly questionable,'' said Sen. TED CRUZ (R–Texas), a member of the Senate Judiciary Committee, ''it has demonstrated over past decades repeatedly partisan interests and ideological interests.''

Arizona Sen. JEFF FLAKE, who also sits on the Judiciary Committee and is a vocal GOP critic of Trump, added: ''Not a big fan of the ABA.''

''It's blatantly political,'' Flake said. ''Often. Not always.''

In a shift from the Obama Administration and a return to the policy of President George W. Bush, the administration decided earlier this year not to allow the ABA to review potential candidates before they were nominated.

Trump officials are abandoning the practice so Republicans can push through younger, conservative attorneys who may not have as much—if any—experience to a lifetime position on the bench.

Mr. Speaker, I stand today in opposition of the Trump Administration's misguided and foolish judicial nominations.

I stand today as a woman, who fears for my fellow woman's right to choose.

I stand today as a granddaughter of immigrants, who recognizes the value of immigration to our, society and national identity.

I stand today as an African American, who celebrates the progress our community has made in expanding civil rights in our nation, but recognizes the struggle yet left ahead.

I stand today as a mother and grandmother, who is determined to hold our courts accountable to safeguarding our nation's civil liberties for generations to come.

I stand today as an American, because a judiciary that dispenses evenhanded justice is what defines who we are and what we stand for.

Mr. Speaker, fellow members of Congress, let us be unequivocally clear that it is our responsibility and our high call of service to our fellow citizens to defend the rule of law and preserve our courts as the bastion of justice in our nation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the judicial branch serves as one of the key pillars of our democracy, charged with restraining both the legislative and executive branches from reaching beyond their constitutional authority first envisioned by our Founding Fathers. The importance of having qualified judges on the bench is not only vital to the judiciary, but also to the proper functioning of our system of checks and balances—and by extension, our democratic system. By stacking the courts with biased, unqualified judges, President Trump and Senate Majority Leader MCCONNELL are choosing party over their country in a manner that will cause enduring harm to the process and principles that we hold dear as a democratic nation.

The nomination of Judge Brett Kavanaugh to the United States Supreme Court is already a dangerous threat to longstanding precedent on matters regarding civil rights, abortion, and government oversight. However, the lower federal courts are equally as important to the judiciary's ability to protect the fundamental rights that we enjoy as Americans. President Trump has demonstrated time and time again through his nominations of extreme candidates that he has little to no regard for due process, and has every intention of leaving behind a lifelong legacy of stacking the courts to favor radical right-wing conservatism.

Mr. Speaker, the nominees being put forth by this Administration and the process by which they are being vetted is a wild and dangerous departure from regular order. Senate Republicans are knowingly sidestepping traditional vetting protocols in order to rush right-wing judicial nominees through the process before the American people can react. It is a misguided practice that places partisan politics over the needs of the American people, and I urge my colleagues in the Senate to oppose any unqualified nominee at every opportunity.

CONFERENCE REPORT ON H.R. 5515, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019

Mr. THORNBERRY submitted the following conference report and statement on the bill (H.R. 5515) to authorize appropriations for fiscal year 2019 for military activities of 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:

(For conference report and statement, see proceedings of the House of July 23, 2018, published in Book II.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRAVES of Louisiana (at the request of Mr. MCCARTHY) for today on account of inclement weather affecting travel.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 19, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 6042. To amend title XIX of the Social Security Act to delay the reduction in Federal medical assistance percentage for Medicaid personal care services furnished without an electronic visit verification system, and for other purposes.

ADJOURNMENT

Mr. THORNBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 52 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 24, 2018, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5716. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Lee K. Levy II, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5717. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Michael H. Shields, United States Army, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5718. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Interstate Transport Requirements for the 2012 Fine Particulate Matter Standard [EPA-R03-OAR-2017-0337; FRL-9980-68-Region 3] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5719. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Naval Industrial Reserve Ordnance Plant Superfund Site [EPA-HQ-SFUND-1989-0007; FRL-9980-71-Region 5] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5720. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Beloit Corporation Superfund Site [EPA-HQ-SFUND-1990-0011; FRL-9980-64-Region 5] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5721. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Emissions Statement Requirement for the 2008 Ozone Standard [EPA-R03-OAR-2017-0637; FRL-9980-70-Region 3] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5722. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Tennessee; Revisions to Stage I and II Vapor Recovery Requirements [EPA-R04-OAR-2017-0740; FRL-9980-81-Region 4] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5723. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Ohio NSR PM2.5 Precursors [EPA-R05-OAR-2017-0164; FRL-9980-92-Region 5] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5724. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Minnesota; Flint Hills Sulfur Dioxide (SO2) Revision [EPA-R05-OAR-2017-0099; FRL-9980-96-Region 5] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5725. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Michigan; Revisions to Part 9 Miscellaneous Rules [EPA-R05-OAR-2017-0100; FRL-9980-94-Region 5] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5726. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky; 2008 Ozone NAAQS Interstate Transport SIP Requirements [EPA-R04-OAR-2018-0142; FRL-9980-57-Region 4] received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5727. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-031, pursuant to the reporting requirements of Section 40(g)(2) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5728. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-143, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5729. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-109, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5730. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-092, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5731. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-004, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5732. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-007, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5733. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification pursuant to the reporting requirements of Sec. 36(c) and 36(d) of the Arms Export Control Act, as amended (Transmittal No.: DDTC 17-119); to the Committee on Foreign Affairs.

5734. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-411, ''All-Terrain Vehicle Clarification Temporary Amendment Act of 2018'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5735. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-412, ''Attorney General Limited Grant-Making Authority Temporary Amendment Act of 2018'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

5736. A letter from the Acting Director and General Counsel, Office of Government Ethics, transmitting the Office's final rule — Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture (RIN: 3209-AA00) received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5737. A letter from the Architect of the Capital, transmitting the semiannual report of disbursements for the operations of the Architect of the Capitol for the period of January 1, 2018, through June 30, 2018, pursuant to 2 U.S.C. 1868a(a); Public Law 113-76, div. I, title I, Sec. 1301(a); (128 Stat. 428) (H. Doc. No. 115—141); to the Committee on House Administration and ordered to be printed.

5738. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; 2017 Recreational Accountability Measure and Closure for Greater Amberjack [Docket No.: 140819686-5999-02] (RIN:0648-XF779) received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5739. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Authorization of Revised Reporting Requirements Due to Catastrophic Conditions for Federal Seafood Dealers and Individual Fishing Quota Dealers in Portions of Florida [Docket Nos.: 090206140-91081-03 and 120405260-4258-02] (RIN: 0648-XF723) received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5740. A letter from the Vice Chairman and Executive Director, Administrative Conference of the United States, transmitting recommendations adopted by the Conference at its 69th plenary session; to the Committee on the Judiciary.

5741. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations, temporary regulations, and removal of temporary regulations — Inversions and Related Transactions [TD 9834] (RIN: 1545-BO20; 1545-BO22) received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6077. A bill recognizing the National Comedy Center in Jamestown, New York (Rept. 115–854). Referred to the House Calendar.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5979. A bill to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of

the National Park System, and for other purposes; with an amendment (Rept. 115–855). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5613. A bill to designate the Quindaro Townsite in Kansas City, Kansas, as a National Historic Landmark, and for other purposes; with amendments (Rept. 115–856). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 519. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; with an amendment (Rept. 115–857). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 5954. A bill to amend title 18, United States Code, to clarify the meaning of the terms ''act of war'' and ''blocked asset'', and for other purposes; with an amendment (Rept. 115–858). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1689. A bill to protect private property rights (Rept. 115–859). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 1011. Resolution providing for consideration of the bill (H.R. 184) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices, and providing for consideration of the bill (H.R. 6311) to amend the Internal Revenue Code of 1986 and the Patient Protection and Affordable Care Act to modify the definition of qualified health plan for purposes of the health insurance premium tax credit and to allow individuals purchasing health insurance in the individual market to purchase a lower premium copper plan (Rept. 115–860). Referred to the House Calendar.

Mr. BURGESS: Committee on Rules. House Resolution 1012. Resolution providing for consideration of the bill (H.R. 6199) to amend the Internal Revenue Code of 1986 to include certain over-the-counter medical products as qualified medical expenses, and providing for proceedings during the period from July 27, 2018, through September 3, 2018 (Rept. 115–861). Referred to the House Calendar.

Mr. COLE: Committee on Appropriations. H.R. 6470. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2019, and for other purposes (Rept. 115–862). Referred to the Committee of the Whole House on the state of the Union.

Mr. THORNBERRY: Committee of Conference. Conference report on H.R. 5515. A bill to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. 115–863). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CURBELO of Florida (for himself and Mr. FITZPATRICK):

H.R. 6463. A bill to amend the Internal Revenue Code of 1986 to eliminate certain fuel excise taxes and impose a tax on greenhouse gas emissions to provide revenue for maintaining and building American infrastructure, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Natural Resources, Education and the Workforce, Transportation and Infrastructure, Science, Space, and Technology, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SPEIER (for herself, Mr. POE of Texas, Ms. KUSTER of New Hampshire, and Mr. FITZPATRICK):

H.R. 6464. A bill to amend the Higher Education Act of 1965 to increase transparency and reporting on campus sexual violence, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCALISE:

H.R. 6465. A bill to repeal certain provisions of the Communications Act of 1934, title 17 of the United States Code, and the regulations of the Federal Communications Commission that intervened in the television marketplace, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWALWELL of California:

H.R. 6466. A bill to amend title 18, United States Code, to prohibit corrupt foreign influence over the President, the Vice President, and their immediate family members, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WATSON COLEMAN (for herself, Mr. KHANNA, Mr. THOMPSON of Mississippi, Ms. CLARKE of New York, Mr. HASTINGS, Ms. LEE, Mr. POCAN, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mrs. BEATTY, Mr. BROWN of Maryland, Mr. CARSON of Indiana, Mr. CLAY, Mr. CLEAVER, Mr. CUMMINGS, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, Mr. LEWIS of Georgia, Mr. MCEACHIN, Ms. NORTON, Mr. PAYNE, Ms. PLASKETT, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. ELLISON, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Mr. SERRANO, and Mr. EVANS):

H.R. 6467. A bill to require the Secretary of Labor to establish a pilot program to provide grants for job guarantee programs; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS (for himself, Mr. SMITH of Texas, Mr. LUCAS, Mr. NORMAN, Mr. ROHRABACHER, Mr. POSEY, Mr. WEBER of Texas, Mr. BABIN, Mr. HIGGINS of Louisiana, Mrs. LESKO, Mr. HULTGREN, Mr. ABRAHAM, Mr. WEBSTER of Florida, Mr. MARSHALL, Mr. DUNN, Mr. WESTERMAN, and Mr. MOOLENAAR):

H.R. 6468. A bill to direct that certain assessments with respect to toxicity of chemicals be carried out by the program offices of the Environmental Protection Agency, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILLIAMS (for himself, Mr. RICHMOND, Mr. FASO, Ms. BARRAGÁN, Mr. SHUSTER, Mrs. LOVE, Mr. NORMAN, Mr. BUDD, Mr. MARINO, Mr. KING of New York, Mr. STIVERS, Mr. ROSS, Mr. CHABOT, Ms. NORTON, Mr. SERRANO, Mr. COLLINS of New York, Mr. PAYNE, Mr. HIGGINS of New York, Mr. BARTON, Mr. MESSER, Mr. SHIMKUS, Mr. SCALISE, Mr. MARSHALL, Mr. MOOLENAAR, Mr. WENSTRUP, Mr. JOHNSON of Louisiana, Mr. WILSON of South Carolina, Mr. AUSTIN SCOTT of Georgia, Mr. ALLEN, Mr. FLORES, Mr. LAMBORN, Mr. POSEY, Mr. LAMALFA, Mr. HULTGREN, Mr. BANKS of Indiana, Mr. COLE, Mr. GOSAR, Mr. KELLY of Mississippi, Mr. MITCHELL, Mr. VELA, Mr. CRIST, Mr. JOHNSON of Ohio, Mr. SESSIONS, Mr. FITZPATRICK, Mr. BARLETTA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WILSON of Florida, Mr. BISHOP of Georgia, Mr. RODNEY DAVIS of Illinois, Mr. PEARCE, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. MCEACHIN, Mr. HASTINGS, Mr. COHEN, Mr. VEASEY, Mr. CLAY, Ms. LEE, Ms. ADAMS, Mr. LOEBSACK, Mr. CLEAVER, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Ms. CLARKE of New York, Ms. FUDGE, Mr. RUIZ, Mr. LEWIS of Georgia, Mrs. BEATTY, Ms. BLUNT ROCHESTER, Mrs. DEMINGS, Mr. CLYBURN, Mr. EVANS, Mr. AL GREEN of Texas, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mr. RUSH, and Mr. THOMPSON of Mississippi):

H.R. 6469. A bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 75th anniversary of the integration of baseball; to the Committee on Financial Services.

By Mrs. HARTZLER:

H.R. 6471. A bill to amend the Rehabilitation Act of 1973 to clarify the use of subminimum wage with respect to certain contracts; to the Committee on Education and the Workforce.

By Ms. BASS (for herself, Mr. ROYCE of California, Mr. ENGEL, Mr. RUSH, and Mr. SHERMAN):

H.R. 6472. A bill to amend the Zimbabwe Democracy and Economic Recovery Act of 2001; to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 6473. A bill to increase transparency with respect to loan repayment options for Federal student loan borrowers; to the Committee on Education and the Workforce.

By Ms. GABBARD (for herself, Mr. BISHOP of Georgia, Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. ESPAILLAT, Ms. DELAURO, Mr. GRIJALVA, Mr. THOMPSON of Mississippi, Ms. HANABUSA, Mr. RYAN of Ohio, Ms. JACKSON LEE, Ms. NORTON, Mr. CARBAJAL, and Mr. MCGOVERN):

H.R. 6474. A bill to amend the Agricultural Research, Extension, and Education Reform

Act of 1998 to address deferred maintenance at agricultural research facilities, and for other purposes; to the Committee on Agriculture.

By Mr. GALLAGHER:

H.R. 6475. A bill to require a determination on designation of the Russian Federation as a state sponsor of terrorism; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Ohio:

H.R. 6476. A bill to direct the Administrator of the Environmental Protection Agency to ensure that the treatment of natural gas vehicles is equal to the treatment of electric vehicles; to the Committee on Energy and Commerce.

By Ms. MOORE:

H.R. 6477. A bill to include lead poisoning prevention and mitigation education as a purpose of the education and obesity prevention program carried out under the Food and Nutrition Act of 2008, and for other purposes; to the Committee on Agriculture.

By Mr. SARBANES (for himself and Mr. JOHNSON of Ohio):

H.R. 6478. A bill to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding biologic and biosimilar products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUSSELL (for himself, Mr. COOK, Mr. HUDSON, Ms. MCSALLY, Ms. CHENEY, Mr. PEARCE, Mr. ABRAHAM, Mr. BACON, Mr. GALLAGHER, Mr. KELLY of Mississippi, Mrs. ROBY, and Mr. WITTMAN):

H. Res. 1007. A resolution expressing the sense of the House of Representatives that not fully resourcing the United States Army in a timely manner erodes the Army's ability to maintain readiness and poses risk to the Army's ability to conduct military operations; to the Committee on Armed Services.

By Mr. ENGEL (for himself and Mr. SCHIFF):

H. Res. 1008. A resolution affirming the United States' commitment to the North Atlantic Treaty Organization and condemning President Donald Trump's failure to confront Vladimir Putin for Russia's election interference and worldwide aggression, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUDSON (for himself, Mr. GALLAGHER, and Mr. BYRNE):

H. Res. 1009. A resolution expressing the sense of the House of Representatives that the lack of timely and predictable funding unnecessarily undermines the mission of the United States Special Operations Command and jeopardizes the security of the United States; to the Committee on Armed Services.

By Mr. ARRINGTON (for himself, Mr. BACON, and Ms. CHENEY):

H. Res. 1010. A resolution expressing the sense of the House of Representatives that the United States Air Force faces significant readiness challenges due to insufficient personnel levels, a shrinking and depleted aircraft fleet, and maintenance deferrals, all of which are affected by budgetary uncertainty and impede the Air Force's ability to meet ongoing and unexpected national security threats, putting United States national security at risk; to the Committee on Armed Services.

By Mr. KRISHNAMOORTHI (for himself, Mr. YODER, Ms. NORTON, and Mr. QUIGLEY):

H. Res. 1013. A resolution celebrating civic advocacy in the United States and supporting the designation of July 24th as National Advocacy Day; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE (for herself, Ms. KAPTUR, Ms. BASS, Mrs. WATSON COLEMAN, Ms. LEE, Mr. LEWIS of Georgia, Ms. CLARK of Massachusetts, Ms. SHEA-PORTER, Mr. DOGGETT, and Mr. KILDEE):

H. Res. 1014. A resolution accepting and strongly supporting the assessment of the intelligence community with respect to Russian Federation interference in the 2016 presidential election and calling on the President of the United States to rescind the invitation to President Vladimir Putin, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE (for himself and Mr. KRISHNAMOORTHI):

H. Res. 1015. A resolution commending the Department of Justice for its investigation into the interference by the Russian Federation in the 2016 United States Presidential election, and maintaining that the Russian Federation must be held accountable for its actions; to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), the Judiciary, Oversight and Government Reform, Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself and Mr. FITZPATRICK):

H. Res. 1016. A resolution concurring in the judgement of the assessment provided by the United States intelligence community regarding Russian interference in the 2016 presidential election; to the Committee on Intelligence (Permanent Select).

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

225. The SPEAKER presented a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 44, requesting the United States Congress to make permanent the authority of the Native Hawaiian Health Care Improvement Act, with all the funding resources necessary to effect this policy; which was referred to the Committee on Energy and Commerce.

226. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 11, engaging, endorsing, accepting, and adopting the United Nations seventeen sustainable development goals as components of a framework for addressing and assessing Hawaii's efforts toward social justice and sustainability; which was referred to the Committee on Foreign Affairs.

227. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 7, urging Hawaii's congressional delegation and the United States Congress to oppose federal ''concealed carry reciprocity'' legislation; which was referred to the Committee on the Judiciary.

228. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 92, urging the United States Congress to pass legislation to clarify the status of migrants under the Compacts of Free Association for purposes of the REAL ID Act of 2005, Public Law 109-13, 119 Stat. 302, to promote fairness and equality under the law; which was referred to the Committee on the Judiciary.

229. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 175, condemning the federal government's policy of separating immigrant children from their families and contends that the federal government's actions are sanctioned child abuse; which was referred to the Committee on the Judiciary.

230. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 37, endorsing the participation of Taiwan as an observer in the United Nations Framework Convention on Climate Change, International Civil Aviation Organization, World Health Organization, and International Criminal Police Organization; which was referred jointly to the Committees on Foreign Affairs and Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CURBELO of Florida:

H.R. 6463.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Ms. SPEIER:

H.R. 6464.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. SCALISE:

H.R. 6465.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SWALWELL of California:

H.R. 6466.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1, 3, and 18; Article I, Section 9, Clause 8

By Mrs. WATSON COLEMAN:

H.R. 6467.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution stating that The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States

By Mr. BIGGS:

H.R. 6468.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WILLIAMS:

H.R. 6469.

Congress has the power to enact this legislation pursuant to the following:

Clause 5 of Section 8 of Article I of the Constitution: ''The Congress shall have the power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.''

By Mr. COLE:

H.R. 6470

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mrs. HARTZLER:

H.R. 6471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. BASS:

H.R. 6472.

Congress has the power to enact this legislation pursuant to the following:

This resolution is enacted pursuant to the power granted in Congress under Article I, Section I.

By Ms. DELAURO:

H.R. 6473.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. GABBARD:

H.R. 6474.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution including Article 1, Section 8, Clause 1 (General Welfare Clause) and Article 1, Section 8, Clause 18 (Necessary and Proper Clause), Article 4, Section 3, Clause 2 (Property)

By Mr. GALLAGHER:

H.R. 6475.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution, which enumerates the power to ''To regulate commerce with foreign nations.''

By Mr. JOHNSON of Ohio:

H.R. 6476.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article 1 of the U.S. Constitution

By Ms. MOORE:

H.R. 6477.

Congress has the power to enact this legislation pursuant to the following:

The power to provide for the general Welfare of the United States under Article 1, Section 8

By Mr. SARBANES:

H.R. 6478.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 184: Ms. BARRAGÁN.

H.R. 242: Mr. RUSH, Mr. PAYNE, Ms. JACKSON LEE, Mr. RYAN of Ohio, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 371: Mr. GUTIÉRREZ and Mr. KRISHNAMOORTHI.

H.R. 398: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 502: Mr. COFFMAN and Mr. WILSON of South Carolina.

H.R. 647: Mr. SOTO.

H.R. 754: Mrs. MURPHY of Florida, Mr. DESAULNIER, Mr. STIVERS, Ms. HERRERA BEUTLER, Mr. VALADAO, Mr. MOOLENAAR, Mr. BYRNE, Mr. DENHAM, and Mr. SCHRADER.

H.R. 930: Mr. JONES, Mr. GOSAR, Mrs. RADEWAGEN, and Mr. GUTHRIE.

H.R. 936: Mr. GOHMERT.

H.R. 947: Mr. CLEAVER.

H.R. 997: Mrs. BLACK.

H.R. 1098: Mr. ROSKAM.

H.R. 1102: Mr. KRISHNAMOORTHI, Ms. VELÁZQUEZ, and Mr. CAPUANO.

H.R. 1201: Mr. KELLY of Pennsylvania and Mr. KINZINGER.

H.R. 1272: Mr. PAYNE, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Georgia, and Mr. HASTINGS.

H.R. 1291: Mr. SCHIFF and Mr. HIGGINS of New York.

H.R. 1298: Mr. FERGUSON, Mr. MCEACHIN, and Mr. LOUDERMILK.

H.R. 1300: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BACON, and Mr. NADLER.

H.R. 1421: Mr. CLEAVER.

H.R. 1439: Mrs. BEATTY, Mr. CAPUANO, Ms. VELÁZQUEZ, and Mr. HIGGINS of New York.

H.R. 1516: Mr. JOHNSON of Georgia.

H.R. 1542: Mr. ROE of Tennessee and Mr. PAYNE.

H.R. 1552: Mr. LATTA.

H.R. 1635: Mr. CARTER of Georgia.

H.R. 1876: Mr. CLEAVER.

H.R. 1904: Ms. HANABUSA.

H.R. 1960: Ms. ROYBAL-ALLARD, Mr. CAPUANO, and Mr. KRISHNAMOORTHI.

H.R. 2004: Mr. LANCE.

H.R. 2315: Mrs. WALORSKI, Mr. TAYLOR, and Mr. DUNN.

H.R. 2401: Mr. LAMB.

H.R. 2409: Mr. CALVERT.

H.R. 2421: Mr. GALLEGO.

H.R. 2617: Mr. KATKO.

H.R. 2687: Mr. KIND.

H.R. 2748: Mr. CICILLINE.

H.R. 2790: Mr. LAMB.

H.R. 2827: Mr. CICILLINE, Mr. GALLEGO, and Mr. QUIGLEY.

H.R. 2832: Mrs. LESKO.

H.R. 2853: Ms. KUSTER of New Hampshire.

H.R. 2871: Mr. SHIMKUS.

H.R. 2946: Mr. GIANFORTE.

H.R. 3032: Mrs. MURPHY of Florida and Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 3132: Mr. POLIS, Mr. GUTIÉRREZ, and Mr. CAPUANO.

H.R. 3302: Mr. SARBANES.

H.R. 3464: Mr. JEFFRIES.

H.R. 3513: Ms. WILSON of Florida.

H.R. 3592: Mr. BLUMENAUER.

H.R. 3602: Mr. CLEAVER.

H.R. 3635: Mrs. LESKO.

H.R. 3671: Ms. JUDY CHU of California.

H.R. 3751: Mr. KRISHNAMOORTHI.

H.R. 3798: Mr. MARSHALL.

H.R. 3919: Mr. GROTHMAN.

H.R. 3976: Miss GONZÁLEZ-COLÓN of Puerto Rico and Mr. YOUNG of Iowa.

H.R. 4077: Miss RICE of New York and Ms. STEFANIK.

H.R. 4099: Ms. DELAURO, Mr. CÁRDENAS, Mrs. LESKO, and Ms. MAXINE WATERS of California.

H.R. 4222: Ms. LOFGREN.

H.R. 4250: Mr. GOTTHEIMER.

H.R. 4256: Mr. CLEAVER, Mrs. MCMORRIS RODGERS, Mr. CHABOT, and Mr. HUFFMAN.

H.R. 4276: Mr. CAPUANO.

H.R. 4314: Mr. SCHNEIDER.

H.R. 4673: Ms. HERRERA BEUTLER.

H.R. 4691: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 4693: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 4733: Mr. JENKINS of West Virginia, Mr. O'ROURKE, and Mr. COHEN.

H.R. 4897: Mrs. MURPHY of Florida, Ms. KUSTER of New Hampshire, and Mr. KENNEDY.

H.R. 4957: Ms. LOFGREN and Ms. ROYBAL-ALLARD.

H.R. 5003: Mr. DONOVAN.

H.R. 5011: Ms. PINGREE and Mr. PANETTA.

H.R. 5038: Mr. LYNCH.

H.R. 5107: Mr. STIVERS and Mrs. LESKO.

H.R. 5129: Mr. GUTIÉRREZ, Ms. SHEA-PORTER, Ms. HANABUSA, and Mr. CAPUANO.

H.R. 5132: Mr. GOHMERT.

H.R. 5145: Mr. POCAN and Mr. CLAY.

H.R. 5147: Mr. CAPUANO.

H.R. 5155: Mr. CÁRDENAS and Mr. KILMER.

H.R. 5281: Mr. BUCK and Mr. COLE.

H.R. 5292: Ms. MENG.

H.R. 5306: Mr. HUDSON.

H.R. 5389: Mr. THOMPSON of California.

H.R. 5425: Ms. LOFGREN.

H.R. 5467: Mr. AGUILAR.

H.R. 5545: Mr. PAYNE, Ms. VELÁZQUEZ, Mr. GALLEGO, Mr. BRADY of Pennsylvania, Ms. MCCOLLUM, Mr. TONKO, Mr. GARAMENDI, Mr. NADLER, and Mr. GRIJALVA.

H.R. 5553: Ms. LOFGREN.

H.R. 5561: Mr. FITZPATRICK.

H.R. 5574: Mr. POLIQUIN.

H.R. 5588: Ms. ESTY of Connecticut.

H.R. 5609: Ms. KAPTUR and Ms. JUDY CHU of California.

H.R. 5670: Ms. LOFGREN and Mr. CAPUANO.

H.R. 5671: Mrs. TORRES, Mr. CLEAVER, Mr. PAYNE, Ms. MOORE, Ms. MAXINE WATERS of California, Ms. MATSUI, Mr. POE of Texas, Mrs. WALORSKI, and Mr. CRAWFORD.

H.R. 5754: Mr. CONNOLLY.

H.R. 5860: Mrs. LESKO.

H.R. 5879: Mr. ROSS, Mr. RODNEY DAVIS of Illinois, Ms. MCCOLLUM, Mr. ROTHFUS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HUFFMAN, Mr. GRIJALVA, Mr. CURBELO of Florida, Mr. COOK, Mr. AUSTIN SCOTT of Georgia, Mr. LOWENTHAL, Mr. DEUTCH, Ms. GABBARD, Mr. KILMER, Mr. BARLETTA, Mr. JONES, Mr. PETERS, Mr. BILIRAKIS, Ms. MATSUI, Mr. MOOLENAAR, Mr. DONOVAN, Ms. LOFGREN, Ms. PINGREE, Mr. BISHOP of Michigan, Ms. MOORE, Mr. MOULTON, Mr. COHEN, Mr. KILDEE, Mr. MASSIE, Ms. MENG, Mr. SCHIFF, Mr. NOLAN, Mr. BABIN, Mr. CRAWFORD, Miss RICE of New York, Ms. SCHAKOWSKY, and Ms. JUDY CHU of California.

H.R. 5882: Ms. TITUS.

H.R. 6011: Ms. NORTON.

H.R. 6014: Mr. KELLY of Pennsylvania and Mr. TAKANO.

H.R. 6016: Mr. POCAN.

H.R. 6071: Mr. CROWLEY and Mr. RASKIN.

H.R. 6079: Mr. WALKER.

H.R. 6080: Ms. LOFGREN.

H.R. 6108: Ms. LOFGREN.

H.R. 6131: Mr. TED LIEU of California and Ms. SHEA-PORTER.

H.R. 6145: Ms. NORTON.

H.R. 6159: Mr. ROKITA.

H.R. 6179: Mr. WEBER of Texas.

H.R. 6184: Ms. ESTY of Connecticut, Mr. KIND, Mr. MCGOVERN, Mr. ESPAILLAT, Ms. SCHAKOWSKY, Ms. CASTOR of Florida, and Mrs. LAWRENCE.

H.R. 6219: Mr. GOODLATTE.

H.R. 6231: Mr. NORCROSS.

H.R. 6236: Ms. MOORE.

H.R. 6249: Mr. MCGOVERN, Mr. PANETTA, and Mr. SMITH of Washington.

H.R. 6270: Mr. DESAULNIER.

H.R. 6275: Mrs. CAROLYN B. MALONEY of New York and Mr. KING of New York.

H.R. 6292: Mr. ZELDIN.

H.R. 6295: Mr. SCHNEIDER.

H.R. 6308: Ms. MOORE.

H.R. 6325: Mr. JOHNSON of Georgia, Ms. MCCOLLUM, Mr. ESPAILLAT, and Mr. GUTIÉRREZ.

H.R. 6326: Ms. VELÁZQUEZ.
H.R. 6358: Ms. WASSERMAN SCHULTZ, Ms. HANABUSA, Mr. COHEN, Ms. SCHAKOWSKY, and Miss RICE of New York.
H.R. 6377: Mrs. MCMORRIS RODGERS and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 6378: Mr. ROUZER, Mr. MOOLENAAR, Mr. PETERS, Mr. RUPPERSBERGER, Mrs. WATSON COLEMAN, Mr. POCAN, Mr. GARAMENDI, and Mr. HUDSON.
H.R. 6395: Mr. LARSEN of Washington.
H.R. 6409: Mr. RENACCI, Mr. KING of Iowa, and Mrs. LESKO.
H.R. 6417: Mr. ROTHFUS, Mr. GIBBS, Mr. ARRINGTON, Mr. HUDSON, Mr. HUIZENGA, Mr. MACARTHUR, Mr. BACON, Mr. BISHOP of Utah, Mr. SESSIONS, Mr. BISHOP of Michigan, Mr. BYRNE, and Mr. GUTHRIE.
H.R. 6422: Mrs. MIMI WALTERS of California.
H.R. 6423: Mr. POE of Texas.
H.R. 6426: Ms. CLARKE of New York and Mr. MCGOVERN.
H.R. 6437: Ms. KAPTUR, Ms. NORTON, Mr. QUIGLEY, Mr. KIHUEN, Ms. HANABUSA, Mr. MCGOVERN, and Mrs. LOWEY.
H.R. 6439: Mr. RATCLIFFE and Mr. GALLAGHER.
H.R. 6443: Mr. DONOVAN.
H.R. 6449: Ms. CLARKE of New York, Mr. GOTTHEIMER, Mr. CARSON of Indiana, Mr. MACARTHUR, and Mr. MCNERNEY.
H.R. 6450: Mr. MARSHALL, Mr. GOSAR, Mr. JORDAN, and Mr. CRAWFORD.
H.R. 6455: Ms. FRANKEL of Florida, Mr. GALLEGO, Ms. DEGETTE, Mr. HASTINGS, Ms. HERRERA BEUTLER, Mr. LOEBSACK, Mr. DONOVAN, Ms. BROWNLEY of California, Mrs. DAVIS of California, and Mrs. BROOKS of Indiana.
H.R. 6460: Mr. JOHNSON of Louisiana and Mr. LAMBORN.
H.J. Res. 31: Mr. JOHNSON of Georgia, Mr. CAPUANO, and Mr. GUTIÉRREZ.
H.J. Res. 53: Mr. LEWIS of Georgia.
H. Con. Res. 10: Ms. TENNEY and Mr. LOEBSACK.
H. Con. Res. 72: Ms. SÁNCHEZ, Mr. MARINO, Mr. ISSA, and Mr. DESAULNIER.
H. Res. 283: Ms. SHEA-PORTER.
H. Res. 319: Mr. LAMBORN.
H. Res. 763: Mr. POE of Texas, Mr. FITZPATRICK, Mr. COOK, and Mr. SESSIONS.
H. Res. 864: Ms. VELÁZQUEZ, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. MCGOVERN.
H. Res. 975: Mr. PANETTA.
H. Res. 977: Ms. SHEA-PORTER.
H. Res. 993: Mr. VELA, Mrs. NAPOLITANO, Ms. SCHAKOWSKY, Ms. TENNEY, Mr. DONOVAN, Ms. SINEMA, Mr. DEFAZIO, Mr. GALLEGO, Mr. GONZALEZ of Texas, Mr. MCGOVERN, Mr. HUFFMAN, Ms. JUDY CHU of California, Mr. POCAN, and Mr. CRIST.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. KEVIN BRADY

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 184 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. KEVIN BRADY

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 5963 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2069: Mr. KILDEE, Mr. DANNY K. DAVIS of Illinois, Mrs. DINGELL, Ms. NORTON, and Mr. LOWENTHAL.

PETITIONS, ETC.

Under clause 3 of rule XII,

118. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose an amendment to the United States Constitution, pursuant to Article V, that would require a candidate for, or an incumbent of, the United States House of Representatives, from a State having multiple members of the House, to actually reside within the particular congressional district for which he or she is a candidate or an incumbent; which was referred to the Committee on the Judiciary.

NOTICE

For conference report and statement, see proceedings of the House of July 23, 2018, published in Book II.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164 WASHINGTON, MONDAY, JULY 23, 2018 No. 123

Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of the Universe, we find our joy from trusting You. Today, we trust in Your promise to supply all our needs from Your glorious riches in Heaven. As we differ in faces, so we are different in our needs. Provide for our needs from the riches of Your grace.

Lord, surround our lawmakers with the shield of Your Divine favor. Remind them that they wrestle against forces that are often stronger and more determined than they may imagine. Help them to claim Your promise that You will not withhold any good thing from those who do what is right. Inspire our Senators to call on You in all of life's seasons.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. YOUNG). Under the previous order, the leadership time is reserved.

The majority whip.

NOMINATION OF BRETT KAVANAUGH

Mr. CORNYN. Mr. President, it is hard for me to believe, but it has only been 2 weeks since I was at the White House, along with many of our other colleagues, to await the President's announcement of who would fill the Supreme Court vacancy left by the retirement of Justice Anthony Kennedy. At that time, the President had said he had narrowed the candidates to a field of four, all of whom were well known and well qualified.

I was personally pleased that he had selected Judge Brett Kavanaugh, a candidate whom I had been proud to introduce and support early in my career in the Senate when he was nominated and confirmed to the U.S. Court of Appeals for the DC Circuit. That would have been back in 2006. His academic background, his longstanding experience in public service, and his now 12-year record of faithfully applying the law as an appellant judge on the DC Circuit Court of Appeals, I believe, make him exactly the type of jurist we should want to serve on our Nation's highest Court.

We know the attacks already began even before the nominee was announced. To me, that was the most telling thing of all. One leftwing group's literal fill-in-the-blank press release confirmed all of the terrible things that nominee xx was going to do when nominee xx was nominated to the Supreme Court. Last week, the leader rightfully referred to this as the ''fill-in-the-blank'' opposition. If you can come out with such certainty and such vigor against an unnamed nominee, it looks to me like you really don't have an open mind in the first place.

Now Judge Kavanaugh's name has been filled in, and the attacks have been more direct and more personal. They have attempted to attack his qualifications, but that has sputtered out pretty quickly given that Judge Kavanaugh's qualifications are unassailable. No one can argue that he is not impeccably well suited for a seat on the Nation's highest Court.

The Nation first got a glimpse of Judge Kavanaugh's character when he spoke at the White House. We heard about his being an only child who had grown up with two hard-working parents and who still refers to his mom as being the original Judge Kavanaugh because of her service on the State court bench in Maryland. We heard about his being a loving father of two daughters and being referred to as ''Coach K'' because of the coaching of his daughters' basketball teams. We also heard about his being a public servant who has been devoted to supporting his community and living out his faith. Yet let's set all of these character traits aside for a moment because, in the end, these aren't the primary measures we will use to confirm this nomination.

Judge Kavanaugh graduated with honors from Yale College. He attended Yale Law, and he clerked for two Federal appellate judges before clerking for Justice Kennedy on the U.S. Supreme Court. He then went on to private practice, and, from there, he went to work at the White House, where he started in the counsel's office before becoming the Staff Secretary to President George W. Bush.

Let me pause there for a moment and remind people what the Staff Secretary does because, I suspect, there are going to be requests for a lot of documents he touched during the time he was Staff Secretary. As I understand the role of Staff Secretary at the White House, there has to be one final person who determines that a document is ready for the President's signature. Has it been properly vetted for policy statements? Is it in the correct application of whatever the current law is that pertains to that topic? More than anything else, it just has to have one final stop that tells the President: OK. We have checked all of this out. We have consulted with all of the relevant people, and this document is now ready for your signature.

In almost no case did Judge Kavanaugh generate the document or author the document. It was written by somebody else. He had merely confirmed it was in its proper shape after

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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having consulted with the people who did write it and after having consulted with the authorities who were responsible for that policy.

I suspect we are going to hear of requests for millions of documents that came across his desk while he was Staff Secretary, virtually none of which will have any bearing whatsoever on his fitness or qualifications to serve on the Supreme Court.

More relevant, though, are the 12 years he served on the Federal appellate bench here in Washington, DC. The DC Circuit Court has sometimes been called the second highest court in the Nation. We have seen Judge Kavanaugh earn a reputation for being a fair, well-respected jurist who has a record of faithfully applying the law as written.

While it is clear that Judge Kavanaugh is uniquely qualified to serve on the Supreme Court, if I were dreaming up the right qualifications and temperament and experience, I am not sure I could have picked a better person. In its failing to find fault with his character and his qualifications, here is where the opposition has moved in its outlandish claims about how he may apply personal political views to the law.

The opposition started by digging up an old law review article Judge Kavanaugh wrote for the Minnesota Law Review that made the case that Congress should consider enacting legislation to govern a sitting President's lawsuits and investigations. Some of our colleagues have already begun to twist the words in the article and mislead the American people into believing he argued the President could never be investigated or prosecuted.

In fact, the Washington Post fact-check called these claims an ''extreme distortion'' of Judge Kavanaugh's views. It is a bogus conspiracy theory that is only being made by those who haven't reviewed the article or don't want to but who clearly want to try to damage the nomination. In his article, Judge Kavanaugh explicitly wrote that he believes no one is above the law. His point was not to take away checks on the President but only to say Congress might want to consider passing additional legislation.

Some of our friends across the aisle then argued that if confirmed, Judge Kavanaugh would be the deciding vote to overturn the Affordable Care Act, including to overturn protections for preexisting conditions. This is so far-fetched that the New York Times fact-check from two health law professors debunked the claim and called these arguments ''overstated'' and that in Judge Kavanaugh's writings on the topic, he focused on specific legal issues, as judges are supposed to do in the cases that are presented to them.

Most every one of our colleagues agrees that preexisting conditions should be covered, but that is a policy decision for Congress. What a specious idea to suggest that somehow this judge who served on the DC Circuit Court of Appeals for 12 years is some crusader who is determined to undermine preexisting conditions coverage for the American people. It is just a loony idea. It is precisely why we, as elected officials, are the ones to make the law and to make policy and to represent the interests of those we serve. When our constituents don't think we are doing a very good job, they can tell us: Hey, you need to be doing a better job, and if you don't, then I am going to exercise my right at the next election to vote against you.

Judges, though, are presented not with a policy or a political or an ideological agenda that they are supposed to pursue but, rather, with specific cases and facts. Then they are to apply the law without having any predisposed policy preferences. That is what judges do. Opposing him based on a guess of how he might rule on a given case that may or may not ever come before him is an act of pure desperation.

Don't they remember the standards set by Justice Ginsburg, who declined to prejudge any case since she said that would be inappropriate? As she said in her own confirmation, that sort of assurance is completely wrong. Justice Ginsburg gave what, I think, is the correct response to such requests, saying she would offer no hints, no forecasts, and no previews of her specific rulings.

As a former State court judge and justice myself, I strongly believe those who serve in our judicial branch must put their personal, political, and ideological beliefs aside and apply the law as written. If you can't do that, you ought to run for the legislature or city council or county commissioner, not serve as Federal judges. I believe attempts to predict how Justices will decide particular cases are futile, particularly when you have a judge who calls balls and strikes as he or she sees them. Cases depend on specific facts and circumstances as well as on the lengthy and detailed legal arguments by the parties who come before the Court.

I hope our colleagues will spend less time dreaming up hypotheticals that will never come to pass and more time in meeting with and in getting to know Judge Kavanaugh, which, so far, they have declined to do. If they want to get to know the man and the judge, I hope they will take him up on the offer to sit down and talk to them and to answer their questions and explain how his judicial philosophy would be put into action.

Thank goodness for a couple of our colleagues, both the junior Senator from North Dakota and the senior Senator from West Virginia. They were quick to say they will not be influenced by their leadership's pressure or messaging from their far-left base. Let's hope others will follow suit.

In having failed to pick apart Judge Kavanaugh's character or his 12-year judicial record, some of our colleagues are now requesting to see every piece of paper—every email, every document—from Judge Kavanaugh's career at the Bush White House. I agree we should fully vet the nominee, and it makes sense to review documents that are important to the confirmation process.

Yet, with nearly half of the Democrats having already announced their opposition to this nomination, why are they requesting these documents? Is it because it would cause them to reconsider their opposition to his nomination? I think they have pretty much made a political decision to oppose the nomination, so any effort to force the production of documents that will not have any relevance whatsoever to his qualifications makes no sense. Instead, we know some of these demands are being made merely so they may drag their feet—as a pretext in order to delay Judge Kavanaugh's confirmation.

Instead of chasing after irrelevant records from the Bush White House, I urge our colleagues to read Judge Kavanaugh's opinions and meet with the judge and get to know him. Sadly, I have heard, as I said, that virtually all of the Democrats have, so far, not been able to or have not found time to meet with the judge, which, I think, is a shame.

Despite the attacks, the attempts to distract, and the efforts to stall, though, the American people can be assured of one thing—we will press forward in our vetting process and vote on the confirmation of Judge Kavanaugh this fall in advance of the October term of the Supreme Court. The majority leader, Senator MCCONNELL, has made it clear that if there is foot-dragging, and this is drug out beyond the first Monday in November, when the Supreme Court has its first oral argument, we will stay here until the bitter end—all the way up to and including the midterm elections on November 6. That would be the consequence of dragging this out for no good reason, but we will vote on his nomination before the midterm election.

NOMINATION OF ROBERT WILKIE

Mr. CORNYN. Mr. President, on another note, we will vote today on the nomination of Robert Wilkie to be Secretary of Veterans Affairs.

Mr. Wilkie brings to this position a firsthand understanding of the mental and physical demands of military life. The son of an Army commander who was wounded in Cambodia during the Vietnam war, he said his father's recovery was at the forefront of his mind when he was offered the position at the Veterans Health Administration. He himself is an Air Force Reserve officer who has spent three decades helping to shape military policy.

In fact, he started out his career in this very Chamber and worked, most recently, for our friend from North Carolina, Senator TILLIS. He holds a law degree and multiple master's degrees, but he has had real-world experience as the Under Secretary of Defense

for Personnel and Readiness, as Assistant Secretary of Defense, and as Senior Director of the National Security Council. Those are positions of great responsibility and great importance. My home State of Texas is home to 1 in 12 veterans, so having a well-functioning Veterans Health Administration is crucial to my State.

Mr. Wilkie, I believe, has the experience, the compassion, and the drive to make sure our Department of Veterans Affairs can efficiently and effectively serve those who have served in uniform, to whom we owe a moral duty. No nominee for this position has ever received a ''no'' vote on the Senate floor, and my hope is, we continue that tradition during the vote today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FAMILY SEPARATION

Mr. NELSON. Mr. President, do you remember children being separated from their families? This crisis is far from over. As a matter of fact, we found out it is not 2,000 children; it is 3,000 children.

A district court judge in San Diego has ordered the administration to reunite all of the families who were separated at the border by Thursday. Yet with the deadline looming this week, the administration continues to cite the many obstacles it says that are hindering the work they are trying to do to comply with the court's order.

When I went to the detention center in Homestead, FL, they said they were going to reunite families soon thereafter. That was more than a month and a half ago. As a matter of fact, of the 1,300 children that had been separated from their parents, there were 70 of them who were there.

They would not let me speak to them, so I inquired about whether the children had been able to speak to their parents on the phone. I was told that of the 70, 62 of the children had spoken to their parents. It has recently been made clear why some of those families have been unable to connect for so long. A report that was just published stated that the administration—the Trump administration—has been charging detained parents—get this—as much as $8 a minute to call their children. These children were separated from their parents because the administration separated them. That is $8 a minute if you want to talk to your child. That is a new low.

Charging these families an exorbitant fee such as this, just to talk—just to talk—to their children, when the cost of providing that service is minimal, that is not even a conscionable act.

Many of those families have come and asked for political asylum. They are asking for what the law provides, and yet we have separated the children from their parents and have prevented those parents from simply using the telephone to contact their children. Many of those children are just terrified, and they are being held thousands of miles away. It is not only unnecessary, it is simply cruel.

It also seems to fly in the face of ICE's own policy to permit calls by detainees to immediate family members in case there are family emergencies and to do so at a reasonable cost, certainly not $8 a minute for poor families who don't have $1, much less $8. A number of us in the Senate have now sent a letter urging the administration to stop this ridiculous practice and allow those parents the ability to talk to their children.

The list of obstacles this administration claims it is facing in order to reunite the families seems to be never-ending. But I would suggest that the list of obstacles the administration has created for these families to overcome, just to see their children again, seems to go on and on.

As a country, the United States is better than this. We should be making it easier for these families to reconnect and ultimately bring them back together, as the court has ordered. There are many in this Chamber who would certainly join with me. We are not going to turn our backs on these children. We will continue to fight to ensure that they and everyone else are being treated the way the American people want them to be treated.

I urge this administration to do the same, and I urge the administration to pay attention to the letter by a couple of dozen Senators that is coming to them today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Mr. President, on Saturday, the Senate Judiciary Committee received the completed questionnaire from Brett Kavanaugh, President Trump's nominee to the Supreme Court.

As legal minds on both sides of the aisle pore over these preliminary documents, a common thread has already emerged: Brett Kavanaugh seems to have an imperial conception of the American Presidency. He has written that a sitting President shouldn't be subject to civil or criminal investigations while in office.

In at least three separate instances, Brett Kavanaugh has shown a willingness to openly question precedent relating to Presidential power and Presidential accountability.

First, in his opinion in Seven-Sky v. Holder, Kavanaugh wrote that the President does not have to enforce the laws if he ''deems'' a statute unconstitutional, regardless of whether a court has already held it constitutional.

What the heck do we have a Supreme Court for? If the President can deem a law unconstitutional even after the courts have ruled it is and then not obey it—wow. That goes very far. I fear to think what this President, in particular, who doesn't seem to have much respect for the rule of law or people who disagree with him, will do if that becomes the law.

Second, when Brett Kavanaugh was asked which case he would choose if he could overturn precedent in any one case, he said the decision in Morrison v. Olson. That is the case that upheld the constitutionality of the independent counsel law.

Many of us did not agree with the independent counsel law, but it is telling that the first and only case Brett Kavanaugh cited when asked ''What case would you overrule, would you overturn stare decisis on?'' was a case about executive accountability.

Third and most recently, on Saturday, we learned that Brett Kavanaugh even believes that the 8-to-0 decision in United States v. Nixon may have been wrongly decided. This new revelation adds to the body of evidence that Kavanaugh believes sitting Presidents should be free from civil and criminal investigations while in office—a view, of course, that could have significant ramifications for the future of the Presidency and our democracy.

Let me ask this Senate and the American people a very important question: If Kavanaugh would have let Nixon off the hook, what is he willing to do for President Trump? Alarm bells should be going off for anyone who believes in checks and balances.

It is a fundamental principle of our democracy that no one is above the law, including the President. Our Presidents are not Kings. But Brett Kavanaugh's jurisprudence does not bode well for the future rulings on the accountability of the President, including those that may arise from Special Counsel Mueller's investigation.

Kavanaugh's views of an imperial Presidency would be alarming under any President, but it is especially alarming under President Trump, who almost daily tests the bounds of our Constitution, the separation of powers,

and the rule of law. It almost seems that anyone who criticizes him is beyond the pale, is fake, is dishonest.

As the revelation about the Nixon case shows, there is still much we don't know about Judge Kavanaugh. The Senate and the American people deserve to know where Judge Kavanaugh stands on a host of issues. After all, the Supreme Court is a lifetime appointment with enormous power—the power to overrule the elected bodies of government.

Given that the hearing process for the Supreme Court has tended to be more of a public relations exercise for nominees rather than a legitimate examination of judicial philosophy, Judge Kavanaugh's papers might be the best and only way to judge what kind of a Justice he might be. My Republican friends understood this when it came to Justice Kagan, who had served in key positions in prior administrations, much like Judge Kavanaugh. They were then in the minority, as we are now, when Judge Kagan was nominated, but our Republican colleagues demanded the entire paper history of then-Solicitor General Kagan before moving forward with her nomination, and Democrats agreed.

In a joint letter to the director of the Clinton Library, the chairman and ranking member of the Judiciary Committee at the time—Senator LEAHY, the chairman, and Senator Jeff Sessions, now Attorney General, but then the ranking Republican on the committee—wrote that they expected ''all records containing documents written by, edited by, prepared in whole or part by, under the supervision of, or at the direction of Elena Kagan, as well as documents referencing Elena Kagan by name, initials, or title, and documents received by or sent to Elena Kagan.''

A Democratic chairman and Republican Senator Sessions, the ranking member, asked for every single document of Elena Kagan's record. Why should such a standard apply to Justice Kagan but not to Judge Kavanaugh?

I have taken the liberty of editing the letter sent by Senators Sessions and LEAHY. It didn't take much work to make it directly applicable today. It is the same letter, same request, simply crossing out every time it mentions Kagan and putting in the name ''Kavanaugh.'' There was no change. It is the same standard.

I have already heard from my Republican colleagues, including Chairman GRASSLEY, that there is no reason to review Judge Kavanaugh's full record before proceeding with his nomination.

I have had enough of the two-facedness, the total hypocrisy on judges, where somehow our Republican colleagues say it is good one way when we have a Democratic President and the opposite should take effect when we have a Republican President. That is what they are doing with the records here first of Judge Kagan and now Judge Kavanaugh.

Well, I say to my Republican colleagues, what is good for Justice Kagan—let's call it the Kagan standard—is good enough for Judge Kavanaugh—paraphrasing, of course, what is good for the goose is good for the gander.

The Senate's duty to advise and consent does not mean move as hastily as possible. For the benefit of this body, for the sake of consistency, and for the honor of this Chamber, I hope my Republican friends join Democrats in asking for and waiting for all the documents related to Judge Kavanaugh. The American people have a right to know what is there, and the Senate must have enough time to review the body of work before making an unalterable decision on a lifetime appointment to the Nation's highest Court.

TRUMP-PUTIN SUMMIT

Mr. SCHUMER. Mr. President, on Russia, a week ago today, President Trump met with President Putin in Helsinki, and with the world watching, failed to show an ounce of strength in defense of American interests.

What followed was an embarrassing week of insincere walk backs and mixed messages, culminating on Friday in a bizarre invitation for President Putin to visit the White House this fall—something the President's own Director of National Intelligence, Mr. Coats, was not made aware of. It is not hyperbolic to say that last week may have been one of the worst weeks in American foreign policy in recent memory.

In the face of these stunning events, what have my Republican colleagues done to rein in the President? I am sad to report, virtually nothing. In the full week since the Helsinki summit, Republicans failed to take meaningful action to hold the President accountable for his foreign policy blunders in Finland. Republicans have offered words of rebuke, statements, disappointed tweets, but they have not backed up any of those words with the force of action.

I have seen my colleagues shrug their shoulders as if there weren't anything the U.S. Senate could do to check this President, even though they feel in their hearts, I know, that he needs checking. I mentioned several ways the Senate could grapple with and push back a bit on what President Trump has done: bring in his national security team and translator to testify before Congress, particularly so we can tell what happened in that 2 hours when Putin and Trump were alone; pass legislation to protect the special counsel and legislation to harden our election infrastructure because we risk Russia's interference again; implement sanctions against Russia; demand that Russia hand over the 12 Russians indicted for election interference and more.

If my Republican friends were serious about doing something to redirect our posture toward Russia, we should have seen some movement by now on one or more of these things, but we are stuck in the mud. Even though there is bipartisan condemnation for the President's behavior last week, the Senate has remained virtually silent on the matter because Republicans here are unwilling, maybe afraid, to confront the President, even though they know what he did was so wrong.

At the end of last week, the Republican majority blocked a bipartisan resolution—a modest one from Senators Flake and Coons, one a Republican, one a Democrat—that sought to hold Russia accountable. It didn't have many teeth, but still the Republicans objected.

Are my Republican friends ever willing to push back against this President, not just in words but in deeds, or are they too afraid of the political consequences? Are they willing to put country over party at this crucial time? It seems not, at least so far.

I know many of my colleagues on the other side of the aisle were deeply disturbed by the President's inexplicable behavior in Helsinki. I say to them, America needs you now. We need you to stand up, step up to the plate, and do something about it.

Frankly, if we don't do something real, President Trump—I know him—will conclude he doesn't need to change his behavior, and, as a result, Republicans will be complicit in enabling the President to continue down the disastrous course he has set.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session for the consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Robert L. Wilkie, of North Carolina, to be Secretary of Veterans Affairs.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I started my morning in Kansas City speaking to 4,000 veterans attending the Veterans of Foreign Wars 119th National Convention held in Kansas City.

My speech was a message to those Americans whom I hold in highest regard, our Nation's veterans, and especially those veterans who are helping other veterans. I wanted them to know, when they signed up to serve our country, they did not do so in support of any political party. Those who serve our Nation, and particularly those who paid the ultimate sacrifice, did not answer the call to support Republicans or Democrats, but they answered for a higher calling.

Speaking to thousands of veterans this morning and being in a room filled with the characteristics that make this country so great—duty, honor, loyalty, respect—should remind us here in Washington, DC, that we must work together to do everything possible to ensure that our Nation's nearly 20 million veterans receive the best our Nation has to offer. Putting veterans first and setting aside differences has led to major policy changes and vital veterans legislation such as the John McCain VA MISSION Act to reform the VA's healthcare system.

Of course, a large part of the task to ensure veterans get the best our Nation has to offer falls to the Department of Veterans Affairs. I want our veterans to receive the best care, the best attention possible from the Department of Veterans Affairs.

In just a few minutes, the Senate will vote on the confirmation of Mr. Robert Wilkie to be the Secretary of the Department of Veterans Affairs. I am confident Mr. Wilkie is focused on putting veterans first, changing the VA culture of any complacency—ridding it of any complacency—and is ready to lead the Department of Veterans Affairs.

Of course, Mr. Wilkie has numerous monumental tasks ahead of him. The Department of Veterans Affairs is a massive bureaucracy that has had a number of challenges in the past, and he will be charged with successfully implementing the John McCain VA MISSION Act.

The VA MISSION Act, if implemented correctly, will be transformative for the Department and will make sure the VA continues to serve veterans for generations to come. I look forward to working with Mr. Wilkie to accomplish that goal, and I appreciate the interest the Trump administration has had on implementation of the VA MISSION Act.

I judge whether the VA is working for veterans by what we all call casework, which is when veterans seek help from me and my staff because they can't break down the barriers or navigate the VA's penchant to tell them no. Right now, we have about 80 open veterans' cases and a steady stream of about 30 cases coming from Kansas veterans each month. I intend to be an active participant, working with the VA as they work to implement the VA MISSION Act. I intend to be a constructive participant in the process for making the VA better for Kansas veterans and American veterans.

Those in our communities can help as well, not just those in the Department of Veterans Affairs. It is what we all do as citizens, educators, and business men and women. One of the first acts is developing access standards, and folks can provide their feedback until July 30. So let us hear from the VFW and other VSOs. Let us hear from veterans. Either the VA or my office can direct you to the Federal Register site to make those comments known.

I am pleased we are taking the final step needed in the Senate tonight to provide the leadership to confirm Mr. Robert Wilkie to be the Secretary of Veterans Affairs.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

Mr. BOOZMAN. Mr. President, today this Chamber will take an important step to ensure that we have leadership in the Department of Veterans Affairs to oversee the implementation of historic reforms that we passed in May to improve the VA's healthcare delivery system and provide veterans with more choices and fewer barriers to care.

We will vote on the nomination of Robert Wilkie to serve as Secretary of the VA. Having served our Nation in uniform, as well as experiencing military life as the son of a wounded combat soldier, Robert Wilkie's extensive career in a wide range of defense and veterans issues makes him uniquely qualified to serve as the next Secretary of the VA. He clearly understands the complexities associated with serving our Nation and the importance of taking care of veterans.

I am grateful for Robert Wilkie's willingness to serve as the next Secretary of the VA. I urge my colleagues to follow the example of the Senate Veterans' Affairs Committee, which overwhelmingly advanced his nomination to the Senate in a bipartisan way. Having served as Acting Secretary of the VA, Robert Wilkie is well aware of the challenges facing the Department.

Accepting responsibility to oversee the implementation of reforms passed by Congress, including the VA MISSION Act, to update its medical records system, to expand support for our women veterans, and to reduce the disability claims backlog, are just a few of those issues that he will need to tackle.

To accomplish all of this, he will have to change the culture at the VA. Serving as the Secretary of the VA is a huge undertaking, but one that he has committed to me that he wholeheartedly accepts. The Senate VA Committee and my office are ready and willing to help him and the VA succeed in their mission.

Congress has given the VA the tools to provide our veterans with quality care and to improve the benefits they have earned. Now the Department needs his leadership to implement and to carry out these changes. Under the leadership of future Secretary Wilkie, the VA can reestablish a nonpartisan approach to serving veterans.

Our veterans must be our top priority. I am confident that Robert Wilkie will provide the leadership the VA needs to better serve our veterans.

I yield back.

Mr. MCCONNELL. Mr. President, today the Senate will vote to confirm Robert Wilkie, President Trump's outstanding choice to serve as the next Secretary of Veterans Affairs.

The job is an incredibly important one. As Secretary, Mr. Wilkie will be tasked with fulfilling our Nation's commitments to veterans and their families, expanding their access to care, and improving accountability at the VA.

Millions of American veterans rely on the VA—day in and day out—for healthcare, employment resources, counseling, and a host of other services they need and have certainly earned.

It is fortunate, then, that Mr. Wilkie's impressive career of public service demonstrates he is well prepared to advance the agency's vital missions.

Robert Wilkie grew up the son of an Army artillery officer. He carried on the tradition of service as an officer in the U.S. Air Force Reserve. In addition to uniformed service, Mr. Wilkie has amassed more-than two decades of experience as a civil servant. He has served at the Department of Defense, at the National Security Council, and here on Capitol Hill.

Throughout the years, he has built a reputation as a thoughtful analyst and a skilled manager. Both these skills will serve him well at the helm of an an agency that employs nearly 400,000 people to meet the needs of millions more.

I know I speak for so many of my colleagues when I say that the Senate looks forward to working closely with the next Secretary of Veterans Affairs.

Already in 2018, guided by the leadership of Chairman ISAKSON, this body has taken decisive action to better fulfill our Nation's promises to veterans and their families.

In May, the Senate voted, by a wide bipartisan margin, to pass the VA MISSION Act, which was designed to ensure that the services on which our Nation's heroes rely are flexible and accessible enough to meet their needs.

The omnibus spending measure passed earlier this year included a record level of support for VA programs.

In Robert Wilkie, the President has chosen a partner with whom this body can work side by side to continue advancing the interests of our Nation's veterans, including more than 300,000 in my home State of Kentucky.

I look forward to doing just that. I urge each of my colleagues to join me in voting today to confirm this qualified nominee.

Mr. TILLIS. Mr. President, I am proud to speak today on behalf of my friend and colleague Robert Wilkie, the nominee to be VA Secretary.

I have had the honor of working with Robert for 3 years. Sometimes, he worked for me, and other times, I worked for him. His combination of knowledge, humor, humility, and heart has endeared him to my staff and to

scores of North Carolina constituents, including many servicemembers and veterans.

Robert was born in Frankfurt, West Germany, the son of an Army artillery officer. He literally grew up on Fort Bragg, and he lived most of his early life in the Fort Bragg-Fayetteville area of North Carolina.

Robert is now an intelligence officer in the U.S. Air Force Reserve.

Previously, he served in the Atlantic Intelligence Command and Joint Forces Intelligence Command and the U.S. Navy.

Robert has also pursued a distinguished career in public service on the civilian side, both in the halls of the Pentagon and of Congress. Robert has served as a trusted adviser to some of our Nation's most distinguished public servants, including Robert Gates, Condoleezza Rice, Donald Rumsfeld, and Jim Mattis.

As a congressional staffer, Robert developed excellent working relationships with committee staff, on both sides of the aisle. He is universally recognized as a team player and mentor, traits of any outstanding leader.

Frankly, given his depth of experience, I was pleasantly surprised and very proud to have Robert accept a position with a 6-month-old freshman Senator, but it was clear to me from the start that Robert was destined to serve our Nation at a higher level.

Last year, Robert received that call from the administration when he was nominated to be Under Secretary of Defense for Personnel and Readiness. Robert demonstrated his extraordinary skills in a short period of time, so it was no surprise to me that the administration identified him as a perfect fit to be Secretary of the VA.

When he was appointed in the acting role as VA Secretary, he quickly worked to improve morale at the VA, earning strong reviews and trust from VSOs, members of Congress, and VA staff. He also moved decisively to execute the electronic health record project, which we all know is a critical part of the VA transformation initiative.

Robert has all of the education and professional experience required of a Secretary of the VA, but perhaps what makes Robert best suited to the job is his lifelong experience as an Army brat and the personal experience as the son of a gravely wounded soldier.

He has literally lived the experience, and I know that Robert will bring his professional experience and a personal insight and intensity to the role that will serve our veterans well.

Robert has been confirmed unanimously by the Senate on two separate occasions, most recently in November 2017, by my colleagues in this current 115th Congress. Since the VA was elevated to a Cabinet-level department in 1988, there have been nine Secretaries of Veterans Affairs; Robert Wilkie will soon be the 10th.

No nominee to be VA Secretary has ever received a single recorded no vote on the Senate floor.

I look forward to supporting his confirmation, and I would encourage all of my colleagues to do the same. Put politics aside and vote in favor of this honorable and eminently qualified man to serve all of our Nations' veterans.

Thank you.

Mr. BOOZMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. TESTER. Mr. President, I rise today to announce that I think Robert Wilkie is the right man for the job to be VA Secretary. Today, we are going to fulfill our constitutional responsibility to provide advice and consent on the President's nominee. This is a responsibility that I take very seriously, especially in my role as ranking member of the Senate Veterans' Affairs Committee.

In our committee, Chairman ISAKSON and I have overseen the screening of the confirmation of 12 nominees to serve veterans. I am proud to say that we confirmed them without dragging our feet.

Recently, we had Mr. Robert Wilkie before the committee for his confirmation hearing. Members of our committee asked him tough questions about his vision for the VA. We asked him about his plan to bring much needed stability to the Nation's largest healthcare system. Following the important exchanges during that hearing, Members sent more tough questions to the nominee for his response. In the days since his nomination, Mr. Wilkie has sat down with Members to respond to their questions and concerns one-on-one.

By voting to confirm Mr. Wilkie today, I believe we are providing stronger leadership for America's veterans. With this vote, we are fulfilling our obligation to them.

We are doing our job, but our job just doesn't stop today. As Members of this body, we must hold Mr. Wilkie accountable to the commitments he has made through his confirmation process.

There are some critically important issues to be addressed within the VA. There are workforce shortages, whether in rural America or urban America. We need more doctors and nurses and more psychiatrics and psychologists within the VA. This is critically important if he is going to oversee a successful VA. We need to have the VA personnel. We need to have it manned appropriately to meet the challenges that are out there after being at war for 17 years and veterans from previous eras getting older.

Today, unlike ever before, we have political forces at play inside the VA. This is very unfortunate because, quite frankly, I believe that good employees are being forced out, not because of the job they are doing but because of their views. When Mr. Wilkie becomes Secretary, he is going to have to make sure that stops. It is critically important that we keep the employees that we have who are good employees and move the VA forward so it can do the job that it is meant to do.

He also has some challenges to address in rural America. The community-based outpatient clinics we have there need to be staffed up. We need to make sure that the VA has what it needs to meet the needs of the veterans in rural America, and, by the way, with the passage of the MISSION Act, we need to make sure that veterans aren't run around once that act gets fully implemented and they need community care and the VA can't provide that care.

He needs to make sure the disability appeals process continues to move forward and that the backlog is whittled down. He needs to make sure that the accountability bill is implemented as Congress intended and that the whistleblower protection in the bill lives up to what it means. He also needs to implement the ''Forever GI bill'' in a way that makes sense for our veterans. Last and certainly not least, he needs to make sure the VA MISSION Act is implemented in a way in which a veteran can make the decision as to how he gets his or her healthcare.

Veterans need a leader who will build bridges and find solutions to the issues that face our veterans, not who will tear down the Department to meet a political agenda. Veterans need a leader who will not shy away from those challenges that face the VA. We need someone who is going to tackle the challenges like workforce shortages, like access to mental healthcare, and like barriers, particularly in rural America, for women veterans. I believe that Mr. Wilkie is the right fit for that job.

Right now, the VA does not have a confirmed Secretary who is focused on the larger mission of serving these veterans, of implementing the reforms, and of improving VA care and benefits. Instead, we have had temporary political appointees in charge who have been more interested in picking political fights with people who have not been their enemies. I believe we have lost sight of the VA's mission. It will be up to Mr. Wilkie to right that ship.

That is why I am so hopeful that this evening, we can get Mr. Wilkie confirmed so that he can get on the job as soon as possible. Veterans are depending on him, and they are depending on us to make sure he gets to work. Once he gets to work, I guarantee that the chairman of the VA Committee and I, as ranking member, and all of the members of the Senate's Veterans' Affairs Committee will make sure that he does the job and fulfills the promises we have made to our veterans.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I thank the Senator from Montana, Mr. TESTER, for his remarks. I thank him more so for his hard work, as ranking member, over the last 2 years with me, as chairman, and for bringing us to the point at which we are today. Jon and I are very excited because we know that Robert Wilkie is the real deal. We know the things that we have gone through with some of the previous appointees and with some of the problems at the VA now have a chance to be overridden and solved and that we will step forward in a new day for the VA.

We no longer want somebody who is going to make excuses for the VA. We want somebody who is going to make a difference at the VA. Robert Wilkie understands the needs of our veterans in rural areas. He understands their needs in large urban cities. He understands the threat of suicide and the need to have mental health care accessible and available to our veterans at all times. He knows all of the things we need to do. He also knows we have given him a quiver of arrows that he can use as he hunts through the VA to root out the bad players and lift the big players.

The VA MISSION Act, as JON TESTER just mentioned, is absolutely rule No. 1. The implementation of that change gives our veterans the choice, our rural veterans the access, our urban veterans the accountability, and the VA the chance to maximize the delivery of healthcare services to our veterans at a cost that, over time, will be less than if the VA had done it all by itself.

The VA is a tremendous organization. It is the state of the art in many things—in ophthalmology, for example, and in treating a lot of the signature wounds that we have today from the war—PTSD and all of those. Our VA does a phenomenal job with all of those. Yet there are a lot of healthcare services that are routine for which veterans shouldn't have to wait 3, 4, and 5 months but that they ought to be able to get in a reasonably accessible period of time. They ought to be able to get services closest to home, where they are, and be able to get them from those who can deliver the services to them when they need them. The VA MISSION Act lets that happen.

I am going to say a few things tonight in my remarks on the early warnings with regard to the VA MISSION Act—that it is costing a lot of money because they are going to see some requests come in for money. Yes, it is going to take us a little while to get over the bubble with the initial implementation, but when we do, we are going to minimize the cost and give greater service to the veterans and, over time, reduce the cost to our veterans.

Every time we don't require the VA to build another hospital or another clinic, we are lowering the cost of our real estate and uplifting the opportunity for us to spend more money on services. Every time we have doctors in hospitals who treat veterans who want to participate in the VA MISSION Act and the Veterans Choice Program, they will not have to add all of the other costs of infrastructure, and our veterans will get better choice, better service, better medical care, and better time.

This is an opportunity to make the change of a lifetime. We are going to make the VA something it has always wanted to be and give the veterans something they always thought they had—the best possible care at the most affordable price to the taxpayer. We will deliver a difference for our veterans and their families.

I am proud of what the committee did 2 weeks ago when it passed the VA MISSION Act and when it brought about caregivers' legislation for those family members so that they may take care of loved ones from the Vietnam war era. We are going to have bills coming up that have to do with the Navy and other things like that in the year ahead. We have a lot of things we are going to do.

I want us to stop, here and now, dragging out old stories about the VA and talking about what the VA isn't and, instead, talk about what it is. I want to give a specific example. The press needs to stop giving a 3-, 4-, 5-year IG's report and reporting it as today's news. Jon and I have spent more time in responding to reports about the IG or someone else—I am just picking on the IG—and about failures within the VA when, in fact, it turns out that they are from a study from 2006 when we finally get the report. They make a big deal out of it as if it were yesterday.

Most of the issues from the Veterans Administration's major stories—I didn't say ''all,'' and it never will be all—are being met and addressed faster than ever before. We have to report the good news as well as the tough news. I will stand there and respond to the tough news all day long, but I hate it when I have to call my own press conference to talk about what is really going on at the VA that is really good.

It is absolutely essential that we be in partnership with the media—the VA itself, the VA's employees, its service providers, and all of us in our roles in Congress as committee chairs, in leadership. It is essential that all of us join in and put our arms together and move forward in order to have a stronger, more productive, more responsible VA.

I mentioned the VA MISSION Act and accountability. We have finally given the VA the ability to hold its employees accountable, which we have been meaning to do for a long, long time, and it is making a difference. We have the Whistleblower Protection Act, which gives whistleblowers the chance to make reports for things that they see, know, and do that are difficult and should be corrected. We have given them some degree of reasonable protection so that they are not run over instead. That is something that is important to do.

We have talked about accountability. We have talked about all kinds of things. We will talk about one last thing, and that is rural America.

Certainly, with JON, I have gained a greater impression than I have before of the problems that rural America faces. Georgia has a large rural population, but, quite frankly, Georgia is a big State, and Atlanta is a big city. When you go outside Atlanta, you still have Savannah, Augusta, and a lot of places that are much bigger than the biggest city in Montana. We owe those veterans who are more distant from the services we provide, because of where they live, the opportunity to get the services faster and quicker. We are going to do that with the VA MISSION Act. I appreciate JON's leadership in doing that as it has made a real difference.

What I have tried to do with the hotlines on mental health for the veterans who call in—whose lives are in danger or who are in danger of taking their own lives or who need help or counseling then and now—is to make sure they are no longer getting hung up on, to make sure they are no longer getting referred to other operators, to make sure they are no longer getting called back tomorrow after leaving voice mails. It is to make sure they are getting action right here and right now—today. We owe it to our veterans whose lives are at risk today—the same thing they do every day when they serve us in uniform and their lives are at risk every day overseas.

We have a chance to do a wonderful thing, and that is to keep our promise. We have to change and deliver quality healthcare to our veterans and deliver a better response to our veterans than they have ever had before. We have the chance to fix the problems that we have had and to look to the future for new solutions to other problems that will face us. We owe our veterans no less than the best Secretary in Robert Wilkie, and we have him in Robert Wilkie.

I told Robert: You have no excuses. I have heard all of the excuses I ever want to hear about this. We know what we have to do, and we know when we need to do it. It is now. We have to know how to do it, and it is with you as the Secretary of the VA.

I commend him to my fellow Members of the U.S. Senate.

I thank Chairman ROE, from the House of Representatives, and for the hard work that they have done in bringing this together with JON and I and seeing to it we have a great Secretary.

We are going to lock arms and be in lockstep next year to make the VA perform even better than it has before. We are here to make sure that the VA has no excuses on the results, that it gets the backing it needs from us, that those veterans who have served us get the healthcare they need, and that the veterans who join us today to defend us in the future will have it there when they retire.

I urge Senators to vote for Secretary Robert Wilkie to be Secretary of the

VA, our 10th most recent VA appointee, and to give him a unanimous vote today, which is the kind of support he needs to move forward in the 21st century.

God bless all for being here today. I thank the Senators for their votes. I thank Senator TESTER for his support as ranking member, and I thank the Senator from Kansas for his support throughout the year.

I yield to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I thank the chair for the kind words about the nominee, Robert Wilkie, for the Veterans Health Administration.

I am here to proudly discuss his record. Actually, until about 6 months ago, he was the military affairs adviser in my office and was my adviser on the VA. He has done an extraordinary job.

He is the child of a gravely wounded veteran from the Vietnam war. He grew up on Fort Bragg. He is from Fayetteville, NC. He has done an extraordinary job in serving our office, in mentoring my staff, and in working for Senate leaders and leaders in the White House—Secretary Gates, Secretary Rumsfeld, Condoleezza Rice, and now General Mattis.

Robert Wilkie is going to do an extraordinary job because he understands what it is like to be the son of a veteran and to be a member of the armed services himself. He serves in the Air Force to this day. He previously served in the Navy. He has attended the U.S. Army War College. He has a law degree and a keen understanding of how this governing body works. He also has great relationships with people across the political spectrum. He has worked very closely in committee work with the committee staff. He just has an extraordinary reputation. He has an extraordinary sense of history. He has a great dedication to our veterans, and he understands the intrinsic link between Active Duty and reservists and, ultimately, with veterans.

I believe that he is going to go in and move forward with the transformation and do great things for our veterans who need the help today. He will do an even more outstanding job of understanding how we can better prepare the men and women who are serving today to go into veteran status—to help them find jobs, to provide them with healthcare, to make sure they get the most out of their veterans' benefits. I know that Robert Wilkie will do an extraordinary job.

I appreciate Chairman ISAKSON's leadership on the committee. I think, with a strong Secretary like Robert Wilkie in Veterans Affairs, we will finally start making progress in repaying the debt that we can never fully repay to the men and women in uniform. I strongly support this vote, and I look forward to having a very strong confirmation vote this afternoon.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the Wilkie nomination?

Mr. ISAKSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Tennessee (Mr. CORKER), the Senator from Louisiana (Mr. KENNEDY), and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 86, nays 9, as follows:

[Rollcall Vote No. 163 Ex.]

YEAS—86

Alexander	Graham	Paul
Baldwin	Grassley	Perdue
Barrasso	Hassan	Peters
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Risch
Boozman	Heller	Roberts
Cantwell	Hirono	Rounds
Capito	Hoeven	Rubio
Cardin	Hyde-Smith	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Cassidy	Johnson	Scott
Collins	Jones	Shaheen
Coons	Kaine	Shelby
Cornyn	King	Smith
Cortez Masto	Klobuchar	Stabenow
Cotton	Lankford	Sullivan
Crapo	Leahy	Tester
Cruz	Lee	Thune
Daines	Manchin	Tillis
Donnelly	McCaskill	Toomey
Duckworth	McConnell	Udall
Durbin	Menendez	Van Hollen
Enzi	Moran	Warner
Ernst	Murkowski	Whitehouse
Fischer	Murphy	Wicker
Flake	Murray	Young
Gardner	Nelson	

NAYS—9

Booker	Harris	Sanders
Feinstein	Markey	Warren
Gillibrand	Merkley	Wyden

NOT VOTING—5

Brown	Corker	McCain
Burr	Kennedy	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and proceed to the consideration of H.R. 6147, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 6147) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I ask unanimous consent that for the purpose of rule XVI in relation to the substitute amendment No. 3399, division A of H.R. 6147 serve as the basis for defense of germaneness for division A of the amendment; that division B of H.R. 6147 serve as the basis for defense of germaneness for division B of the amendment; that H.R. 5961, as reported by the House Appropriations Committee, serve as the basis for defense of germaneness for division C of the amendment; and that H.R. 6072, as reported by the House Appropriations Committee, serve as the basis for defense of germaneness for division D of the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 3399

(Purpose: In the nature of a substitute.)

Mr. SHELBY. Mr. President, I now call up the substitute amendment No. 3399.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Alabama [Mr. SHELBY] proposes an amendment numbered 3399.

Mr. SHELBY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 3400 TO AMENDMENT NO. 3399

Ms. MURKOWSKI. Mr. President, I call up my amendment No. 3400.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI] proposes an amendment numbered 3400 to amendment No. 3399.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make a technical correction)

On page 95, line 6, strike ''$5,000,000'' and insert ''$5,250,000''.

Ms. MURKOWSKI. Mr. President, I am most pleased to be here today to manage consideration of this appropriations bill package. This includes the fiscal year 2019 bills for the Subcommittee on Interior, Environment, and Related Agencies; Financial Services and General Government; Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; as well as Transportation, Housing and Urban Development, and Related Agencies.

To distill it down, this evening we are taking up Interior, Financial Services, Ag, and THUD—or Transportation Housing Development. The opportunity to move forward with a package of appropriations bills, all of which have moved through our committee with strong support, is a good place to be.

I have long believed that a return to regular order, where we vote these appropriations bills out of committee with bipartisan support, and then bring them to the floor, as we are doing this evening, is important for our process.

I think all Members of the Senate should have an opportunity to debate appropriations bills and offer amendments. We haven't had this opportunity for some years prior to this. The occupant of the Chair, a member of the Appropriations Committee, knows we have been without process when it comes to our appropriations bills. It is now time for us not only to return to regular order but to allow other Members of this body who do not sit on the Appropriations Committee the opportunity to weigh in on these priorities.

I am particularly pleased, as chairman of the Interior Appropriations Subcommittee, to be on the floor today. This is actually the first time the Interior bill has been before the full Senate since fiscal year 2010. Fiscal year 2010 was the last time we saw an interior bill on the floor, so this is kind of a significant day for us. If this weren't such a dignified setting, I would say that deserves a round of applause. But we don't want to get ahead of ourselves.

It is an important example of the commitment both sides have made to create an environment where we can work through the tough issues on a bipartisan basis. That was exactly what we saw within the full committee—working through the subcommittee, working through the full committee, and now being able to bring these measures to the floor.

I will defer to the chairmen of the relevant subcommittees to discuss the specifics of each of their bills as we move through consideration of this appropriations package. But I wanted to take a little bit of time this evening to share some information about the Interior appropriations bill for my colleagues.

I also want to thank and acknowledge the good work of my ranking member on the committee, Senator UDALL. He has been a good partner to work with. Both of us recognize this is not everything we would have wanted it to be, but it was a good, collaborative, well-worked process.

Within Interior, we have a very broad scope of responsibilities. We have the oversight for all of the major Federal land management agencies. We have the National Park Service, the Bureau of Land Management, the Fish and Wildlife Service, the Forest Service, the Environmental Protection Agency—all very significant accounts. We also have a side in Interior that many of my colleagues forget but that rests within Interior, and that is the oversight for our budget for our Native peoples, our American Indians, and Alaskan Natives. We provide funding in this measure for essential Indian health, education, and resource management programs through the Bureau of Indian Affairs and the Indian Health Service.

There is funding for cultural institutions. Again, this is an area that people don't necessarily think that Interior has our role here, but we have oversight of the budgets for the Smithsonian Institution, the National Gallery of Art, the National Endowment for the Arts, and the National Endowment for the Humanities. It is a pretty broad spectrum here.

The Interior appropriations bill provides $35.85 billion for fiscal year 2019. This is $600 million more than last year. I wish to thank Chairman SHELBY and Vice Chairman LEAHY. The increased allocation that we saw for the Interior bill was really important as we assembled this bipartisan bill. This additional funding allowed us to provide program increases that were necessary. In fact, they were absolutely necessary.

There are fire suppression accounts. We know we are in the midst of fire season. It is bad and most likely getting worse. We have been able to provide an additional $500 million for fire suppression.

We also provide an additional $109 million for contract support costs in Indian Country. These are obligated expenses from the Federal Government to those who provide for those services in Indian Country.

We also provide $115 million for staffing costs that are associated with new healthcare facilities that are operated by IHS or by Tribes. Again, it is under compact agreements.

Some would look and say that this is a significant bump, but I would direct colleagues' attention to how we allocated that. Again, it is in accounts where we are obligated either by compact or, in the instance of fire suppression funding, it recognizes that we are dealing with the inherent unpredictability and the dangers of fire.

The fiscal year 2019 Interior bill adopts a similar approach to the enacted fiscal year 2018 Interior bill. We rejected what we felt were unwarranted decreases that had been proposed in the budget, and we make investments. We make investments in the highest priorities, particularly infrastructure improvements and investments for our land management agencies and within Indian Country and also infrastructure investments in wastewater and drinking water improvements.

We have recently celebrated the 100th anniversary of our National Park Service. Last year, we provided a significant increase for our national parks construction program. It was the largest percentage increase ever, but we build on that in this measure, recognizing the significant work, the significant maintenance, and the backlog that our National Park Service faces. We have an obligation. So addressing it has been a priority in this bill.

In the two main agencies that deliver services for the Indian community—this is the Bureau of Indian Affairs and the Indian Health Service—we restored proposed cuts in critical program funding. We increase funding for the IHS facilities program for construction, maintenance, and sanitation facilities improvement. We provide substantial funding for the BIA to help with the construction of Indian schools, irrigation systems, and public safety facilities.

For both accounts, we provide fully estimated levels of contract support costs, and we maintain an indefinite appropriations account structure so that if the costs are higher than estimated, we are not in a situation where we are robbing Peter to pay Paul—taking from one account within IHS to fund the other. We are addressing that bad practice that we have seen previously.

Also, within Indian Health Service, we provide additional resources for grants to Tribes for combating the opioid crisis. We know full well that we are facing a crisis throughout the country, but in so many of our Native communities on our reservations, the situation is particularly dire.

We had a lot of conversation on this floor about wildland fire management and how we end the practice of what we call ''wildfire borrowing,'' which is, effectively, waiting to see how much fire suppression costs are going to impact us. If it was a particularly bad year, you would take funding from other accounts within the Forest Service, whether it was prescriptive management programs or whether it was recreational permits. We know that we needed to end this practice of fire borrowing, and we have worked to do that previously.

Within our appropriations bill, on the wildfire management programs, we provided a total of $4.35 billion for the Department of Interior and the Forest Service. We fully fund the 10-year average for firefighting costs, and we provide $900 million in additional suppression funds above the 10-year average, based on the recent catastrophic seasons and our latest forecasting models. You hope to get that number right, but this new path that we are on for how we deal with wildfire suppression cost is an important one.

A big priority in this body is for conservation and making sure that we are doing right by our lands, and we have included $425 million for the Land and Water Conservation Fund. This is equal to the enacted level.

Within that account, we are generous to the stateside program. We have, in my view, tended toward greater acquisition on the Federal side over the years. I think that is a direction that was not what LWCF was intended to do. We have been working to make sure that we don't have the inequity and the disparity between the State side and Federal side.

We also provide additional funding for recreational access and the American Battlefield Protection Program. I think we took a very commonsense approach to the EPA's budget. We focused resources on programs that do very specific and concrete things to help with that mission set, if you will, of the EPA, and that is, basically, to improve the quality of the environment for the public—clean water and clean water.

The bill does provide additional funding to States that have delegated responsibility for environmental programs through State-specific grants. It provides an increase above last year's level for the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund. These are the SRF funds. They help to facilitate the critical water infrastructure in communities across the country. I think there is great recognition that this is an area where we can always do more.

The WIFIA Program, which leverages Federal funds for water infrastructure projects, receives $63 million. When you take the WIFIA funds and you combine this with the SRS, the bill really does give the EPA a very strong suite of tools to improve the quality of life for people around the country.

We provide for additional funding for PILT funding, and $500 million is the fully estimated amount needed for this program in 2019. We maintain the subcommittee's commitment to help local communities improve county roads, maintain public safety, and provide funding for schools using funding from the PILT Program.

As I mentioned at the beginning of my comments, when we think about all of the things that are under the purview of Interior appropriations, we also did right by our ''Smithsonians'' by ensuring that our arts are appropriately funded as well.

I will stand before you and tell you that there are a lot of things that I wish we could have included in this measure, but we have stood down, if you will, as appropriators, working with my colleague and friend the ranking member. We do not include new policy provisions that were not in the fiscal year 2018 enacted bill. We didn't do it. Members know that because they came to us asking if we could include things, but we said it is important to our process going forward.

Working with Chairman SHELBY and Vice Chairman LEAHY and, again, my ranking member, Senator UDALL, we assembled a package that advanced unanimously out of the committee. I think that is also historic. To have an Interior appropriations bill move unanimously through the full committee is pretty significant. I suggest to you all that this package that we have assembled warrants the support of the full Senate.

I wish to express again my appreciation for the good working relationship that I have with Senator UDALL. He has a great team. Rachael, Ryan, and Melissa have been great. We have fabulous folks on my side, with Leif, Nona, Emy, and Chris. They work hard. They work very hard. I think they have done a good job in helping to shape this bill so that it reflects priorities of Members on both sides of the aisle.

Again, I am very pleased to be on the floor to consider these important bills. I look forward to working through this process with all of my colleagues. I think the leader has made it clear that he wants to complete action on this package expeditiously. So I ask colleagues to review the bills that we have in front of us, not just the Interior bill but the full package as well. Get on it, and get us your amendments. The quicker we can process amendments, the quicker we can clear them on both sides and arrange for the votes that they may require.

CONFIRMATION OF ROBERT WILKIE

Mr. President, if I may, I know my colleague and my ranking member is here to say just a few words. He can say as many words as he would like, and I welcome that. But if I may beg the Senator's indulgence and ask for just a few more moments, I wish to comment on the nomination of Robert Wilkie, if I may.

About an hour ago or half an hour ago, the Senate confirmed Robert Wilkie of North Carolina as our Nation's 10th Secretary of Veterans Affairs. He comes to this position after having served with great distinction as a Senate staffer. He was on the National Security Council and was Assistant Secretary of Defense, as well as Under Secretary of Defense for Personnel and Readiness and interim Secretary of the VA. His father, who passed away last year, was a U.S. Army veteran, and Mr. Wilkie has served as a U.S. Naval Reserve intelligence officer. He has great qualifications and strong qualifications for the position that Mr. Wilkie will soon assume.

I am sure that he has no illusions about it. We certainly don't. This is a hard job that he has in front of him—a very hard job. The VA has yet to fully recover from the series of events that are collectively known as the Phoenix scandal. The Choice Program has been a mess from its very inception, in my view. It continues to frustrate so many veterans.

Yes, we all acknowledge that there have been improvements in the Veterans Benefits Administration, but claims processing still takes way too long, and proving a claim remains a sore point. Then, to make matters worse, our veterans and the field staff are stressed by persistent reports of fatigue and infighting within the VA central office. Some of these reports are as current, as fresh as last week.

You think about the folks out there. When you are in the field, really nothing good comes out of dysfunction from the central office. The media accounts that are out there are suggesting that the dysfunction is, unfortunately, reaching new heights.

This is a tough time for our new Secretary to enter. He comes into this position with a mess of old baggage to deal with, and that is before he even begins to implement new initiatives like the VA MISSION Act and the modernization of VA's IT infrastructure.

I am sure it is fair to say we want this Secretary to succeed. Alaskan veterans certainly want the Secretary to succeed. I imagine we all want the new VA Secretary to succeed.

I think success at the VA means one thing, and that is how we serve our veterans. We know the sacrifices they have made to our Nation. They deserve timely, high-quality, caring service.

They do not deserve to fall victim to the kind of internal infighting that has plagued the VA, and, by all accounts, continues to plague the VA.

I think that as I look to how success will be achieved for Mr. Wilkie in his new position, it is going to be all hands on deck; everyone committed to the mission, ready to get to work to get the VA back on track. That is really job No. 1.

That, to Mr. Wilkie, I would suggest, means working with your career staff to achieve the mission. We have been doing that in Alaska. Now, it has not always been good. There was a time when Alaskan veterans wanted a card that would allow them to get their care anywhere. They wanted to get out of the system.

Now I hear all the time, in Alaska, that our veterans want to get their care from the VA. We all know not all VAs around the country are equally situated. Perhaps the Alaska VA works better than some, and there may be reasons for that.

I think one of the reasons is, we are seeing that the career staff in Alaska cares about our veterans. We have had our problems. We have had some significant problems at the top. There have been changes in the VA's senior leadership in Alaska, but we called the problems out. We brought attention to them, we demanded change, and change occurred.

Today, we have a leadership team that, by all accounts, is doing some pretty strong work for Alaska's vets. One of the reasons that I think we are doing well is our senior leadership team works in close collaboration with the career staff. They are represented by the American Federation of Government Employees Local 3028. I know

this because my staff and I meet with management and labor periodically throughout the year. Management knows I am going to get the straight scoop from labor, and labor knows that, in my view, it is all about service to the veterans. No exceptions, no excuses, I just want it straight. Both sides know I expect them to be collaborating, to be working together. Both know I measure the quality and the quantity of collaboration in the oversight of VA's service delivery in Alaska.

That is why I have been especially disturbed by the VA's recent order restricting the amount of official time the duly elected representatives of the VA's workforce can spend on collaboration. They call this official time. I would suggest, this is that time working with management to make the VA more effective. I would suggest this is a shortsighted decision. I am especially concerned that it is being implemented by acting personnel on the very eve of our new Secretary's swearing in.

We also learned this morning, Government Executive magazine reports that there is chaos on how this is going to be implemented. When you think about the things this new Secretary needs, or our veterans need, they don't need more chaos. We don't need more chaos in an organization as complex as the VA.

Working to ensure that there is a level of flexibility in operations, our managers have a certain amount of freedom to keep a system if it is working. If it is not working, we have got you, but if you think about how important this is, especially in the VA where labor is defined to include the physicians, the nurses, the highly trained technologists, we know full well that these are professionals with very portable skill sets who can take their experience elsewhere at a moment's notice. We certainly see that in my State where those skill sets are in high demand.

We recognize Mr. Wilkie will inherit enough problems on day one. He has to come into the Department; he needs to win the hearts and the minds of those who do the work; and a workforce that is upset, in my judgment, is the last thing he needs.

Now, some may remember that I was skeptical about the VA Accountability Act, which short-circuited the process for terminating underperforming VA personnel.

We were told, at the time, this would enable the VA to replace underperforming managers. Instead, it seems we are seeing some pretty strong evidence that it is being used to terminate individuals at the very lowest level. I am concerned that what we may also be seeing is this is an effort to terminate whistleblowers and others who challenge the bureaucracy in service to our veterans. I am concerned about that. I have raised that before; I will raise it again.

I think we all agree it is time to bring the VA into the 21st century. Collaborating with labor on the quality of product is a whole lot better than maintaining the contentious top-down, by-the-book, litigious workplace.

I sincerely hope our new, and I hope transformative, Veterans Affairs Secretary will take a lesson from the best labor management relationship practices in the private sector; seek them out, put them to work on day one, even if that might mean reversing some of the well-meaning or maybe not so well-meaning reforms that have been undertaken on the eve of his confirmation.

The VA is a people-oriented business. The VA is nothing without its people. I give my free advice to our Secretary-designate. Your career people work at the VA to serve our veterans first. Sadly, I think many are confused about whether they enjoy the support of their senior leaders in Washington.

These are some sobering words to greet our new Secretary as he takes on a very important responsibility, but I hope we are all working together, all working forward to ensure that Mr. Wilkie goes down in the VA's history as a good, strong leader. I offer my best to him as he moves forward.

I am pleased again to begin the kick-off for this appropriations package, and I look forward to engaging in debate of good issues and a good, positive result at the end.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I rise to speak in support of the Interior Department appropriations bill, which the Senate is currently debating.

Before Senator MURKOWSKI leaves the floor, I want to thank her so much. It has been such a pleasure working with her on this and doing it in a bipartisan way, and I am going to talk a little bit about the historic nature of this; that we have accomplished something that hasn't been done in 10 years. This is something I think we are both very proud of and that I think the Appropriations Committee members are very proud of. I begin by thanking her for the important work she has undertaken to ensure that this bill arrived on the Senate floor with strong bipartisan support.

We all know the Interior bill is not an easy bill, and there is no doubt we faced contentious issues putting it together. It is extraordinary that working together under her leadership, we have produced a bill that was unanimously reported by the Appropriations Committee.

I also recognize Chairman SHELBY and Vice Chairman LEAHY for clearing the path for us to bring this bill to the floor. Their shared commitment to reestablishing regular order for the Appropriations Committee is why the Interior bill is on the floor of the U.S. Senate today. For the first time in nearly a decade, I salute them as well on this.

The bill funds the Indian Health Service and Bureau of Indian Affairs and provides resources for new healthcare facilities in schools for Tribes across the country that are working to improve health and education outcomes. This funding helps fulfill our trust and treaty responsibilities to American Indians and Alaska Natives.

This bill includes strong levels of funding for conservation programs that preserve and protect our Nation's most special places, including our public lands. It fully funds wildfire suppression needs, providing more than $2 billion to protect communities and natural resources in New Mexico and across the West.

The Interior bill supports our Nation's arts and culture programs from national institutions here in Washington, from the Smithsonian Institution, the Kennedy Center, and the National Gallery of Art to local arts and humanities and programs in small towns across the United States. This funding creates jobs and supports economic vitality in our communities.

Over the last week, we have seen the administration claim that the legislation sent over by the House has too much funding for these and other priorities. I strongly disagree. It is Congress's responsibility to safeguard the environment, protect our air and water, fulfill our trust and treaty responsibilities, and conserve public lands the Federal Government holds on behalf of the American people.

These responsibilities require a reliable stream of resources to carry that out. This Senate bill accomplishes those goals and, in doing so, remains faithful to the bipartisan budget agreement this Congress passed and the President signed early this year.

We reject the shameful and inexcusable cuts proposed by the Trump administration to the Environmental Protection Agency, the Bureau of Indian Affairs, the Bureau of Indian Education, and to most Federal land management agencies, cuts that would put our environment at risk and prevent us from providing core services to Tribal communities.

In addition to rejecting these cuts, Senator MURKOWSKI and I worked together to satisfy requests from our colleagues to increase funding levels where we could, given our allocation. We also followed the chairman and vice chairman's direction to keep out extraneous authorizing matters and any item considered a poison pill. We all know one Senator's poison pill is another Senator's antidote. We couldn't please everyone because the tough issues that have impeded this bill from floor consideration in the last decade have not gone away, but we did the best we could.

Now, this bill is not perfect. It includes several troubling provisions rolling over from prior years, including provisions relating to the listing status of the sage grouse, the lead content of ammunition, biomass energy policy, and certain Clean Air Act exemptions.

While I cannot endorse these provisions individually, they are ones we have carried previously to move this bill across the finish line.

What the Appropriations Committee has brought to the full Senate is an Interior Department appropriations bill that is almost exclusively appropriations.

I am proud that we propose for fiscal year 2020, proud that we propose for fiscal year 2019. In addition to the programs I have already highlighted, let me tell you about a few more accomplishments in this bill.

This bill rejects the administration's elimination of the Land and Water Conservation Fund and instead provides $425 million equal to the enacted level. These funds will improve recreational access through our Federal lands, protect iconic landscapes, deliver grants to States and local governments to create and protect urban parks and open spaces, preserve the battlefields of the Revolutionary and Civil Wars, and give farmers and ranchers easements so they can steward their private lands in the face of development pressures.

Rather than following the administration's misguided proposal to eliminate funding for the National Endowment of the Arts and Humanities, this bill actually provides an increase of $2 million for each endowment, bringing the total to $155 million for each. I am particularly proud that these funds will expand arts and humanities programs, create jobs, and support cultural institutions in every State.

The bill includes a 4-percent increase for the Indian Health Service and includes $10 million in new grant funds to help Tribes address opioid addiction and substance abuse challenges in Indian Country, as Chairman MURKOWSKI talked about a little bit in her speech.

This bill fully funds the Payment in Lieu of Taxes Program to assist local governments to improve their schools and roads and pay for public safety and law enforcement.

This bill maintains funding for the EPA at the fiscal year 2018-enacted level to protect our environment and public health. We have taken a strong position rejecting the devastating cuts the President has proposed for the third year in a row. Our bipartisan track record on EPA funding makes it loud and clear that such extreme proposals will continue to be viewed in Congress as dead on arrival.

Now, I feel strongly that keeping EPA funding flat year after year is insufficient to meet the true needs of EPA's clean water programs, clean air programs, State and Tribal assistance grants, environmental enforcement, and a score of other critical public health and environmental programs. While I recognize the bill before us is a compromise, I will continue to pursue increased funding for these critical EPA programs in future years.

I recognize there is always room for improvement, and I welcome all of our colleagues to speak with me or Chairman MURKOWSKI if you have an idea on how to improve funding in this bill.

As I conclude, I want to emphasize how tremendous it has been to work with Chairman MURKOWSKI on this bipartisan bill. Even when we disagree, we have open discussions and listen to one another. That is the way Congress is supposed to work, and I am proud to be Senator MURKOWSKI's partner on this bill.

I look forward to working with our colleagues on this bill over this week so we can pass an interior appropriations bill that the American people can be proud of.

As Chairman MURKOWSKI talked about, we have had the assistance of a very able staff on both sides—on the minority side, headed up by Rachael Taylor. The whole staff on both sides is very capable and very able. My side was headed up by Rachael Taylor, Ryan Hunt, Melissa Zimmerman, and Teri Curtin. Over on the majority side, we thank Leif Fonnesbeck, Emy Lesofski, Nona McCoy, Chris Tomassi, and LaShawnda Smith.

They work night and day, and when we run into problems, as we know, they can be invaluable in helping us find the solutions to the problems we all face when we get into some of the contentious issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I thank my colleague, the ranking member on the Appropriations Committee again. We don't get to the place where we are today or to a level of consensus without getting a lot of good, hard work done. I appreciate his commitment in working through it and the relationship we have built. So thank you. Thank you very much.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ONE-YEAR ANNIVERSARY OF NORTHERN ILLINOIS FLOODING

Mr. DURBIN. Mr. President, last July, heavy rain in Illinois caused severe flooding that led the Governor to declare disaster areas in Lake, McHenry, Kane, and Cook Counties. Thousands of buildings, including homes, businesses, and schools, were damaged by floodwaters. Thankfully, there were no fatalities as a result of this historic flooding.

Lake County was one of the areas most impacted by the flooding. When I visited two towns in this area—Libertyville and Gurnee—I saw street after street of flood damage to homes and businesses. It was heartbreaking.

I spoke with residents who were concerned about being able to recover from the flood and resulting damages and who voiced the need to find long-term solutions that will mitigate the impact of future flood events.

One year later, I am still awed by the dedication of the local first responders and county officials. State and local employees and volunteers came out to help at every level, from county emergency management agencies to the American Red Cross. Representatives from the Illinois Emergency Management Agency worked closely with local officials to make sure communities had the resources needed to protect critical infrastructure and clean up when the water began to recede.

People from all around the region pitched in to help their neighbors and even strangers protect property and get back on their feet.

It has been challenging for Illinois to receive Federal aid after a disaster occurs. I led the Illinois delegation in supporting the Governor's request for a Federal disaster declaration for the four impacted counties, but unfortunately, the State did not receive aid after the flooding last July.

Currently, FEMA considers State population when reviewing States' requests for Federal assistance following a disaster. This puts highly populous States like Illinois at a disadvantage, relying on the premise that they can absorb more recovery costs after a disaster. Despite that, my colleagues in Congress and I will always stand ready to do whatever we can to provide Federal assistance to assist Illinois communities.

I introduced a bill to fix FEMA's disaster declaration formula—the Fairness in Federal Disaster Declarations Acts—and I will continue to push this bill to try and help States, both small and large, in times of need. Families in Illinois deserve a fair and transparent disaster declaration process that allows them to access Federal resources when they are needed most.

I want to thank everyone who was engaged in the response and mitigation efforts, and all those who were part of the recovery efforts since last July. Illinoisans always come together and rebuild, as we have done, and we are stronger for it.

REMEMBERING TEDDY DRAPER, SR.

Mr. UDALL. Mr. President, today I wish to pay tribute to Teddy Draper, Sr.—a brave Navajo code talker and a beloved teacher who has helped keep the Navajo language alive.

Mr. Draper was born in Canyon del Muerto—a beautiful and ancient canyon within the Canyon del Chelly National Monument—near Chinle, AZ. Mr. Draper was a longtime and popular Chinle resident and passed away December 14, 2017, at age 96. He was one of the last Navajo code talker survivors.

As a young boy, Mr. Draper grew up speaking Navajo and helping his family

raise cattle, sheep, and turkeys in Canyon del Muerto. He didn't attend school until age 14. ''I barely knew a word of English,'' he said. At that time, the reservation's U.S. Government-run boarding school in Fort Wingate, NM, punished students for speaking Navajo. Time after time, ''I had to kneel in the corner,'' he said, and he tried to run away.

The Marines recruited Mr. Draper from high school to join the Navajo code talkers. He served in the Fifth Marine Division and fought at Iwo Jima.

Iwo Jima was a critically strategic battle for the Allies. The island served as a Japanese air base and safe haven for naval units, and the Allies wanted to secure it to support bombing missions and emergency air landings. During the first 2 days of the 36-day battle, six Navajo code talkers worked around the clock, sending and receiving more than 800 messages—all without error. According to Marine division signal officer Major Howard Connor, ''Were it not for the Navajo, the Marines would never have taken Iwo Jima.''

During the battle, a bomb on Mount Suribachi killed two of his fellow soldiers and cost Mr. Draper most of his hearing. Atop that same mount, Mr. Draper radioed, on February 25, 1945, ''We have raised the flag; we have taken the hill.'' The ''first raising of the flag'' on Mount Suribachi is famously memorialized in a wartime photograph and by the Marine Corps War Memorial in Arlington, VA.

After the war, Mr. Draper volunteered for occupation duty, and became so fluent in Japanese that he served as an interpreter. Mr. Draper said, ''When I was going to boarding school, the U.S. government told us not to speak Navajo, but during the war, they wanted us to speak it!'' During combat, he determined that ''if I can get back to the reservation safely, I want to become a Navajo language teacher and educate young Navajos.'' That is exactly what he did. Mr. Draper dedicated himself to preserving the Navajo language—Diné bizaad—teaching many years at Rough Rock Community High School. He lacked teaching materials, and so he created his own, producing a curriculum and two workbooks that continue to be the staple of many Navajo language classes today.

Despite his loss of hearing from the war, Mr. Draper was not awarded the Purple Heart until 2004, after years of appeals. In 2001, he received the Congressional Silver Medal, along with other Navajo code talkers. In 2013, he received the Arizona Indian Living Treasures Award.

Mr. Draper leaves 12 children, 57 grandchildren, and more than 20 great-grandchildren. Mr. Draper also leaves a remarkable legacy of commitment to country and community, and I honor his life today.

REMEMBERING PEDRO GONZALEZ

Mr. UDALL. Mr. President, today I wish to pay tribute to Pedro Gonzalez—a brave World War II veteran who endured the Bataan Death March and 3½ years in captivity in the Philippines and in Japan. Mr. Gonzalez passed away January 6, 2018, at the age of 96.

Mr. Gonzalez was born in Las Cruces, NM, and later moved to Los Lunas, where he graduated from high school. Shortly after graduation, in 1940, he enlisted in the Army Air Corps. He was assigned to the 19th Bombardment Group in the Philippines.

On December 8, 1941—7 hours after the attack on Pearl Harbor—Japanese bombers attacked U.S. military stations in the Philippines. Mr. Gonzalez had learned earlier that they had attacked Hawaii, and, when he first heard planes that morning, he thought there were U.S. reinforcements. They were not.

Mr. Gonzalez and American troops fought valiantly to defend the Philippines, but they ran low on ammunitions, supplies, food, and manpower and were forced to surrender in April 1942. Fifteen thousand Americans and 60,000 Filipinos were taken prisoner.

These prisoners of war then began the 60-mile long Bataan Death March. Mr. Gonzalez was only 20 years old. He recalled they had ''no food, no water,'' that men were beaten and beheaded, and bodies were strewn in the road. During the march, one of his commanding officers told him, ''Pete, you keep that smile on your face and you're gonna make it back.'' During part of the journey, the men were hauled in box cars, packed as tight as could be. Mr. Gonzalez stood right at the edge of the door and survived, but it was said that five to six of the men in his boxcar died.

Mr. Gonzalez suffered cerebral malaria, dengue, beriberi, shrapnel wounds, a broken back, a dislocated knee, and broken fingers but he survived the years of captivity. After he returned home, he was awarded a Silver Star for valor in combat and two Purple Hearts for his injuries.

I had the privilege of meeting Mr. Gonzalez during filming of a local Public Broadcasting Corporation documentary honoring the 70th anniversary of the Bataan fall. He was a gentle, soft-spoken man who was humble about the bravery and fortitude he exhibited during those harsh years.

After the war, Mr. Gonzalez moved to Albuquerque, began a family, and worked at what was then called Sandia Base, which later merged with Kirtland Air Force Base. After, he worked for the Department of Defense as an inventory specialist for nuclear weapons and as a financial officer for different branches of the military, retiring in the 1980s. After retirement, he stayed involved with veterans' organizations and served as local commander of a chapter of former prisoners of war.

Mr. Gonzalez is preceded in death by his wife and is survived by two sons and their spouses.

Mr. Gonzalez is part of American and New Mexico history. He fought for his country and, through bravery, determination, and grit, survived the brutality of the Bataan Death March and captivity. I honor all that Pedro Gonzalez achieved and experienced to preserve international peace and stability.

REMEMBERING DAVID EARL PATTERSON, SR.

Mr. UDALL. Mr. President, I wish to honor David Earl Patterson, Sr., a man who gave selflessly to his family, the Navajo Nation, and his country.

Mr. Patterson was born November 11, 1922. He was Tachil'nii—Red Running Into the Water People Clan, born for Kinlichii'nii—the Red House People Clan. He attended Catholic school in Shiprock NM, and remained a devout Catholic his entire life.

Mr. Patterson entered the U.S. Marine Corps in 1943 and was one of about 400 Navajo code talkers trained on radio communications. He served in the Marshall Islands, the islets of Roi and Namur, the Kwajalein Atoll, Saipan, and Iwo Jima. Navajo code talkers played a critical role in the Battle of Iwo Jima. During the first 2 days of the battle, the marines had six Navajo code talkers who worked around the clock during the first 2 days of the battle. They sent and received over 800 messages, all without error. Their marine commander said later, ''Were it not for the Navajos, the Marines would never have taken Iwo Jima.'' Mr. Patterson received an honorable discharge in 1945.

Mr. Patterson was humble about his wartime contribution to our Nation and did not talk much about his World War II experience. The United States honored him and his fellow Navajo code talkers with the Congressional Silver Medal of Honor in 2001.

After the war, Mr. Patterson married Marion Patterson, and they raised seven children. He was a beloved husband, father, and grandfather.

He attended college in Oklahoma and New Mexico and became a social worker for the Navajo Nation until his retirement in 1987, working decades for the welfare of his people. Even after retirement, he served until 2012 as a foster parent in the Shiprock schools until 2012.

Mr. Patterson was a passionate bowler, a baseball aficionado, and a bingo player. Bowling at every New Mexico bowling center was on his bucket list, and he found time to coach Little League Baseball and Softball in Shiprock.

Mr. Patterson lived a full and generous life until his passing on October 8, 2017 at age 94. He was one of the last surviving Navajo code talkers.

I am honored to pay tribute to Mr. Patterson, a family man and a hero who never stopped giving to his community and people.

ADDITIONAL STATEMENTS

TRIBUTE TO MIKE ESPY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Mike for his hard work as an intern in the Senate Committee on Environment and Public Works. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Mike is a native of Savery. He is a junior at the University of Wyoming, where he is studying environmental systems science, biology, and chemistry. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Mike for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.•

TRIBUTE TO ISABELLA GOSS

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Bella for her hard work as an intern at the Senate Republican Policy Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Bella is a native of Casper. She is a junior at Rocky Mountain College, where she is studying political science and communication studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Bella for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

TRIBUTE TO VICTORIA LANGE

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Victoria for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Victoria is a native of New York. She is a student at Lander University, where she is majoring in management and marketing. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Victoria for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

TRIBUTE TO LUCAS NAREL-AGUILAR

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Lucas for his hard work as an intern in the Senate Committee on Environment and Public Works. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Lucas is a native of Maryland. He is a sophomore at Cornell University, where he is studying environmental and sustainability sciences. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Lucas for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.•

TRIBUTE TO PATRICIA PATNODE

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Patricia for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Patricia is a native of Oklahoma. She is a student at Loras College, where she is majoring in philosophy. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Patricia for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

TRIBUTE TO BETHANY RAVER

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Bethany for her hard work as an intern at the Senate Republican Policy Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Bethany is a native of Casper. She is a student at Casper College, where she is studying business administration. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Bethany for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

TRIBUTE TO ISABELLE REDFIELD

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Isabelle for her hard work as an intern in the Senate Committee on Environment and Public Works. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Isabelle is a native of Colorado. She is a student at Southern Methodist University, where she is majoring in political science, corporate communication, and public affairs. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Isabelle for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

TRIBUTE TO NATHANIEL SANCHEZ

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Nate for his hard work as an intern in the Senate Committee on Environment and Public Works. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Nate is a native of Illinois. He is a student at Northern Illinois University, where he is majoring in political science and communications. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Nate for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.•

TRIBUTE TO MIKALAH SKATES

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Mikalah for her hard work as an intern in my Washington, DC office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Mikalah is a native of Casper. She recently graduated from the University of Wyoming, where she studied French, political science, and international studies. She has demonstrated a strong

work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Mikalah for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO HARRISON TRUE

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Harrison for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Harrison is a native of Casper. He is studying business at Casper College. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Harrison for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO JACK TWIFORD

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Jack for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Jack is a native of Story. He is a freshman at Loyola Marymount University, where he is studying international relations and Spanish. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Jack for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO IDA AND IRWIN HABER

● Mr. PORTMAN. Mr. President, I want to recognize my dear friends Ida and Irwin Haber for receiving the Jewish National Fund's Northern Ohio Tree of Life Award. This award is given in recognition of outstanding community involvement, professional leadership, and dedication to the cause of American-Israeli friendship with the devotion to peace and the security of human life. Ida and Irwin Haber are of the utmost quality and character for this honor. It is fitting that they receive this award jointly, as their personal and professional lives have been a team effort for the past 44 years and have been guided by their strong Jewish identity and heritage from the start.

Ida and Irwin met at a United Synagogue Youth event in high school and have been together ever since. It is their faith and commitment to the Jewish people that helped bring them together, and they remain active members of the Jewish community. Irwin serves as the Ohio chapter Chairman and National Board member of the Friends of the Israel Defense Forces, on the National Council of the American Israel Public Affairs Committee, and is a member of the Endowment Fund Committee of the Jewish Federation of Cleveland. Additionally, he and Ida serve in leadership roles for the University Hospitals Ahuja Medical Center.

Business has been a family venture for the Habers as well. In 1993, Irwin became the chairman and owner and Ida became vice president of the PDI Group. Their leadership and vision for this manufacturer of weapons platform support systems has built an internationally reputable business that provides equipment to U.S. Air Force and Navy and 45 air forces across the world. The PDI Group has been recognized by the U.S. Small Business Association and the Department of Commerce for its accomplishments and excellence.

Ida and Irwin Haber have led lives of faith and have served their customers and their community admirably. Perhaps their greatest achievement is their beautiful family. They have three adult children, Nathan, Ryan, and Rena, who work for the family business; two daughters-in-law, Yana and Shlomit; and three granddaughters, Arianna, Ava, and Noa.

On a personal level, Jane and I are grateful for Ida and Irwin's advice and friendship, for having us to their home for Shabbat dinner, and for numerous other good memories.

On behalf of the U.S. Senate, I congratulate Ida and Irwin Haber for being honored with the Jewish National Fund's Northern Ohio Tree of Life Award.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Cuccia, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13581 ON JULY 24, 2011 RECEIVED DURING ADJOURNMENT OF THE SENATE ON JULY 20, 2018—PM 46

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2018.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

DONALD J. TRUMP.
THE WHITE HOUSE, *July 20, 2018*.

MESSAGE FROM THE HOUSE

At 3:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed

to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 119. Concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the United States economy.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 119. Concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; to the Committee on Finance.

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–6010. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC–6011. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services for the manufacture of significant military equipment abroad to Australia, New Zealand, Switzerland, and the United Kingdom to support the manufacture of the Communication, Navigation, and Identification (CNI) Audio Control Electronic (ACE) module for the F–35 Joint Strike Fighter Aircraft(Transmittal No. DDTC 17–074); to the Committee on Foreign Relations.

EC–6012. A communication from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on July 19, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6013. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended'' (RIN1400–AD17) received in the Office of the President of the Senate on July 19, 2018; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–277. A resolution adopted by the Senate of the Commonwealth of Pennsylvania urging the United States Congress to adopt the National Park Service's recommendation to extend the Lewis and Clark National Historic Trail to include the additional sites along the Lewis and Clark Expedition's Eastern Legacy; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 326

Whereas, The Lewis and Clark Expedition (Expedition) and the Corps of Discovery are nationally significant for their exploration of the Louisiana Territory and search for an all water route to the Pacific Ocean; and

Whereas, Under orders by President Thomas Jefferson, the expedition was responsible for mapping the territory explored, as well as documenting new species of plants and animals and engaging with the Native American tribes they encountered; and

Whereas, Although part of the route was unmapped territory, the Lewis and Clark Expedition was able to use maps provided to them by Native Americans, European explorers and fur traders; and

Whereas, Ultimately, the expedition was able to link routes and maps together to find passage from St. Louis to the Pacific Ocean, a feat that had never before been accomplished; and

Whereas, In order to recognize the historic significance of the Lewis and Clark Expedition, the National Park Service previously designated a trail that runs from Wood River, Illinois, to the West Coast in Oregon and Washington; and

Whereas, Public Law 110–229, passed by the Congress of the United States in 2008, authorized the Secretary of the Interior to study additional sites associated with the preparation and return phases of the expedition, located in Pennsylvania, Virginia, the District of Columbia, Maryland, Delaware, West Virginia, Ohio, Kentucky, Tennessee, Indiana, Missouri and Illinois; and

Whereas, Those sites were to be considered for inclusion in the ''Eastern Legacy'' of the expedition; and

Whereas, The National Park Service evaluated 25 distinct route segments used by the Corps of Discovery, for the expedition to determine if they met the criteria for national significance established by the National Trails System Act; and

Whereas, In August 2016, the National Park Service published its Draft Lewis and Clark National Historic Trail Extension Study, finding that three sections met the criteria established for inclusion in the Lewis and Clark National Historic Trail, and

Whereas, Those segments include the Ohio River, from Pittsburgh, Pennsylvania, to Louisville, Kentucky; from Louisville, Kentucky, to the confluence with the Mississippi River; and from the Mississippi River's confluence with the Ohio River at Cairo, Illinois, to Wood River, Illinois; and

Whereas, A portion of the proposed extension of the Lewis and Clark National Historic Trail includes sites along the Ohio River in this Commonwealth; and

Whereas, The inclusion of this segment along the Lewis and Clark National Historic Trail is not only historically significant and appropriate, but may have a positive economic impact on those ties; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the Congress of the United States to adopt the National Park Service's recommendation to extend the Lewis and Clark National Historic Trail to include the additional sites along the Lewis and Clark Expedition's Eastern Legacy; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each chamber of Congress and to each member of Congress from Pennsylvania.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 612. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City (Rept. No. 115–306).

H.R. 1547. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City (Rept. No. 115–307).

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. CRUZ (for himself and Ms. CORTEZ MASTO):

S. 3255. A bill to prohibit the President or a Federal agency from constructing, operating, or offering wholesale or retail services on broadband networks without authorization from Congress, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRUZ:

S. Res. 587. A resolution commemorating July 2018 as ''Liu Xiaobo Victims of Communism Month''; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 45

At the request of Mr. CRUZ, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 45, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

S. 87

At the request of Mr. TOOMEY, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 87, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. 130

At the request of Ms. BALDWIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 130, a bill to require enforcement against misbranded milk alternatives.

S. 263

At the request of Mrs. CAPITO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 263, a bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

S. 266

At the request of Mr. HATCH, the name of the Senator from Alaska (Mr.

SULLIVAN) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 281

At the request of Mr. LEE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 281, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 301

At the request of Mr. LANKFORD, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 301, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 1050

At the request of Ms. DUCKWORTH, the names of the Senator from Maine (Mr. KING) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1084

At the request of Mr. TOOMEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1084, a bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes.

S. 1301

At the request of Mr. NELSON, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1301, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1503

At the request of Ms. WARREN, the names of the Senator from South Carolina (Mr. SCOTT), the Senator from Colorado (Mr. GARDNER), the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Ms. SMITH) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1640

At the request of Mr. DURBIN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1640, a bill to reform the financing of Senate elections, and for other purposes.

S. 1682

At the request of Mr. GARDNER, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1682, a bill to facilitate a national pipeline of spectrum for commercial use, and for other purposes.

S. 1806

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1806, a bill to amend the Child Care and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes.

S. 2313

At the request of Mr. VAN HOLLEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2313, a bill to deter foreign interference in United States elections, and for other purposes.

S. 2468

At the request of Ms. HIRONO, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2468, a bill to provide access to counsel for unaccompanied alien children.

S. 2490

At the request of Mr. SCOTT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2490, a bill to amend the Real Estate Settlement Procedures Act of 1974 to modify requirements related to mortgage disclosures.

S. 2506

At the request of Mr. INHOFE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2506, a bill to establish an aviation maintenance workforce development pilot program.

S. 2580

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2580, a bill to amend title 13, United States Code, to make clear that each decennial census, as required for the apportionment of Representatives in Congress among the several States, shall tabulate the total number of persons in each State, and to provide that no information regarding United States citizenship or immigration status may be elicited in any such census.

S. 2823

At the request of Mr. HATCH, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2823, a bill to modernize copyright law, and for other purposes.

S. 3045

At the request of Mr. COTTON, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3045, a bill to amend title 31, United States Code, to establish a safe harbor with respect to keep open letters.

S. 3049

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3049, a bill to amend the Help America Vote Act of 2002 to require paper ballots and risk-limiting audits in all Federal elections, and for other purposes.

S. 3051

At the request of Mr. HOEVEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3051, a bill to require the Secretary of Transportation to establish a working group to study regulatory and legislative improvements for the livestock, insect, and agricultural commodities transport industries, and for other purposes.

S. 3155

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3155, a bill to ban the use of ortho-phthalate chemicals as food contact substances.

S. 3160

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3160, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

S. 3166

At the request of Mrs. ERNST, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Maine (Ms. COLLINS), the Senator from Georgia (Mr. ISAKSON) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 3166, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 3172

At the request of Mr. PORTMAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3172, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 3174

At the request of Mr. SCHUMER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3174, a bill to decriminalize marijuana, and for other purposes.

S. 3194

At the request of Ms. WARREN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3194, a bill to amend the Patient Protection and Affordable Care Act to cap prescription drug cost-sharing, and for other purposes.

S. 3207

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3207, a bill to amend the Higher Education Act of 1965 to allow for the deferment of certain student loans during a period in which a borrower is receiving treatment for cancer.

S. 3227

At the request of Ms. HARRIS, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 3227, a bill to reunite families separated at or near ports of entry.

S. 3247

At the request of Mr. BOOZMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3247, a bill to improve programs and activities relating to women's entrepreneurship and economic empowerment that are carried out by the United States Agency for International Development, and for other purposes.

S. RES. 220

At the request of Mr. MENENDEZ, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. Res. 220, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights for adhering to their beliefs and practices and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 584

At the request of Mr. SCHUMER, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. Res. 584, a resolution expressing the sense of the Senate against the making available of current and former diplomats, officials, and members of the Armed Forces of the United States for questioning by the government of Vladimir Putin.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 587—COMMEMORATING JULY 2018 AS ''LIU XIAOBO VICTIMS OF COMMUNISM MONTH''

Mr. CRUZ submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 587

Whereas the communist ideology is directly responsible for crimes against humanity;

Whereas communist regimes have been directly responsible for crimes against humanity, mass starvations, and the murder of tens of millions of people;

Whereas awareness of the crimes against humanity committed by communist regimes on behalf of communist ideology throughout the world must inform the minds of the people of the United States;

Whereas Karl Marx and Friedrich Engels published ''The Communist Manifesto'' in February 1848;

Whereas ''The Communist Manifesto'' defines communism as the ''abolition of private property'';

Whereas communists, in the words of Karl Marx and Friedrich Engels, ''openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions'';

Whereas the crimes of communists were justified by class struggle theory and the principle of the dictatorship of the ''proletariat'', and used terror as a method to preserve the dictatorship;

Whereas Vladimir Lenin led the October Revolution in 1918 that forcibly overthrew the social and political institutions of Russia and resulted in the establishment of the first communist government in history;

Whereas the subsequent Red Terror that followed the October Revolution claimed the lives of approximately 1,500,000 Russians;

Whereas Vladimir Lenin oversaw the mass campaign of violence of the October Revolution and the Red Terror with no moral qualms, and asked instead: ''How can you make a revolution without executions?'';

Whereas the Union of Soviet Socialist Republics (referred to in this preamble as the ''USSR'') was formally established in 1922;

Whereas the USSR partnered with Adolf Hitler and Nazi Germany in the 1930s, culminating in the Molotov–Ribbentrop Pact of 1939;

Whereas the USSR coordinated an invasion of eastern Poland in 1939 according to the terms of a secret additional protocol of the Molotov–Ribbentrop Pact of 1939;

Whereas the Red Army of the USSR and Wehrmacht of Germany held a joint military parade in Brest, Poland, after which occupation of the city was transferred to the Red Army;

Whereas, during the USSR occupation of Brest, Poland, the USSR arrested and deported more than 500,000 Jewish refugees, many of whom died en route to Siberia;

Whereas the USSR carried out ruthless violence against religious minorities, including campaigns to suppress the religious traditions and culture of the Jewish population of the USSR;

Whereas tens of thousands of Jews were killed between 1918 and 1920 as a result of organized pogroms during the civil war that followed the Bolshevik Revolution in the USSR;

Whereas the USSR conducted open anti-Semitic campaigns aimed at completely eliminating Jewish cultural life;

Whereas approximately 1,000,000 Jews were killed by the German Einstzgruppen, or deployment groups, in USSR-occupied territories during World War II;

Whereas, under Joseph Stalin alone, more than 20,000,000 deaths occurred in the USSR as a result of executions, Gulag camps, and famine;

Whereas, during the Great Purge in the USSR, approximately 700,000 political dissidents were executed by gunshot to the back of the head;

Whereas approximately 1,700,000 people died in the Gulag camps, where prisoners ranging from political dissidents to petty criminals were subjected to forced labor, extreme temperatures, and harsh treatment;

Whereas communist agricultural policies caused the Soviet Famine of 1932 to 1933, which lead to the deaths of an estimated 7,500,000 victims, including the Holodomor, the deliberate genocidal famine of millions of Ukranians;

Whereas the Parliamentary Assembly of the Council of Europe has adopted a resolution declaring the ''cruel and deliberate actions and policies of the Soviet regime'' that created the Holodomor were responsible for the deaths of millions of people in Ukraine, Belarus, Kazakhstan, Moldova, and Russia;

Whereas the USSR conducted a series of ethnically motivated deportations under extremely harsh conditions, causing the deaths of several hundred thousand victims;

Whereas the USSR funded communist revolutions around the world and trained insurgent forces to topple existing governments, including those in Mongolia, Romania, Vietnam, Laos, Cambodia, Cuba, North Korea, and China;

Whereas agents associated with the USSR entered the Mongolian People's Republic to engineer the Mongolian Great Terror, in which approximately 35,000 people were executed, including approximately 18,000 Buddhist lamas;

Whereas the Socialist Republic of Romania, a Soviet-backed, communist regime, committed massive human rights violations, killing or persecuting as many as 2,000,000 people between 1945 and 1989;

Whereas the USSR recognized the independence of North Vietnam, legitimizing the insurgency of Ho Chi Minh against France, as a means of fighting against the United States;

Whereas, during the Vietnam War, communist North Vietnam caused the deaths of approximately 58,220 Americans;

Whereas nearly 365,000 Vietnamese civilians are estimated to have died as a result of the Vietnam War, including in the horrific massacre by North Vietnam at Hué, Vietnam;

Whereas, after the Vietnam War, the Communist Party of Vietnam is estimated to have caused the deaths of approximately 430,000 people through executions, deportations, and causing people to flee persecution, many of whom were lost at sea;

Whereas the Government of Vietnam continues to suppress the basic human and civil rights of its citizens, including freedom of speech, the press, association, and religion;

Whereas human rights activists and bloggers in Vietnam face harassment, intimidation, physical assault, and imprisonment at the hands of the Government of Vietnam;

Whereas the deaths of approximately 85,000 people during and after the Laotian Civil War are attributable to the incursions of communist North Vietnam;

Whereas the USSR and North Vietnam helped install the communist Lao People's Revolutionary Party (referred to in this preamble as the ''LPRP'') as the sole political party of Laos;

Whereas the LPRP has been accused of committing genocide against the Hmong people, with up to 100,000 people killed out of a population of 400,000;

Whereas the LPRP still restricts many of the civil and political rights of its citizens, including freedom of speech, association, religion, and assembly;

Whereas the USSR and North Vietnam supported the Communist Party of Kampuchea (referred to in this preamble as the ''Khmer Rouge'') in overthrowing the government of the King of Cambodia;

Whereas, under the leadership of Pol Pot, the Khmer Rouge carried out the Cambodian genocide, which caused the deaths of a ¼ of the population of Cambodia in only 4 years;

Whereas the Khmer Rouge tortured and executed as many as 17,000 individuals in the S–21 jail in Phnom Penh, Cambodia;

Whereas the Killing Fields were sites in Cambodia where many Cambodians were killed and left in mass graves by the Khmer Rouge;

Whereas experts estimate that the remains of more than 1,300,000 victims of execution are buried at the Killing Fields in Cambodia, representing only 60 percent of the full death toll of the Cambodian genocide;

Whereas the Khmer Rouge brutally tortured and executed Stuart Glass of Canada, John Dewhirst of Great Britain, and Kerry Hamill of New Zealand after their boat strayed into Cambodian waters in 1978;

Whereas the USSR lent the newly established communist regime of Fidel Castro in Cuba economic and diplomatic support to undermine the influence of the United States in the Western Hemisphere;

Whereas the President of Cuba, Fidel Castro, ordered the executions of 582 supporters of the former Cuban government in 1959 following the overthrow of former President Fulgencio Batista;

Whereas, under the authority of President Castro, between 4,000 and 17,000 individuals were executed by the infamous firing squads of the Cuban Communist Party;

Whereas, in the 1960s and 1970s, homosexuals, clergy, and others who posed a threat to the regime of President Castro were rounded up and sent to labor camps for re-education;

Whereas President Castro acknowledged holding up to 15,000 political prisoners in 1964;

Whereas, under President Castro, the Cuban Communist Party refused access to Cuba to international monitors such as the International Committee of the Red Cross and Human Rights Watch;

Whereas the Government of Cuba continues to heavily censor all media;

Whereas the Government of Cuba continues to deny basic human rights, including freedom of expression, religion, association, and assembly;

Whereas the USSR lent diplomatic and military support to the Democratic People's Republic of Korea and its ruling party, the communist Worker's Party of Korea (referred to in this preamble as the ''WPK''), shortly after the country was founded on September 9, 1948;

Whereas, during the Korean War, the WPK caused the deaths of 36,914 Americans;

Whereas the WPK caused the deaths of an estimated 1,700,000 people including through execution, forced labor, starvation, and Gulags;

Whereas the WPK continues to restrict all civil and political liberties of its citizens;

Whereas the WPK prohibits political opposition, independent media, civil society, and trade unions;

Whereas the WPK currently incarcerates an estimated 200,000 political prisoners;

Whereas the WPK uses forced labor, physical abuse, and execution as tactics of fear to maintain obedience and control;

Whereas the WPK fails to provide stable support for the rights of minority groups, including women, children, people with disabilities, and prisoners;

Whereas the USSR financed the establishment of the Chinese Soviet Republic in 1931, an independent government within the Jiangxi province of China, where Mao Zedong began his protracted revolution against the Kuomintang;

Whereas Mao Zedong and the Chinese Red Army conquered the Kuomintang and established the People's Republic of China on October 1, 1949;

Whereas Mao Zedong orchestrated the deaths of more than 78,000,000 men, women, and children over the course of 3 decades from starvation, forced labor, torture, public execution, and warfare;

Whereas Mao Zedong directed the cultural genocide of the Tibetans, brutally executing approximately 92,000 people, who largely consisted of educated people and leaders of the Tibetan population;

Whereas Mao Zedong justified bloodshed as a necessity for communist revolution, saying: ''A revolution is not a dinner party, nor a literary composition, nor painting nor embroidering. It cannot be done so delicately, so leisurely, so gentlemanly and gently, kindly, politely and modestly. Revolution is insurrection, the violent action of one class overthrowing the power of another.'';

Whereas the Communist Party of China faced its first existential threat to power in June 1989, the same year the Berlin Wall collapsed, when students and professors peacefully demonstrated for democracy at Tiananmen Square in Beijing, China;

Whereas hundreds of the protesters at Tiananmen Square in Beijing, China, lost their lives at the hands of the Government of the People's Republic of China after the Government sent troops and tanks to sweep the square clean;

Whereas Liu Xiaobo, a visiting lecturer at Columbia University in the United States, left the United States to help lead the protest at Tiananmen Square in Beijing, China;

Whereas Liu Xiaobo initiated the Tiananmen Four Gentlemen Hunger Strike, which lasted 3 days;

Whereas Liu Xiaobo is credited with saving the lives of many students by helping negotiate evacuation of the students from Tiananmen Square;

Whereas Liu Xiaobo was detained and jailed from 1989 to 1991 for his role in the protest at Tiananmen Square, and then jailed again in 1996 through 1999 for advocating that the Government of the People's Republic of China redress its wrongdoing in the student protest;

Whereas, in 1996, Liu Xiaobo married Liu Xia, who has stood bravely by his side as a partner and fellow activist;

Whereas, on December 9, 2008, a diverse group of more than 300 Chinese scholars, writers, lawyers, and activists issued Charter 08, a manifesto calling on the Communist Party of China to abandon authoritarian rule in favor of democracy, the guarantee of human rights, and the rule of law;

Whereas Charter 08 boldly declared: ''The 'New China' established in 1949 is a 'people's republic' in name, but in reality it is a 'party domain.' The ruling party monopolizes all the political, economic, and social resources. It has created a string of human rights disasters . . . causing tens of millions of deaths, and exacting a disastrous price from both the people and the country.'';

Whereas Liu Xiaobo was one of the original drafters of Charter 08 and was taken into custody just days before the manifesto was released;

Whereas, in December 2009, a court in Beijing, China, sentenced Liu Xiaobo to 11 years in prison for ''inciting subversion of state power'' for his involvement in drafting Charter 08;

Whereas Liu Xiaobo was awarded the Nobel Peace Prize on October 8, 2010, ''for his long and non-violent struggle for fundamental human rights in China'';

Whereas Liu Xia was held in extra-legal home confinement from October 2010, 2 weeks after the announcement of the award of the Nobel Peace Prize to her husband, to July 2018, and reportedly suffered severe health problems that required hospitalization;

Whereas Liu Xiaobo was diagnosed with terminal liver cancer in May 2017;

Whereas Liu Xiaobo died on July 13, 2017, while serving his 11-year prison sentence, and is survived by his wife Liu Xia;

Whereas Liu Xiaobo dedicated his life to freedom, not only in his own country of China, but across the world;

Whereas the Communist Party of China continues to prevent Liu Hui, the brother of Liu Xia, from leaving China;

Whereas, in different parts of the world, some totalitarian regimes survive and, by continuing to cling to power, they commit crimes and impose a high cost to the well-being of their people; and

Whereas the millions of victims of communism, both present and past, are entitled to justice, sympathy, understanding, and recognition of their suffering: Now, therefore, be it

Resolved, That the Senate commemorates July 2018 as ''Liu Xiaobo Victims of Communism Month''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3399. Mr. SHELBY proposed an amendment to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

SA 3400. Ms. MURKOWSKI proposed an amendment to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra.

SA 3401. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3402. Mr. CRUZ (for himself, Mr. COTTON, Mr. LEE, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3403. Ms. MURKOWSKI proposed an amendment to the bill H.R. 589, to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

SA 3404. Ms. MURKOWSKI proposed an amendment to the bill S. 2503, to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

SA 3405. Mr. HELLER (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table.

SA 3406. Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3407. Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3408. Ms. MURKOWSKI (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 2353, to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006.

TEXT OF AMENDMENTS

SA 3399. Mr. SHELBY proposed an amendment to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as ''Interior, Environment, Financial Services and General Government, Agriculture, Rural Development, Food and Drug Administration, and Transportation, Housing and Urban Development Appropriations Act, 2019''.

SEC. 2. REFERENCES TO ACT.

Except as expressly provided otherwise, any reference to ''this Act'' contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 3. REFERENCES TO REPORT.

(a) Any reference to a ''report accompanying this Act'' contained in division A shall be treated as a reference to Senate Report 115–276. The effect of such Report shall be limited to division A and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division A.

(b) Any reference to a ''report accompanying this Act'' contained in division B shall be treated as a reference to Senate Report 115–281. The effect of such Report shall be limited to division B and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division B.

(c) Any reference to a ''report accompanying this Act'' contained in division C shall be treated as a reference to Senate Report 115–259. The effect of such Report shall be limited to division C and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division C.

(d) Any reference to a ''report accompanying this Act'' contained in division D shall be treated as a reference to Senate Report 115–268. The effect of such Report shall be limited to division D and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, division D.

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $1,196,143,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations.

In addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2019, so as to result in a final appropriation estimated at not more than $1,196,143,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $26,016,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $106,543,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 2605).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,292,067,000, to remain available until September 30, 2020: *Provided*, That not to exceed $17,818,000 shall be

used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)).

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $50,413,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $45,189,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $49,495,000, to remain available until expended, of which $18,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $30,800,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $43,000,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), $3,910,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $12,061,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $65,571,000, to remain available until expended: *Provided*, That of the amount provided herein, $4,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2019 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2020, shall be reapportioned, together with funds appropriated in 2021, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading ''United States Fish and Wildlife Service—Resource Management'' and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,500,369,000, of which $10,032,000 for planning and interagency coordination in support of Everglades restoration and $141,961,000 for maintenance, repair, or rehabilitation projects for constructed assets and $149,075,000 for cyclic maintenance projects for constructed assets shall remain available until September 30, 2020: *Provided*, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $64,138,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), $88,910,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2020: *Provided*, That of the funds provided for the Historic Preservation Fund, $500,000 is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented, as determined by the Secretary, $13,000,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, $5,000,000 is for grants to Historically Black Colleges and Universities, and $5,000,000 is for competitive grants for the restoration of historic properties of national, State and local significance listed on or eligible for inclusion on the National Register of Historic Places, to be made without imposing the usage or direct grant restrictions of section 101(e)(3) (54 U.S.C. 302904) of the National Historical Preservation Act: *Provided further*, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code, to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and non-profit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, and compliance and planning for programs and areas administered by the National Park Service, $364,704,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2019 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: *Provided further*, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope

of effort for projects funded by the National Park Service Construction appropriation: *Provided further*, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $174,444,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $124,006,000 is for the State assistance program and of which $15,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, $23,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,148,457,000, to remain available until September 30, 2020; of which $84,337,000 shall remain available until expended for satellite operations; and of which $15,164,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting and administering leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $179,266,000, of which $129,450,000 is to remain available until September 30, 2020, and of which $49,816,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2019 appropriation estimated at not more than $129,450,000: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $145,475,000, of which $121,351,000 is to remain available until September 30, 2020, and of which $24,124,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2019 appropriation estimated at not more than $121,351,000.

For an additional amount, $41,765,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2019, as provided in this Act: *Provided*, That to the extent that amounts realized from such inspection fees exceed $41,765,000, the amounts realized in excess of $41,765,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That for fiscal year 2019, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $12,700,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $114,900,000, to remain available until September 30, 2020: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for

the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: *Provided*, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2019 appropriation estimated at not more than $114,900,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $22,952,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, $115,000,000, to remain available until expended, for grants to States and federally recognized Indian Tribes for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the report accompanying this Act: *Provided*, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such additional amount, $75,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, $30,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and $10,000,000 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the report accompanying this Act and shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977: *Provided further*, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,403,890,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $76,000,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $680,673,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2019, and shall remain available until September 30, 2020: *Provided further*, That not to exceed $54,174,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $81,036,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2019: *Provided further*, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2020, may be transferred during fiscal year 2021 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2021: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs for fiscal year 2019, such sums as may be necessary, which shall be available for obligation through September 30, 2020: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483; $359,419,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2019, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in part 12 of title 43, Code of Federal Regulations, as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of title 43, Code of Federal Regulations; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by section 1125(b) of title XI of Public Law 95–561 (25 U.S.C. 2005(b)), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in section 5206(f) of Public Law 100–297 (25 U.S.C. 2504(f)): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in section 5208(e) of Public Law 107–110 (25 U.S.C. 2507(e)): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, 111–291, and 114–322, and for implementation of other land and water rights settlements, $55,457,000, to remain available until expended: *Provided*, That the Secretary shall make payments in such amounts as necessary to satisfy the total authorized amount for the Navajo Nation Water Rights Trust Fund.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $9,279,000, of which $1,252,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are

available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $123,565,389.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding Public Law 87–279 (25 U.S.C. 15), the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education, or more than one grade to expand the elementary grade structure for Bureau-funded schools with a K-2 grade structure on October 1, 1996. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for nonpublic schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: *Provided*, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: *Provided further*, That the term ''satellite school'' means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, $134,673,000, to remain available until September 30, 2020; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $9,000,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $9,704,000 for Indian land, mineral, and resource valuation activities shall remain available until expended: *Provided*, That funds for Indian land, mineral, and resource valuation activities may, as needed, be transferred to and merged with the Bureau of Indian Affairs and Bureau of Indian Education ''Operation of Indian Programs'' account and the Office of the Special Trustee for American Indians ''Federal Trust Programs'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee.

ADMINISTRATIVE PROVISIONS

For fiscal year 2019, up to $400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided*, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: *Provided further*, That in the event the sums appropriated for any fiscal year for payments pursuant to this chapter are insufficient to make the full payments authorized by that chapter to all units of local government, then the payment to each local government shall be made proportionally: *Provided further*, That the Secretary may make adjustments to payment to individual units of local government to correct for prior overpayments or underpayments: *Provided further*, That no payment shall be made pursuant to that chapter to otherwise eligible units of local government if the computed amount of the payment is less than $100.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, $100,688,000, of which: (1) $91,240,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands , as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,448,000 shall be available until September 30, 2020, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non–Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,563,000, to remain available until expended, as provided for in sections 221(a)(2)

and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $65,674,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $52,486,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $112,380,000, to remain available until expended, of which not to exceed $19,016,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, ''Operation of Indian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Departmental Operations'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of $15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: *Provided further*, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: *Provided further*, That notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103–412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: *Provided further*, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, $1,116,076,000, to remain available until expended, of which not to exceed $18,427,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That of the funds provided $188,000,000 is for fuels management activities: *Provided further*, That of the funds provided $20,470,000 is for burned area rehabilitation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $56,735,000, to remain available until expended: *Provided*, That none of the

funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

OFFICE OF NATURAL RESOURCES REVENUE

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $137,505,000, to remain available until September 30, 2020; of which $41,727,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That notwithstanding any other provision of law, $15,000 shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, with such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire suppression'' shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2019. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2019, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the ''Offshore Safety and Environmental Enforcement'' account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2019 shall be:

(1) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2019. Fees for fiscal year 2019 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only

in conformance with the reprogramming guidelines described in the report accompanying this Act.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 111. Notwithstanding any other provision of law, during fiscal year 2019, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

HUMANE TRANSFER OF EXCESS ANIMALS

SEC. 112. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: *Provided*, That the Secretary may make any such transfer immediately upon request of such Federal, State, or local government agency: *Provided further*, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse or burro as defined in the Wild Free-Roaming Horses and Burros Act: *Provided further*, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

SEC. 113. (a) Notwithstanding any other provision of law relating to Federal grants and cooperative agreements, the Secretary of the Interior is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 to utilize the talents of older Americans in programs authorized by other provisions of law administered by the Secretary and consistent with such provisions of law.

(b) Prior to awarding any grant or agreement under subsection (a), the Secretary shall ensure that the agreement would not—

(1) result in the displacement of individuals currently employed by the Department, including partial displacement through reduction of non-overtime hours, wages, or employment benefits;

(2) result in the use of an individual under the Department of the Interior Experienced Services Program for a job or function in a case in which a Federal employee is in a layoff status from the same or substantially equivalent job within the Department; or

(3) affect existing contracts for services.

PAYMENTS IN LIEU OF TAXES (PILT)

SEC. 114. Section 6906 of title 31, United States Code, is amended by striking ''fiscal year 2018'' and inserting ''fiscal year 2019''.

SAGE-GROUSE

SEC. 115. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse.

TECHNICAL CORRECTION

SEC. 116. Division II of Public Law 104–333 (54 U.S.C. 320101 note), as amended by section 116(b)(2) of Public Law 114–113, is amended in each of sections 208, 310, and 607, by striking ''2017'' and inserting ''2019''.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $717,723,000, to remain available until September 30, 2020: *Provided*, That of the funds included under this heading, $5,000,000 shall be for Research: National Priorities as specified in the report accompanying this Act: *Provided further*, That of unobligated balances from appropriations made available under this heading, $11,250,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Research: National Priorities.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING RESCISSION OF FUNDS)

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; implementation of a coal combustion residual permit program under section 2301 of the Water and Waste Act of 2016; and not to exceed $9,000 for official reception and representation expenses, $2,659,675,000, to remain available until September 30, 2020: *Provided*, That of the funds included under this heading, $15,000,000 shall be for Environmental Protection: National Priorities as specified in the report accompanying this Act: *Provided further*, That of the funds included under this heading, $454,958,000 shall be for Geographic Programs specified in the report accompanying this Act: *Provided further*, That of the unobligated balances from appropriations made available under this heading, $61,676,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Environmental Protection: National Priorities, from amounts made available in the second proviso for Geographic Programs, or from the National Estuary Program (33 U.S.C. 1330).

In addition, $5,000,000 to remain available until expended, for necessary expenses of activities described in section 26(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursuant to that section of that Act and deposited in the ''TSCA Service Fee Fund'' as discretionary offsetting receipts in fiscal year 2019 shall be retained and used for necessary salaries and expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated in this paragraph from the general fund for fiscal year 2019 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $0: *Provided further*, That to the extent that amounts realized from such receipts exceed $5,000,000, those amount in excess of $5,000,000 shall be deposited in the ''TSCA Service Fee Fund'' as discretionary offsetting receipts in fiscal year 2019, shall be retained and used for necessary salaries and expenses in this account, and shall remain available until expended: *Provided further*, That of the funds included in the first paragraph under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees appropriated, not less than the amount of appropriations for that program project for fiscal year 2014.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $41,489,000, to remain available until September 30, 2020.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $34,467,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,091,947,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,091,947,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal

agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $8,718,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until September 30, 2020, and $17,398,000 shall be paid to the ''Science and Technology'' appropriation to remain available until September 30, 2020.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,575,041,000, to remain available until expended, of which—

(1) $1,394,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $864,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: *Provided*, That for fiscal year 2019, to the extent there are sufficient eligible project applications and projects are consistent with State Intended Use Plans, not less than 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That for fiscal year 2019, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2019 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2019, notwithstanding the provisions of subsections (g)(1), (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: *Provided further*, That for fiscal year 2019, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(c) of the Federal Water Pollution Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: *Provided further*, That for fiscal year 2019, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of $2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: *Provided further*, That for fiscal year 2019, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined in Public Law 92–203: *Provided further*, That for fiscal year 2019, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or $30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or $20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2019, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2019, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment of this Act if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;

(2) $15,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission: *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) $25,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: *Provided*, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $80,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: *Provided*, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA: *Provided further*, That at least 10 percent shall be allocated for assistance in persistent poverty counties: *Provided further*, That for purposes

of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;

(5) $50,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $50,000,000 shall be for targeted airshed grants in accordance with the terms and conditions in the report accompanying this Act;

(7) $4,000,000 shall be to carry out the water quality program authorized in section 5004(d) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322); and

(8) $1,093,041,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading ''Leaking Underground Storage Tank Trust Fund Program'' to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs; $27,000,000 shall be for multipurpose grants, including interagency agreements.

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, $5,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $610,000,000.

In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 shall be deposited in this account, to remain available until expended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, $5,000,000, to remain available until September 30, 2020.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

For fiscal year 2019, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112–177, the Pesticide Registration Improvement Extension Act of 2012.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2019.

The Administrator is authorized to transfer up to $300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading ''Environmental Programs and Management'' to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities, provided that the cost does not exceed $150,000 per project.

For fiscal year 2019, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

The Administrator is authorized to use the amounts appropriated under the heading ''Environmental Programs and Management'' for fiscal year 2019 to provide grants to implement the Southeastern New England Watershed Restoration Program.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g) for fiscal year 2019.

Of the unobligated balances available for the ''State and Tribal Assistance Grants'' account, $109,078,000 are hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 or from amounts that were made available by subsection (a) of section 196 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254).

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $875,000: *Provided*, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $300,000,000, to remain available through September 30, 2022: *Provided*, That of the funds provided, $77,000,000 is for the forest inventory and analysis program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, and conducting an international program as authorized, $333,990,000, to remain available through September 30, 2022, as authorized by law; of which $65,490,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, $1,937,653,000, to remain available through September 30, 2022: *Provided*, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, $368,000,000 shall be for forest products: *Provided further*, That of the funds provided, $435,000,000 shall be for hazardous fuels management activities, of which not to exceed $15,000,000 may be used to make grants, using any authorities available to the Forest Service under the ''State and Private Forestry'' appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That $15,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines such activities benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forestry Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the ''State and Private Forestry'' appropriations: *Provided further*, That notwithstanding section 33 of the

Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Agriculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred. And, that the amount credited shall remain available to the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $449,000,000, to remain available through September 30, 2022, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That funds becoming available in fiscal year 2019 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $74,099,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

Of the unobligated balances from amounts made available for Land Acquisition and derived from the Land and Water Conservation Fund, $16,028,000 is hereby permanently rescinded from projects with cost savings or failed or partially failed projects that had funds returned: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California; and the Ozark-St. Francis and Ouachita National Forests, Arkansas; as authorized by law, $700,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available through September 30, 2021, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2022, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available through September 30, 2022, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), $2,500,000, to remain available through September 30, 2022.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $3,229,620,000, to remain available through September 30, 2022: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That any unobligated funds appropriated in a previous fiscal year for hazardous fuels management may be transferred to the ''National Forest System'' account: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That funds provided shall be available for support to Federal emergency response: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That funds designated for wildfire suppression, shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the heading ''Wildland Fire Management'' will be obligated within 30 days: *Provided*, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Not more than $50,000,000 of funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior for wildland fire management, hazardous fuels management, and State fire assistance when such transfers would facilitate and expedite wildland fire management programs and projects.

Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the National Forest System Account, or reprogram funds to be used for the purposes of hazardous fuels management and urgent rehabilitation of burned-over National Forest System lands and water, such transferred funds shall remain available through September 30, 2022: *Provided*, That none of the funds transferred pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That this section does not apply to funds appropriated to the FLAME Wildfire Suppression Reserve Fund or funds derived from the Land and Water Conservation Fund.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture

Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–171 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.).

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made available by the Forest Service on at least a one-for-one basis: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

The Forest Service shall not assess funds for the purpose of performing fire, administrative, and other facilities maintenance and decommissioning.

Notwithstanding any other provision of law, of any appropriations or funds available to the Forest Service, not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar matters unrelated to civil litigation. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the sums requested for transfer.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of this Act, through the Office of Budget and Program Analysis, the Forest Service shall report no later than 30 business days following the close of each fiscal quarter all current and prior year unobligated balances, by fiscal year, budget line item and account, to the House and Senate Committees on Appropriations.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,072,385,000, together with payments received during the fiscal year pursuant to sections 231(b) and 233 of the Public Health Service Act (42 U.S.C. 238(b), 238b), for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That $2,000,000 shall be available for grants or contracts with public or private institutions to provide alcohol or drug treatment services to Indians, including alcohol detoxification services: *Provided further*, That $964,819,000 for Purchased/Referred Care, including $53,000,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That of the funds provided, up to $36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That of the funds provided, $15,000,000 shall remain available until expended to supplement funds available for operational costs at tribal clinics operated under an Indian Self-Determination and Education Assistance Act compact or contract where health care is delivered in space acquired through a full service lease, which is not eligible for maintenance and improvement and equipment funds from the Indian Health Service, and $58,000,000 shall be for costs related to or resulting from accreditation emergencies, of which up to $4,000,000 may be used to supplement amounts otherwise available for Purchased/Referred Care: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of that Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided further*, That the amounts made available within this account for the Substance Abuse and Suicide Prevention Program, for opioid Prevention, Treatment and Recovery Services, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for aftercare pilot programs at Youth Regional Treatment Centers, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants for which the performance period falls within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, and from tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.): *Provided further*, That the accreditation emergency funds may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2019, such sums as may be necessary: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $877,504,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the ''Indian Health Services'' account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary of Health and Human Services; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: *Provided further*, That the Indian Health Service may provide to civilian medical personnel serving in hospitals operated by the Indian Health Service housing allowances equivalent to those that would be provided to members of the Commissioned Corps of the United States Public Health Service serving in similar positions at such hospitals: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $78,349,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2019, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,005,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $7,400,000, to

remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of Public Law 99–498 (20 U.S.C. 4411 et seq.), $9,960,000, which shall become available on July 1, 2019, and shall remain available until September 30, 2020.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $739,894,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $6,917,000 for the instrumentation program, collections acquisition, exhibition reinstallation, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $303,503,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $144,202,000, to remain available until September 30, 2020, of which not to exceed $3,620,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $23,000,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $24,490,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $16,800,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $12,000,000, to remain available until September 30, 2020.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $155,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $155,000,000 to remain available until expended, of which $143,700,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $11,300,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $9,100,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, $2,771,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study, or education: *Provided further*, That one-tenth of one percent of the funds provided under this heading may be used for official reception and representation expenses.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,750,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,440,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter

87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $7,948,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $59,500,000, of which $1,715,000 shall remain available until September 30, 2021, for the Museum's equipment replacement program; and of which $4,000,000 for the Museum's repair and rehabilitation program and $1,500,000 for the Museum's outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Dwight D. Eisenhower Memorial Commission, $1,800,000, to remain available until expended.

WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

For necessary expenses for the Women's Suffrage Centennial Commission, as authorized by the Women's Suffrage Centennial Commission Act (section 431(a)(3) of division G of Public Law 115–31), $1,000,000, to remain available until expended.

WORLD WAR I CENTENNIAL COMMISSION

SALARIES AND EXPENSES

Notwithstanding section 9 of the World War I Centennial Commission Act, as authorized by the World War I Centennial Commission Act (Public Law 112–272) and the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), for necessary expenses of the World War I Centennial Commission, $7,000,000, to remain available until expended: *Provided*, That in addition to the authority provided by section 6(g) of such Act, the World War I Commission may accept money, in-kind personnel services, contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2020, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) shall continue in effect in fiscal year 2019.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2019 LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2019 under the headings ''Department of Health and Human Services, Indian Health Service, Contract Support Costs'' and ''Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs'' are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2019 with the Bureau of Indian Affairs or the Indian Health Service: *Provided*, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

PROHIBITION ON USE OF FUNDS

SEC. 416. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

FUNDING PROHIBITION

SEC. 418. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

CONTRACTING AUTHORITIES

SEC. 419. Section 412 of Division E of Public Law 112–74 is amended by striking ''fiscal year 2019'' and inserting ''fiscal year 2020''.

EXTENSION OF GRAZING PERMITS

SEC. 420. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2019.

FUNDING PROHIBITION

SEC. 421. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT

SEC. 422. Section 503(f) of the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note; Public Law 109–54) is amended by striking ''2018'' and inserting ''2019''.

USE OF AMERICAN IRON AND STEEL

SEC. 423. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term ''iron and steel'' products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

MIDWAY ISLAND

SEC. 424. None of the funds made available by this Act may be used to destroy any buildings or structures on Midway Island that have been recommended by the United States Navy for inclusion in the National Register of Historic Places (54 U.S.C. 302101).

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 425. Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H), $24,490,000 for fiscal year 2019.

''(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), $16,800,000 for fiscal year 2019.''.

LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANSFERS OF EXCESS EQUIPMENT AND SUPPLIES FOR WILDFIRES

SEC. 426. The Secretary of the Interior is authorized to enter into grants and cooperative agreements with volunteer fire departments, rural fire departments, rangeland fire protection associations, and similar organizations to provide for wildland fire training

and equipment, including supplies and communication devices. Notwithstanding 121(c) of title 40, United States Code, or section 521 of title 40, United States Code, the Secretary is further authorized to transfer title to excess Department of the Interior firefighting equipment no longer needed to carry out the functions of the Department's wildland fire management program to such organizations.

INFRASTRUCTURE

SEC. 427. (a) For an additional amount for ''Environmental Protection Agency—Hazardous Substance Superfund'', $43,000,000, of which $38,000,000 shall be for the Superfund Remedial program and $5,000,000 shall be for the Superfund Emergency Response and Removal program, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $43,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA.

(b) For an additional amount for ''Environmental Protection Agency—State and Tribal Assistance Grants,'' for environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $670,000,000 to remain available until expended, of which—

(1) $300,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $300,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act;

(2) $30,000,000 shall be for grants for small and disadvantaged communities authorized in section 2104 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(3) $25,000,000 shall be for grants for lead testing in school and child care program drinking water authorized in section 2107 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(4) $15,000,000 shall be for grants for reducing lead in drinking water authorized in section 2105 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322).

(c) For an additional amount for ''Environmental Protection Agency—Water Infrastructure Finance and Innovation Program Account'', $53,000,000, to remain available until expended, for the cost of direct loans, for the cost of guaranteed loans, and for administrative expenses to carry out the direct and guaranteed loan programs, of which $3,000,000, to remain available until September 30, 2020, may be used for such administrative expenses: *Provided*, That these additional funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $6,100,000,000.

POLICIES RELATING TO BIOMASS ENERGY

SEC. 428. To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use;

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.

CLARIFICATION OF EXEMPTIONS

SEC. 429. None of the funds made available in this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

SMALL REMOTE INCINERATORS

SEC. 430. None of the funds made available in this Act may be used to implement or enforce the regulation issued on March 21, 2011 at 40 CFR part 60 subparts CCCC and DDDD with respect to units in the State of Alaska that are defined as ''small, remote incinerator'' units in those regulations and, until a subsequent regulation is issued, the Administrator shall implement the law and regulations in effect prior to such date.

RECREATION FEES

SEC. 431. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting ''October 1, 2020'' for ''September 30, 2019''.

SEC. 432. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Department of the Interior, the Environmental Protection Agency, the Forest Service, the Indian Health Service, or the Smithsonian Institution to acquire telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation or a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, ''Standards for Security Categorization of Federal Information and Information Systems'' unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate agencies; and

(3) in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the Federal Bureau of Investigation, that the acquisition of such system is in the vital national security interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate in a manner that identifies the system intended for acquisition and a detailed description of the mitigation strategies identified in (1), provided that such report may include a classified annex as necessary.

This division may be cited as the ''Department of the Interior, Environment, and Related Agencies Appropriations Act, 2019''.

DIVISION B—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman's Bank Building; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to Puerto Rico; and Treasury-wide management policies and programs activities, $208,751,000: *Provided*, That of the amount appropriated under this heading—

(1) not to exceed $700,000 is for official reception and representation expenses, of which necessary amounts shall be available for expenses to support activities of the Financial Action Task Force, and not to exceed $350,000 shall be for other official reception and representation expenses;

(2) not to exceed $258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary's certificate; and

(3) not to exceed $24,000,000 shall remain available until September 30, 2020, for—

(A) the Treasury-wide Financial Statement Audit and Internal Control Program;

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund;

(D) the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements;

(E) operations and maintenance of facilities; and

(F) international operations.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, money launderers, drug kingpins, and other national security threats, $159,000,000: *Provided*, That of the amount appropriated under this heading: (1) up to $33,500,000 may be transferred to the Departmental Offices Salaries and Expenses appropriation and shall be available for administrative support to the Office of Terrorism and Financial Intelligence; and (2) up to $10,000,000 shall remain available until September 30, 2020.

CYBERSECURITY ENHANCEMENT ACCOUNT

For salaries and expenses for enhanced cybersecurity for systems operated by the Department of the Treasury, $25,208,000, to remain available until September 30, 2021: *Provided*, That such funds shall supplement and not supplant any other amounts made available to the Treasury offices and bureaus for cybersecurity: *Provided further*, That the Chief Information Officer of the individual offices and bureaus shall submit a spend plan for each investment to the Treasury Chief Information Officer for approval: *Provided further*, That the submitted spend plan shall be reviewed and approved by the Treasury Chief Information Officer prior to the obligation of funds under this heading: *Provided further*, That of the total amount made available under this heading $1,000,000 shall be available for administrative expenses for the Treasury Chief Information Officer to provide oversight of the investments made under this heading: *Provided further*, That such funds shall supplement and not supplant any other amounts made available to the Treasury Chief Information Officer.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $4,000,000, to remain available until September 30, 2021: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement ''Internal Revenue Service, Operations Support'' or ''Internal Revenue Service, Business Systems Modernization''.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $37,044,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to $2,800,000 to remain available until September 30, 2020, shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note); and of which not to exceed $1,000 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $169,634,000, of which $5,000,000 shall remain available until September 30, 2020; of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $17,500,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed $10,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $117,800,000, of which not to exceed $34,335,000 shall remain available until September 30, 2021.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, $338,280,000; of which not to exceed $4,210,000, to remain available until September 30, 2021, is for information systems modernization initiatives; and of which $5,000 shall be available for official reception and representation expenses.

In addition, $165,000, to be derived from the Oil Spill Liability Trust Fund to reimburse administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $111,439,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided*, That of the amount appropriated under this heading, $5,000,000 shall be for the costs of accelerating the processing of formula and label applications: *Provided further*, That of the amount appropriated under this heading, $5,000,000, to remain available until September 30, 2020.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: *Provided*, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2019 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $30,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvements Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $250,000,000. Of the amount appropriated under this heading—

(1) not less than $182,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, is available until September 30, 2020, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to $2,680,000 may be used for the cost of direct loans: *Provided*, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000;

(2) not less than $16,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2020, for financial assistance, technical assistance, training, and outreach programs designed to benefit Native American, Native Hawaiian, and Alaska Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(3) not less than $25,000,000 is available until September 30, 2020, for the Bank Enterprise Award program;

(4) up to $27,000,000 is available until September 30, 2019, for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which not less than $1,000,000 is for development of tools to better assess and inform CDFI investment performance, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(5) during fiscal year 2019, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): *Provided*, That commitments to guarantee bonds and notes under such section 114A shall not exceed $500,000,000: *Provided further*, That such section 114A shall remain in effect until December 31, 2019: *Provided further*, That of the

funds awarded under this heading, not less than 10 percent shall be used for awards that support investments that serve populations living in persistent poverty counties: *Provided further*, That for the purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the 2011–2015 5-year data series available from the American Community Survey of the Census Bureau.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,506,554,000, of which not less than $9,890,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $12,000,000 shall be available for low-income taxpayer clinic grants, of which not less than $15,000,000, to remain available until September 30, 2020, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, and of which not less than $206,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: *Provided*, That of the amounts made available for the Taxpayer Advocate Service, not less than $5,500,000 shall be for identity theft and refund fraud casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,860,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2020, and of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,709,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2020; of which not to exceed $10,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2021, for research; of which not to exceed $20,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further*, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2020, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $110,000,000, to remain available until September 30, 2021, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for major information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers' rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make improvements to the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to enhance the response time to taxpayer communications, particularly with regard to victims of tax-related crimes.

SEC. 105. None of the funds made available to the Internal Revenue Service by this Act may be used to make a video unless the Service-Wide Video Editorial Board determines in advance that making the video is appropriate, taking into account the cost, topic, tone, and purpose of the video.

SEC. 106. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer's former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 107. None of the funds made available under this Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

SEC. 108. None of the funds made available in this Act may be used by the Internal Revenue Service to target groups for regulatory scrutiny based on their ideological beliefs.

SEC. 109. None of funds made available by this Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the procedures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled ''Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California'' (Reference Number 2013–10–037).

SEC. 110. None of the funds made available in this Act to the Internal Revenue Service may be obligated or expended—

(1) to make a payment to any employee under a bonus, award, or recognition program; or

(2) under any hiring or personnel selection process with respect to re-hiring a former employee, unless such program or process takes into account the conduct and Federal tax compliance of such employee or former employee.

SEC. 111. None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

SEC. 112. Except to the extent provided in section 6014, 6020, or 6201(d) of the Internal Revenue Code of 1986, no funds in this or any other Act shall be available to the Secretary of the Treasury to provide to any person a proposed final return or statement for use by such person to satisfy a filing or reporting requirement under such Code.

SEC. 113. In addition to the amounts otherwise made available in this Act for the Internal Revenue Service, $77,000,000, to be available until September 30, 2020, shall be transferred by the Commissioner to the ''Taxpayer Services'', ''Enforcement'', or ''Operations Support'' accounts of the Internal Revenue Service for an additional amount to be used solely for carrying out Public Law 115–97: *Provided*, That such funds shall not be available until the Commissioner submits to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 114. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of

health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 115. Not to exceed 2 percent of any appropriations in this title made available under the headings ''Departmental Offices—Salaries and Expenses'', ''Office of Terrorism and Financial Intelligence'', ''Office of Inspector General'', ''Special Inspector General for the Troubled Asset Relief Program'', ''Financial Crimes Enforcement Network'', ''Bureau of the Fiscal Service'', and ''Alcohol and Tobacco Tax and Trade Bureau'' may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. The Secretary of the Treasury may transfer funds from the ''Bureau of the Fiscal Service-Salaries and Expenses'' to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 119. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 120. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 121. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2019 until the enactment of the Intelligence Authorization Act for Fiscal Year 2019.

SEC. 122. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 123. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: *Provided*, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: *Provided further*, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 124. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 125. During fiscal year 2019—

(1) none of the funds made available in this or any other Act may be used by the Department of the Treasury, including the Internal Revenue Service, to issue, revise, or finalize any regulation, revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard which is used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)); and

(2) the standard and definitions as in effect on January 1, 2010, which are used to make such determinations shall apply after the date of the enactment of this Act for purposes of determining status under section 501(c)(4) of such Code of organizations created on, before, or after such date.

SEC. 126. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

(b) The reports required under subsection (a) shall include—

(1) the obligations made during the previous quarter by object class, office, and activity;

(2) the estimated obligations for the remainder of the fiscal year by object class, office, and activity;

(3) the number of full-time equivalents within each office during the previous quarter;

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

(c) At the request of any such Committees specified in subsection (a), the Office of Financial Stability and the Office of Financial Research shall make officials available to testify on the contents of the reports required under subsection (a).

SEC. 127. Amounts made available under the heading ''Office of Terrorism and Financial Intelligence'' shall be available to reimburse the ''Departmental Offices—Salaries and Expenses'' account for expenses incurred in such account for reception and representation expenses to support activities of the Financial Action Task Force.

SEC. 128. Amounts in the Bureau of Engraving and Printing Fund may be used for the acquisition of necessary land for, and construction of, a replacement currency production facility.

This title may be cited as the ''Department of the Treasury Appropriations Act, 2019''.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $55,000,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, $13,081,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare

and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3 U.S.C. 105(d), $750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,187,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $11,800,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $100,000,000, of which not to exceed $12,800,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $101,000,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the annual work plan developed by the Corps of Engineers for submission to the Committees on Appropriations: *Provided further*, That of the funds made available for the Office of Management and Budget by this Act, no less than three full-time equivalent senior staff position shall be dedicated solely to the Office of the Intellectual Property Enforcement Coordinator: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

In addition, $2,000,000 for the Office of Information and Regulatory Affairs to hire additional personnel dedicated to regulatory review and reforms: *Provided*, That these amounts shall be in addition to any other amounts available for such purpose: *Provided further*, That these funds may not be used to backfill vacancies.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $18,400,000: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $280,000,000, to remain available until September 30, 2020, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas (''HIDTAs''), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: *Provided further*, That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2017 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: *Provided further*, That each HIDTA designated as of September 30, 2018, shall be funded at not less than the fiscal year 2018 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2019 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $117,327,000, to remain available until expended, which shall be available as follows: $99,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $2,000,000 for drug court training and technical assistance; $9,500,000 for anti-doping activities; $2,577,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469; and $3,000,000, to remain available until expended, shall be for activities authorized by section 103 of Public Law 114–198: *Provided*, That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000, to remain available until September 30, 2020.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $19,000,000, to remain available until expended: *Provided*, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,288,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 pursuant to 3 U.S.C. 106(b)(2), $302,000: *Provided*, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings ''The White House'', ''Executive Residence at the White House'', ''White House Repair and Restoration'', ''Council of Economic Advisers'', ''National Security Council and Homeland Security Council'', ''Office of Administration'', ''Special Assistance to the President'', and ''Official Residence of the Vice President'', the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from ''Special Assistance to the President'' or ''Official Residence of the Vice President'' without the approval of the Vice President.

SEC. 202. (a) During fiscal year 2019, any Executive order or Presidential memorandum issued or revoked by the President shall be accompanied by a written statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of such order or memorandum.

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays as the result of such order or memorandum, listed by Federal agency, for each year in the 5-fiscal year period beginning in fiscal year 2019; and

(3) the impact on revenues of the Federal Government as the result of such order or memorandum over the 5-fiscal-year period beginning in fiscal year 2019.

(c) If an Executive order or Presidential memorandum is issued during fiscal year 2019 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

(d) The requirement for cost estimates for Presidential memoranda shall only apply for Presidential memoranda estimated to have a regulatory cost in excess of $100,000,000.

This title may be cited as the ''Executive Office of the President Appropriations Act, 2019''.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $84,703,000, of which $1,500,000 shall remain available until expended.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, $15,999,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, $32,016,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $19,450,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, $5,154,461,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $8,475,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,140,846,000 to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $49,750,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $604,460,000, of which not to exceed $20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $92,413,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $29,819,000; of which $1,800,000 shall remain available through September 30, 2020, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $18,548,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'', shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for ''Courts of Appeals, District Courts, and Other Judicial Services'' shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3315(a) of title 40, United States Code, shall be applied by substituting ''Federal'' for ''executive'' each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the matter following paragraph 12—

(1) in the second sentence (relating to the District of Kansas), by striking ''27 years and 6 months'' and inserting ''28 years and 6 months''; and

(2) in the sixth sentence (relating to the District of Hawaii), by striking ''24 years and 6 months'' and inserting ''25 years and 6 months''.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking ''25 years and 6 months'' and inserting ''26 years and 6 months''.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note), is amended—

(1) in the first sentence by striking ''16 years'' and inserting ''17 years'';

(2) in the second sentence (relating to the central District of California), by striking ''15 years and 6 months'' and inserting ''16 years and 6 months''; and

(3) in the third sentence (relating to the western district of North Carolina), by striking ''14 years'' and inserting ''15 years''.

This title may be cited as the ''Judiciary Appropriations Act, 2019''.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $30,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $12,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $244,939,000 to be allocated as follows: for the District of Columbia Court of Appeals, $13,379,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $121,251,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $71,909,000, of which not to exceed $2,500 is for official reception and representation expenses; and $38,400,000, to remain available until September 30, 2020, for capital improvements for District of Columbia courthouse facilities: *Provided*, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $9,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further*, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

(INCLUDING TRANSFER OF FUNDS)

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $46,005,000, to remain available until expended: *Provided*, That not more than $20,000,000 in unobligated funds provided in this account may be transferred to and merged with funds made available under the heading ''Federal Payment to the District of Columbia Courts,'' to be available for the same period and purposes as funds made available under that heading for capital improvements to District of Columbia courthouse facilities: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $256,724,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, and of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002: *Provided*, That, of the

funds appropriated under this heading, $183,166,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons, of which $5,919,000 shall remain available until September 30, 2021 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided further*, That, of the funds appropriated under this heading, $73,558,000 shall be available to the Pretrial Services Agency, of which $7,304,000 shall remain available until September 30, 2021 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That amounts under this heading may be used for programmatic incentives for defendants to successfully complete their terms of supervision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $45,858,000, of which $4,471,000 shall be available until September 30, 2021 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,150,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2020, to the Commission on Judicial Disabilities and Tenure, $295,000, and for the Judicial Nomination Commission, $270,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $52,500,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112–10): *Provided*, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112–10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: *Provided further*, That within funds provided for opportunity scholarships up to $1,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) of the Act and up to $500,000 shall be for the activities specified in section 3009 of the Act.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $435,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $2,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia (''General Fund'') for programs and activities set forth under the heading ''PART A—SUMMARY OF EXPENSES'' and at the rate set forth under such heading, as included in the Fiscal Year 2019 Budget Request Act of 2018 submitted to Congress by the District of Columbia, as amended as of the date of enactment of this Act: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1–204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2019 under this heading shall not exceed the estimates included in the Fiscal Year 2019 Budget Request Act of 2018 submitted to Congress by the District of Columbia, as amended as of the date of enactment of this Act or the sum of the total revenues of the District of Columbia for such fiscal year: *Provided further*, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2019, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $10,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

This title may be cited as the ''District of Columbia Appropriations Act, 2019''.

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,100,000, to remain available until September 30, 2020, of which not to exceed $1,000 is for official reception and representation expenses.

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, $281,500,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $57,000,000, to remain available until September 30, 2020, shall be for the purchase of information technology and of which not less than $3,302,509 shall be for expenses of the Office of the Inspector General: *Provided*, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: *Provided further*, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be transferred to and recorded in a no-year account in the Treasury, which has been established for the sole purpose of recording adjustments for and liquidating such unpaid obligations.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $126,000,000.

ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 501. During fiscal year 2019, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as ''ROV'') rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

(C) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a ROV's rollover resistance on a progressive scale; and

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $9,200,000, of which $1,500,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $333,118,000, to remain available until expended: *Provided*, That $333,118,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $333,118,000 in fiscal year 2019 shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2018, shall not be available for obligation: *Provided further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $130,284,000 for fiscal year 2019: *Provided further*, That, of the amount appropriated under this heading, not less than $11,064,000 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

SEC. 510. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $42,982,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $71,250,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $26,200,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $309,700,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $136,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $17,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $156,700,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $9,633,450,000, of which—

(1) $1,080,068,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) as follows:

(A) $767,900,000 shall be for the Department of Transportation Lease Purchase Option, Washington, District of Columbia;

(B) $100,000,000 shall be for the DHS Consolidation at St. Elizabeths, Washington, District of Columbia;

(C) $27,268,000 shall be for the Former Hardesty Federal Complex, Kansas City, Missouri;

(D) $9,000,000 shall be for the Southeast Federal Center Remediation, Washington, District of Columbia; and

(E) $175,900,000 shall be for the Calexico West Land Port of Entry, Calexico, California:

Provided, That each of the foregoing limits of costs on new construction and acquisition projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount;

(2) $890,419,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) $424,690,000 is for Major Repairs and Alterations;

(B) $373,556,000 is for Basic Repairs and Alterations; and

(C) $92,173,000 is for Special Emphasis Programs, of which—

(i) $30,000,000 is for Fire and Life Safety;

(ii) $11,500,000 is for Judiciary Capital Security; and

(iii) $50,673,000 is for Consolidation Activities: *Provided*, That consolidation projects result in reduced annual rent paid by the tenant agency: *Provided further*, That no consolidation project exceed $10,000,000 in costs: *Provided further*, That consolidation projects are approved by each of the committees specified in section 3307(a) of title 40, United States Code: *Provided further*, That preference is given to consolidation projects that achieve a utilization rate of 130 usable square feet or less per person for office space: *Provided further*, That the obligation of funds under this paragraph for consolidation activities may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken, including estimated savings, has been submitted to the Committees on Appropriations of the House of Representatives and the Senate:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects;

(3) $5,418,845,000 for rental of space to remain available until expended; and

(4) $2,244,118,000 for building operations to remain available until expended: *Provided*, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2019, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $58,499,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; and services as authorized by 5 U.S.C. 3109; $49,440,000, of which not less than $26,890,000 is for Real and Personal Property Management and Disposal; and up to $22,550,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses.

CIVILIAN BOARD OF CONTRACT APPEALS

For expenses authorized by law, not otherwise provided for, for the activities associated with the Civilian Board of Contract Appeals, $9,301,000.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $65,000,000: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

In addition to the foregoing appropriation, $2,000,000, to remain available until expended, shall be transferred to the Council of the Inspectors General on Integrity and Efficiency for enhancements to www.oversight.gov: *Provided*, That these amounts shall be in addition to any other amounts available to the Council of the Inspectors General on Integrity and Efficiency for such purpose.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $4,796,000.

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Products and Programs, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; $55,000,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: *Provided further*, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically in the aggregate amount not to exceed $100,000,000: *Provided further*, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2019 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: *Provided further*, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

ASSET PROCEEDS AND SPACE MANAGEMENT FUND

For carrying out the purposes of the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287), $15,500,000, to be deposited into the Asset Proceeds and Space Management Fund, to remain available until expended.

ENVIRONMENTAL REVIEW IMPROVEMENT FUND

For necessary expenses of the Environmental Review Improvement Fund established pursuant to 42 U.S.C. 4370m–8(d), $6,070,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 520. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 521. Funds in the Federal Buildings Fund made available for fiscal year 2019 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2020 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved Courthouse Project Priorities plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 523. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 524. From funds made available under the heading Federal Buildings Fund, Limitations on Availability of Revenue, claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 525. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and

the Senate prior to exercising any lease authority provided in the resolution.

SEC. 526. With respect to each project funded under the heading ''Major Repairs and Alterations'' or ''Judiciary Capital Security Program'', and with respect to E-Government projects funded under the heading ''Federal Citizen Services Fund'', the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $1,000,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $44,490,000, to remain available until September 30, 2020, and in addition not to exceed $2,345,000, to remain available until September 30, 2020, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), $1,875,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act: (1) up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289); and (2) up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 and section 817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That of the total amount made available under this heading $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,200,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, $375,105,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,801,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $7,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $6,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $2,000,000 shall be available until September 30, 2020, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Stop Trading on Congressional Knowledge Act of 2012, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $16,439,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $132,172,000: *Provided*, That of the total amount made available under this heading, not to exceed $14,000,000 shall remain available until September 30, 2020, for information technology infrastructure modernization and Trust Fund Federal Financial System migration or modernization, and shall be in addition to funds otherwise made available for such purposes: *Provided further*, That of the total amount made available under this heading, $639,018 may be made available for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition $133,483,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided further*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2019, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $5,000,000, and in addition, not to exceed $25,265,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $26,535,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435),

$15,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $5,000,000, to remain available until September 30, 2020.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,658,302,000, to remain available until expended; of which not less than $15,206,269 shall be for the Office of Inspector General; of which not to exceed $75,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; and of which not less than $75,081,000 shall be for the Division of Economic and Risk Analysis.

In addition to the foregoing appropriation, for costs associated with relocation under a replacement lease for the Commission's New York regional office facilities, not to exceed $37,188,942, to remain available until expended: *Provided*, That for purposes of calculating the fee rate under section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)) for fiscal year 2019, all amounts appropriated under this heading shall be deemed to be the regular appropriation to the Commission for fiscal year 2019: *Provided further*, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,658,302,000 of such offsetting collections shall be available until expended for necessary expenses of this account and not to exceed $37,188,942 of such offsetting collections shall be available until expended for costs under this heading associated with relocation under a replacement lease for the Commission's New York regional office facilities: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2019 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2019 appropriation from the general fund estimated at not more than $0: *Provided further*, That if any amount of the appropriation for costs associated with relocation under a replacement lease for the Commission's New York regional office facilities is subsequently de-obligated by the Commission, such amount that was derived from the general fund shall be returned to the general fund, and such amounts that were derived from fees or assessments collected for such purpose shall be paid to each national securities exchange and national securities association, respectively, in proportion to any fees or assessments paid by such national securities exchange or national securities association under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year 2019.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $26,000,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed $3,500 for official reception and representation expenses, $267,500,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2019: *Provided further*, That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2020: *Provided further*, That $3,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development, $241,600,000, to remain available until September 30, 2020: *Provided*, That $130,000,000 shall be available to fund grants for performance in fiscal year 2019 or fiscal year 2020 as authorized by section 21 of the Small Business Act: *Provided further*, That $31,000,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $18,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 22(l) of the Small Business Act (15 U.S.C. 649(l)).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $21,900,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), $9,120,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $4,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2019 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $30,000,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2019 commitments for loans authorized under subparagraph (C) of section 502(7) of The Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2019 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: *Provided further*, That during fiscal year 2019, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $155,150,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 530. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 531. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Administrator of the Small Business Administration may increase the program level for such loans and loan guarantees by not more than 10 percent: *Provided*, That prior to the Administrator implementing such an increase, the Administrator notifies, in writing, the Committees on Appropriations and Small Business of both Houses of Congress at least 30 days in advance.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $55,235,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available

to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $250,000,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $51,515,000, of which $1,000,000 shall remain available until expended: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

SEC. 607. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating chapter 83 of title 41, United States Code.

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

(1) in the case of an official background investigation report, if such individual has given express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) if such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 612. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office of Personnel Management pursuant to court approval.

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 614. The provision of section 613 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. Notwithstanding section 708 of this Act, funds made available to the Commodity Futures Trading Commission and the Securities and Exchange Commission by this or any other Act may be used for the interagency funding and sponsorship of a joint advisory committee to advise on emerging regulatory issues.

SEC. 618. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so

during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term ''Executive agency covered by this Act'' means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 619. (a) There are appropriated for the following activities the amounts required under current law:

(1) Compensation of the President (3 U.S.C. 102).

(2) Payments to—

(A) the Judicial Officers' Retirement Fund (28 U.S.C. 377(o));

(B) the Judicial Survivors' Annuities Fund (28 U.S.C. 376(c)); and

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions—

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

(4) Payment to finance the unfunded liability of new and increased annuity benefits under the Civil Service Retirement and Disability Fund (5 U.S.C. 8348).

(5) Payment of annuities authorized to be paid from the Civil Service Retirement and Disability Fund by statutory provisions other than subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 620. In addition to amounts made available in prior fiscal years, the Public Company Accounting Oversight Board (Board) shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board between January 1, 2018 and December 31, 2018, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2019 shall remain available until expended.

SEC. 621. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled ''Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts'' unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.

SEC. 622. None of the funds in this Act may be used for the Director of the Office of Personnel Management to award a contract, enter an extension of, or exercise an option on a contract to a contractor conducting the final quality review processes for background investigation fieldwork services or background investigation support services that, as of the date of the award of the contract, are being conducted by that contractor.

SEC. 623. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

(b) Amounts appropriated for any executive branch agency funded by this Act that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

SEC. 624. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.

SEC. 625. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 626. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change the rules or regulations of the Commission for universal service high-cost support for competitive eligible telecommunications carriers in a way that is inconsistent with paragraph (e)(5) or (e)(6) of section 54.307 of title 47, Code of Federal Regulations, as in effect on July 15, 2015: *Provided*, That this section shall not prohibit the Commission from considering, developing, or adopting other support mechanisms as an alternative to Mobility Fund Phase II.

SEC. 627. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978, or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access. A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 628. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication activities, or other law enforcement- or victim assistance-related activity.

SEC. 629. None of the funds made available by this Act shall be used by the Securities and Exchange Commission to finalize, issue, or implement any rule, regulation, or order regarding the disclosure of political contributions, contributions to tax exempt organizations, or dues paid to trade associations.

SEC. 630. None of the funds appropriated or other-wise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government- driven scope changes, or are not significant within the overall scope of the project and/or program and unless such awards or incentive fees are consistent with 16.401(e)(2) of the FAR.

SEC. 631. (a) None of the funds made available under this Act may be used to pay for travel and conference activities that result in a total cost to an Executive branch department, agency, board or commission of more than $500,000 at any single conference unless the head of the Executive branch department, agency, board, or commission determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

(b) None of the funds made available under this Act may be used to pay for the travel to or attendance of more than 50 employees, who are stationed in the United States, at any single conference occurring outside the United States unless the head of the Executive branch department, agency, board, or commission determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

SEC. 632. (a) None of the funds appropriated or otherwise made available under this Act may be used by departments and agencies funded in this Act to acquire telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation or a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, ''Standards for Security Categorization of Federal Information and Information Systems'' unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate agencies; and

(3) in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the Federal Bureau of Investigation, that the acquisition of such system is in the vital national security interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate in a manner that identifies the system intended for acquisition and a detailed description of the mitigation strategies identified in (1), provided that such report may include a classified annex as necessary.

SEC. 633. None of the funds made available by this Act shall be used for airline accommodations for any officer (as defined in section 2104 of title 5, United States Code) or employee (as defined in section 2105 of title 5, United States Code) in the executive branch that are not coach-class accommodations (which term is defined, for purposes of this section, as the basic class of accommodation by airlines that is normally the lowest fare offered regardless of airline terminology used, and (as referred to by airlines) may include tourist class or economy class, as well as single class when the airline offers only one class of accommodations to all travelers), unless such accommodations are consistent with section 301–10.123 of title 41, Code of Federal Regulations (as in effect on the date of enactment of this Act) and, with respect to subsection (a)(3) and (b)(2) of such section, written authorization is provided by the head of the agency (or, if the accommodations are for the head of the agency, by the Inspector General of the agency).

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2019 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at $19,947 except station wagons for which the maximum shall be $19,997: *Provided*, That these limits may be exceeded by not to exceed $7,250 for police-type vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided further*, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13693 (March 19, 2015), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 708. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the

applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

SEC. 713. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 716. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term ''agency''—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

(2) includes a military department, as defined under section 102 of such title, the United States Postal Service, and the Postal Regulatory Commission.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under 5 U.S.C. 6301(2), has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse ''General Services Administration, Government-wide Policy'' with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, including improving coordination and reducing duplication, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): *Provided further*, That the total funds transferred or reimbursed shall not exceed $15,000,000 to improve coordination, reduce duplication, and for other activities related to Federal Government Priority Goals established by 31 U.S.C. 1120, and not to exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: *Provided further*, That the funds transferred to or for reimbursement of ''General Services Administration, Government-wide Policy'' during fiscal year 2019 shall remain available for obligation through September 30, 2020: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

SEC. 722. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall comply with any relevant requirements in part 200 of title 2, Code of Federal Regulations: *Provided*, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 732. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

(c) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 734. During fiscal year 2019, for each employee who—

(1) retires under section 8336(d)(2) or 8414(b)(1)(B) of title 5, United States Code; or

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 735. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the funds to make a payment described in paragraph (1).

(b) In this section, each of the terms ''contribution'', ''expenditure'', ''independent expenditure'', ''electioneering communication'', ''candidate'', ''election'', and ''Federal office'' has the meaning given such term in the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.).

SEC. 736. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 737. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2019, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2019, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period consisting of the remainder of fiscal year 2019, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2019 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2019 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2018, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2018, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2018.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2019 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the

statutory pay systems under sections 5303 and 5304 of title 5, United States Code: *Provided*, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as ''Rest of United States'' pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2018.

SEC. 738. (a) The Vice President may not receive a pay raise in calendar year 2019, notwithstanding the rate adjustment made under section 104 of title 3, United States Code, or any other provision of law.

(b) An employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, may not receive a pay rate increase in calendar year 2019, notwithstanding schedule adjustments made under section 5318 of title 5, United States Code, or any other provision of law, except as provided in subsection (g), (h), or (i). This subsection applies only to employees who are holding a position under a political appointment.

(c) A chief of mission or ambassador at large may not receive a pay rate increase in calendar year 2019, notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or any other provision of law, except as provided in subsection (g), (h), or (i).

(d) Notwithstanding sections 5382 and 5383 of title 5, United States Code, a pay rate increase may not be received in calendar year 2019 (except as provided in subsection (g), (h), or (i)) by—

(1) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above level IV of the Executive Schedule; or

(2) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above level IV of the Executive Schedule.

(e) Any employee paid a rate of basic pay (including any locality-based payments under section 5304 of title 5, United States Code, or similar authority) at or above level IV of the Executive Schedule who serves under a political appointment may not receive a pay rate increase in calendar year 2019, notwithstanding any other provision of law, except as provided in subsection (g), (h), or (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, or to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS–15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

(g) A career appointee in the Senior Executive Service who receives a Presidential appointment and who makes an election to retain Senior Executive Service basic pay entitlements under section 3392 of title 5, United States Code, is not subject to this section.

(h) A member of the Senior Foreign Service who receives a Presidential appointment to any position in the executive branch and who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service Act of 1980 (Public Law 96–465) is not subject to this section.

(i) Notwithstanding subsections (b) through (e), an employee in a covered position may receive a pay rate increase upon an authorized movement to a different covered position with higher-level duties and a preestablished higher level or range of pay, except that any such increase must be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(k) If an employee affected by subsections (b) through (e) is subject to a biweekly pay period that begins in calendar year 2019 but ends in calendar year 2020, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

SEC. 739. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2019 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days after the end of a quarter, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2019 for which the cost to the United States Government was more than $20,000.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 740. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 741. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled ''Competitive Area'' published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 742. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 743. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

SEC. 744. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

SEC. 745. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 746. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 747. (a) During fiscal year 2019, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such request.

(b) Any notification required by this section shall be made available on the Bureau's public Web site.

SEC. 748. If, for fiscal year 2019, new budget authority provided in appropriations Acts exceeds the discretionary spending limit for any category set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 due to estimating differences with the Congressional Budget Office, an adjustment to the discretionary spending limit in such category for fiscal year 2019 shall be made by the Director of the Office of Management and Budget in the amount of the excess but the total of all such adjustments shall not exceed 0.2 percent of the sum of the adjusted discretionary spending limits for all categories for that fiscal year.

SEC. 749. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2019 under section 5303 of title 5, United States Code, shall be an increase of 1.4 percent, and the overall average percentage of the adjustments taking effect in such fiscal year under sections 5304 and 5304a of such title 5 shall be an increase of 0.5 percent (with comparability payments to be determined and allocated among pay localities by the President). All adjustments under this subsection shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2019.

(b) Notwithstanding section 737, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2019 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentages in subsection (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303, 5304, and 5304a of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303, 5304, and 5304a of such title 5 and prevailing rate employees described in section 5343(a)(5) of such title 5 shall be considered to be located in the pay locality designated as "Rest of U.S." pursuant to section 5304 of such title 5 for purposes of this subsection.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2019.

SEC. 750. Except as expressly provided otherwise, any reference to "this Act" contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 802. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2019.

SEC. 804. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day;

(4) at the discretion of the Chief Medical Examiner, an officer or employee of the Office of the Chief Medical Examiner who resides in the District of Columbia and is on call 24 hours a day;

(5) at the discretion of the Director of the Homeland Security and Emergency Management Agency, an officer or employee of the Homeland Security and Emergency Management Agency who resides in the District of Columbia and is on call 24 hours a day;

(6) the Mayor of the District of Columbia; and

(7) the Chairman of the Council of the District of Columbia.

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) No funds available for obligation or expenditure by the District of Columbia government under any authority may be used to enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

SEC. 810. No funds available for obligation or expenditure by the District of Columbia government under any authority shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2019 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency for which the Chief Financial Officer for the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42).

SEC. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

(c) The District of Columbia government may not transfer or reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

SEC. 816. (a)(1) During fiscal year 2020, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Act referred to in paragraph (2) (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

(2) The Act referred to in this paragraph is the Act of the Council of the District of Columbia pursuant to which a proposed budget is approved for fiscal year 2020 which (subject to the requirements of the District of Columbia Home Rule Act) will constitute the local portion of the annual budget for the District of Columbia government for fiscal year 2020 for purposes of section 446 of the District of Columbia Home Rule Act (sec. 1–204.46, D.C. Official Code).

(b) Appropriations made by subsection (a) shall cease to be available—

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2020 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2020.

(c) An appropriation made by subsection (a) is provided under the authority and conditions as provided under this Act and shall be available to the extent and in the manner that would be provided by this Act.

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2020 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2020 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

SEC. 817. Except as expressly provided otherwise, any reference to ''this Act'' contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the ''Financial Services and General Government Appropriations Act, 2019''.

DIVISION C—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I
AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $46,532,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $800,000 shall be available for the Office of the Assistant to the Secretary for Rural Development: *Provided*, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $1,496,000 shall be available for the Office of Homeland Security; not to exceed $4,711,000 shall be available for the Office of Partnerships and Public Engagement; not to exceed $23,105,000 shall be available for the Office of the Assistant Secretary for Administration, of which $22,301,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided further*, That funds made available by this Act to an agency in the Administration mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,500,000 shall be available for the Office of Communications: *Provided further*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $19,786,000, of which $4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.

OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, $15,222,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,525,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $63,950,000, of which not less than $38,000,000 is for cybersecurity requirements of the department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,028,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $901,000: *Provided*, That funds made available by this Act to an agency in the Civil Rights mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,206,000.

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $58,330,000, to remain available until expended.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,503,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), $98,208,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97–98).

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $45,146,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $4,136,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $800,000: *Provided*, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $86,757,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $174,767,000, of which up to $45,300,000 shall be available until expended for the Census of Agriculture: *Provided*, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,300,966,000, of which $10,600,000, to remain available until expended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas; and of which not less than $7,000,000 shall be available for purposes of entering into a management, operations, and research support contract to expedite the hiring of a capable workforce for the commissioning of the Central Utility Plant and in support of operations and management of the National Bio- and Agro-defense Facility: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: *Provided further*, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $898,535,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Research and Education Activities'' in the report accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: *Provided further*, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $486,692,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Extension Activities'' in the report accompanying this Act: *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative

extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $38,000,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Integrated Activities'' in the report accompanying this Act: *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2020: *Provided further*, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $901,000: *Provided*, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $1,000,493,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (''contingency fund'') to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $37,857,000, to remain available until expended, shall be for Animal Health Technical Services; of which $705,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $62,840,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $178,170,000, to remain available until expended, shall be for specialty crop pests; of which, $11,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $16,523,000, to remain available until expended, shall be for zoonotic disease management; of which $41,466,000, to remain available until expended, shall be for emergency preparedness and response; of which $60,000,000, to remain available until expended, shall be for tree and wood pests; of which $5,725,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended; of which $13,600,000, to remain available until expended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2019, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $155,845,000, of which $4,000,000 shall be available for the purposes of section 12306 of Public Law 113–79: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,982,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) transfers otherwise provided in this Act; and (3) not more than $20,489,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961 (Public Law 87–128).

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,235,000.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $55,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $800,000: *Provided*, That funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,049,344,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2019 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246 as further clarified by the amendments made in section 12106 of Public Law 113–79: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, $901,000: *Provided*, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

For necessary expenses of the Farm Production and Conservation Business Center, $1,028,000, to remain available until expended: *Provided*, That $149,000 of amounts appropriated for the current fiscal year pursuant to section 1241(a) of the Farm Security and Rural Investment Act of 1985 (16 U.S.C. 3841(a)) shall be transferred to and merged with this account.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,202,146,000: *Provided*, That not more than 50 percent of the $44,691,000 made available under this heading for information technology related to farm program delivery, including the Modernize and Innovate the Delivery of Agricultural Systems and other farm program delivery systems, may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: *Provided further*, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2019 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,904,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,750,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,960,000,000 for unsubsidized guaranteed operating loans and $1,530,000,000 for direct operating loans; emergency loans, $37,668,000; Indian tribe land acquisition loans, $20,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $60,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm operating loans, $59,670,000 for direct operating loans, $21,168,000 for unsubsidized guaranteed operating loans, emergency loans, $1,567,000 and $2,134,000 for Indian highly fractionated land loans to remain available until expended.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $325,068,000: *Provided*, That of this amount, $314,998,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses'', of which $8,000,000 shall be available until September 30, 2020.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, $74,829,000: *Provided*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $879,107,000, to remain available until September 30, 2020: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, $150,000,000, to remain available until expended: *Provided*, That for funds provided by this Act or any other prior Act, the limitation regarding the size of the watershed or subwatershed exceeding two hundred and fifty thousand acres in which such activities can be undertaken shall only apply for activities undertaken for the primary purpose of flood prevention (including structural and land treatment measures): *Provided further*, That of the amounts made available under this heading, $50,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a

primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE III

RURAL DEVELOPMENT PROGRAMS

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of Rural Development programs, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $232,835,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support Rural Development programs: *Provided further*, That in addition to any other funds appropriated for purposes authorized by section 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts collected under such section will immediately be credited to this account and will remain available until expended for such purposes.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $1,100,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $28,000,000 for section 504 housing repair loans; $40,000,000 for section 515 rental housing; $230,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $53,900,000 shall be for direct loans; section 504 housing repair loans, $3,419,000; section 523 self-help housing land development loans, $431,000; section 524 site development loans, $176,000; and repair, rehabilitation, and new construction of section 515 rental housing, $9,484,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2019: *Provided further*, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities and public housing authorities to earn a Return on Investment on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner's oversight of asset referred to as ''Asset Management Fee'' of up to $7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), $14,281,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $412,254,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $1,331,400,000, of which $40,000,000 shall be available until September 30, 2020; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2019 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act: *Provided further*, That except as provided in the third proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2019 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $50,000,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $26,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this

heading, $24,000,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $30,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $40,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $3,000,000,000 for direct loans and $148,287,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $4,285,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $47,778,000, to remain available until expended: *Provided*, That $6,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $69,619,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $8,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.), the Northern Border Regional Commission (40 U.S.C. 15101 et seq.), and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), $18,889,000.

For the cost of direct loans, $4,157,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $557,000 shall be available through June 30, 2019, for Federally Recognized Native American Tribes; and of which $1,072,000 shall be available through June 30, 2019, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, $4,468,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $45,000,000.

The cost of grants authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed $10,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $30,050,000, of which $3,750,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $17,500,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a), of which $2,500,000 shall be for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107–171.

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $338,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $558,183,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That not to exceed $15,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act and such grants may not exceed $1,000,000 notwithstanding section 306A(f)(1) of such Act: *Provided further*, That $68,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium

formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $40,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $8,000,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $4,000,000 shall be for solid waste management grants: *Provided further*, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305, 306, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g) shall be made as follows: loans made pursuant to sections 305, 306, and 317, notwithstanding 317(c), of that Act, rural electric, $5,500,000,000; guaranteed underwriting loans pursuant to section 313A, $750,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, design and engineering or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon subsurface utilization and storage systems.

For the cost of direct loans as authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, $1,725,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $33,270,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $29,851,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $33,000,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $5,830,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $30,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $800,000: *Provided*, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $23,184,012,000 to remain available through September 30, 2020, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, $30,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than $1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That of the total amount available, $28,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80): *Provided further*, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking ''2010 through 2018'' and inserting ''2010 through 2019'': *Provided further*, That section 9(h)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking ''for fiscal year 2018'' and inserting ''for fiscal year 2019'': *Provided further*, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking ''for fiscal year 2018'' and inserting ''for fiscal year 2019''.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,150,000,000, to remain available through September 30, 2020, of which $25,000,000 shall be placed in reserve, to remain available until expended, to be allocated as the Secretary deemed necessary, notwithstanding section 17(i) of such Act, to support participation should cost or participation exceed budget estimates: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, and $19,000,000 shall be used for infrastructure, of which $5,000,000 shall be for competitive grants to promote breastfeeding and improved nutritional health through technologies and services, including telemedicine: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $73,219,274,000, of which $3,000,000,000, to remain available through December 31, 2020, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available through September 30, 2020: *Provided further*, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2020: *Provided further*, That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $322,139,000, to remain available through September 30, 2020: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2019 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2020: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 15 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $164,688,000: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, $875,000: *Provided*, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CODEX ALIMENTARIUS

For necessary expenses of the Office of Codex Alimentarius, $3,976,000, including not to exceed $40,000 for official reception and representation expenses.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $212,230,000, of which no more than 6 percent shall remain available until September 30, 2020, for overseas operations to include the payment of locally employed staff: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $142,000, shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,716,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $210,255,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: *Provided further*, That of the amount made available under this heading, $15,000,000, shall remain available until expended for necessary expenses to carry out the provisions of section 3207 of the Agricultural Act of 2014 (7 U.S.C. 1726c).

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, $8,845,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,382,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $2,463,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114–255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $5,419,299,000: *Provided*, That of the amount provided under this heading, $960,568,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $196,668,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $501,396,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $40,922,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $30,331,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $18,336,000 shall be derived from generic new animal drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $712,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: *Provided further*, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2019 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2019, including any such fees collected prior to fiscal year 2019 but credited for fiscal year 2019, shall be subject to the fiscal year 2019 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2019 of user fees specified under this heading and authorized for fiscal year 2020, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2020 for which the Secretary accepts payment in fiscal year 2019 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $1,052,315,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,720,807,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $369,857,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $216,914,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $495,988,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $65,531,000 shall be for the National Center for Toxicological Research; (7) $662,043,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $174,751,000 shall be for Rent and Related activities, of which $50,987,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed

$240,887,000 shall be for payments to the General Services Administration for rent; and (10) $420,206,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That of the amounts that are made available under this heading for ''other activities'', and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for ''Department of Health and Human Services—Office of Inspector General'' for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), and medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb–4a, shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, demolition, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $11,788,000, to remain available until expended.

FDA INNOVATION ACCOUNT, CURES ACT

For necessary expenses to carry out the purposes described under section 1002(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes under the heading ''Salaries and Expenses'', $70,000,000, to remain available until expended: *Provided*, That amounts appropriated in this paragraph are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for ''Department of Health and Human Services—Food and Drug Administration—Salaries and Expenses'' solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the account: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $74,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 717 of this Act: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, or functions of the offices of the Chief Financial Officer or any personnel from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of section 717 of this Act: *Provided further*, That the Secretary of Agriculture and the offices of the Chief Financial Officer shall actively market to existing and new Departments and other government agencies National Finance Center shared services including, but not limited to, payroll, financial management, and human capital shared services and allow the National Finance Center to perform technology upgrades: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by

the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113–235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2020, for information technology expenses: *Provided*, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2020, for information technology expenses.

SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113–79), other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 712. Of the funds made available by this Act, not more than $2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 714. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 715. Notwithstanding subsection (b) of section 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this section referred to as ''section 14222''), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as ''section 32'') in excess of $1,299,600,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—$485,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities— $2,500,000; Administration of Section 32 Commodity Purchases—$35,853,000: *Provided*, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2019, such unobligated balances shall carryover into fiscal year 2020 and shall remain available until expended for any of the purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed $350,000,000 and may not be obligated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: *Provided further*, That, with the exception of any available carryover funds authorized in any prior appropriations Act to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture to carry out clause (3) of section 32.

SEC. 716. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2020 appropriations Act.

SEC. 717. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of $500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30

days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 718. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, or non-Farm Credit Administration employee.

SEC. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. There is hereby appropriated $2,000,000 for a pilot program to provide competitive grants to State departments of agriculture, State cooperative extension services, and nonprofit organizations to carry out programs to address farmer stress and suicide.

SEC. 723. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the report accompanying this Act.

SEC. 724. Of the unobligated balances from amounts made available for the supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $400,000,000 are hereby rescinded.

SEC. 725. The Secretary shall continue an intermediary loan packaging program based on the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall continue agreements with current intermediary organizations and with additional qualified intermediary organizations. The Secretary shall work with these organizations to increase effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 726. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 727. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

SEC. 728. None of the funds made available by this Act may be used to implement, administer, or enforce the ''variety'' requirements of the final rule entitled ''Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)'' published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term ''variety'' as de fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and ''variety'' as applied in the definition of the term ''staple food'' as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: *Provided*, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113–79).

SEC. 729. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940); or

(2) to prohibit the transportation, processing, sale, or use of industrial hemp, or seeds of such plant, that is grown or cultivated in accordance with subsection section 7606 of the Agricultural Act of 2014, within or outside the State in which the industrial hemp is grown or cultivated.

SEC. 730. Funds provided by this or any prior Appropriations Act for the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) shall be made available without regard to section 7128 of the Agricultural Act of 2014 (7 U.S.C. 3371 note), under the matching requirements in laws in effect on the date before the date of enactment of such section: *Provided*, That the requirements of 7 U.S.C. 450i(b)(9) shall continue to apply.

SEC. 731. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 732. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 733. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 734. None of the funds made available by this or any other Act may be used to carry out the final rule promulgated by the Food and Drug Administration and put into effect November 16, 2015, in regards to the hazard analysis and risk-based preventive control requirements of the current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals rule with respect to the regulation of the production, distribution, sale, or receipt of dried spent grain byproducts of the alcoholic beverage production process.

SEC. 735. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 736. No partially hydrogenated oils as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.) shall be deemed unsafe within the meaning of section 409(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(a)) and no food that is introduced or delivered for introduction into interstate commerce that bears or contains a partially hydrogenated oil shall be deemed adulterated under sections 402(a)(1) or 402(a)(2)(C)(i) of this Act by virtue of bearing or containing a partially hydrogenated oil until the compliance date as specified in such order (June 18, 2018).

SEC. 737. There is hereby appropriated $10,000,000, to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary may allow eligible entities to offer loans to customers in any part of their service territory and to offer loans to replace a manufactured housing unit with another manufactured housing unit, if replacement would be more cost effective in saving energy.

SEC. 738. For fiscal years 2019 through 2025, the Administrators of the Agricultural Research Service and the Animal and Plant Health Inspection Service may make not to exceed 50 appointments in any fiscal year for employees of such agencies at the National Bio- and Agro-defense Facility (NBAF) in Manhattan, Kansas: *Provided*, That such appointments may be made in the manner provided by 7 U.S.C. 7657(b)(4)(A)(i-v): *Provided further*, That such appointments may be made at a rate of basic pay that exceeds the

rate payable for such positions under the General Schedule or the Executive Schedule, or other applicable schedule, as appropriate.

SEC. 739. There is hereby appropriated $1,000,000 for the Secretary to carry out a pilot program that provides forestry inventory analysis, forest management and economic outcomes modelling for certain currently enrolled Conservation Reserve Program participants. The Secretary shall allow the Commodity Credit Corporation to enter into agreements with and provide grants to qualified non-profit organizations dedicated to conservation, forestry and wildlife habitats, that also have experience in conducting accurate forest inventory analysis through the use of advanced, cost-effective technology. The Secretary shall focus the analysis on lands enrolled for at least eight years and located in areas with a substantial concentration of acres enrolled under conservation practices devoted to multiple bottomland hardwood tree species including CP03, CP03A, CP11, CP22, CP31 and CP40.

SEC. 740. During fiscal year 2019, the Food and Drug Administration shall not allow the introduction or delivery for introduction into interstate commerce of any food that contains genetically engineered salmon until the FDA publishes final labeling guidelines for informing consumers of such content.

SEC. 741. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement nonrenewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 742. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term ''iron and steel products'' means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the ''Secretary'') or the designee of the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Secretary or the designee receives a request for a waiver under this section, the Secretary or the designee shall make available to the public on an informal basis a copy of the request and information available to the Secretary or the designee concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Secretary or the designee shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Department.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for ''Rural Utilities Service—Rural Water and Waste Disposal Program Account'' for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) Subsection (a) shall not apply with respect to a project for which the engineering plans and specifications include use of iron and steel products otherwise prohibited by such subsection if the plans and specifications have received required approvals from State agencies prior to the date of enactment of this Act.

(g) For purposes of this section, the terms ''United States'' and ''State'' shall include each of the several States, the District of Columbia, and each federally recognized Indian tribe.

SEC. 743. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2019, an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account, equal to the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones.

SEC. 744. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

SEC. 745. There is hereby appropriated $1,000,000, to remain available until expended, for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.

SEC. 746. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 747. (a) The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall carry out a pilot program during fiscal year 2019 with respect to the 2018 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some of the State Farm Service Agency offices in each State the opportunity to provide agricultural producers in the State a supplemental payment described in subsection (c) based on the alternate calculation method described in subsection (b) for 1 or more counties in a State if the office for that State determines that the alternate calculation method is necessary to ensure that, to the maximum extent practicable, there are not significant yield calculation disparities between comparable counties in the State.

(b) The alternate calculation method referred to in subsection (a) is a method of calculating the actual yield for the 2018 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), under which—

(1) county data of the National Agricultural Statistics Service (referred to in this section as ''NASS data'') is used for the calculations;

(2) if there is insufficient NASS data for a county (as determined under standards of the Secretary in effect as of the date of enactment of this Act) or the available NASS data produces a substantially disparate result, the calculation of the county yield is determined using comparable contiguous county NASS data as determined by the Farm Service Agency office in the applicable State; and

(3) if there is insufficient NASS data for a comparable contiguous county (as determined under standards of the Secretary in effect as of the date of enactment of this Act), the calculation of the county yield is determined using reliable yield data from other sources, such as Risk Management Agency data, National Agricultural Statistics Service district data, National Agricultural Statistics Service State yield data, or other data as determined by the Farm Service Agency office in the applicable State.

(c)(1) A supplemental payment made under the pilot program established under this section may be made to an agricultural producer who is subject to the alternate calculation method described in subsection (b) if that agricultural producer would otherwise receive a county-level agriculture risk coverage payment for the 2018 crop year in an amount that is less than the payment that the agricultural producer would receive under the alternate calculation method.

(2) The amount of a supplemental payment to an agricultural producer under this section may not exceed the difference between—

(A) the payment that the agricultural producer would have received without the alternate calculation method described in subsection (b); and

(B) the payment that the agricultural producer would receive using the alternate calculation method.

(d)(1) There is appropriated to the Secretary, out of funds of the Treasury not otherwise appropriated, $5,000,000, to remain available until September 30, 2020, to carry out the pilot program described in this section.

(2) Of the funds appropriated, the Secretary shall use not more than $5,000,000 to carry out the pilot program described in this section.

(e)(1) To the maximum extent practicable, the Secretary shall select States to participate in the pilot program under this section so the cost of the pilot program equals the amount provided under subsection (d).

(2) To the extent that the cost of the pilot program exceeds the amount made available, the Secretary shall reduce all payments under the pilot program on a pro rata basis.

(f) Nothing in this section affects the calculation of actual yield for purposes of county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than payments made in accordance with the pilot program under this section.

(g) A calculation of actual yield made using the alternate calculation method described in subsection (b) shall not be used as a basis for any agriculture risk coverage payment determinations under section 1117 of the Agricultural Act of 2014 (7 U.S.C. 9017) other than for purposes of the pilot program under this section.

SEC. 748. The Secretary of Agriculture and the Secretary's designees are hereby granted the same access to information and subject to the same requirements applicable to the Secretary of Housing and Urban Development as provided in section 453 of the Social Security Act (42 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to verify the income for individuals participating in sections 502, 504, 521, and 542 of the Housing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and 1490r), notwithstanding section 453(l)(1) of the Social Security Act.

SEC. 749. In addition to any other funds made available in this Act or any other Act, there is appropriated $5,000,000 to carry out section 18(g)(8) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)), to remain available until expended.

SEC. 750. None of the funds made available by this Act may be used by the Food and Drug Administration to develop, issue, promote, or advance any regulations applicable to food manufacturers for population-wide sodium reduction actions or to develop, issue, promote or advance final guidance applicable to food manufacturers for long term population-wide sodium reduction actions until the date on which a dietary reference intake report with respect to sodium is completed.

SEC. 751. There is hereby appropriated $1,000,000, to remain available until September 30, 2020, for the cost of loans and grants that is consistent with section 4206 of the Agricultural Act of 2014, for necessary expenses of the Secretary to support projects that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities.

SEC. 752. For an additional amount for ''Animal and Plant Health Inspection Service—Salaries and Expenses'', $7,500,000, to remain available until September 30, 2020, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 753. None of the funds made available by this or any other Act may be used to enforce the final rule promulgated by the Food and Drug Administration entitled ''Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption,'' and published on November 27, 2015, with respect to the regulation of the production, distribution, sale, or receipt of grape varietals that are grown, harvested and used solely for wine and receive commercial processing that adequately reduces the presence of microorganisms of public health significance.

SEC. 754. There is hereby appropriated $20,000,000, to remain available until expended, for an additional amount for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C 950aaa et seq., to help address the opioid epidemic in rural America.

SEC. 755. There is hereby appropriated $5,000,000, to remain available until September 30, 2020, for a pilot program for the National Institute of Food and Agriculture to provide grants to nonprofit organizations for programs and services to establish and enhance farming and ranching opportunities for military veterans.

SEC. 756. There is hereby appropriated $425,000,000, to remain available until expended, for an additional amount for Sec. 779 of P.L. 115–141.

SEC. 757. For an additional amount for the cost of direct loans and grants made under the ''Rural Water and Waste Disposal Program Account'', $400,000,000, to remain available until expended.

SEC. 758. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

This division may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019''.

DIVISION D—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $113,535,000, of which not to exceed $3,001,000 shall be available for the immediate Office of the Secretary; not to exceed $1,040,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,428,000 shall be available for the Office of the General Counsel; not to exceed $10,265,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $14,019,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,550,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $29,244,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,142,000 shall be available for the Office of Public Affairs; not to exceed $1,835,000 shall be available for the Office of the Executive Secretariat; not to exceed $12,325,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $16,686,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $8,471,000, of which $2,218,000 shall remain available until September 30, 2021: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $1,000,000,000, to remain available through September 30, 2021: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, port authority, or a collaboration among such entities on a competitive basis for projects that will have a significant local or regional impact: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure and land ports of entry): *Provided further*, That of the amount made available under this heading, the Secretary may use an amount not to exceed $15,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further*, That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, or sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $25,000,000: *Provided further*, That not more than 10 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to $25,000,000 of the funds provided under

this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program: *Provided further*, That none of the funds provided in the previous proviso may be used to hire additional personnel: *Provided further*, That the Secretary shall consider and award projects based solely on the selection criteria from the fiscal year 2016 Notice of Funding Opportunity: *Provided further*, That the Secretary shall not use the Federal share or an applicant's ability to generate non-Federal revenue as a selection criteria in awarding projects: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity no later than 60 days after enactment of this Act: *Provided further*, That the Notice of Funding Opportunity shall require application submissions 90 days after the publishing of such Notice: *Provided further*, That of the applications submitted under the previous two provisos, the Secretary shall make grants no later than 270 days after enactment of this Act in such amounts that the Secretary determines.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, $2,987,000, to remain available until expended.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $2,000,000, to remain available through September 30, 2020.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, and implementation of enhanced security controls on network devices, $15,000,000, to remain available through September 30, 2020.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,470,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, $7,879,000, to remain available until expended: *Provided*, That of such amount, $1,000,000 shall be for necessary expenses for the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $203,883,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For necessary expenses of the Minority Business Resource Center, the provision of financial education outreach activities to eligible transportation-related small businesses, the monitoring of existing loans in the guaranteed loan program, and the modification of such loans of the Minority Business Resource Center, $249,000, as authorized by 49 U.S.C. 332: *Provided*, That notwithstanding that section, these funds may be for business opportunities related to any mode of transportation.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, $3,488,000, to remain available until September 30, 2020: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Council on Credit and Finance, including the agenda for each meeting, and require the Council on Credit and Finance to record the decisions and actions of each meeting.

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees: *Provided further*, That such reserve will not exceed one month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits: *Provided further*, That the Working Capital Fund will be fully reimbursed by each customer agency from available funds for the actual cost of the transit benefit.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, the lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $10,410,758,000, to remain available until September 30, 2020, of which $9,833,400,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,843,427,000 shall be available for air traffic organization activities; not to exceed $1,334,377,000 shall be available for aviation safety activities; not to exceed $24,981,000 shall be available for commercial space transportation activities; not to exceed $816,562,000 shall be available for finance and management activities; not to exceed $61,796,000 shall be available for NextGen and operations planning activities; not to exceed $114,312,000 shall be available for security and hazardous materials safety; and not to exceed $215,303,000 shall be available for staff offices: *Provided*, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 5 percent: *Provided further*, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That

not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $168,000,000 shall be used to fund direct operations of the current 254 air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $3,000,000,000, of which $512,823,000 shall remain available until September 30, 2020, $2,362,977,000 shall remain available until September 30, 2021, and $124,200,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2020 through 2024, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $191,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2021: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,000,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2019, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multiphased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $112,600,000 shall be available for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $33,210,000 shall be available for Airport Technology Research, and $10,000,000, to remain available until expended, shall be available and transferred to ''Office of the Secretary, Salaries and Expenses'' to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, United States Code, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for ''Grants-In-Aid for Airports'', to enable the Secretary of Transportation to make grants for projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, $750,000,000, to remain available through September 30, 2021: *Provided*, That amounts made available under this heading shall be derived from the general fund, and such funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages under chapter 471: *Provided further*, That the Secretary shall distribute funds provided under this heading as discretionary grants to airports: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: *Provided further*, That the Administrator of the Federal Aviation Administration may retain up to 0.5 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2019.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall

be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 117. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than eight political and Presidential appointees in the Federal Aviation Administration.

SEC. 119. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the Federal Aviation Administration provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119A. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants, as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible using the factors set forth in the Federal Aviation Administration report, Establishment and Discontinuance Criteria for Airport Traffic Control Towers (FAA–APO–90–7 as of August, 1990).

SEC. 119D. Notwithstanding any other provision of law, none of the funds made available in this Act may be obligated or expended to limit the use of an Organization Designation Authorization's (ODA) delegated functions documented in its procedures manual on a type certification project unless the Administrator documents a systemic airworthiness noncompliance performance issue as a result of inspection or oversight that the safety of air commerce requires a limitation with regard to a specific authorization or where an ODA's capability has not been previously established in terms of a new compliance method or design feature: *Provided*, That in such cases the Federal Aviation Administration shall work with the ODA holder if requested to develop the capability to execute that function safely, efficiently and effectively.

SEC. 119E. (a) TERMINAL AERODROME FORECAST.—The Administrator shall permit an air carrier operation under part 121 of title 14, Code of Federal Regulations, to operate to a destination determined to be under visual flight rules without a Terminal Aerodrome Forecast or Meteorological Aerodrome Report if a current Area Forecast, supplemented by other local weather observations or reports, is available, and an alternate airport that has an available Terminal Aerodome Forecast and weather report is specified. The air carrier shall have approved procedures for dispatch and enroute weather evaluation and shall operate under instrument flight rules enroute to the destination.

(b) LIMITATION.—Without a written finding of necessity, based on objective and historical evidence of imminent threat to safety, the Administrator shall not promulgate any operation specification, policy, or guidance document that is more restrictive than, or requires procedures that are not expressly stated in, the regulations.

SEC. 119F. Of the funds provided under the heading ''Grants-in-aid for Airports'', up to $3,500,000 shall be for necessary expenses, including an independent verification regime, to provide reimbursement to airport sponsors that do not provide gateway operations and providers of general aviation ground support services located at those airports closed during a temporary flight restriction (TFR) for any residence of the President that is designated or identified to be secured by the United States Secret Service, and for direct and incremental financial losses incurred while such airports are closed solely due to the actions of the Federal Government: *Provided*, That no funds shall be obligated or distributed to airport sponsors that do not provide gateway operations and providers of general aviation ground support services until an independent audit is completed: *Provided further*, That losses incurred as a result of violations of law, or through fault or negligence, of such operators and service providers or of third parties (including airports) are not eligible for reimbursements: *Provided further*, That obligation and expenditure of funds are conditional upon full release of the United States Government for all claims for financial losses resulting from such actions.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $446,444,304, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America's Surface Transportation Act shall not exceed total obligations of $45,268,596,000 for fiscal year 2019: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $46,007,596,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

HIGHWAY INFRASTRUCTURE PROGRAMS

There is hereby appropriated to the Secretary of Transportation $3,300,000,000: *Provided*, That the amounts made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2019 in this or any other Act for ''Federal-aid Highways'' under chapter 1 of title 23, United States Code, and shall not affect the distribution or amount of funds provided in any other Act: *Provided further*, That section 1101(b) of Public Law 114–94 shall apply to funds made available under this heading: *Provided further*, That of the funds made available under this heading, $2,389,200,000 shall be set aside for activities eligible under section 133(b)(1)(A) of title 23, United States Code, $15,800,000 shall be set aside for activities eligible under the Puerto Rico Highway Program as described in section 165(b)(2)(C) of such title, $5,000,000 shall be set aside for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of such title, $90,000,000 shall be set aside for the elimination of hazards and installation of protective devices at railway-highway crossings, as described in section 130(e)(1)(A) of such title, and $800,000,000 shall be set aside for a bridge replacement and rehabilitation program for States: *Provided further*, That for purposes of this heading, the term ''State'' means any of the 50 States or the District of Columbia: *Provided further*, That the funds made available under this heading for activities eligible under section 133(b)(1)(A) of title 23, United States Code, shall be suballocated in the manner described in section 133(d) of such title, except that the set-aside described in section 133(h) of such title shall not apply to funds made available under this heading: *Provided further*, That the funds made available under this heading for (1) activities eligible under section 133(b)(1)(A) of such title (2) the elimination of hazards and installation of protective devices at railway-highway crossings, and (3) a bridge replacement and rehabilitation program shall be administered as if apportioned under chapter 1 of such title and shall remain available through September 30, 2022: *Provided further*, That the funds made available under this heading for activities eligible under section 133(b)(1)(A) of title

23, United States Code, shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2019 is distributed among the States in section 120(a)(5) of this Act: *Provided further*, That, except as provided in the following proviso, the funds made available under this heading for activities eligible under the Puerto Rico Highway Program and activities eligible under the Territorial Highway Program shall be administered as if allocated under sections 165(b) and 165(c), respectively, of such title and shall remain available through September 30, 2022: *Provided further*, That the funds made available under this heading for activities eligible under the Puerto Rico Highway Program shall not be subject to the requirements of sections 165(b)(2)(A) or 165(b)(2)(B) of such title: *Provided further*, That the funds made available under this heading for the elimination of hazards and installation of protective devices at railway-highway crossings shall be apportioned to the States as described in sections 130(f)(1) and (f)(2) of such title: *Provided further*, That at least one-half of the funds made available to a State under this heading for the elimination of hazards and installation of protective devices at railway-highway crossings shall be available for the installation of protective devices at railway-highway crossings: *Provided further*, That the funds made available under this heading for the elimination of hazards and installation of protective devices at railway-highway crossings shall be subject to the special rule described in section 130(e)(2) of such title: *Provided further*, That projects carried out with funds made available under this heading for the elimination of hazards and installation of protective devices at railway-highway crossings shall be (1) subject to sections 130(b), (c), and (j) of such title, (2) included in the annual report described in section 130(g) of such title, and (3) subject to the Federal share requirement described in section 130(f)(3) of such title: *Provided further*, That the funds made available under this heading for the elimination of hazards and installation of protective devices at railway-highway crossings shall be (1) available for matching, as described in section 130(h) of such title, subject to the requirements of such section, (2) available for incentive payments, as described in section 130(i) of such title, subject to the requirements of such section, and (3) subject to the limitation in section 130(k) of such title: *Provided further*, That the funds made available under this heading for a bridge replacement and rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That except as provided in the following proviso the funds made available under this heading for a bridge replacement and rehabilitation program shall be used in areas of a State that have a population of 200,000 or fewer individuals: *Provided further*, That if a State has no bridges located in areas with a population of 200,000 or fewer individuals, or if a State has no bridge replacement or rehabilitation needs in areas of the State with a population of 200,000 or fewer individuals, the funds made available under this heading for a bridge replacement and rehabilitation program may be used for highway bridge replacement or rehabilitation projects on public roads in any area of the State: *Provided further*, That the Secretary shall distribute funds made available under this heading for the bridge replacement and rehabilitation program to each State by the proportion that the percentage of total deck area of bridges classified as in poor condition in each State bears to the sum of the percentages of total deck area of bridges classified as in poor condition in all States: *Provided further*, That for purposes of this heading for the bridge replacement and rehabilitation program, the Secretary shall (1) calculate population based on the latest available data from the decennial census conducted under section 141(a) of title 13, United States Code, and (2) calculate the percentages of total deck area of bridges classified as in poor condition based on the National Bridge Inventory as of December 31, 2017.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2019, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Fixing America's Surface Transportation Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code, (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2019, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of the Fixing America's Surface Transportation Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award: *Provided*, That the written notification required in the previous proviso shall be made no later than 180 days after enactment of this Act.

SEC. 125. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: *Provided*, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term ''earmarked amount'' means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, $284,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $284,000,000 for ''Motor Carrier Safety Operations and Programs'' for fiscal year 2019, of which $9,073,000, to remain available for obligation until September 30, 2021, is for the research and technology program, and of which $34,824,000, to remain available for obligation until September 30, 2021, is for information management.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, $382,800,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $382,800,000 in fiscal year 2019 for ''Motor Carrier Safety Grants''; of which $304,300,000 shall be available for the motor carrier safety assistance program, $32,500,000 shall be available for the commercial driver's license program implementation program, $44,000,000 shall be available for the high priority activities program, and $2,000,000 shall be made available for commercial motor vehicle operators grants, of which $1,000,000 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety grants in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA-LU (Public Law 109–59), or other appropriations or authorization acts.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $190,000,000, of which $40,000,000 shall remain available through September 30, 2020.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, section 4011 of the FAST Act (Public Law 114–94), and chapter 303 of title 49, United States Code, $152,100,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2019, are in excess of $152,100,000, of which $146,700,000 shall be for programs authorized under 23 U.S.C. 403 and $5,400,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $152,100,000 obligation limitation for operations and research, $20,000,000 shall remain

available until September 30, 2020, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, $610,208,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2019, are in excess of $610,208,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, of which $270,400,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $283,000,000 shall be for ''National Priority Safety Programs'' under 23 U.S.C. 405; $30,200,000 shall be for ''High Visibility Enforcement Program'' under 23 U.S.C. 404; and $26,608,000 shall be for ''Administrative Expenses'' under section 4001(a)(6) of the Fixing America's Surface Transportation Act: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for ''National Priority Safety Programs'' under 23 U.S.C. 405 for ''Impaired Driving Countermeasures'' (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the ''Transfers'' provision under 23 U.S.C. 405(a)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. In addition to the amounts made available under the heading, ''Operations and Research (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' for carrying out the provisions of section 403 of title 23, United States Code, $4,000,000 shall be available to continue a high visibility enforcement paid-media campaign regarding highway-rail grade crossing safety in collaboration with the Federal Railroad Administration.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $221,698,000, of which $15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $40,600,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority shall exist as long as any such direct loan or loan guarantee is outstanding.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, $300,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24911 of title 49, United States Code: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses funds provided under this heading in this Act and previously unawarded funds provided under this heading in fiscal year 2017 by Public Law 115–31 and fiscal year 2018 by Public Law 115–141, no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 180 days after enactment of this Act.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 24407 of title 49, United States Code, $255,000,000, to remain available until expended: *Provided*, That section 24405(f) of title 49, United States Code, shall not apply to projects for the implementation of positive train control systems otherwise eligible under section 24407(c)(1) of title 49, United States Code: *Provided further*, That amounts available under this heading for projects selected for commuter rail passenger transportation may be transferred by the Secretary, after selection, to the appropriate agencies to be administered in accordance with chapter 53 of title 49, United States Code: *Provided further*, That the Secretary shall not limit eligible projects from consideration for funding for planning, engineering, environmental, construction, and design elements of the same project in the same application: *Provided further*, That unobligated balances remaining after 4 years from the date of enactment may be used for any eligible project under section 24407(c) of title 49, United States Code: *Provided further*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24407 of title 49, United States Code: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses previously unawarded funds provided under this heading in fiscal year 2018 by Public Law 115–141 and funds provided under this heading in this Act no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 120 days after enactment of this Act.

RESTORATION AND ENHANCEMENT

For necessary expenses related to Restoration and Enhancement Grants, as authorized by section 24408 of title 49, United States Code, $10,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the funds provided under this heading to fund the costs of award and project management and oversight: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity for funds provided under this heading no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 120 days after enactment of this Act.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $650,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the ''National Network Grants to the National Railroad Passenger Corporation'' heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114–94: *Provided further*, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114–94, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading and the ''National Network Grants to the National Railroad Passenger Corporation'' heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $1,291,600,000, to remain available until expended: *Provided*, That the Secretary may retain up to an additional $2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code: *Provided further*, That at least $50,000,000 of the amount provided under this heading shall be available for the development, installation and operation of railroad safety technology, including the implementation of a positive train control system, on State-supported routes as defined under section 24102(13) of title 49, United States Code, on which positive train control systems are not required by law or regulation.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for

specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act, a summary of all overtime payments incurred by the Corporation for 2018 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2018 and for the three prior calendar years.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $113,165,000: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2020 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2020.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, $9,900,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, shall not exceed total obligations of $9,939,380,030 in fiscal year 2019: *Provided further*, That the Federal share of the cost of activities carried out under 49 U.S.C. section 5312 shall not exceed 80 percent, except that if there is substantial public interest or benefit, the Secretary may approve a greater Federal share.

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities grants under section 5339 of title 49, United States Code, state of good repair grants under section 5337 of such title, high density state apportionments under section 5340(d) of such title, and the bus testing facilities under sections 5312 and 5318 of such title, $800,000,000 to remain available until expended: *Provided*, That $400,000,000 shall be available for grants as authorized under section 5339 of such title, of which $209,104,000 shall be available for the buses and bus facilities formula grants as authorized under section 5339(a) of such title, $161,446,000 shall be available for the buses and bus facilities competitive grants as authorized under section 5339(b) of such title, and $29,450,000 shall be available for the low or no emission grants as authorized under section 5339(c) of such title: *Provided further*, That $362,000,000 shall be available for the state of good repair grants as authorized under section 5337 of such title: *Provided further*, That $30,000,000 shall be available for the high density state apportionments as authorized under section 5340(d) of such title: *Provided further*, That $2,000,000 shall be available for the bus testing facility as authorized under section 5318 of such title: *Provided further*, That notwithstanding section 5318(a) of such title, $6,000,000 shall be available for the operation and maintenance of bus testing facilities by institutions of higher education selected pursuant to section 5312(h) of such title: *Provided further*, That the Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each institution of higher education selected pursuant to section 5312(h) of such title, to operate and maintain a facility to conduct the testing of low or no emission vehicle new bus models using the standards established pursuant to section 5318(e)(2) of such title: *Provided further*, That the term ''low or no emission vehicle'' has the meaning given the term in section 5312(e)(6) of such title: *Provided further*, That the Secretary shall pay 80 percent of the cost of testing a low or no emission vehicle new bus model at each selected institution of higher education: *Provided further*, That the entity having the vehicle tested shall pay 20 percent of the cost of testing: *Provided further*, That a low or no emission vehicle new bus model tested that receives a passing aggregate test score in accordance with the standards established under section 5318(e)(2) of such title, shall be deemed to be in compliance with the requirements of section 5318(e) of such title: *Provided further*, That amounts made available by this heading shall be derived from the general fund: *Provided further*, That the amounts made available under this heading shall not be subject to any limitation on obligations for transit programs set forth in any Act.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, $5,000,000, of which up to $1,500,000 shall be for a cooperative agreement through which the Federal Transit Administration assists small-urban, rural and tribal public transit recipients and planning organizations with applied innovation and capacity-building: *Provided*, That the assistance provided under this heading not duplicate the activities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America's Surface Transportation Act, $2,552,687,000, to remain available until September 30, 2022: *Provided*, That of the amounts made available under this heading, $1,315,670,000 shall be available for projects authorized under section 5309(d) of title 49, United States Code, $543,500,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code, $568,000,000 shall be available for projects authorized under section 5309(h) of title 49, United States Code, and $100,000,000 shall be available for projects authorized under section 3005(b) of the Fixing America's Surface Transportation Act: *Provided further*, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America's Surface Transportation Act.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of division B of Public Law 110–432.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, any funds appropriated before October 1, 2018, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 162. Of the unobligated amounts made available for fiscal years 2005 or prior fiscal years to ''Transit Formula Grants'', a total of $46,560,000 is hereby permanently rescinded.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities on those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $36,000,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662: *Provided*, That of the amounts made available under this heading, not less than $16,000,000 shall be used on capital asset renewal activities.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $300,000,000, to remain available until expended.

OPERATIONS AND TRAINING

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of operations and training activities authorized by law,

$149,442,000, to remain available until September 30, 2020, of which $71,000,000 shall be for the operations of the United States Merchant Marine Academy, and of which $18,000,000 shall remain available until expended for the maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy: *Provided*, That not later than January 12, 2020, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417: *Provided further*, That of the amounts made available under this heading, $3,000,000 shall be for the Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code: *Provided further*, That of the amounts made available under this heading, $7,000,000, shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes authorized under sections 55601(b)(1) and (3) of title 46, United States Code: *Provided further*, That available balances under this heading for the Short Sea Transportation Program (America's Marine Highways) from prior year recoveries shall be available to carry out activities authorized under sections 55601(b)(1) and (3) of title 46, United States Code: *Provided further*, That from funds provided under the previous two provisos, the Secretary of Transportation shall make grants no later than 180 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That any unobligated balances available from previous appropriations for programs and activities supporting State Maritime Academies shall be transferred to and merged with the appropriations for ''Maritime Administration, State Maritime Academy Operations'' and shall be made available for the same purposes.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support and training activities for State Maritime Academies, $340,200,000, of which $30,000,000, to remain available until expended, shall be for maintenance, repair, life extension, and capacity improvement of National Defense Reserve Fleet training ships in support of State Maritime Academies, as well as other expenses related to training mariners, as determined by the Secretary, of which $300,000,000, to remain available until expended shall be for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, and design of school ships, of which $2,400,000 shall remain available through September 30, 2020, for the Student Incentive Program, of which $1,800,000 shall remain available until expended for training ship fuel assistance, and of which $6,000,000 shall remain available until September 30, 2020, for direct payments for State Maritime Academies.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281, $20,000,000, to remain available until expended.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $5,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, $3,000,000, which shall be transferred to and merged with the appropriations for ''Operations and Training'', Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $23,710,000: *Provided*, That the Secretary of Transportation shall issue a final rule to expand the applicability of comprehensive oil spill response plans within 45 days of enactment of this Act: *Provided further*, That the amounts appropriated under this heading shall be reduced by $100,000 per day for each day that such rule has not been issued following the expiration of the period set forth in the previous proviso.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $58,000,000, of which $7,570,000 shall remain available until September 30, 2021: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to remain available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in the performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $165,000,000, to remain available until September 30, 2021, of which $23,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $134,000,000 shall be derived from the Pipeline Safety Fund; and of which $8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out 49 U.S.C. 60141: *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the one-call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

Notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall remain available until September 30, 2021, from amounts made available by 49 U.S.C. 5116(h), 5128(b), and 5128(c): *Provided*, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(h), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $92,600,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the Department's, or its operating administrations', missions.

(c) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties,

municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: *Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

(b) In addition to the notification required in subsection (a), none of the funds made available in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, cooperative agreement or discretionary grant unless the Secretary of Transportation provides the House and Senate Committees on Appropriations a comprehensive list of all such loans, loan guarantees, lines of credit, cooperative agreement or discretionary grants that will be announced not less the 3 full business days before such announcement: *Provided*, That the requirement to provide a list in this subsection does not apply to any ''quick release'' of funds from the emergency relief program: *Provided further*, That no list shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any prior Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments: *Provided*, That amounts made available in this Act shall be available until expended; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'' has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 190. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 191. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the ''Department of Transportation Appropriations Act, 2019''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,898,000: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $556,000,000, of which $76,600,000 shall be available for the Office of the Chief Financial Officer, (and of which $25,000,000, to remain available until September 30, 2021, shall be for the financial transformation initiative); $98,000,000 shall be available for the Office of the General Counsel, of which not less than $15,000,000 shall be for the Departmental Enforcement Center; $213,300,000 shall be available for the Office of Administration; $40,200,000 shall be available for the Office of the Chief Human Capital Officer; $54,000,000 shall be available for the Office of Field Policy and Management; $20,000,000 shall be available for the Office of the Chief Procurement Officer; $3,600,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,300,000 shall be available for the Office of Business Transformation; and $46,00,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress: *Provided further*, That not more than 10 percent of the funds made available under this heading for the Office of Chief Financial Officer for the financial transformation initiative may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that includes the financial and internal control capabilities to be delivered and the mission benefits to be realized, key milestones to be met, and the relationship between the proposed use of funds made available under this heading and the projected total cost and scope of the initiative.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $222,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $110,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $390,000,000, of which not less than $12,500,000 shall be for the Office of Recapitalization.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $26,000,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $71,500,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $7,800,000.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the ''Fund''), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency's printing, records management, space renovation, furniture, or supply services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: *Provided*, That of the amounts made available in this title for salaries and expenses under the headings ''Executive Offices'', ''Administrative Support Offices'', ''Program Office Salaries and Expenses'', and ''Government National Mortgage Association'', the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the matter preceding the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional $5,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for any purpose under this heading: *Provided further*, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the matter preceding the first proviso: *Provided further*, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f).

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $18,780,987,000, to remain available until expended, shall be available on October 1, 2018 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2018), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2019: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $20,520,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2019 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2019: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2019 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 2018 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2019 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $100,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $85,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 60 days of the enactment of this Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the ''Project-Based Rental Assistance'' heading under this title where the owner has

received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso;

(3) $1,956,987,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD-VASH vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,926,987,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2019 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $154,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That any amounts provided under this paragraph in this Act or prior Acts, remaining available after funding renewals and administrative expenses under this paragraph, shall be available for incremental tenant-based assistance contracts under such section 811, including necessary administrative expenses;

(5) $5,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD–VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD–VASH program: *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: *Provided further*, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD–VASH program: *Provided further*, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: *Provided further*, That the Secretary may reallocate, as determined by the Secretary, amounts returned or recaptured from awards under prior acts;

(6) $40,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) $20,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: *Provided further*, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such program; and

(8) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'' and the heading ''Project-Based Rental Assistance'', for fiscal year 2019 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ''Act'') $2,775,000,000, to remain available until September 30, 2022: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2019, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to $14,000,000 shall be to support ongoing public housing financial and physical assessment activities: *Provided further*, That up to $1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed $25,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2019: *Provided further*, That of the amount made available under the previous proviso, not less than $5,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2020, for emergency capital needs have been processed, shall be allocated to public housing

agencies for such safety and security measures: *Provided further*, That of the total amount provided under this heading, up to $35,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That funding provided under the previous proviso shall be available for competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a and 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2019 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, $25,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided further*, That for purposes of environmental review, a grant under the previous proviso shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section.

PUBLIC HOUSING OPERATING FUND

For 2019 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,756,000,000, to remain available until September 30, 2020.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $100,000,000, to remain available until September 30, 2021: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than $50,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading ''Revitalization of Severely Distressed Public Housing (HOPE VI)'' in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That the Secretary shall issue the Notice of Funding Availability for funds made available under this heading no later than 60 days after enactment of this Act: *Provided further*, That the Secretary shall make grant awards no later than one year from the date of enactment of this Act in such amounts that the Secretary determines: *Provided further*, That notwithstanding section 24(o) of the United States Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may, until September 30, 2019, obligate any available unobligated balances made available under this heading in this, or any prior Act.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $80,000,000, to remain available until September 30, 2020: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under subsections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $655,000,000, to remain available until September 30, 2023: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $7,000,000 shall be for providing training and technical assistance to Indian housing authorities and tribally designated housing entities, to support the inspection of Indian housing units, contract expertise, and for training and technical assistance related to funding provided under this heading and other headings under this Act for the needs of Native American families and Indian country: *Provided further*, That amounts made available under the previous proviso may be used, contracted, or competed as determined by the Secretary: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,761,989: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act: *Provided further*, That for an additional amount for the Native American Housing Block Grants program, as authorized under title I of NAHASDA, $100,000,000 to remain available until September 30, 2023: *Provided further*, That the Secretary shall obligate this additional amount for competitive grants to eligible recipients authorized

under NAHASDA that apply for funds: *Provided further*, That in awarding this additional amount, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation: *Provided further*, That up to 1 percent of this additional amount may be transferred, in aggregate, to ''Program Office Salaries and Expenses—Public and Indian Housing'' for necessary costs of administering and overseeing the obligation and expenditure of this additional amount: *Provided further*, That any funds transferred pursuant to the previous proviso shall remain available until September 30, 2024.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $1,440,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $553,846,154, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $2,000,000, to remain available until September 30, 2023: *Provided*, That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts provided under this heading in investment securities and other obligations: *Provided further*, That amounts made available under this heading in this and prior fiscal years may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $375,000,000, to remain available until September 30, 2020, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2021: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,365,000,000, to remain available until September 30, 2021, unless otherwise specified: *Provided*, That of the total amount provided, $3,300,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (''the Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subsection (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, $65,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,362,000,000, to remain available until September 30, 2022: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $54,000,000, to remain available until September 30, 2021: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments, and Indian Tribes serving high need rural communities: *Provided further*, That of the total amount provided under this heading, $4,000,000, shall be made available for a program to rehabilitate and modify the homes of disabled or low-income veterans, as authorized under section 1079 of Public Law 113–291: *Provided further*, That funds provided under the previous proviso shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds provided for such program in fiscal years 2016, 2017, and 2018 shall be awarded within 60 days of enactment of this Act.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the Continuum of Care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, $2,612,000,000, to remain available until September 30, 2021: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: *Provided further*, That not less than $270,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: *Provided further*, That not less than $2,205,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That of the amounts made available under this heading, up to $50,000,000 shall be made available for grants for rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, and stalking: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That up to $7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior fiscal years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary shall collect system performance measures for each continuum of care, and that relative to fiscal year 2015, under the Continuum of Care competition with respect to funds made available under this heading, the Secretary shall base an increasing share of the score on performance criteria: *Provided further*, That none of the

funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2019: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: *Provided further*, That up to $80,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities, including at least five communities with substantial rural populations, can dramatically reduce youth homelessness: *Provided further*, That of the amount made available under the previous proviso, up to $5,000,000 shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $11,347,000,000, to remain available until expended, shall be available on October 1, 2018 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2018), and $400,000,000, to remain available until expended, shall be available on October 1, 2019: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $245,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'', may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $678,000,000, to remain available until September 30, 2022: *Provided*, That of the amount provided under this heading, up to $90,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary, project funds which are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract and, upon termination of such contract, are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to remain available until September 30, 2022: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated: *Provided further*, That of the total amount provided under this heading, $10,000,000, shall be for a program to be established by the Secretary to make grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs to meet the needs of low-income elderly persons to enable them to remain in their primary residence: *Provided further*, That of the total amount made available under the previous proviso, no less than $5,000,000 shall be available to meet such needs in communities with substantial rural populations.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1–year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $154,000,000, to remain available until September 30, 2022: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, upon the request of the Secretary, project funds which are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and, upon termination of such contract, are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to remain available until September

30, 2022: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for amendments and renewals notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $45,000,000, to remain available until September 30, 2020, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $5,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $12,000,000, to remain available until expended, of which $12,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation from the general fund estimated at zero, and fees pursuant to section 620 of such Act shall be modified as necessary to ensure such a final fiscal year 2019 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620 of such Act, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2020: *Provided*, That during fiscal year 2019, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $1,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2020: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2019, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000: *Provided further*, That notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), during fiscal year 2019 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero: *Provided further*, That for fiscal year 2019, the Secretary shall not take any action against a lender solely on the basis of compare ratios that have been adversely affected by defaults on mortgages secured by properties in areas where a major disaster was declared in 2017 or 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2020: *Provided*, That during fiscal year 2019, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $1,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $550,000,000,000, to remain available until September 30, 2020: *Provided*, That $27,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 2019, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $100,000,000, to remain available until September 30, 2020: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements with philanthropic entities, other Federal agencies, State or local governments and their agencies, or colleges or universities for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2020: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and

other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $260,000,000, to remain available until September 30, 2020, of which $45,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than $95,000,000 of the amounts made available under this heading for the award of grants pursuant to section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 shall be provided to areas with the highest lead-based paint abatement needs: *Provided further*, That $45,000,000 of the funds appropriated under this heading shall be for the implementation of projects to demonstrate how intensive, extended multiyear interventions can dramatically reduce the presence of lead-based paint hazards in communities containing high concentrations of both pre-1940 housing and low-income families by achieving economies of scale that substantially reduce the cost of lead-based paint remediation activities and administrative costs for grantees: *Provided further*, That such projects in each of five communities shall be for five years and serve no more than four contiguous census tracts in which there are high concentrations of housing stock built before 1940, in which low-income families with children make up a significantly higher proportion of the population as compared to the State average, and that are located in jurisdictions in which instances of elevated blood lead levels reported to the State are significantly higher than the State average: *Provided further*, That funding awarded for such projects shall be made available for draw down contingent upon the grantee meeting cost-savings, productivity, and grant compliance benchmarks established by the Secretary: *Provided further*, That each recipient of funds for such projects shall contribute an amount not less than 10 percent of the total award, and that the Secretary shall give priority to applicants that secure commitments for additional contributions from public and private sources: *Provided further*, That grantees currently receiving grants made under this heading shall be eligible to apply for such projects, provided that they are deemed to be in compliance with program requirements established by the Secretary: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development, modernization, and enhancement of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $280,000,000, of which $260,000,000 shall remain available until September 30, 2020, and of which $20,000,000 shall remain available until September 30, 2021: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the Department's enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the Department's capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $128,082,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437f note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2019 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 205. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 206. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2019 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 207. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 208. The President's formal budget request for fiscal year 2020, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 209. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 210. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2019 and 2020, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 211. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;

(7) is not a youth who left foster care at age 14 or older and is at risk of becoming homeless; and

(8) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 212. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 213. Notwithstanding any other provision of law, in fiscal year 2019, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 214. The commitment authority funded by fees as provided under the heading ''Community Development Loan Guarantees Program Account'' may be used to guarantee, or make commitments to guarantee,

notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 215. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 216. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 217. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts ''Executive Offices'' and ''Administrative Support Offices,'' as well as each account receiving appropriations under the general heading ''Program Office Salaries and Expenses'', ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'', and ''Office of Inspector General'' within the Department of Housing and Urban Development.

SEC. 218. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2019, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2019, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 219. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 220. The Secretary is authorized to transfer up to 10 percent or $5,000,000, whichever is less, of funds appropriated for any office under the heading ''Administrative Support Offices'' or for any account under the general heading ''Program Office Salaries and Expenses'' to any other such office or account: *Provided*, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or $5,000,000, whichever is less.

SEC. 221. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary''), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 60 or less; or

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the REAC inspection, the Secretary must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to the affected tenants. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

(1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA''); and

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

This report shall be due to the Senate and House Committees on Appropriations no later than 30 days after the enactment of this Act, and on the first business day of each Federal fiscal year quarter thereafter while this section remains in effect.

SEC. 222. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2019.

SEC. 223. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant

award is announced by the Department or its offices.

SEC. 224. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 225. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 226. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 227. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 228. None of the funds provided in this Act or any other act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development who has been subject to administrative discipline in fiscal years 2018 or 2019, including suspension from work.

SEC. 229. Funds made available in this title under the heading ''Homeless Assistance Grants'' may be used by the Secretary to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2019: *Provided*, That such participation shall be limited to no more than 10 continuums of care and housing activities to improve outcomes for disconnected youth.

SEC. 230. With respect to grant amounts awarded under the heading ''Homeless Assistance Grants'' for fiscal years 2015, 2016, 2017, 2018 and 2019 for the continuum of care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipient's CoC program.

SEC. 231. (a) From amounts made available under this title under the heading ''Homeless Assistance Grants'', the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

(b) No more than 50 percent of each transition grant may be used for costs of eligible activities of the program component originally funded.

(c) Transition grants made under this section are eligible for renewal in subsequent fiscal years for the eligible activities of the new program component.

(d) In order to be eligible to receive a transition grant, the funding recipient must have the consent of the Continuum of Care and meet standards determined by the Secretary.

SEC. 232. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled ''Affirmatively Furthering Fair Housing'' (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled ''Affirmatively Furthering Fair Housing Assessment Tool'' (79 Fed. Reg. 57949 (September 26, 2014)).

SEC. 233. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, 2019, 2020 or 2021 under that section.

SEC. 234. The Promise Zone designations and Promise Zone Designation Agreements entered into pursuant to such designations, made by the Secretary of Housing and Urban Development in prior fiscal years, shall remain in effect in accordance with the terms and conditions of such agreements.

SEC. 235. The Secretary shall initiate a comprehensive review of existing public housing and tenant-based rental assistance regulations and related notices and other guidance documents to identify opportunities to streamline the administration of such programs while also ensuring compliance with Federal financial and internal control requirements. The Secretary shall establish a regulatory advisory committee, composed of program and research experts from the Department, a fair representation of public housing agencies, and independent subject matter experts in housing policy, property management, and Federal grant management, which shall advise the Secretary with respect to specific policy proposals to reduce administrative burden. The Secretary, in consultation with the advisory committee, shall submit a report on the results of such regulatory review to the House and Senate Committees on Appropriations no later than one year after the date of enactment of this Act.

SEC. 236. None of the funds made available by this Act may be used to establish and apply a ranking factor in the selection and award of any funds made available and requiring competitive selection under this Act, including preference or bonus points or other incentives for participation in or coordination with EnVision Centers.

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2019''.

TITLE III
RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,400,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $27,490,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,274,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2020, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2020 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $110,400,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $145,000,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That an additional $2,000,000, to remain available until September 30, 2023, shall be for the promotion and development of shared equity housing models.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $37,100,000: *Provided*,

That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2019, to result in a final appropriation from the general fund estimated at no more than $35,850,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,600,000: *Provided*, That the first proviso in Public Law 115–141 under the heading ''United States Interagency Council on Homelessness—Operating Expenses'' is amended by striking ''2020'' and inserting ''2021''.

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the report accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 8301–8305, popularly known as the ''Buy American Act'').

SEC. 411. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 8301–8305).

SEC. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 415. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 417. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 418. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 419. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program unless such awards or incentive fees are consistent with 16.401(e)(2) of the FAR.

SEC. 420. (a) Section 420 (a) None of the funds appropriated or otherwise made available under this Act may be used to acquire telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation or a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, ''Standards for Security Categorization of Federal Information and Information Systems'' unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate agencies; and

(3) in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the Federal Bureau of Investigation, that the acquisition of such system is in the vital national security interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate in a manner that identifies the system intended for acquisition and a detailed description of the mitigation strategies identified in (1), provided that such report may include a classified annex as necessary.

This division may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019''.

SA 3400. Ms. MURKOWSKI proposed an amendment to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; as follows:

On page 95, line 6, strike ''$5,000,000'' and insert ''$5,250,000''.

SA 3401. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) In carrying out any discretionary grant or funding program administered by the Secretary of the Interior [using funds made available by this Act], the Secretary shall consider whether a State has a significant need for resources, with particular consideration of the needs of the coastal States.

(b) In determining apportionments for fiscal year 2019 of amounts appropriated and available for State purposes from the Land and Water Conservation Fund under section 200305(b)(2) of title 54, United States Code, the Secretary of the Interior shall—

(1) consider whether a State (as defined in section 200301 of that title) has a significant need for resources, with particular consideration of the needs of the coastal States; and

(2) attempt to correct the traditional preference for the use of amounts from the Land and Water Conservation Fund to fund inland projects.

SA 3402. Mr. CRUZ (for himself, Mr. COTTON, Mr. LEE, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. None of the funds made available by Division B of this Act may be used by the government of the District of Columbia to carry out subtitle A of title V of the Fiscal Year 2019 Budget Support Act of 2018 (D.C. Bill 22–753) (requiring residents of the District of Columbia to have health insurance).

SA 3403. Ms. MURKOWSKI proposed an amendment to the bill H.R. 589, to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes; as follows:

Strike title IV.

SA 3404. Ms. MURKOWSKI proposed an amendment to the bill S. 2503, to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes; as follows:

Strike title IV.

SA 3405. Mr. HELLER (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 154, line 14, strike ''$15,000,000'' and insert ''$20,000,000''.

SA 3406. Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. _____. The Secretary of Agriculture shall provide to any State or county impacted by a volcanic eruption covered by a

major disaster declared by the President in calendar year 2018 in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) technical assistance—

(1) to assess damage to agricultural production and rural infrastructure; and

(2) to develop recovery plans for impacted farmers, ranchers, and rural communities.

SA 3407. Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

DAMAGE TO DEPARTMENT OF THE INTERIOR FACILITIES BY VOLCANIC ERUPTION

SEC. _____. (a) Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress a report on each facility and related infrastructure of the Department of the Interior damaged by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018 in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) (referred to in this section as a ''covered facility'').

(b) The report submitted under subsection (a) shall include—

(1) an inventory of all covered facilities;

(2) a description of—

(A) any closures of covered facilities; and

(B) the estimated impact on visitorship to covered facilities open to the public as a result of a volcanic eruption; and

(3) a plan—

(A) to restore or replace covered facilities; and

(B) to restore visitorship levels to covered facilities open to the public to historic visitorship levels.

(c) In preparing the plan required under subsection (b)(3), the Secretary of the Interior shall—

(1) engage the community in which the covered facility is located, including the State and units of local government; and

(2) include the estimated costs of carrying out the activities described in the plan.

SA 3408. Ms. MURKOWSKI (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 2353, to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Strengthening Career and Technical Education for the 21st Century Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Effective date.
Sec. 5. Table of contents of the Carl D. Perkins Career and Technical Education Act of 2006.
Sec. 6. Purpose.
Sec. 7. Definitions.
Sec. 8. Transition provisions.
Sec. 9. Prohibitions.
Sec. 10. Authorization of appropriations.

TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

PART A—ALLOTMENT AND ALLOCATION

Sec. 110. Reservations and State allotment
Sec. 111. Within State allocation.
Sec. 112. Accountability.
Sec. 113. National activities.
Sec. 114. Assistance for the outlying areas.
Sec. 115. Native American Programs.
Sec. 116. Tribally controlled postsecondary career and technical institutions.
Sec. 117. Occupational and employment information.

PART B—STATE PROVISIONS

Sec. 121. State administration.
Sec. 122. State plan.
Sec. 123. Improvement plans.
Sec. 124. State leadership activities.

PART C—LOCAL PROVISIONS

Sec. 131. Distribution of funds to secondary education programs.
Sec. 132. Special rules for career and technical education.
Sec. 133. Local application for career and technical education programs.
Sec. 134. Local uses of funds.

TITLE II—GENERAL PROVISIONS

Sec. 201. Federal and State administrative provisions.

TITLE III—AMENDMENTS TO OTHER LAWS

Sec. 301. Amendments to the Wagner-Peyser Act.
Sec. 302. Amendments to the Elementary and Secondary Education Act of 1965.
Sec. 303. Amendment to the Workforce Innovation and Opportunity Act.

SEC. 3. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

SEC. 4. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect beginning on July 1, 2019.

SEC. 5. TABLE OF CONTENTS OF THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006.

Section 1(b) is amended to read as follows:

''(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

''Sec. 1. Short title; table of contents.
''Sec. 2. Purpose.
''Sec. 3. Definitions.
''Sec. 4. Transition provisions.
''Sec. 5. Privacy.
''Sec. 6. Limitation.
''Sec. 7. Special rule.
''Sec. 8. Prohibitions.
''Sec. 9. Authorization of appropriations.

''TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

''PART A—ALLOTMENT AND ALLOCATION

''Sec. 111. Reservations and State allotment.
''Sec. 112. Within State allocation.
''Sec. 113. Accountability.
''Sec. 114. National activities.
''Sec. 115. Assistance for the outlying areas.
''Sec. 116. Native American programs.
''Sec. 117. Tribally controlled postsecondary career and technical institutions.

''PART B—STATE PROVISIONS

''Sec. 121. State administration.
''Sec. 122. State plan.
''Sec. 123. Improvement plans.
''Sec. 124. State leadership activities.

''PART C—LOCAL PROVISIONS

''Sec. 131. Distribution of funds to secondary education programs.
''Sec. 132. Distribution of funds for postsecondary education programs.
''Sec. 133. Special rules for career and technical education.
''Sec. 134. Local application for career and technical education programs.
''Sec. 135. Local uses of funds.

''TITLE II—GENERAL PROVISIONS

''PART A—FEDERAL ADMINISTRATIVE PROVISIONS

''Sec. 211. Fiscal requirements.
''Sec. 212. Authority to make payments.
''Sec. 213. Construction.
''Sec. 214. Voluntary selection and participation.
''Sec. 215. Limitation for certain students.
''Sec. 216. Federal laws guaranteeing civil rights.
''Sec. 217. Participation of private school personnel and children.
''Sec. 218. Limitation on Federal regulations.
''Sec. 219. Study on programs of study aligned to high-skill, high-wage occupations.

''PART B—STATE ADMINISTRATIVE PROVISIONS

''Sec. 221. Joint funding.
''Sec. 222. Prohibition on use of funds to induce out-of-State relocation of businesses.
''Sec. 223. State administrative costs.
''Sec. 224. Student assistance and other Federal programs.''.

SEC. 6. PURPOSE.

Section 2 (20 U.S.C. 2301) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''academic and career and technical skills'' and inserting ''academic knowledge and technical and employability skills''; and

(B) by inserting ''and programs of study'' after ''technical education programs'';

(2) in paragraph (1), by striking ''high demand occupations'' and inserting ''in-demand occupations'';

(3) in paragraph (3), by striking '', including tech prep education'';

(4) in paragraph (4), by inserting ''and programs of study'' after ''technical education programs'';

(5) in paragraph (6), by striking ''and'' after the semicolon;

(6) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(7) by adding at the end the following:

''(8) increasing the employment opportunities for populations who are chronically unemployed or underemployed, including individuals with disabilities, individuals from economically disadvantaged families, out-of-workforce individuals, youth who are in, or have aged out of, the foster care system, and homeless individuals.''.

SEC. 7. DEFINITIONS.

Section 3 (20 U.S.C. 2302) is amended—

(1) by striking paragraphs (10), (16), (23), (24), (25), (26), and (32);

(2) by redesignating paragraphs (8), (9), (11), (12), (13), (14), (15), (17), (18), (19), (20), (21), (22), (27), (28), (29), (30), (31), (33), and (34) as paragraphs (9), (10), (17), (18), (20), (21), (24), (28), (30), (31), (33), (34), (39), (44), (45), (48), (49), (50), (51), and (52), respectively;

(3) in paragraph (2), by striking '', including information as described in section 118''.

(4) in paragraph (3)—

(A) in subparagraph (B), by striking ''5 different occupational fields to individuals who are available for study in preparation for entering the labor market'' and inserting ''3

different fields that are available to all students, especially in high-skill, high-wage, or in-demand industry sectors or occupations''; and

(B) in subparagraph (D), by striking ''not fewer than 5 different occupational fields'' and inserting ''not fewer than 3 different occupational fields'';

(5) in paragraph (5)—

(A) in subparagraph (A)—

(i) by amending clause (i) to read as follows:

''(i) provides individuals with rigorous academic content and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions, which may include high-skill, high-wage, or in-demand industry sectors or occupations, which shall be, at the secondary level, aligned with the challenging State academic standards adopted by a State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965;'';

(ii) in clause (ii), by striking '', an industry-recognized credential, a certificate, or an associate degree'' and inserting ''or a recognized postsecondary credential, which may include an industry-recognized credential, a certificate, or an associate degree''; and

(iii) in clause (iii), by striking ''and'' at the end;

(B) in subparagraph (B)—

(i) by inserting '', work-based, or other'' after ''competency-based'';

(ii) by striking ''contributes to the'' and inserting ''supports the development of'';

(iii) by striking ''general''; and

(iv) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(C) to the extent practicable, coordinate between secondary and postsecondary education programs through programs of study, which may include coordination through articulation agreements, early college high school programs, dual or concurrent enrollment program opportunities, or other credit transfer agreements that provide postsecondary credit or advanced standing; and

''(D) may include career exploration at the high school level or as early as the middle grades (as such term is defined in section 8101 of the Elementary and Secondary Education Act of 1965).'';

(6) in paragraph (7)—

(A) in subparagraph (A)—

(i) by striking ''(and parents, as appropriate)'' and inserting ''(and, as appropriate, parents and out-of-school youth)'';

(ii) by inserting ''exploration opportunities'' after ''regarding career awareness''; and

(iii) by striking ''and'' after the semicolon;

(B) in subparagraph (B)—

(i) by inserting ''to students (and, as appropriate, parents and out-of-school youth)'' after ''provides information''; and

(ii) by striking ''financial aid,'' and all that follows through the end of the subparagraph and inserting ''financial aid, job training, secondary and postsecondary options (including associate and baccalaureate degree programs), dual or concurrent enrollment programs, work-based learning opportunities, early college high schools, financial literacy, and support services, as appropriate; and''; and

(C) by adding at the end the following:

''(C) may provide assistance for special populations with respect to direct support services that enable students to persist in and complete career and technical education, programs of study, or career pathways.'';

(7) by inserting after paragraph (7) the following:

''(8) CAREER PATHWAYS.—The term 'career pathways' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).'';

(8) by inserting after paragraph (10) (as redesignated by paragraph (2)) the following:

''(11) CREDIT TRANSFER AGREEMENT.—The term 'credit transfer agreement' means a formal agreement, such as an articulation agreement, among and between secondary and postsecondary education institutions or systems that grant students transcripted postsecondary credit, which may include credit granted to students in dual or concurrent enrollment programs or early college high school, dual credit, articulated credit, and credit granted on the basis of performance on technical or academic assessments.

''(12) CTE CONCENTRATOR.—The term 'CTE concentrator' means—

''(A) at the secondary school level, a student served by an eligible recipient who has completed at least 2 courses in a single career and technical education program or program of study; and

''(B) at the postsecondary level, a student enrolled in an eligible recipient who has—

''(i) earned at least 12 credits within a career and technical education program or program of study; or

''(ii) completed such a program if the program encompasses fewer than 12 credits or the equivalent in total.

''(13) CTE PARTICIPANT.—The term 'CTE participant' means an individual who completes not less than one course in a career and technical education program or program of study of an eligible recipient.

''(14) DIRECTOR.—The term 'Director' means the Director of the Institute of Education Sciences.

''(15) DUAL OR CONCURRENT ENROLLMENT PROGRAM.—The term 'dual or concurrent enrollment program' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

''(16) EARLY COLLEGE HIGH SCHOOL.—The term 'early college high school' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.'';

(9) by inserting after paragraph (18) (as redesignated by paragraph (2)) the following:

''(19) ELIGIBLE ENTITY.—The term 'eligible entity' means a consortium that includes the following:

''(A) Representatives of not less than 2 of the following categories of entities, 1 of which shall serve as the fiscal agent for the consortium:

''(i) A local educational agency or a consortium of such agencies.

''(ii) An educational service agency serving secondary school students.

''(iii) An area career and technical education school or a consortium of such schools.

''(iv) An Indian Tribe, Tribal organization, or Tribal educational agency.

''(v) An institution of higher education whose most common degree awarded is an associate degree, or a consortium of such institutions.

''(vi) An institution of higher education whose most common degree awarded is a bachelor's or higher degree, or a consortium of such institutions.

''(vii) A State educational agency.

''(B) One or more business or industry representative partners, which may include representatives of local or regional businesses or industries, including industry or sector partnerships in the local area, local workforce development boards, or labor organizations.

''(C) One or more stakeholders, which may include—

''(i) parents and students;

''(ii) representatives of local agencies serving out-of-school youth, homeless children and youth, and at-risk youth (as defined in section 1432 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6472));

''(iii) representatives of Indian tribes and Tribal organizations, where applicable;

''(iv) representatives of minority-serving institutions (as described in paragraphs (1) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)), where applicable;

''(v) representatives of special populations;

''(vi) representatives of adult career and technical education providers; or

''(vii) other relevant community stakeholders.'';

(10) by amending paragraph (20) (as redesignated by paragraph (2)) to read as follows:

''(20) ELIGIBLE INSTITUTION.—The term 'eligible institution' means—

''(A) a consortium of 2 or more of the entities described in subparagraphs (B) through (F);

''(B) a public or nonprofit private institution of higher education that offers and will use funds provided under this title in support of career and technical education courses that lead to technical skill proficiency or a recognized postsecondary credential, including an industry-recognized credential, a certificate, or an associate degree;

''(C) a local educational agency providing education at the postsecondary level;

''(D) an area career and technical education school providing education at the postsecondary level;

''(E) an Indian Tribe, Tribal organization, or Tribal education agency that operates a school or may be present in the State;

''(F) a postsecondary educational institution controlled by the Bureau of Indian Education or operated by or on behalf of any Indian Tribe that is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or the Act of April 16, 1934 (25 U.S.C. 5342 et seq.);

''(G) a tribally controlled college or university; or

''(H) an educational service agency.'';

(11) in paragraph (21) (as redesignated by paragraph (2)), by inserting ''an Indian Tribe, Tribal organization, or Tribal educational agency'' after ''service agency,'';

(12) by inserting after paragraph (21) (as redesignated by paragraph (2)) the following:

''(22) ENGLISH LEARNER.—The term 'English learner' means—

''(A) a secondary school student who is an English learner, as defined in section 8101 of the Elementary and Secondary Education Act of 1965; or

''(B) an adult or an out-of-school youth who has limited ability in speaking, reading, writing, or understanding the English language and—

''(i) whose native language is a language other than English; or

''(ii) who lives in a family environment or community in which a language other than English is the dominant language.

''(23) EVIDENCE-BASED.—The term 'evidence-based' has the meaning given the term in section 8101(21)(A) of the Elementary and Secondary Education Act of 1965.'';

(13) by inserting after paragraph (24) (as redesignated by paragraph (2)) the following:

''(25) HIGH SCHOOL.—The term 'high school' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

''(26) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.—The term 'in-demand industry sector or occupation' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(27) INDIAN; INDIAN TRIBE.—The terms 'Indian' and 'Indian Tribe' have the meanings given the terms 'Indian' and 'Indian tribe', respectively, in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).'';

(14) by inserting after paragraph (28) (as redesignated by paragraph (2)) the following:

''(29) INDUSTRY OR SECTOR PARTNERSHIP.—The term 'industry or sector partnership' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).'';

(15) by inserting after paragraph (31) (as redesignated by paragraph (2)) the following:

''(32) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term 'local workforce development board' means a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3122).'';

(16) in paragraph (33) (as redesignated by paragraph (2)), by striking ''including'' and inserting ''such as'';

(17) by inserting after paragraph (34) (as redesignated by paragraph (2)) the following:

''(35) OUT-OF-SCHOOL YOUTH.—The term 'out-of-school youth' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(36) OUT-OF-WORKFORCE INDIVIDUAL.—The term 'out-of-workforce individual' means—

''(A) an individual who is a displaced homemaker, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); or

''(B) an individual who—

''(i)(I) has worked primarily without remuneration to care for a home and family, and for that reason has diminished marketable skills; or

''(II) is a parent whose youngest dependent child will become ineligible to receive assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) not later than 2 years after the date on which the parent applies for assistance under such title; and

''(ii) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

''(37) PARAPROFESSIONAL.—The term 'paraprofessional' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

''(38) PAY FOR SUCCESS INITIATIVE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'pay for success initiative' means a performance-based grant, contract, or cooperative agreement awarded by a State or local public entity (such as a local educational agency) to a public or private nonprofit entity—

''(i) in which a commitment is made to pay for improved outcomes that result in increased public value and social benefit to students and the public sector, such as improved student outcomes as evidenced by the indicators of performance described in section 113(b)(2) and direct cost savings or cost avoidance to the public sector; and

''(ii) that includes—

''(I) a feasibility study on the initiative describing how the proposed intervention is based on evidence of effectiveness;

''(II) a rigorous, third-party evaluation that uses experimental or quasi-experimental design or other research methodologies that allow for the strongest possible causal inferences to determine whether the initiative has met its proposed outcomes;

''(III) an annual, publicly available report on the progress of the initiative; and

''(IV) a requirement that payments are made to the recipient of a grant, contract, or cooperative agreement only when agreed upon outcomes are achieved, except that the entity may make payments to the third party conducting the evaluation described in subclause (II).

''(B) EXCLUSION.—The term 'pay for success initiative' does not include any initiative that—

''(i) reduces the special education or related services that a student would otherwise receive under the Individuals with Disabilities Education Act; or

''(ii) otherwise reduces the rights of a student or the obligations of an entity under the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), or any other law.''.

(18) in paragraph (39)(C) (as redesignated by paragraph (2)), by striking ''apprenticeship'' and inserting ''other skilled training'';

(19) by inserting after paragraph (39) (as redesignated by paragraph (2)) the following:

''(40) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means activities that—

''(A) are an integral part of eligible agency, eligible recipient, institution, or school strategies for providing educators (including teachers, principals, other school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, and paraprofessionals) with the knowledge and skills necessary to enable students to succeed in career and technical education, to meet challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act, or to achieve academic skills at the postsecondary level; and

''(B) are sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused, to the extent practicable evidence-based, and may include activities that—

''(i) improve and increase educators'—

''(I) knowledge of the academic and technical subjects;

''(II) understanding of how students learn; and

''(III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;

''(ii) are an integral part of eligible recipients' improvement plans;

''(iii) allow personalized plans for each educator to address the educator's specific needs identified in observation or other feedback;

''(iv) support the recruitment, hiring, and training of effective educators, including educators who became certified through State and local alternative routes to certification;

''(v) advance educator understanding of—

''(I) effective instructional strategies that are evidence-based; and

''(II) strategies for improving student academic and technical achievement or substantially increasing the knowledge and teaching skills of educators;

''(vi) are developed with extensive participation of educators, parents, students, and representatives of Indian Tribes (as applicable), of schools and institutions served under this Act;

''(vii) are designed to give educators of students who are English learners in career and technical education programs or programs of study the knowledge and skills to provide instruction and appropriate language and academic support services to those students, including the appropriate use of curricula and assessments;

''(viii) as a whole, are regularly evaluated for their impact on increased educator effectiveness and improved student academic and technical achievement, with the findings of the evaluations used to improve the quality of professional development;

''(ix) are designed to give educators of individuals with disabilities in career and technical education programs or programs of study the knowledge and skills to provide instruction and academic support services to those individuals, including positive behavioral interventions and supports, multi-tier system of supports, and use of accommodations;

''(x) include instruction in the use of data and assessments to inform and instruct classroom practice;

''(xi) include instruction in ways that educators may work more effectively with parents and families;

''(xii) provide follow-up training to educators who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the educators are implemented in the classroom;

''(xiii) promote the integration of academic knowledge and skills and relevant technical knowledge and skills, including programming jointly delivered to academic and career and technical education teachers; or

''(xiv) increase the ability of educators providing career and technical education instruction to stay current with industry standards.

''(41) PROGRAM OF STUDY.—The term 'program of study' means a coordinated, nonduplicative sequence of academic and technical content at the secondary and postsecondary level that—

''(A) incorporates challenging State academic standards, including those adopted by a State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965;

''(B) addresses both academic and technical knowledge and skills, including employability skills;

''(C) is aligned with the needs of industries in the economy of the State, region, Tribal community, or local area;

''(D) progresses in specificity (beginning with all aspects of an industry or career cluster and leading to more occupation-specific instruction);

''(E) has multiple entry and exit points that incorporate credentialing; and

''(F) culminates in the attainment of a recognized postsecondary credential.

''(42) QUALIFIED INTERMEDIARY.—The term 'qualified intermediary' means a nonprofit entity, which may be part of an industry or sector partnership, that demonstrates expertise in building, connecting, sustaining, and measuring partnerships with entities such as employers, schools, community-based organizations, postsecondary institutions, social service organizations, economic development organizations, Indian tribes or Tribal organizations, and workforce systems to broker services, resources, and supports to youth and the organizations and systems that are designed to serve youth, including—

''(A) connecting employers to classrooms;

''(B) assisting in the design and implementation of career and technical education programs and programs of study;

''(C) delivering professional development;

''(D) connecting students to internships and other work-based learning opportunities; and

''(E) developing personalized student supports.

''(43) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term 'recognized postsecondary credential' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).'';

(20) by inserting after paragraph (45) (as redesignated by paragraph (2)) the following:

''(46) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term 'specialized instructional support personnel' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

''(47) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The term 'specialized instructional support services' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.'';

(21) in paragraph (48) (as redesignated by paragraph (2))—

(A) in subparagraph (B), by striking ''foster children'' and inserting ''low-income youth and adults'';

(B) by striking subparagraph (E) and inserting the following:

''(E) out-of-workforce individuals;'';

(C) in subparagraph (F), by striking ''individuals with limited English proficiency.'' and inserting ''English learners;''; and

(D) by adding at the end the following:

''(G) homeless individuals described in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

''(H) youth who are in, or have aged out of, the foster care system; and

''(I) youth with a parent who—

''(i) is a member of the armed forces (as such term is defined in section 101(a)(4) of title 10, United States Code); and

''(ii) is on active duty (as such term is defined in section 101(d)(1) of such title).'';

(22) in paragraph (50) (as redesignated by paragraph (2)), by inserting ''(including paraprofessionals and specialized instructional support personnel)'' after ''supportive personnel'';

(23) in paragraph (52) (as redesignated by paragraph (2))—

(A) in subparagraph (A), by striking ''Indian tribe or Indian tribes'' and inserting ''Indian Tribe or Indian Tribes''; and

(B) in subparagraph (D)—

(i) by striking ''tribal'' and inserting ''Tribal''; and

(ii) by inserting ''or tribal lands'' after ''reservations''; and

(24) by adding at the end the following:

''(53) TRIBAL ORGANIZATION.—The term 'Tribal organization' has the meaning given the term 'tribal organization' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(54) UNIVERSAL DESIGN FOR LEARNING.—The term 'universal design for learning' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

''(55) WORK-BASED LEARNING.—The term 'work-based learning' means sustained interactions with industry or community professionals in real workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in-depth, firsthand engagement with the tasks required in a given career field, that are aligned to curriculum and instruction.''.

SEC. 8. TRANSITION PROVISIONS.

Section 4 (20 U.S.C. 2303) is amended—

(1) by striking ''the Secretary determines to be appropriate'' and inserting ''are necessary'';

(2) by striking ''Carl D. Perkins Career and Technical Education Improvement Act of 2006'' each place it appears and inserting ''Strengthening Career and Technical Education for the 21st Century Act''; and

(3) by striking ''1998'' and inserting ''2006''.

SEC. 9. PROHIBITIONS.

Section 8 (20 U.S.C. 2306a) is amended—

(1) in subsection (a), by striking ''Federal Government to mandate,'' and all that follows through the period at the end and inserting ''Federal Government—

''(1) to condition or incentivize the receipt of any grant, contract, or cooperative agreement, or the receipt of any priority or preference under such grant, contract, or cooperative agreement, upon a State, local educational agency, eligible agency, eligible recipient, eligible entity, or school's adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards);

''(2) through grants, contracts, or other cooperative agreements, to mandate, direct, or control a State, local educational agency, eligible agency, eligible recipient, eligible entity, or school's specific instructional content, academic standards and assessments, curricula, or program of instruction (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards); or

''(3) except as required under sections 112(b), 211(b), and 223—

''(A) to mandate, direct, or control the allocation of State or local resources; or

''(B) to mandate that a State or a political subdivision of a State spend any funds or incur any costs not paid for under this Act.'';

(2) by amending subsection (d) to read as follows:

''(d) RULE OF CONSTRUCTION.—Nothing in this section affects the applicability of subchapter II of chapter 5, and chapter 7, of title 5, United States Code, (commonly known as the ''Administrative Procedure Act'') or chapter 8 of title 5, United States Code, commonly known as the ''Congressional Review Act'').'';

(3) by adding at the end the following:

''(f) CONGRESSIONAL NOTICE AND COMMENT.—

''(1) NOTICE TO CONGRESS.—Not less than 15 business days prior to issuing a notice of proposed rulemaking related to this Act in the Federal Register, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and other relevant congressional committees, notice of the Secretary's intent to issue a notice of proposed rulemaking that shall include—

''(A) a copy of the proposed regulation;

''(B) the need to issue the regulation;

''(C) a description of how the regulation is consistent with the scope of this Act;

''(D) the anticipated burden (including the time, cost, and paperwork burden) the regulation will impose on an eligible agency, institution, or recipient that may be impacted by the regulation, including the potential impact on rural areas;

''(E) the anticipated benefits to an eligible agency, institution, or recipient that may be impacted by the regulation, including in rural areas; and

''(F) any regulations that will be repealed when the new regulation is issued.

''(2) COMMENT PERIOD FOR CONGRESS.—The Secretary shall—

''(A) before issuing any notice of proposed rulemaking under this subsection, provide Congress with a comment period of 15 business days to make comments on the proposed regulation, beginning on the date that the Secretary provides the notice of intent to the appropriate committees of Congress under paragraph (1); and

''(B) include and seek to address all comments submitted by members of Congress in the public rulemaking record for the regulation published in the Federal Register.

''(3) COMMENT AND REVIEW PERIOD; EMERGENCY SITUATIONS.—The comment and review period for any proposed regulation shall be not less than 60 days unless an emergency requires a shorter period, in which case the Secretary shall—

''(A) designate the proposed regulation as an emergency with an explanation of the emergency in the notice to Congress under paragraph (1);

''(B) publish the length of the comment and review period in such notice and in the Federal Register; and

''(C) conduct immediately thereafter regional meetings to review such proposed regulation before issuing any final regulation.''.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 9 (20 U.S.C. 2307) is amended to read as follows:

''SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this Act (other than sections 114 and 117)—

''(1) $1,229,568,538 for fiscal year 2019;

''(2) $1,246,782,498 for fiscal year 2020;

''(3) $1,264,237,452 for fiscal year 2021;

''(4) $1,281,936,777 for fiscal year 2022;

''(5) $1,299,883,892 for fiscal year 2023; and

''(6) $1,318,082,266 for fiscal year 2024.''.

TITLE I—CAREER AND TECHNICAL EDUCATION ASSISTANCE TO THE STATES

PART A—ALLOTMENT AND ALLOCATION

SEC. 110. RESERVATIONS AND STATE ALLOTMENT.

Section 111 (20 U.S.C. 2321) is amended to read as follows:

''SEC. 111. RESERVATIONS AND STATE ALLOTMENT.

''(a) RESERVATIONS AND STATE ALLOTMENT.—

''(1) RESERVATIONS.—From the amount appropriated under section 9 for each fiscal year, the Secretary shall reserve—

''(A) 0.13 percent to carry out section 115; and

''(B) 1.50 percent to carry out section 116, of which—

''(i) 1.25 percent of the sum shall be available to carry out section 116(b); and

''(ii) 0.25 percent of the sum shall be available to carry out section 116(h).

''(2) FOUNDATIONAL GRANT.—

''(A) IN GENERAL.—From the remainder of the amount appropriated under section 9 and not reserved under paragraph (1) for a fiscal year, the Secretary shall allot to a State for the fiscal year an amount equal to the amount the State received in fiscal year 2018.

''(B) RATABLE REDUCTION.—If for any fiscal year the amount appropriated for allotments under this section is insufficient to satisfy the provisions of subparagraph (A), the payments to all States under such subparagraph shall be ratably reduced.

''(3) ADDITIONAL FUNDS.—Subject to paragraph (4), from the additional funds remaining from the amount appropriated under section 9 and not expended under paragraphs (1) and (2) for a fiscal year, the Secretary shall allot to a State for the fiscal year—

''(A) an amount that bears the same ratio to 50 percent of the sum being allotted as the product of the population aged 15 to 19, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States;

''(B) an amount that bears the same ratio to 20 percent of the sum being allotted as the

product of the population aged 20 to 24, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States;

''(C) an amount that bears the same ratio to 15 percent of the sum being allotted as the product of the population aged 25 to 65, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States; and

''(D) an amount that bears the same ratio to 15 percent of the sum being allotted as the amounts allotted to the State under subparagraphs (A), (B), and (C) for such years bears to the sum of the amounts allotted to all the States under subparagraphs (A), (B), and (C) for such year.

''(4) MINIMUM ALLOTMENT FOR YEARS WITH ADDITIONAL FUNDS.—

''(A) IN GENERAL.—Subject to subparagraph (B), for a fiscal year for which there are additional funds described in paragraph (3), no State shall receive for such fiscal year under paragraph (3) less than 1/2 of 1 percent of the additional funds available for such fiscal year. Amounts necessary for increasing such payments to States to comply with the preceding sentence shall be obtained by ratably reducing the amounts to be paid to other States.

''(B) SPECIAL RULE.—In the case of a qualifying State, the minimum allotment under subparagraph (A) for a fiscal year for the qualifying State shall be the lesser of—

''(i) 1/2 of 1 percent of the additional funds available for such fiscal year; and

''(ii) the product of—

''(I) 1/3 of the additional funds; multiplied by

''(II) the quotient of—

''(aa) the qualifying State's ratio described in subparagraph (C) for the fiscal year for which the determination is made; divided by

''(bb) the sum of all such ratios for all qualifying States for the fiscal year for which the determination is made.

''(C) RATIO.—For purposes of subparagraph (B)(ii)(II)(aa), the ratio for a qualifying State for a fiscal year shall be 1.00 less the quotient of—

''(i) the amount the qualifying State is allotted under paragraph (3) for the fiscal year; divided by

''(ii) 1/2 of 1 percent of the amount appropriated under paragraph (3) for the fiscal year for which the determination is made.

''(D) DEFINITIONS.—In this paragraph, the term 'qualifying State' means a State (except the United States Virgin Islands) that, for the fiscal year for which a determination under this paragraph is made, would receive, under the allotment formula under paragraph (3) (without the application of this paragraph), an amount that would be less than the amount the State would receive under subparagraph (A) for such fiscal year.

''(b) REALLOTMENT.—If the Secretary determines that any amount of any State's allotment under subsection (a) for any fiscal year will not be required for such fiscal year for carrying out the activities for which such amount has been allotted, the Secretary shall make such amount available for reallotment. Any such reallotment among other States shall occur on such dates during the same year as the Secretary shall fix, and shall be made on the basis of criteria established by regulation. No funds may be reallotted for any use other than the use for which the funds were appropriated. Any amount reallotted to a State under this subsection for any fiscal year shall remain available for obligation during the succeeding fiscal year and shall be deemed to be part of the State's allotment for the year in which the amount is obligated.

''(c) ALLOTMENT RATIO.—

''(1) IN GENERAL.—The allotment ratio for any State shall be 1.00 less the product of—

''(A) 0.50; and

''(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of the Commonwealth of Puerto Rico and the United States Virgin Islands), except that—

''(i) the allotment ratio in no case shall be more than 0.60 or less than 0.40; and

''(ii) the allotment ratio for the Commonwealth of Puerto Rico and the United States Virgin Islands shall be 0.60.

''(2) PROMULGATION.—The allotment ratios shall be promulgated by the Secretary for each fiscal year between October 1 and December 31 of the fiscal year preceding the fiscal year for which the determination is made. Allotment ratios shall be computed on the basis of the average of the appropriate per capita incomes for the 3 most recent consecutive fiscal years for which satisfactory data are available.

''(3) DEFINITION OF PER CAPITA INCOME.—For the purpose of this section, the term 'per capita income' means, with respect to a fiscal year, the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year.

''(4) POPULATION DETERMINATION.—For the purposes of this section, population shall be determined by the Secretary on the basis of the latest estimates available to the Department of Education.

''(d) DEFINITION OF STATE.—For the purpose of this section, the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the United States Virgin Islands.''.

SEC. 111. WITHIN STATE ALLOCATION.

Section 112 (20 U.S.C. 2322) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''10 percent'' and inserting ''15 percent'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''1 percent'' and inserting ''2 percent'';

(II) by striking ''State correctional institutions and institutions'' and inserting ''State correctional institutions, juvenile justice facilities, and educational institutions''; and

(III) by striking ''and'' after the semicolon; and

(ii) by inserting after subparagraph (B) the following:

''(C) an amount shall be made available for the recruitment of special populations to enroll in career and technical education programs, which shall be not less than the lesser of—

''(i) an amount equal to 0.1 percent; or

''(ii) $50,000; and'';

(C) in paragraph (3)(B), by striking ''a local plan;'' and inserting ''local applications;''; and

(2) in subsection (c), by striking ''section 135'' and all that follows through the end and inserting ''section 135—

''(1) in—

''(A) rural areas;

''(B) areas with high percentages of CTE concentrators or CTE participants;

''(C) areas with high numbers of CTE concentrators or CTE participants; and

''(D) areas with disparities or gaps in performance as described in section 113(b)(3)(C)(ii)(II); and

''(2) in order to—

''(A) foster innovation through the identification and promotion of promising and proven career and technical education programs, practices, and strategies, which may include programs, practices, and strategies that prepare individuals for nontraditional fields; or

''(B) promote the development, implementation, and adoption of programs of study or career pathways aligned with State-identified high-skill, high-wage, or in-demand occupations or industries.''.

SEC. 112. ACCOUNTABILITY.

Section 113 (20 U.S.C. 2323) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by inserting ''DETERMINED'' after ''STATE'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''State determined'' before ''performance'';

(ii) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B);

(iii) in subparagraph (A), by inserting ''and'' after the semicolon; and

(iv) in subparagraph (B), as so redesignated—

(I) by striking ''a State adjusted level of performance'' and inserting ''a State determined level of performance''; and

(II) by striking '', and State levels of performance described in paragraph (3)(B) for each additional indicator of performance''; and

(C) by striking paragraph (2) and inserting the following:

''(2) INDICATORS OF PERFORMANCE.—

''(A) CORE INDICATORS OF PERFORMANCE FOR CTE CONCENTRATORS AT THE SECONDARY LEVEL.—Each eligible agency shall identify in the State plan core indicators of performance for CTE concentrators at the secondary level that are valid and reliable, and that include, at a minimum, measures of each of the following:

''(i) The percentage of CTE concentrators who graduate high school, as measured by—

''(I) the four-year adjusted cohort graduation rate (defined in section 8101 of the Elementary and Secondary Education Act of 1965); and

''(II) at the State's discretion, the extended-year adjusted cohort graduation rate defined in such section 8101.

''(ii) CTE concentrator proficiency in the challenging State academic standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as measured by the academic assessments described in section 1111(b)(2) of such Act.

''(iii) The percentage of CTE concentrators who, in the second quarter after exiting from secondary education, are in postsecondary education or advanced training, military service or a service program that receives assistance under title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.), are volunteers as described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)), or are employed.

''(iv) Indicators of career and technical education program quality as follows:

''(I) That shall include at least 1 of the following:

''(aa) The percentage of CTE concentrators graduating from high school having attained a recognized postsecondary credential.

''(bb) The percentage of CTE concentrators graduating from high school having attained postsecondary credits in the relevant career and technical education program or program of study earned through a dual or concurrent enrollment program or another credit transfer agreement.

''(cc) The percentage of CTE concentrators graduating from high school having participated in work-based learning.

''(II) That may include any other measure of student success in career and technical

education that is statewide, valid, and reliable, and comparable across the State.

''(v) The percentage of CTE concentrators in career and technical education programs and programs of study that lead to non-traditional fields.

''(B) CORE INDICATORS OF PERFORMANCE FOR CTE CONCENTRATORS AT THE POSTSECONDARY LEVEL.—Each eligible agency shall identify in the State plan core indicators of performance for CTE concentrators at the postsecondary level that are valid and reliable, and that include, at a minimum, measures of each of the following:

''(i) The percentage of CTE concentrators who, during the second quarter after program completion, remain enrolled in postsecondary education, are in advanced training, military service, or a service program that receives assistance under title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.), are volunteers as described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)), or are placed or retained in employment.

''(ii) The percentage of CTE concentrators who receive a recognized postsecondary credential during participation in or within 1 year of program completion.

''(iii) The percentage of CTE concentrators in career and technical education programs and programs of study that lead to non-traditional fields.

''(C) ALIGNMENT OF PERFORMANCE INDICATORS.—In developing core indicators of performance under subparagraphs (A) and (B), an eligible agency shall, to the greatest extent possible, align the indicators so that substantially similar information gathered for other State and Federal programs, or for any other purpose, may be used to meet the requirements of this section.'';

(D) in paragraph (3)—

(i) in the paragraph heading, by inserting ''DETERMINED'' after ''STATE'';

(ii) by amending subparagraph (A) to read as follows:

''(A) STATE DETERMINED LEVELS OF PERFORMANCE FOR CORE INDICATORS OF PERFORMANCE.—

''(i) IN GENERAL.—

''(I) LEVELS DETERMINED BY THE ELIGIBLE AGENCY.—Each eligible agency, with input from eligible recipients, shall establish in the State plan submitted under section 122, for each year covered by the State plan, State determined levels of performance for each of the core indicators described under subparagraphs (A) and (B) of paragraph (2) for career and technical education activities authorized under this title. The level of performance for a core indicator shall be the same for all CTE concentrators in the State.

''(II) TECHNICAL ASSISTANCE.—The Secretary may assist an eligible agency in establishing the State determined levels of performance under this subparagraph only at the request of that eligible agency.

''(III) REQUIREMENTS.—Such State determined levels of performance shall, at a minimum—

''(aa) be expressed in a percentage or numerical form, so as to be objective, quantifiable, and measurable;

''(bb) require the State to continually make meaningful progress toward improving the performance of all career and technical education students, including the subgroups of students described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965, and special populations, as described in section 3(48); and

''(cc) have been subject to the public comment process described in subparagraph (B), and the eligible agency has provided a written response;

''(dd) when being adjusted pursuant to clause (ii), take into account how the levels of performance involved compare with the State levels of performance established for other States, considering factors including the characteristics of actual (as opposed to anticipated) CTE concentrators when the CTE concentrators entered the program, and the services or instruction to be provided;

''(ee) when being adjusted pursuant to clause (ii), be higher than the average actual performance of the 2 most recently completed program years, except in the case of unanticipated circumstances that require revisions in accordance with clause (iii); and

''(ff) take into account the extent to which the State determined levels of performance advance the eligible agency's goals, as set forth in the State plan.

''(ii) ALLOWABLE ADJUSTMENT OF STATE DETERMINED LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.—Prior to the third program year covered by the State plan, each eligible agency may revise the State determined levels of performance for any of the core indicators of performance for the subsequent program years covered by the State plan, and submit the revised State determined levels of performance to the Secretary. If the eligible agency adjusts any levels of performance, the eligible agency shall adjust those levels in accordance with clause (i), and address written comments of stakeholders as described in subparagraph (B). The Secretary shall approve those revised levels of performance if those levels meet the requirements described in subclause (III) of clause (i). The State determined adjusted levels of performance identified under this clause shall be considered to be the State determined levels of performance for the State for such years and shall be incorporated into the State plan.

''(iii) UNANTICIPATED CIRCUMSTANCES.—If unanticipated circumstances arise in a State or changes occur related to improvements in data or measurement approaches, the eligible agency, at the end of the program year, may revise the State determined levels of performance required under this subparagraph. After public comment, as described in subparagraph (B), the eligible agency shall submit such revised levels of performance to the Secretary with evidence supporting the revision. The Secretary shall approve any such revision if that revision meets the requirements of clause (ii).'';

(iii) by striking subparagraph (B) and inserting the following:

''(B) PUBLIC COMMENT.—

''(i) IN GENERAL.—Each eligible agency shall develop the levels of performance under subparagraph (A) in consultation with the stakeholders identified in section 122(c)(1)(A).

''(ii) WRITTEN COMMENTS.—Not less than 60 days prior to submission of the State plan, the eligible agency shall provide such stakeholders with the opportunity to provide written comments to the eligible agency, which shall be included in the State plan, regarding how the levels of performance described under subparagraph (A)—

''(I) meet the requirements of the law;

''(II) support the improvement of performance of all CTE concentrators, including subgroups of students, as described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965, and special populations, as described in section 3(48); and

''(III) support the needs of the local education and business community.

''(iii) ELIGIBLE AGENCY RESPONSE.—Each eligible agency shall provide, in the State plan, a written response to the comments provided by stakeholders under clause (ii).''; and

(iv) by adding at the end the following:

''(C) STATE REPORT.—

''(i) IN GENERAL.—Each eligible agency that receives an allotment under section 111 shall annually prepare and submit to the Secretary a report regarding—

''(I) the progress of the State in achieving the State determined levels of performance on the core indicators of performance; and

''(II) the actual levels of performance for all CTE concentrators, and for each of the subgroups of students, as described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965, and special populations, as described in section 3(48).

''(ii) DATA.—Except as provided in subparagraph (E), each eligible agency that receives an allotment under section 111 shall—

''(I) disaggregate data for each of the indicators of performance under paragraph (2)—

''(aa) for subgroups of students, as described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965, and special populations, as described in section 3(48), that are served under this Act; and

''(bb) by the career and technical education programs or programs of study of the CTE concentrators, except that in a case in which reporting by such program or program of study is impractical, the data may be disaggregated by the career clusters of the CTE concentrators, if appropriate;

''(II) identify and quantify any disparities or gaps in performance on the State determined levels of performance under subparagraph (A) between any such subgroup or special population and the performance of all CTE concentrators served by the eligible agency under this Act, which shall include a quantifiable description of the progress each such subgroup or special population of students served by the eligible agency under this Act has made in meeting the State determined levels of performance; and

''(III) for CTE concentrators described in paragraph (2)(A)(iii) and paragraph (2)(B)(i), disaggregate data, to the extent such data is available, by each of the following:

''(aa) Individuals enrolled in postsecondary education (disaggregated by postsecondary award level, including certificate, associate, or baccalaureate degree).

''(bb) Individuals in advanced training.

''(cc) Individuals in military service or a service program that receives assistance under title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.) or volunteers as described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)).

''(dd) Individuals in employment (including those individuals who are employed in a high-skill, high-wage, or in-demand sector or occupation).

''(iii) NONDUPLICATION.—The Secretary shall ensure that each eligible agency does not report duplicative information under this section.

''(iv) INFORMATION DISSEMINATION.—The Secretary shall—

''(I) make the information contained in such reports available to the general public through a variety of formats, including electronically through the Internet;

''(II) disseminate State-by-State comparisons of the information contained in such reports; and

''(III) provide the appropriate committees of Congress with copies of such reports.

''(D) STATE DISSEMINATION OF ACTUAL LEVELS OF PERFORMANCE.—At the end of each program year, the eligible agency shall disseminate the actual levels of performance described in subparagraph (C)(i)(II)—

''(i) widely, including to students, parents, and educators;

''(ii) through a variety of formats, including electronically through the Internet; and

''(iii) in user-friendly formats and languages that are easily accessible, as determined by the eligible agency.

''(E) RULES FOR REPORTING DATA.—The disaggregation of data under this paragraph shall not be required when the number of students in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual student.''; and

(E) in paragraph (4)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking ''ADJUSTED'';

(II) by striking clauses (iii) and (v), and redesignating clauses (iv) and (vi) as clauses (iii) and (v), respectively;

(III) in clause (i)—

(aa) in the matter preceding subclause (I)—

(AA) by striking ''State adjusted levels of performance'' and inserting ''State determined levels of performance for each year of the plan''; and

(BB) by striking ''local adjusted levels'' and inserting ''local levels'' each place the term appears;

(bb) in subclause (I)—

(AA) by striking ''consistent with the State levels of performance established under paragraph (3), so as'' and inserting ''consistent with the form expressed in the State determined levels, so as''; and

(BB) by striking ''and'' after the semicolon; and

(cc) in subclause (II), by striking ''continually make progress toward improving the performance of career and technical education students.'' and inserting ''continually make meaningful progress toward improving the performance of all CTE concentrators, including subgroups of students described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 and special populations, as described in section 3(48);''; and

(dd) by adding at the end the following:

''(III) when being adjusted as described in clause (iii), be higher than the average actual performance levels of the previous 2 program years, except in a case in which unanticipated circumstances arise with respect to the eligible recipient and that eligible recipient meets the requirements for revisions under clause (iv);

''(IV) when being adjusted as described in clause (iii), take into account how the local levels of performance compare with the local levels of performance established for other eligible recipients, considering factors including the characteristics of actual (as opposed to anticipated) CTE concentrators at the time those CTE concentrators entered the program, and the services or instruction to be provided; and

''(V) set the local levels of performance using valid and reliable data that measures—

''(aa) the differences within the State in actual economic conditions (including differences in unemployment rates and job losses or gains in particular industries); and

''(bb) the abilities of the State and the eligible recipient to collect and access valid, reliable, and cost-effective data.'';

(IV) in clause (ii)—

(aa) in the clause heading, by striking ''PLAN'' and inserting ''APPLICATION'';

(bb) by striking ''plan'' and inserting ''application''; and

(cc) by striking ''the first 2'' and inserting ''each of the'';

(V) by amending clause (iii), as redesignated by subclause (II), to read as follows:

''(iii) ALLOWABLE ADJUSTMENTS OF LOCAL LEVELS OF PERFORMANCE FOR SUBSEQUENT YEARS.—Prior to the third program year covered by the local application, the eligible recipient may, if the eligible recipient reaches an agreement with the eligible agency, adjust the local levels of performance for any of the core indicators of performance for the subsequent program years covered by the local application, in accordance with that agreement and with this subparagraph. The local adjusted levels of performance agreed to under this clause shall be considered to be the local levels of performance for the eligible recipient for such years and shall be incorporated into the local application.''; and

(VI) in clause (v), as redesignated by subclause (II), by striking ''If unanticipated circumstances arise with respect to an eligible recipient resulting in a significant change in the factors described in clause (v), the eligible recipient may request that the local adjusted levels of performance agreed to under clause (iii) or (iv) be revised.'' and inserting ''If unanticipated circumstances arise, or changes occur related to improvements in data or measurement approaches, the eligible recipient may request that the local levels of performance agreed to under clauses (i) and (iii) be revised.'';

(ii) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B); and

(iii) in subparagraph (B), as redesignated by clause (ii)—

(I) in clause (i), by striking ''the data described in clause (ii)(I), regarding the progress of such recipient in achieving the local adjusted levels of performance'' and inserting ''the data on the actual performance levels described in clause (ii), including the progress of such recipient in achieving the local levels of performance'';

(II) in clause (ii)—

(aa) in subclause (I)—

(AA) by striking ''section 1111(h)(1)(C)(i)'' and inserting ''section 1111(h)(1)(C)(ii)'';

(BB) by striking ''section 3(29)'' and inserting ''section 3(48)''; and

(CC) by striking ''and'' after the semicolon; and

(bb) in subclause (II)—

(AA) by inserting '', as described in paragraph 3(C)(ii)(II),'' after ''gaps in performance'';

(BB) by inserting ''as described in subclause (I) (including special populations)'' after ''category of students'';

(CC) by striking ''all students'' and inserting ''all CTE concentrators''; and

(DD) by adding at the end the following:

''(III) disaggregate data by the career and technical education programs or programs of study of the CTE concentrators, except that in a case in which reporting by such program or program of study is impractical, the data may be disaggregated by the career clusters of the CTE concentrators, if appropriate; and

''(IV) for CTE concentrators described in paragraph (2)(A)(iii) and paragraph (2)(B)(i), disaggregate data, to the extent such data is available, by each of the following:

''(aa) Individuals enrolled in postsecondary education (disaggregated by postsecondary award level, including certificate, associate, or baccalaureate degree).

''(bb) Individuals in advanced training.

''(cc) Individuals in military service or a service program that receives assistance under title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.) or volunteers as described in section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)).

''(dd) Individuals in employment (including those individuals who are employed in a high-skill, high-wage, or in-demand sector or occupation).'';

(III) in clause (iii), by striking ''subsection (c)(3)'' and inserting ''paragraph (3)(C)(iii)'';

(IV) in clause (iv), by striking ''clause (ii)'' and inserting ''this paragraph''; and

(V) by striking clause (v) and inserting the following:

''(v) AVAILABILITY.—The report described in clause (i) shall be made available by the eligible recipient through a variety of formats, including electronically through the Internet, to students, parents, educators, and the public, and the information contained in such report shall be in a format that is understandable and uniform, and to the extent practicable, provided in a language that students, parents, and educators can understand.''; and

(2) by striking subsection (c).

SEC. 113. NATIONAL ACTIVITIES.

Section 114 (20 U.S.C. 2324) is amended—

(1) in subsection (a)(1)—

(A) by striking ''The Secretary shall'' the first place it appears and inserting ''The Secretary shall, in consultation with the Director,''; and

(B) by inserting ''from eligible agencies under section 113(b)(3)(C)'' after ''pursuant to this title'';

(2) by amending subsection (b) to read as follows:

''(b) REASONABLE COST.—The Secretary shall take such action as may be necessary to secure at reasonable cost the information required by this title. To ensure reasonable cost, the Secretary, in consultation with the National Center for Education Statistics and the Office of Career, Technical, and Adult Education shall determine the methodology to be used and the frequency with which such information is to be collected.'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''Secretary may'' and inserting ''Secretary shall'';

(B) in paragraph (2)—

(i) in subparagraph (B), by inserting '', acting through the Director,'' after ''describe how the Secretary''; and

(ii) in subparagraph (C), by inserting '', in consultation with the Director,'' after ''Secretary'';

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by inserting '', acting through the Director,'' after ''The Secretary'';

(II) by inserting ''and the plan developed under subsection (c)'' after ''described in paragraph (2)''; and

(III) by striking ''assessment'' each place such term appears and inserting ''evaluation'';

(ii) in subparagraph (B)—

(I) in clause (v), by striking ''; and'' and inserting a semicolon;

(II) in clause (vi)—

(aa) by inserting ''qualified'' before ''intermediaries''; and

(bb) by striking the period at the end and inserting '', which may include individuals with expertise in addressing inequities in access to, and in opportunities for, academic and technical skill attainment;''; and

(III) by adding at the end the following:

''(vii) representatives of Indian Tribes and Tribal organizations; and

''(viii) representatives of special populations.''; and

(iii) in subparagraph (C)—

(I) by inserting ''the Director,'' after ''the Secretary,''; and

(II) by striking ''assessment'' and inserting ''evaluation'';

(B) in paragraph (2)—

(i) in the heading, by striking ''AND ASSESSMENT'';

(ii) in subparagraph (A)—

(I) by striking ''subsection (e), the Secretary'' and inserting ''subsection (f), the Secretary, acting through the Director,'';

(II) by striking ''an independent evaluation and assessment'' and inserting ''a series of research and evaluation initiatives for each

year for which funds are appropriated to carry out this Act, which are aligned with the plan in subsection (c)(2),'';

(III) by striking ''Carl D. Perkins Career and Technical Education Improvement Act of 2006'' and inserting ''Strengthening Career and Technical Education for the 21st Century Act''; and

(IV) by adding at the end the following: ''Whenever possible, data used for the evaluation for a fiscal year shall be data from the most recent fiscal year for which such data are available, and from the 5-year period preceding that fiscal year.''; and

(iii) by amending subparagraph (B) to read as follows:

''(B) CONTENTS.—The evaluation required under subparagraph (A) shall include descriptions and evaluations of—

''(i) the extent and success of the integration of challenging State academic standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and career and technical education for students participating in career and technical education programs, including a review of the effect of such integration on the academic and technical proficiency achievement of such students, including—

''(I) the number of such students that receive a regular high school diploma, as such term is defined under section 8101 of the Elementary and Secondary Education Act of 1965 or a State-defined alternative diploma described in section 8101(25)(A)(ii)(I)(bb) of such Act;

''(II) the number of such students that are high school students that receive a recognized postsecondary credential; and

''(III) the number of such students that are high school students that earn credit toward a recognized postsecondary credential;

''(ii) the extent to which career and technical education programs and programs of study prepare students, including special populations, for subsequent employment in high-skill, high-wage occupations (including those in which mathematics and science skills are critical, which may include computer science), or for participation in postsecondary education;

''(iii) employer involvement in, benefit from, and satisfaction with, career and technical education programs and programs of study and career and technical education students' preparation for employment;

''(iv) efforts to expand access to career and technical education programs of study for all students;

''(v) innovative approaches to work-based learning programs that increase participation and alignment with employment in high-growth industries, including in rural and low-income areas;

''(vi) the effectiveness of different delivery systems and approaches for career and technical education, including comprehensive high schools, technical high schools, area technical centers, career academies, community and technical colleges, early college high schools, pre-apprenticeship programs, voluntary after-school programs, and individual course offerings, including dual or concurrent enrollment program courses, as well as communication strategies for promoting career and technical education opportunities involving teachers, school counselors, and parents or other guardians;

''(vii) the extent to which career and technical education programs supported by this Act are grounded on evidence-based research;

''(viii) the impact of the amendments to this Act made under the Strengthening Career and Technical Education for the 21st Century Act, including comparisons, where appropriate, of—

''(I) the use of the comprehensive needs assessment under section 134(c);

''(II) the implementation of programs of study; and

''(III) coordination of planning and program delivery with other relevant laws, including the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and the Elementary and Secondary Education Act of 1965;

''(ix) changes in career and technical education program accountability as described in section 113 and any effects of such changes on program delivery and program quality;

''(x) changes in student enrollment patterns; and

''(xi) efforts to reduce disparities or performance gaps described in section 113(b)(3)(C)(ii)(II).''; and

(iv) in subparagraph (C)—

(I) in clause (i)—

(aa) in the matter preceding subclause (I), by inserting '', in consultation with the Director,'' after ''The Secretary''; and

(bb) by striking subclauses (I) and (II) and inserting the following:

''(I) not later than 2 years after the date of enactment of the Strengthening Career and Technical Education for the 21st Century Act, an interim report regarding the evaluation and summary of research activities carried out under this section that builds on studies and analyses existing as of such date of enactment;

''(II) not later than 4 years after the date of enactment of the Strengthening Career and Technical Education for the 21st Century Act, a final report summarizing the studies and analyses that relate to the evaluation and summary of research activities carried out under this section; and

''(III) a biennial update to such final report for succeeding years.'';

(II) in clause (ii), by inserting ''the Director,'' after ''the President, the Secretary,'' each place the term appears; and

(III) by adding after clause (ii) the following:

''(iii) DISSEMINATION.—In addition to submitting the reports required under clause (i), the Secretary shall disseminate the results of the evaluation widely and on a timely basis in order to increase the understanding among State and local officials and educators of the effectiveness of programs and activities supported under the Act and of the career and technical education programs and programs of study that are most likely to produce positive educational and employment outcomes.'';

(C) in subparagraph (3)(A), by striking ''State adjusted levels of performance described in section 113(b)'' and inserting ''State determined levels of performance described in section 113(b), as long as such information does not reveal any personally identifiable information''; and

(D) by striking paragraphs (4) and (5) and inserting the following:

''(4) RESEARCH.—

''(A) IN GENERAL.—From amounts made available under subsection (f), the Secretary, after consultation with the Director, the Commissioner for Education Research, and the States, and with input from the independent advisory panel established under subsection (d)(1)(A), shall award a grant, contract, or cooperative agreement, on a competitive basis, to an institution of higher education or to a consortium of one or more institutions of higher education and one or more private nonprofit organizations or agencies, to carry out one or more of the activities described in subparagraph (B).

''(B) GRANT ACTIVITIES.—An institution or consortium receiving a grant under this paragraph shall use grant funds to carry out one or more of the following activities:

''(i) Evidence-based research and evaluation for the purpose of developing, improving, and identifying the most successful methods for—

''(I) eliminating inequities in access to, and in opportunities for, learning, skill development, or effective teaching in career and technical education programs; and

''(II) addressing the education, employment, and training needs of CTE participants, including special populations, in career and technical education programs or programs of study.

''(ii) Research on, and evaluation of, the impact of changes made by the Strengthening Career and Technical Education for the 21st Century Act, including State-by-State comparisons, where appropriate, of—

''(I) the use of the needs assessment under section 134(c);

''(II) the implementation of programs of study;

''(III) how States have implemented provisions of the Act, including both fiscal and programmatic elements;

''(IV) career and technical education funding and finance models; and

''(V) coordination with other relevant laws, including the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Elementary and Secondary Education Act of 1965, and the Higher Education Act of 1965.

''(iii) Evidence-based research and analyses that provide longitudinal information with respect to career and technical education programs and programs of study and student achievement.

''(iv) The implementation of, evaluation of, or evidence-based research of, innovative methods that support high-quality implementation of career and technical education programs and programs of study and student achievement related to career and technical education, including—

''(I) creating or expanding dual or concurrent enrollment program activities and early college high schools;

''(II) awarding of academic credit or academic alignment for industry recognized credentials, competency-based education, or work-based learning;

''(III) making available open, searchable, and comparable information on the quality of industry recognized credentials, including the related skills or competencies, attainment by CTE concentrators, related employment and earnings outcomes, labor market value, and use by employers; or

''(IV) initiatives to facilitate the transition of sub-baccalaureate career and technical education students into baccalaureate degree programs, including barriers affecting rural students and special populations.

''(C) REPORT.—The institution or consortium receiving a grant under this paragraph shall annually prepare a report containing information about the key research findings of such entity under this paragraph and shall submit copies of the report to the Secretary and the Director. The Secretary shall submit copies of the report to the relevant committees of Congress, the Library of Congress, and each eligible agency.

''(D) DISSEMINATION.—The institution or consortium receiving a grant under this paragraph shall conduct dissemination and training activities based on the research carried out under this paragraph on a timely basis, including through dissemination networks and, as appropriate and relevant, technical assistance providers within the Department.'';

(5) by redesignating subsection (e) as subsection (f);

(6) by inserting after subsection (d) the following:

''(e) INNOVATION AND MODERNIZATION.—

''(1) GRANT PROGRAM.—To identify, support, and rigorously evaluate evidence-based

and innovative strategies and activities to improve and modernize career and technical education and align workforce skills with labor market needs as part of the State plan under section 122 and local application under section 134 and the requirements of this subsection, the Secretary may use not more than 20 percent of the amounts appropriated under subsection (f) to award grants to eligible entities, eligible institutions, or eligible recipients to carry out the activities described in paragraph (7).

''(2) NON-FEDERAL MATCH.—

''(A) MATCHING FUNDS REQUIRED.—Except as provided under subparagraph (B), to receive a grant under this subsection, an eligible entity, eligible institution, or eligible recipient shall, through cash or in-kind contributions, provide matching funds from non-Federal sources in an amount equal to not less than 50 percent of the funds provided under such grant.

''(B) EXCEPTION.—The Secretary may waive the matching fund requirement under subparagraph (A) if the eligible entity, eligible institution, or eligible recipient demonstrates exceptional circumstances.

''(3) APPLICATION.—To receive a grant under this subsection, an eligible entity, eligible institution, or eligible recipient shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including, at a minimum—

''(A) an identification and designation of the agency, institution, or school responsible for the administration and supervision of the program assisted under this paragraph;

''(B) a description of the budget for the project, the source and amount of the matching funds required under paragraph (2)(A), and how the applicant will continue the project after the grant period ends, if applicable;

''(C) a description of how the applicant will use the grant funds, including how such funds will directly benefit students, including special populations, served by the applicant;

''(D) a description of how the program assisted under this subsection will be coordinated with the activities carried out under section 124 or 135;

''(E) a description of how the career and technical education programs or programs of study to be implemented with grant funds reflect the needs of regional, State, or local employers, as demonstrated by the comprehensive needs assessment under section 134(c);

''(F) a description of how the program assisted under this subsection will be evaluated and how that evaluation may inform the report described in subsection (d)(2)(C); and

''(G) an assurance that the applicant will—

''(i) provide information to the Secretary, as requested, for evaluations that the Secretary may carry out; and

''(ii) make data available to third parties for validation, in accordance with applicable data privacy laws, including section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(4) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to applications from eligible entities, eligible institutions, or eligible recipients that will predominantly serve students from low-income families.

''(5) GEOGRAPHIC DIVERSITY.—

''(A) IN GENERAL.—In awarding grants under this subsection, the Secretary shall award no less than 25 percent of the total available funds for any fiscal year to eligible entities, eligible institutions, or eligible recipients proposing to fund career and technical education activities that serve—

''(i) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

''(ii) an institution of higher education primarily serving the one or more areas served by such a local educational agency;

''(iii) a consortium of such local educational agencies or such institutions of higher education;

''(iv) a partnership between—

''(I) an educational service agency or a nonprofit organization; and

''(II) such a local educational agency or such an institution of higher education; or

''(v) a partnership between—

''(I) a grant recipient described in clause (i) or (ii); and

''(II) a State educational agency.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary shall reduce the amount of funds made available under such clause if the Secretary does not receive a sufficient number of applications of sufficient quality.

''(6) DURATION.—

''(A) IN GENERAL.—Grants awarded under this subsection shall be for a period of not more than 3 years.

''(B) EXTENSION.—The Secretary may extend such grants for not more than 1 additional 2-year period if the grantee demonstrates to the Secretary that the grantee is achieving the grantee's program objectives and, as applicable, has improved education outcomes for career and technical education students, including special populations.

''(7) USES OF FUNDS.—An eligible entity, eligible institution, or eligible recipient that is awarded a grant under this subsection shall use the grant funds to create, develop, implement, replicate, or take to scale evidence-based, field-initiated innovations to modernize and improve effectiveness and alignment of career and technical education and to improve student outcomes in career and technical education, and rigorously evaluate such innovations, through one or more of the following activities:

''(A) Designing and implementing courses or programs of study aligned to labor market needs in new or emerging fields and working with industry to upgrade equipment, technology, and related curriculum used in career and technical education programs, which is needed for the development, expansion, and implementation of State-approved career and technical education programs of study, including—

''(i) the development or acquisition of instructional materials associated with the equipment and technology purchased by an eligible entity, eligible institution, or eligible recipient through the grant; or

''(ii) efforts to expand, develop, or implement programs designed to increase opportunities for students to take rigorous courses in coding or computer science subject areas, and support for statewide efforts to increase access and implementation of coding or computer science courses in order to meet local labor market needs in occupations that require skills in those subject areas.

''(B) Improving career and technical education outcomes of students served by eligible entities, eligible institutions, or eligible recipients through activities such as—

''(i) supporting the development and enhancement of innovative delivery models for career and technical education related work-based learning, including school-based simulated work sites, mentoring, work site visits, job shadowing, project-based learning, and skills-based and paid internships;

''(ii) increasing the effective use of technology within career and technical education programs and programs of study;

''(iii) supporting new models for integrating academic content at the secondary and postsecondary level in career and technical education; or

''(iv) integrating science, technology, engineering, and mathematics fields, including computer science education, with career and technical education.

''(C) Improving the transition of students—

''(i) from secondary education to postsecondary education or employment through programs, activities, or services that may include the creation, development, or expansion of dual or concurrent enrollment programs, articulation agreements, credit transfer agreements, and competency-based education; or

''(ii) from the completion of one postsecondary program to another postsecondary program that awards a recognized postsecondary credential.

''(D) Supporting the development and enhancement of innovative delivery models for career and technical education.

''(E) Working with industry to design and implement courses or programs of study aligned to labor market needs in new or emerging fields.

''(F) Supporting innovative approaches to career and technical education by redesigning the high school experience for students, which may include evidence-based transitional support strategies for students who have not met postsecondary education eligibility requirements.

''(G) Creating or expanding recruitment, retention, or professional development activities for career and technical education teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, and paraprofessionals, which may include—

''(i) providing resources and training to improve instruction for, and provide appropriate accommodations to, special populations;

''(ii) externships or site visits with business and industry;

''(iii) the integration of coherent and rigorous academic content standards and career and technical education curricula, including through opportunities for appropriate academic and career and technical education teachers to jointly develop and implement curricula and pedagogical strategies;

''(iv) mentoring by experienced teachers;

''(v) providing resources or assistance with meeting State teacher licensure and credential requirements; or

''(vi) training for career guidance and academic counselors at the secondary level to improve awareness of postsecondary education and postsecondary career options, and improve the ability of such counselors to communicate to students the career opportunities and employment trends.

''(H) Improving CTE concentrator employment outcomes in non-traditional fields.

''(I) Supporting the use of career and technical education programs and programs of study in a coordinated strategy to address identified employer needs and workforce shortages, such as shortages in the early childhood, elementary school, and secondary school education workforce.

''(J) Providing integrated student support that addresses the comprehensive needs of students, such as incorporating accelerated and differentiated learning opportunities supported by evidence-based strategies for special populations.

''(K) Establishing an online portal for career and technical education students, including special populations, preparing for

postsecondary career and technical education, which may include opportunities for mentoring, gaining financial literacy skills, and identifying career opportunities and interests, and a platform to establish online savings accounts to be used exclusively for postsecondary career and technical education programs and programs of study.

''(L) Developing and implementing a pay for success initiative.

''(8) EVALUATION.—Each eligible entity, eligible institution, or eligible recipient receiving a grant under this subsection shall provide for an independent evaluation of the activities carried out using such grant and submit to the Secretary an annual report that includes—

''(A) a description of how funds received under this paragraph were used;

''(B) the performance of the eligible entity, eligible institution, or eligible recipient with respect to, at a minimum, the performance indicators described under section 113, as applicable, and disaggregated by—

''(i) subgroups of students described in section 1111(c)(2)(B) of the Elementary and Secondary Education Act of 1965;

''(ii) special populations; and

''(iii) as appropriate, each career and technical education program and program of study; and

''(C) a quantitative analysis of the effectiveness of the project carried out under this paragraph.''; and

(7) by amending subsection (f), as redesignated by paragraph (5), to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $7,651,051 for fiscal year 2019;

''(2) $7,758,166 for fiscal year 2020;

''(3) $7,866,780 for fiscal year 2021;

''(4) $7,976,915 for fiscal year 2022;

''(5) $8,088,592 for fiscal year 2023; and

''(6) $8,201,832 for fiscal year 2024.''.

SEC. 114. ASSISTANCE FOR THE OUTLYING AREAS.

Section 115 (20 U.S.C. 2325) is amended—

(1) in subsection (a)(3), by striking ''subject to subsection (d)'' and inserting ''subject to subsection (b)'';

(2) by striking subsections (b) and (c); and

(3) by redesignating subsection (d) as subsection (b).

SEC. 115. NATIVE AMERICAN PROGRAMS.

Section 116 (20 U.S.C. 2326) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the paragraph heading, by striking ''NATIVE'' and inserting ''NATIVE'';

(B) by striking paragraph (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(D) in paragraph (3) (as redesignated by subparagraph (C)), in the paragraph heading, by striking ''HAWAIIAN'' and inserting ''HAWAIIAN''; and

(E) in paragraph (4) (as redesignated by subparagraph (C))—

(i) in the paragraph heading, by striking ''HAWAIIAN'' and inserting ''HAWAIIAN''; and

(ii) by inserting ''(20 U.S.C. 7517)'' after ''Act'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''tribes'' and inserting ''Tribes''; and

(ii) by striking ''tribal'' and inserting ''Tribal'';

(B) in paragraph (2)—

(i) by striking the paragraph heading and inserting ''INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—'';

(ii) by striking ''Indian tribe or tribal organization'' and inserting ''Indian Tribe or Tribal organization'';

(iii) by striking ''450f'' and inserting ''5321''; and

(iv) by striking ''455–457'' and inserting ''5345–5347'';

(C) in paragraph (3)—

(i) in the paragraph heading, by striking ''BUREAU OF INDIAN AFFAIRS'' and inserting ''BUREAU OF INDIAN EDUCATION'';

(ii) by striking ''tribe'' and inserting ''Tribe'';

(iii) by striking ''tribal'' and inserting ''Tribal''; and

(iv) by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';

(D) in paragraph (4)—

(i) by striking ''Bureau of Indian Affairs'' each place the term appears and inserting ''Bureau of Indian Education''; and

(ii) by striking ''Assistant Secretary of the Interior for Indian Affairs'' and inserting ''Director of the Bureau of Indian Education'';

(E) in paragraph (5)(A), by striking ''Indian tribes, tribal organizations, and individual tribal members'' and inserting ''Indian Tribes, Tribal organizations, and individual Tribal members''; and

(F) in paragraph (6)—

(i) by striking ''tribe'' each place the term appears and inserting ''Tribe''; and

(ii) by striking ''tribal'' each place the term appears and inserting ''Tribal'';

(3) in subsection (c)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

''(2) SPECIAL RULE.—Notwithstanding section 3(5)(A)(iii), funds made available under this section may be used to provide preparatory, refresher, and remedial education services that are designed to enable students to achieve success in career and technical education programs or programs of study.'';

(4) in subsection (d), by striking ''tribe'' each place the term appears and inserting ''Tribe'';

(5) in subsection (e)(1), by striking ''tribal'' and inserting ''Tribal'';

(6) in subsection (f), by striking ''tribe'' and inserting ''Tribe''; and

(7) in subsection (g), by striking ''tribe'' each place the term appears and inserting ''Tribe''.

SEC. 116. TRIBALLY CONTROLLED POSTSECONDARY CAREER AND TECHNICAL INSTITUTIONS.

Section 117 (20 U.S.C. 2327) is amended—

(1) in subsection (a)(2), by striking ''(25 U.S.C. 640a et seq.)'' and inserting ''(Public Law 92–189; 85 Stat. 646)'';

(2) in subsection (d), by striking ''(25 U.S.C. 640a et seq.)'' and inserting ''(Public Law 92–189; 85 Stat. 646)'';

(3) in subsection (f)(3), by striking ''tribe'' each place the term appears and inserting ''Tribe'';

(4) in subsection (h)—

(A) in the paragraph heading, by striking ''INDIAN TRIBE'' and inserting ''INDIAN TRIBE'';

(B) by striking ''terms 'Indian' and 'Indian tribe' have the meanings given the terms in'' and inserting ''terms 'Indian' and 'Indian Tribe' have the meanings given the terms 'Indian' and 'Indian tribe', respectively, in'';

(5) by striking subsection (i) and inserting the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $9,762,539 for fiscal year 2019;

''(2) $9,899,215 for fiscal year 2020;

''(3) $10,037,804 for fiscal year 2021;

''(4) $10,178,333 for fiscal year 2022;

''(5) $10,320,829 for fiscal year 2023; and

''(6) $10,465,321 for fiscal year 2024.''.

SEC. 117. OCCUPATIONAL AND EMPLOYMENT INFORMATION.

Section 118 (20 U.S.C. 2328) is repealed.

PART B—STATE PROVISIONS

SEC. 121. STATE ADMINISTRATION.

Section 121(a)(2) (20 U.S.C. 2341(a)(2)) is amended by striking ''parents'' and all that follows through the end of the paragraph and inserting ''teachers, faculty, specialized instructional support personnel, paraprofessionals, school leaders, authorized public chartering agencies and charter school leaders (consistent with State law), employers, representatives of business (including small businesses), labor organizations, eligible recipients, local program administrators, State and local officials, Indian Tribes or Tribal organizations present in the State, parents, students, and community organizations;''.

SEC. 122. STATE PLAN.

Section 122 (20 U.S.C. 2342) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''6-year period,'' and inserting ''4-year period, consistent with subsection (b) and paragraph (5),''; and

(ii) by striking ''Carl D. Perkins Career and Technical Education Improvement Act of 2006'' and inserting ''Strengthening Career and Technical Education for the 21st Century Act'';

(B) in paragraph (2)(B), by striking ''6-year period'' and inserting ''4-year period'';

(C) in paragraph (3), by striking ''(including charter school'' and all that follows through ''and community organizations)'' and inserting ''(including teachers, faculty, specialized instructional support personnel, paraprofessionals, school leaders, authorized public chartering agencies and charter school leaders (consistent with State law), employers, labor organizations, parents, students, Indian Tribes and Tribal organizations that may be present in the State, and community organizations)''; and

(D) by adding at the end the following:

''(4) PUBLIC COMMENT.—Each eligible agency shall make the State plan publicly available for public comment for a period of not less than 30 days, by electronic means and in an easily accessible format, prior to submission to the Secretary for approval under this subsection. In the plan the eligible agency files under this subsection, the eligible agency shall provide an assurance that public comments were taken into account in the development of the State plan.

''(5) OPTIONAL SUBMISSION OF SUBSEQUENT PLANS.—An eligible agency may, after the first 4-year State plan is submitted under this section, submit subsequent 4-year plans not later than 120 days prior to the end of the 4-year period covered by the preceding State plan or, if an eligible agency chooses not to submit a State plan for a subsequent 4-year period, the eligible agency shall submit, and the Secretary shall approve, annual revisions to the State determined levels of performance in the same manner as revisions submitted and approved under section 113(b)(3)(A)(ii).''; and

(2) by striking subsections (b) through (e) and inserting the following:

''(b) OPTIONS FOR SUBMISSION OF STATE PLAN.—

''(1) COMBINED PLAN.—The eligible agency may submit a combined plan that meets the requirements of this section and the requirements of section 103 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3113).

''(2) NOTICE TO SECRETARY.—The eligible agency shall inform the Secretary of whether the eligible agency intends to submit a combined plan described in paragraph (1) or a single plan.

''(c) PLAN DEVELOPMENT.—

''(1) IN GENERAL.—The eligible agency shall—

''(A) develop the State plan in consultation with—

''(i) representatives of secondary and postsecondary career and technical education programs, including eligible recipients and representatives of 2-year minority-serving institutions and historically Black colleges and universities and tribally controlled colleges or universities in States where such institutions are in existence, adult career and technical education providers, and charter school representatives in States where such schools are in existence, which shall include teachers, faculty, school leaders, specialized instructional support personnel, career and academic guidance counselors, and paraprofessionals;

''(ii) interested community representatives, including parents, students, and community organizations;

''(iii) representatives of the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111) (referred to in this section as the 'State board');

''(iv) members and representatives of special populations;

''(v) representatives of business and industry (including representatives of small business), which shall include representatives of industry and sector partnerships in the State, as appropriate, and representatives of labor organizations in the State;

''(vi) representatives of agencies serving out-of-school youth, homeless children and youth, and at-risk youth, including the State Coordinator for Education of Homeless Children and Youths established or designated under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(d)(3));

''(vii) representatives of Indian Tribes and Tribal organizations located in, or providing services in, the State; and

''(viii) individuals with disabilities; and

''(B) consult the Governor of the State, and the heads of other State agencies with authority for career and technical education programs that are not the eligible agency, with respect to the development of the State plan.

''(2) ACTIVITIES AND PROCEDURES.—The eligible agency shall develop effective activities and procedures, including access to information needed to use such procedures, to allow the individuals and entities described in paragraph (1) to participate in State and local decisions that relate to development of the State plan.

''(3) CONSULTATION WITH THE GOVERNOR.—The consultation described in paragraph (1)(B) shall include meetings of officials from the eligible agency and the Governor's office and shall occur—

''(A) during the development of such plan; and

''(B) prior to submission of the plan to the Secretary.

''(d) PLAN CONTENTS.—The State plan shall include—

''(1) a summary of State-supported workforce development activities (including education and training) in the State, including the degree to which the State's career and technical education programs and programs of study are aligned with and address the education and skill needs of the employers in the State identified by the State board;

''(2) the State's strategic vision and set of goals for preparing an educated and skilled workforce (including special populations) and for meeting the skilled workforce needs of employers, including in existing and emerging in-demand industry sectors and occupations as identified by the State, and how the State's career and technical education programs will help to meet these goals;

''(3) a strategy for any joint planning, alignment, coordination, and leveraging of funds—

''(A) between the State's career and technical education programs and programs of study with the State's workforce development system, to achieve the strategic vision and goals described in paragraph (2), including the core programs defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) and the elements related to system alignment under section 102(b)(2)(B) of such Act (29 U.S.C. 3112(b)(2)(B)); and

''(B) for programs carried out under this title with other Federal programs, which may include programs funded under the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965;

''(4) a description of the career and technical education programs or programs of study that will be supported, developed, or improved at the State level, including descriptions of—

''(A) the programs of study to be developed at the State level and made available for adoption by eligible recipients;

''(B) the process and criteria to be used for approving locally developed programs of study or career pathways, including how such programs address State workforce development and education needs and the criteria to assess the extent to which the local application under section 132 will—

''(i) promote continuous improvement in academic achievement and technical skill attainment;

''(ii) expand access to career and technical education for special populations; and

''(iii) support the inclusion of employability skills in programs of study and career pathways;

''(C) how the eligible agency will—

''(i) make information on approved programs of study and career pathways (including career exploration, work-based learning opportunities, early college high schools, and dual or concurrent enrollment program opportunities) and guidance and advisement resources, available to students (and parents, as appropriate), representatives of secondary and postsecondary education, and special populations, and to the extent practicable, provide that information and those resources in a language students, parents, and educators can understand;

''(ii) facilitate collaboration among eligible recipients in the development and coordination of career and technical education programs and programs of study and career pathways that include multiple entry and exit points;

''(iii) use State, regional, or local labor market data to determine alignment of eligible recipients' programs of study to the needs of the State, regional, or local economy, including in-demand industry sectors and occupations identified by the State board, and to align career and technical education with such needs, as appropriate;

''(iv) ensure equal access to approved career and technical education programs of study and activities assisted under this Act for special populations;

''(v) coordinate with the State board to support the local development of career pathways and articulate processes by which career pathways will be developed by local workforce development boards, as appropriate;

''(vi) support effective and meaningful collaboration between secondary schools, postsecondary institutions, and employers to provide students with experience in, and understanding of, all aspects of an industry, which may include work-based learning such as internships, mentorships, simulated work environments, and other hands-on or inquiry-based learning activities; and

''(vii) improve outcomes and reduce performance gaps for CTE concentrators, including those who are members of special populations; and

''(D) how the eligible agency may include the opportunity for secondary school students to participate in dual or concurrent enrollment programs, early college high school, or competency-based education;

''(5) a description of the criteria and process for how the eligible agency will approve eligible recipients for funds under this Act, including how—

''(A) each eligible recipient will promote academic achievement;

''(B) each eligible recipient will promote skill attainment, including skill attainment that leads to a recognized postsecondary credential; and

''(C) each eligible recipient will ensure the comprehensive needs assessment under section 134(c) takes into consideration local economic and education needs, including, where appropriate, in-demand industry sectors and occupations;

''(6) a description of how the eligible agency will support the recruitment and preparation of teachers, including special education teachers, faculty, school principals, administrators, specialized instructional support personnel, and paraprofessionals to provide career and technical education instruction, leadership, and support, including professional development that provides the knowledge and skills needed to work with and improve instruction for special populations;

''(7) a description of how the eligible agency will use State leadership funds under section 124;

''(8) a description of how funds received by the eligible agency through the allotment made under section 111 will be distributed—

''(A) among career and technical education at the secondary level, or career and technical education at the postsecondary and adult level, or both, including how such distribution will most effectively provide students with the skills needed to succeed in the workplace; and

''(B) among any consortia that may be formed among secondary schools and eligible institutions, and how funds will be distributed among the members of the consortia, including the rationale for such distribution and how it will most effectively provide students with the skills needed to succeed in the workplace;

''(9) a description of the eligible agency's program strategies for special populations, including a description of how individuals who are members of special populations—

''(A) will be provided with equal access to activities assisted under this Act;

''(B) will not be discriminated against on the basis of status as a member of a special population;

''(C) will be provided with programs designed to enable individuals who are members of special populations to meet or exceed State determined levels of performance described in section 113, and prepare special populations for further learning and for high-skill, high-wage, or in-demand industry sectors or occupations;

''(D) will be provided with appropriate accommodations; and

''(E) will be provided instruction and work-based learning opportunities in integrated settings that support competitive, integrated employment;

''(10) a description of the procedure the eligible agency will adopt for determining State determined levels of performance described in section 113, which, at a minimum, shall include—

''(A) a description of the process for public comment under section 113(b)(3)(B) as part of the development of the State determined levels of performance under section 113(b);

''(B) an explanation of the State determined levels of performance; and

''(C) a description of how the State determined levels of performance set by the eligible agency align with the levels, goals, and objectives of other Federal and State laws;

''(11) a description of how the eligible agency will address disparities or gaps in performance, as described in section 113(b)(3)(C)(ii)(II), in each of the plan years, and if no meaningful progress has been achieved prior to the third program year, a description of the additional actions the eligible agency will take to eliminate these disparities or gaps;

''(12) describes how the eligible agency will involve parents, academic and career and technical education teachers, administrators, faculty, career guidance and academic counselors, local business (including small businesses), labor organizations, and representatives of Indian Tribes and Tribal organizations, as appropriate, in the planning, development, implementation, and evaluation of such career and technical education programs; and

''(13) assurances that—

''(A) the eligible agency will comply with the requirements of this Act and the provisions of the State plan, including the provision of a financial audit of funds received under this Act, which may be included as part of an audit of other Federal or State programs;

''(B) none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the acquiring entity or the employees of the acquiring entity, or any affiliate of such an organization;

''(C) the eligible agency will use the funds to promote preparation for high-skill, high-wage, or in-demand industry sectors or occupations and non-traditional fields, as identified by the eligible agency;

''(D) the eligible agency will use the funds provided under this Act to implement career and technical education programs and programs of study for individuals in State correctional institutions, including juvenile justice facilities; and

''(E) the eligible agency will provide local educational agencies, area career and technical education schools, and eligible institutions in the State with technical assistance, including technical assistance on how to close gaps in student participation and performance in career and technical education programs; and

''(14) a description of the opportunities for the public to comment in person and in writing on the State plan under this subsection.

''(e) CONSULTATION.—

''(1) IN GENERAL.—The eligible agency shall develop the portion of each State plan relating to the amount and uses of any funds proposed to be reserved for adult career and technical education, postsecondary career and technical education, and secondary career and technical education after consultation with—

''(A) the State agency responsible for supervision of community colleges, technical institutes, other 2-year postsecondary institutions primarily engaged in providing postsecondary career and technical education, or, where applicable, institutions of higher education that are engaged in providing postsecondary career and technical education as part of their mission;

''(B) the State agency responsible for secondary education; and

''(C) the State agency responsible for adult education.

''(2) OBJECTIONS OF STATE AGENCIES.—If a State agency other than the eligible agency finds that a portion of the final State plan is objectionable, that objection shall be filed together with the State plan. The eligible agency shall respond to any objections of such State agency in the State plan submitted to the Secretary.

''(3) JOINT SIGNATURE AUTHORITY.—A Governor shall have 30 days prior to the eligible agency submitting the State plan to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the eligible agency to the Governor, the eligible agency shall submit the plan to the Secretary without such signature.

''(f) PLAN APPROVAL.—

''(1) IN GENERAL.—Not later than 120 days after the eligible agency submits its State plan, the Secretary shall approve such State plan, or a revision of the plan under subsection (a)(2) (including a revision of State determined levels of performance in accordance with section 113(b)(3)(A)(iii)), if the Secretary determines that the State has submitted in its State plan State determined levels of performance that meet the criteria established in section 113(b)(3), including the minimum requirements described in section 113(b)(3)(A)(i)(III), unless the Secretary—

''(A) determines that the State plan does not meet the requirements of this Act, including the minimum requirements as described in section 113(b)(3)(A)(i)(III); and

''(B) meets the requirements of paragraph (2) with respect to such plan.

''(2) DISAPPROVAL.—The Secretary—

''(A) shall have the authority to disapprove a State plan only if the Secretary—

''(i) determines how the State plan fails to meet the requirements of this Act; and

''(ii) provides to the eligible agency, in writing, notice of such determination and the supporting information and rationale to substantiate such determination; and

''(B) shall not finally disapprove a State plan, except after making the determination and providing the information described in subparagraph (A), and giving the eligible agency notice and an opportunity for a hearing.''.

SEC. 123. IMPROVEMENT PLANS.

Section 123 (20 U.S.C. 2343) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''percent of an agreed upon'' and inserting ''percent of the'';

(ii) by striking ''State adjusted level of performance'' and inserting ''State determined level of performance'' each place the term appears;

(iii) by striking ''section 113(b)(3)'' and inserting ''113(b)(2) for all CTE concentrators'';

(iv) by striking ''(with special consideration to performance gaps identified under section 113(c)(2))'' and inserting ''(that includes an analysis of the performance disparities or gaps identified under section 113(b)(3)(C)(ii)(II), and actions that will be taken to address such gaps)'';

(B) in paragraph (2)—

(i) by striking ''State's adjusted levels of performance'' and inserting ''State determined levels of performance''; and

(ii) by striking ''purposes of this Act'' and inserting ''purposes of this section, including after implementation of the improvement plan described in paragraph (1),'';

(C) in paragraph (3)(A)—

(i) in clause (i), by inserting ''or'' after the semicolon; and

(ii) by striking clauses (ii) and (iii) and inserting the following:

''(ii) with respect to any specific core indicator of performance that was identified in a program improvement plan under paragraph (1), fails to meet at least 90 percent of a State determined level of performance for such core indicator for 2 consecutive years after the eligible agency has been identified for improvement under such paragraph.''; and

(D) by adding at the end the following:

''(5) ADJUSTMENTS PROHIBITED.—An eligible agency shall not be eligible to adjust performance levels while executing an improvement plan under this section.''; and

(2) in subsection (b)—

(A) by striking ''adjusted'' each place the term appears;

(B) in paragraph (2)—

(i) by inserting ''for all CTE concentrators'' after ''section 113(b)(4)''; and

(ii) by striking ''(with special consideration to performance gaps identified under section 113(b)(4)(C)(ii)(II) in consultation with the eligible agency,'' and inserting ''(that includes an analysis of the performance disparities or gaps identified under section 113(b)(3)(C)(ii)(II), and actions that will be taken to address such gaps) in consultation with local stakeholders described in section 134(d)(1), the eligible agency, and'';

(C) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i), by inserting ''or'' after the semicolon; and

(II) by striking clauses (ii) and (iii) and inserting the following:

''(ii) with respect to any specific core indicator of performance that was identified in a program improvement plan under paragraph (2), fails to meet at least 90 percent of the local level of performance for such core indicator for 2 consecutive years after the eligible recipient has been identified for improvement under such paragraph.''; and

(ii) in subparagraph (B)—

(I) in clause (i), by striking ''or'' after the semicolon;

(II) in clause (ii), by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(iii) in response to a public request from an eligible recipient, if the eligible agency determines that the requirements described in clause (i) or (ii) have been met.''; and

(D) by adding at the end the following:

''(6) ADJUSTMENTS PROHIBITED.—An eligible recipient shall not be eligible to adjust performance levels while executing an improvement plan under this section.''.

SEC. 124. STATE LEADERSHIP ACTIVITIES.

Section 124 (20 U.S.C. 2344) is amended—

(1) in subsection (a), by striking ''shall conduct State leadership activities.'' and inserting ''shall—

''(1) conduct State leadership activities to improve career and technical education, which shall include support for—

''(A) preparation for non-traditional fields in current and emerging professions, programs for special populations, and other activities that expose students, including special populations, to high-skill, high-wage, and in-demand occupations;

''(B) individuals in State institutions, such as State correctional institutions, including juvenile justice facilities, and educational institutions that serve individuals with disabilities;

''(C) recruiting, preparing, or retaining career and technical education teachers, faculty, specialized instructional support personnel, or paraprofessionals, such as preservice, professional development, or leadership development programs; and

''(D) technical assistance for eligible recipients; and

''(2) report on the effectiveness of such use of funds in achieving the goals described in section 122(d)(2) and the State determined

levels of performance described in section 113(b)(3)(A), and reducing disparities or performance gaps as described in section 113(b)(3)(C)(ii)(II).'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''REQUIRED'' and inserting ''PERMISSIBLE'';

(B) in the matter preceding paragraph (1), by striking ''shall'' and inserting ''may''; and

(C) by striking paragraphs (1) through (9) and inserting the following:

''(1) developing statewide programs of study, which may include standards, curriculum, and course development, and career exploration, guidance, and advisement activities and resources;

''(2) approving locally developed programs of study that meet the requirements established in section 122(d)(4)(B);

''(3) establishing statewide articulation agreements aligned to approved programs of study;

''(4) establishing statewide industry or sector partnerships among local educational agencies, institutions of higher education, adult education providers, Indian Tribes and Tribal organizations that may be present in the State, employers, including small businesses, and parents, as appropriate to—

''(A) develop and implement programs of study aligned to State and local economic and education needs, including, as appropriate, in-demand industry sectors and occupations;

''(B) facilitate the establishment, expansion, and integration of opportunities for students at the secondary level to—

''(i) successfully complete coursework that integrates rigorous and challenging technical and academic instruction aligned with the challenging State academic standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965; and

''(ii) earn a recognized postsecondary credential or credit toward a recognized postsecondary credential, which may be earned through a dual or concurrent enrollment program or early college high school, at no cost to the student or the student's family; and

''(C) facilitate work-based learning opportunities (including internships, externships, and simulated work environments) into programs of study;

''(5) for teachers, faculty, specialized instructional support personnel, and paraprofessionals providing career and technical education instruction, support services, and specialized instructional support services, high-quality comprehensive professional development that is, to the extent practicable, grounded in evidence-based research (to the extent a State determines that such evidence is reasonably available) that identifies the most effective educator professional development process and is coordinated and aligned with other professional development activities carried out by the State (including under title II of the Elementary and Secondary Education Act of 1965 and title II of the Higher Education Act of 1965), including programming that—

''(A) promotes the integration of the challenging State academic standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and relevant technical knowledge and skills, including programming jointly delivered to academic and career and technical education teachers;

''(B) prepares career and technical education teachers, faculty, specialized instructional support personnel, and paraprofessionals to provide appropriate accommodations for students who are members of special populations, including through the use of principles of universal design for learning, multi-tier systems of supports, and positive behavioral interventions and support; and

''(C) increases the ability of teachers, faculty, specialized instructional support personnel, and paraprofessionals providing career and technical education instruction to stay current with industry standards and earn an industry-recognized credential or license, as appropriate, including by assisting those with relevant industry experience in obtaining State teacher licensure or credential requirements;

''(6) supporting eligible recipients in eliminating inequities in student access to—

''(A) high-quality programs of study that provide skill development; and

''(B) effective teachers, faculty, specialized instructional support personnel, and paraprofessionals;

''(7) awarding incentive grants to eligible recipients—

''(A) for exemplary performance in carrying out programs under this Act, which awards shall be based on—

''(i) eligible recipients exceeding the local level of performance on a core indicator of performance established under section 113(b)(4)(A) in a manner that reflects sustained or significant improvement;

''(ii) eligible recipients effectively developing connections between secondary education and postsecondary education and training;

''(iii) the integration of academic and technical standards;

''(iv) eligible recipients' progress in closing achievement gaps among subpopulations who participate in programs of study; or

''(v) other factors relating to the performance of eligible recipients under this Act as the eligible agency determines are appropriate; or

''(B) if an eligible recipient elects to use funds as permitted under section 135(c);

''(8) providing support for—

''(A) the adoption and integration of recognized postsecondary credentials and work-based learning into programs of study, and for increasing data collection associated with recognized postsecondary credentials and employment outcomes; or

''(B) consultation and coordination with other State agencies for the identification and examination of licenses or certifications that—

''(i) pose an unwarranted barrier to entry into the workforce for career and technical education students; and

''(ii) do not protect the health, safety, or welfare of consumers;

''(9) the creation, implementation, and support of pay for success initiatives leading to a recognized postsecondary credential;

''(10) support for career and technical education programs for adults and out-of-school youth concurrent with their completion of their secondary school education in a school or other educational setting;

''(11) the creation, evaluation, and support of competency-based curricula;

''(12) support for the development, implementation, and expansion of programs of study or career pathways in areas declared to be in a state of emergency under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191);

''(13) partnering with qualified intermediaries to improve training, the development of public-private partnerships, systems development, capacity-building, and scalability of the delivery of high-quality career and technical education;

''(14) improvement of career guidance and academic counseling programs that assist students in making informed academic and career and technical education decisions, including academic and financial aid counseling;

''(15) support for the integration of employability skills into career and technical education programs and programs of study;

''(16) support for programs and activities that increase access, student engagement, and success in science, technology, engineering, and mathematics fields (including computer science, coding, and architecture), support for the integration of arts and design skills, and support for hands-on learning, particularly for students who are members of groups underrepresented in such subject fields, such as female students, minority students, and students who are members of special populations;

''(17) support for career and technical student organizations, especially with respect to efforts to increase the participation of students in nontraditional fields and students who are members of special populations;

''(18) support for establishing and expanding work-based learning opportunities that are aligned to career and technical education programs and programs of study;

''(19) integrating and aligning programs of study and career pathways;

''(20) supporting the use of career and technical education programs and programs of study aligned with State, regional, or local high-skill, high-wage, or in-demand industry sectors or occupations identified by the State workforce development board described in section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111) or local workforce development boards;

''(21) making all forms of instructional content widely available, which may include use of open educational resources;

''(22) developing valid and reliable assessments of competencies and technical skills and enhancing data systems to collect and analyze data on secondary and postsecondary academic and employment outcomes;

''(23) support for accelerated learning programs, as described in section 4104(b)(3)(A)(i)(IV) of the Elementary and Secondary Education Act of 1965, in the case of any such program that is part of a career and technical education program of study;

''(24) support for career academies to implement a postsecondary education and workforce-ready curriculum at the secondary education level that integrates rigorous academic, technical, and employability contents through career and technical education programs and programs of study that address needs described in the comprehensive needs assessment under section 134(c); and

''(25) other State leadership activities that improve career and technical education.'';

(3) by striking subsection (c);

(4) by redesignating subsection (d) as subsection (c); and

(5) in subsection (c), as redesignated by paragraph (4), by striking the period at the end and inserting '', unless expressly authorized under subsection (a).''.

PART C—LOCAL PROVISIONS

SEC. 131. DISTRIBUTION OF FUNDS TO SECONDARY EDUCATION PROGRAMS.

Section 131 (20 U.S.C. 2351) is amended—

(1) in subsection (a)(3)(B), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';

(2) in subsection (c)(2)(A)(ii), by inserting ''or programs of study'' after ''technical education programs'';

(3) in subsection (g), by inserting ''and programs of study'' after ''technical education programs''; and

(4) in subsection (h), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education''.

SEC. 132. SPECIAL RULES FOR CAREER AND TECHNICAL EDUCATION.

Section 133 (20 U.S.C. 2353) is amended by inserting ''or programs of study'' after ''career and technical education programs'' each place the term appears.

SEC. 133. LOCAL APPLICATION FOR CAREER AND TECHNICAL EDUCATION PROGRAMS.

Section 134 (20 U.S.C. 2354) is amended—

(1) in the section heading, by striking ''**LOCAL PLAN**'' and inserting ''**LOCAL APPLICATION**'';

(2) in subsection (a)—

(A) in the subsection heading, by striking ''LOCAL PLAN'' and inserting ''LOCAL APPLICATION'';

(B) by striking ''submit a local plan'' and inserting ''submit a local application''; and

(C) by striking ''Such local plan'' and inserting ''Such local application''; and

(3) by striking subsection (b) and inserting the following:

''(b) CONTENTS.—The eligible agency shall determine the requirements for local applications, except that each local application shall contain—

''(1) a description of the results of the comprehensive needs assessment conducted under subsection (c);

''(2) information on the career and technical education course offerings and activities that the eligible recipient will provide with funds under this part, which shall include not less than 1 program of study approved by a State under section 124(b)(2), including—

''(A) how the results of the comprehensive needs assessment described in subsection (c) informed the selection of the specific career and technical education programs and activities selected to be funded;

''(B) a description of any new programs of study the eligible recipient will develop and submit to the State for approval; and

''(C) how students, including students who are members of special populations, will learn about their school's career and technical education course offerings and whether each course is part of a career and technical education program of study;

''(3) a description of how the eligible recipient, in collaboration with local workforce development boards and other local workforce agencies, one-stop delivery systems described in section 121(e)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3151(e)(2)), and other partners, will provide—

''(A) career exploration and career development coursework, activities, or services;

''(B) career information on employment opportunities that incorporate the most up-to-date information on high-skill, high-wage, or in-demand industry sectors or occupations, as determined by the comprehensive needs assessment described in subsection (c); and

''(C) an organized system of career guidance and academic counseling to students before enrolling and while participating in a career and technical education program;

''(4) a description of how the eligible recipient will improve the academic and technical skills of students participating in career and technical education programs by strengthening the academic and career and technical education components of such programs through the integration of coherent and rigorous content aligned with challenging academic standards and relevant career and technical education programs to ensure learning in the subjects that constitute a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965);

''(5) a description of how the eligible recipient will—

''(A) provide activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations that will lead to self-sufficiency;

''(B) prepare CTE participants for non-traditional fields;

''(C) provide equal access for special populations to career and technical education courses, programs, and programs of study; and

''(D) ensure that members of special populations will not be discriminated against on the basis of their status as members of special populations;

''(6) a description of the work-based learning opportunities that the eligible recipient will provide to students participating in career and technical education programs and how the recipient will work with representatives from employers to develop or expand work-based learning opportunities for career and technical education students, as applicable;

''(7) a description of how the eligible recipient will provide students participating in career and technical education programs with the opportunity to gain postsecondary credit while still attending high school, such as through dual or concurrent enrollment programs or early college high school, as practicable;

''(8) a description of how the eligible recipient will coordinate with the eligible agency and institutions of higher education to support the recruitment, preparation, retention, and training, including professional development, of teachers, faculty, administrators, and specialized instructional support personnel and paraprofessionals who meet applicable State certification and licensure requirements (including any requirements met through alternative routes to certification), including individuals from groups underrepresented in the teaching profession; and

''(9) a description of how the eligible recipient will address disparities or gaps in performance as described in section 113(b)(3)(C)(ii)(II) in each of the plan years, and if no meaningful progress has been achieved prior to the third program year, a description of the additional actions such recipient will take to eliminate those disparities or gaps.

''(c) COMPREHENSIVE NEEDS ASSESSMENT.—

''(1) IN GENERAL.—To be eligible to receive financial assistance under this part, an eligible recipient shall—

''(A) conduct a comprehensive local needs assessment related to career and technical education and include the results of the needs assessment in the local application submitted under subsection (a); and

''(B) not less than once every 2 years, update such comprehensive local needs assessment.

''(2) REQUIREMENTS.—The comprehensive local needs assessment described in paragraph (1) shall include each of the following:

''(A) An evaluation of the performance of the students served by the eligible recipient with respect to State determined and local levels of performance established pursuant to section 113, including an evaluation of performance for special populations and each subgroup described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965.

''(B) A description of how career and technical education programs offered by the eligible recipient are—

''(i) sufficient in size, scope, and quality to meet the needs of all students served by the eligible recipient; and

''(ii)(I) aligned to State, regional, Tribal, or local in-demand industry sectors or occupations identified by the State workforce development board described in section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111) (referred to in this section as the 'State board') or local workforce development board, including career pathways, where appropriate; or

''(II) designed to meet local education or economic needs not identified by State boards or local workforce development boards.

''(C) An evaluation of progress toward the implementation of career and technical education programs and programs of study.

''(D) A description of how the eligible recipient will improve recruitment, retention, and training of career and technical education teachers, faculty, specialized instructional support personnel, paraprofessionals, and career guidance and academic counselors, including individuals in groups underrepresented in such professions.

''(E) A description of progress toward implementation of equal access to high-quality career and technical education courses and programs of study for all students, including—

''(i) strategies to overcome barriers that result in lower rates of access to, or performance gaps in, the courses and programs for special populations;

''(ii) providing programs that are designed to enable special populations to meet the local levels of performance; and

''(iii) providing activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations in competitive, integrated settings that will lead to self-sufficiency.

''(d) CONSULTATION.—In conducting the comprehensive needs assessment under subsection (c), and developing the local application described in subsection (b), an eligible recipient shall involve a diverse body of stakeholders, including, at a minimum—

''(1) representatives of career and technical education programs in a local educational agency or educational service agency, including teachers, career guidance and academic counselors, principals and other school leaders, administrators, and specialized instructional support personnel and paraprofessionals;

''(2) representatives of career and technical education programs at postsecondary educational institutions, including faculty and administrators;

''(3) representatives of the State board or local workforce development boards and a range of local or regional businesses or industries;

''(4) parents and students;

''(5) representatives of special populations;

''(6) representatives of regional or local agencies serving out-of-school youth, homeless children and youth, and at-risk youth (as defined in section 1432 of the Elementary and Secondary Education Act of 1965);

''(7) representatives of Indian Tribes and Tribal organizations in the State, where applicable; and

''(8) any other stakeholders that the eligible agency may require the eligible recipient to consult.

''(e) CONTINUED CONSULTATION.—An eligible recipient receiving financial assistance under this part shall consult with stakeholders described in subsection (d) on an ongoing basis, as determined by the eligible agency. This may include consultation in order to—

''(1) provide input on annual updates to the comprehensive needs assessment required under subsection (c)(1)(B);

''(2) ensure programs of study are—

''(A) responsive to community employment needs;

''(B) aligned with employment priorities in the State, regional, tribal, or local economy

identified by employers and the entities described in subsection (d), which may include in-demand industry sectors or occupations identified by the local workforce development board;

''(C) informed by labor market information, including information provided under section 15(e)(2)(C) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)(2)(C));

''(D) designed to meet current, intermediate, or long-term labor market projections; and

''(E) allow employer input, including input from industry or sector partnerships in the local area, where applicable, into the development and implementation of programs of study to ensure such programs of study align with skills required by local employment opportunities, including activities such as the identification of relevant standards, curriculum, industry-recognized credentials, and current technology and equipment;

''(3) identify and encourage opportunities for work-based learning; and

''(4) ensure funding under this part is used in a coordinated manner with other local resources.''.

SEC. 134. LOCAL USES OF FUNDS.

Section 135 (20 U.S.C. 2355) is amended to read as follows:

''SEC. 135. LOCAL USES OF FUNDS.

''(a) GENERAL AUTHORITY.—Each eligible recipient that receives funds under this part shall use such funds to develop, coordinate, implement, or improve career and technical education programs to meet the needs identified in the comprehensive needs assessment described in section 134(c).

''(b) REQUIREMENTS FOR USES OF FUNDS.—Funds made available to eligible recipients under this part shall be used to support career and technical education programs that are of sufficient size, scope, and quality to be effective and that—

''(1) provide career exploration and career development activities through an organized, systematic framework designed to aid students, including in the middle grades, before enrolling and while participating in a career and technical education program, in making informed plans and decisions about future education and career opportunities and programs of study, which may include—

''(A) introductory courses or activities focused on career exploration and career awareness, including non-traditional fields;

''(B) readily available career and labor market information, including information on—

''(i) occupational supply and demand;

''(ii) educational requirements;

''(iii) other information on careers aligned to State, local, or Tribal (as applicable) economic priorities; and

''(iv) employment sectors;

''(C) programs and activities related to the development of student graduation and career plans;

''(D) career guidance and academic counselors that provide information on postsecondary education and career options;

''(E) any other activity that advances knowledge of career opportunities and assists students in making informed decisions about future education and employment goals, including non-traditional fields; or

''(F) providing students with strong experience in, and comprehensive understanding of, all aspects of an industry;

''(2) provide professional development for teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals, which may include—

''(A) professional development on supporting individualized academic and career and technical education instructional approaches, including the integration of academic and career and technical education standards and curricula;

''(B) professional development on ensuring labor market information is used to inform the programs, guidance, and advisement offered to students, including information provided under section 15(e)(2)(C) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)(2)(C));

''(C) providing teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals, as appropriate, with opportunities to advance knowledge, skills, and understanding of all aspects of an industry, including the latest workplace equipment, technologies, standards, and credentials;

''(D) supporting school leaders and administrators in managing career and technical education programs in the schools, institutions, or local educational agencies of such school leaders or administrators;

''(E) supporting the implementation of strategies to improve student achievement and close gaps in student participation and performance in career and technical education programs;

''(F) providing teachers, faculty, specialized instructional support personnel, career guidance and academic counselors, principals, school leaders, or paraprofessionals, as appropriate, with opportunities to advance knowledge, skills, and understanding in pedagogical practices, including, to the extent the eligible recipient determines that such evidence is reasonably available, evidence-based pedagogical practices;

''(G) training teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals, as appropriate, to provide appropriate accommodations for individuals with disabilities, and students with disabilities who are provided accommodations under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) or the Individuals with Disabilities Education Act;

''(H) training teachers, faculty, specialized instructional support personnel, career guidance and academic counselors, and paraprofessionals in frameworks to effectively teach students, including a particular focus on students with disabilities and English learners, which may include universal design for learning, multi-tier systems of supports, and positive behavioral interventions and support; or

''(I) training for the effective use of community spaces that provide access to tools, technology, and knowledge for learners and entrepreneurs, such as makerspaces or libraries;

''(3) provide within career and technical education the skills necessary to pursue careers in high-skill, high-wage, or in-demand industry sectors or occupations;

''(4) support integration of academic skills into career and technical education programs and programs of study to support—

''(A) CTE participants at the secondary school level in meeting the challenging State academic standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 by the State in which the eligible recipient is located; and

''(B) CTE participants at the postsecondary level in achieving academic skills;

''(5) plan and carry out elements that support the implementation of career and technical education programs and programs of study and that result in increasing student achievement of the local levels of performance established under section 113, which may include—

''(A) a curriculum aligned with the requirements for a program of study;

''(B) sustainable relationships among education, business and industry, and other community stakeholders, including industry or sector partnerships in the local area, where applicable, that are designed to facilitate the process of continuously updating and aligning programs of study with skills that are in demand in the State, regional, or local economy, and in collaboration with business outreach staff in one-stop centers, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102), and other appropriate organizations, including community-based and youth-serving organizations;

''(C) where appropriate, expanding opportunities for CTE concentrators to participate in accelerated learning programs (as described in section 4104(b)(3)(A)(i)(IV) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7114(b)(3)(A)(i)(IV)), including dual or concurrent enrollment programs, early college high schools, and the development or implementation of articulation agreements as part of a career and technical education program of study;

''(D) appropriate equipment, technology, and instructional materials (including support for library resources) aligned with business and industry needs, including machinery, testing equipment, tools, implements, hardware and software, and other new and emerging instructional materials;

''(E) a continuum of work-based learning opportunities, including simulated work environments;

''(F) industry-recognized certification examinations or other assessments leading toward a recognized postsecondary credential;

''(G) efforts to recruit and retain career and technical education program teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, and paraprofessionals;

''(H) where applicable, coordination with other education and workforce development programs and initiatives, including career pathways and sector partnerships developed under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) and other Federal laws and initiatives that provide students with transition-related services, including the Individuals with Disabilities Education Act;

''(I) expanding opportunities for students to participate in distance career and technical education and blended-learning programs;

''(J) expanding opportunities for students to participate in competency-based education programs;

''(K) improving career guidance and academic counseling programs that assist students in making informed academic and career and technical education decisions, including academic and financial aid counseling;

''(L) supporting the integration of employability skills into career and technical education programs and programs of study, including through family and consumer science programs;

''(M) supporting programs and activities that increase access, student engagement, and success in science, technology, engineering, and mathematics fields (including computer science and architecture) for students who are members of groups underrepresented in such subject fields;

''(N) providing career and technical education, in a school or other educational setting, for adults or out-of-school youth to complete secondary school education or upgrade technical skills;

''(O) supporting career and technical student organizations, including student preparation for and participation in technical skills competitions aligned with career and technical education program standards and curricula;

''(P) making all forms of instructional content widely available, which may include use of open educational resources;

''(Q) supporting the integration of arts and design skills, when appropriate, into career and technical education programs and programs of study;

''(R) partnering with a qualified intermediary to improve training, the development of public-private partnerships, systems development, capacity-building, and scalability of the delivery of high-quality career and technical education;

''(S) support to reduce or eliminate out-of-pocket expenses for special populations participating in career and technical education, including those participating in dual or concurrent enrollment programs or early college high school programs, and supporting the costs associated with fees, transportation, child care, or mobility challenges for those special populations; or

''(T) other activities to improve career and technical education programs; and

''(6) develop and implement evaluations of the activities carried out with funds under this part, including evaluations necessary to complete the comprehensive needs assessment required under section 134(c) and the local report required under section 113(b)(4)(B).

''(c) POOLING FUNDS.—An eligible recipient may pool a portion of funds received under this Act with a portion of funds received under this Act available to one or more eligible recipients to support implementation of programs of study through the activities described in subsection (b)(2).

''(d) ADMINISTRATIVE COSTS.—Each eligible recipient receiving funds under this part shall not use more than 5 percent of such funds for costs associated with the administration of activities under this section.''.

TITLE II—GENERAL PROVISIONS

SEC. 201. FEDERAL AND STATE ADMINISTRATIVE PROVISIONS.

(a) IN GENERAL.—The Act (20 U.S.C. 2301 et seq.) is amended—

(1) in section 311—

(A) in subsection (a), by striking ''and tech prep program activities''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by amending subparagraph (A) to read as follows:

''(A) IN GENERAL.—Except as provided in subparagraph (B), (C), or (D), in order for a State to receive its full allotment of funds under this Act for any fiscal year, the Secretary must find that the State's fiscal effort per student, or the aggregate expenditures of such State, with respect to career and technical education for the preceding fiscal year was not less than the fiscal effort per student, or the aggregate expenditures of such State, for the second preceding fiscal year.'';

(II) in subparagraph (B), by striking ''shall exclude capital expenditures, special 1-time project costs, and the cost of pilot programs.'' and inserting ''shall, at the request of the State, exclude competitive or incentive-based programs established by the State, capital expenditures, special one-time project costs, and the cost of pilot programs.''; and

(III) by adding at the end the following:

''(D) ESTABLISHING THE STATE BASELINE.—For purposes of applying subparagraph (A) for years which require the calculation of the State's fiscal effort per student, or aggregate expenditures of such State, with respect to career and technical education for the first full fiscal year following the date of enactment of the Strengthening Career and Technical Education for the 21st Century Act, the State may determine the State's fiscal effort per student, or aggregate expenditures of such State, with respect to career and technical education for such first full fiscal year by—

''(i) continuing to use the State's fiscal effort per student, or aggregate expenditures of such State, with respect to career and technical education, as was in effect on the day before the date of enactment of the Strengthening Career and Technical Education for the 21st Century Act; or

''(ii) establishing a new level of fiscal effort per student, or aggregate expenditures of such State, with respect to career and technical education, which is not less than 95 percent of the State's fiscal effort per student, or the aggregate expenditures of such State, with respect to career and technical education for the preceding fiscal year.'';

(ii) by striking paragraph (2) and inserting the following:

''(2) FAILURE TO MEET.—

''(A) IN GENERAL.—The Secretary shall reduce the amount of a State's allotment of funds under this Act for any fiscal year in the exact proportion by which the State fails to meet the requirement of paragraph (1) by falling below the State's fiscal effort per student or the State's aggregate expenditures (using the measure most favorable to the State), if the State failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

''(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

''(3) WAIVER.—The Secretary may waive paragraph (2) due to exceptional or uncontrollable circumstances affecting the ability of the State to meet the requirement of paragraph (1) such as a natural disaster or an unforeseen and precipitous decline in financial resources. No level of funding permitted under such a waiver may be used as the basis for computing the fiscal effort or aggregate expenditures required under this section for years subsequent to the year covered by such waiver. The fiscal effort or aggregate expenditures for the subsequent years shall be computed on the basis of the level of funding that would, but for such waiver, have been required.'';

(2) in section 314(1), by striking ''career path or major'' and inserting ''career pathway or program of study'';

(3) in section 315—

(A) by inserting ''or programs of study'' after ''career and technical education programs''; and

(B) by striking ''seventh grade'' and inserting ''the middle grades (as such term is defined in section 8101 of the Elementary and Secondary Education Act of 1965)'';

(4) in section 317(b)—

(A) in paragraph (1)—

(i) by inserting '', including programs of study,'' after ''activities''; and

(ii) by striking ''who reside in the geographical area served by'' and inserting ''in areas served by''; and

(B) in paragraph (2)—

(i) by striking ''the geographical area'' and inserting ''areas''; and

(ii) by inserting '', including programs of study,'' after ''activities'';

(5) by striking title II and redesignating title III as title II;

(6) by redesignating sections 311 through 318, as amended by this section, as sections 211 through 218, respectively;

(7) by redesignating sections 321 through 324 as sections 221 through 224, respectively; and

(8) by inserting after section 218 (as so redesignated) the following:

''SEC. 219. STUDY ON PROGRAMS OF STUDY ALIGNED TO HIGH-SKILL, HIGH-WAGE OCCUPATIONS.

''(a) SCOPE OF STUDY.—The Comptroller General of the United States shall conduct a study to evaluate—

''(1) the strategies, components, policies, and practices used by eligible agencies or eligible recipients receiving funding under this Act to successfully assist—

''(A) all students in pursuing and completing programs of study aligned to high-skill, high-wage occupations; and

''(B) any special population or specific subgroup of students identified in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 in pursuing and completing programs of study aligned to high-skill, high-wage occupations in fields in which such special population or subgroup is underrepresented; and

''(2) any challenges associated with replication of such strategies, components, policies, and practices.

''(b) CONSULTATION.—In carrying out the study conducted under subsection (a), the Comptroller General of the United States shall consult with a geographically diverse (including urban, suburban, and rural) representation of—

''(1) students and parents;

''(2) eligible agencies and eligible recipients;

''(3) teachers, faculty, specialized instructional support personnel, and paraprofessionals, including those with expertise in preparing career and technical education students for non-traditional fields;

''(4) Indian Tribes and Tribal organizations;

''(5) special populations; and

''(6) representatives of business and industry.

''(c) SUBMISSION.—Upon completion, the Comptroller General of the United States shall submit the study conducted under subsection (a) to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.''.

(b) CONFORMING AMENDMENT.—Section 8(a) (20 U.S.C. 2306a(a)) is amended by striking ''311(b), and 323'' and inserting ''211(b), and 223''.

TITLE III—AMENDMENTS TO OTHER LAWS

SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.

Section 15(e)(2) of the Wagner-Peyser Act (29 U.S.C. 491–2(e)(2)) is amended—

(1) by striking subparagraph (B) and inserting the following:

''(B) consult with eligible agencies (defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)), State educational agencies, and local educational agencies concerning the provision of workforce and labor market information in order to—

''(i) meet the needs of secondary school and postsecondary school students who seek such information; and

''(ii) annually inform the development and implementation of programs of study defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302), and career pathways;'';

(2) in subparagraph (G), by striking ''and'' after the semicolon;

(3) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(I) provide, on an annual and timely basis to each eligible agency (defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)), the data and information described in subparagraphs (A) and (B) of subsection (a)(1).''.

SEC. 302. AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

(1) Section 1111(h)(1)(C)(xiv) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(xiv)) is amended by striking ''attaining career and technical proficiencies (as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2323(b)) and reported by States only in a manner consistent with section 113(c) of such Act (20 U.S.C. 2323(c))'' and inserting ''meeting State determined levels of performance for core indicators, as defined by section 113(b)(3)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2323(b)(3)(A)), and reported by States only in a manner consistent with section 113(b)(3)(C) of such Act (20 U.S.C. 2323(b)(3)(C))''.

(2) Section 6115(b)(6) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7425(b)(6)) is amended by striking ''tech-prep education, mentoring,'' and inserting ''mentoring''.

(3) Section 6304(a)(3)(K) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7544(a)(3)(K)) is amended by striking ''tech-prep,''.

SEC. 303. AMENDMENT TO THE WORKFORCE INNOVATION AND OPPORTUNITY ACT.

Section 134(c)(2)(A)(vii) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(2)(A)(vii)) is amended by striking ''school dropouts'' and inserting ''out-of-school youth''.

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that privileges of the floor be granted to my second session summer interns Max Varela, Nathaniel Baring, Tanner Dey, Jode Sparks, Sydney Cox, Janet Taylor, Hannah Villanueva, Piper Cooper, Bridget Nalam, Brynn Morse, Denae Benson, Sterling Gingerich, Kaiwi Eisenhour, Michael McCambridge, Alexandra Bender, Selia Butler, and Johnathan Slife for the remainder of their session in July.

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

DEPARTMENT OF ENERGY RESEARCH AND INNOVATION ACT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 405, H.R. 589.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 589) to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Murkowski amendment at the desk be agreed to and the bill, as amended, be considered read a third time.

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

The amendment (No. 3403) was agreed to, as follows:

(Purpose: To strike the provisions relating to nuclear energy innovation capabilities)

Strike title IV.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Ms. MURKOWSKI. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 589), as amended, was passed.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

DEPARTMENT OF ENERGY RESEARCH AND INNOVATION ACT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 404, S. 2503.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2503) to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Murkowski amendment at the desk be agreed to and the bill, as amended, be considered read a third time.

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

The amendment (No. 3404) was agreed to, as follows:

(Purpose: To strike the provisions relating to nuclear energy innovation capabilities)

Strike title IV.

The bill was ordered to be engrossed for a third reading and was read the third time.

Ms. MURKOWSKI. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2503), as amended, was passed, as follows:

S. 2503

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Department of Energy Research and Innovation Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—LABORATORY MODERNIZATION AND TECHNOLOGY TRANSFER

Sec. 101. Short title.
Sec. 102. Inclusion of early stage technology demonstration in authorized technology transfer activities.
Sec. 103. Sense of Congress on accelerating energy innovation.
Sec. 104. Restoration of laboratory directed research and development program.
Sec. 105. Research grants database.
Sec. 106. Technology transfer and transitions assessment.
Sec. 107. Agreements for commercializing technology pilot program.
Sec. 108. Short-term cost-share pilot program.

TITLE II—DEPARTMENT OF ENERGY RESEARCH COORDINATION

Sec. 201. Short title.
Sec. 202. Protection of information.
Sec. 203. Crosscutting research and development.
Sec. 204. Strategic research portfolio analysis and coordination plan.
Sec. 205. Strategy for facilities and infrastructure.
Sec. 206. Energy Innovation Hubs.

TITLE III—DEPARTMENT OF ENERGY OFFICE OF SCIENCE POLICY

Sec. 301. Short title.
Sec. 302. Mission.
Sec. 303. Basic energy sciences.
Sec. 304. Advanced scientific computing research.
Sec. 305. High-energy physics.
Sec. 306. Biological and environmental research.
Sec. 307. Fusion energy.
Sec. 308. Nuclear physics.
Sec. 309. Science laboratories infrastructure program.

SEC. 2. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Science of the Department, except as otherwise indicated.

(3) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

TITLE I—LABORATORY MODERNIZATION AND TECHNOLOGY TRANSFER

SEC. 101. SHORT TITLE.

This title may be cited as the ''Laboratory Modernization and Technology Transfer Act''.

SEC. 102. INCLUSION OF EARLY STAGE TECHNOLOGY DEMONSTRATION IN AUTHORIZED TECHNOLOGY TRANSFER ACTIVITIES.

Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) EARLY STAGE TECHNOLOGY DEMONSTRATION.—The Secretary shall permit the directors of the National Laboratories to use funds authorized to support technology transfer within the Department to carry out

early stage and precommercial technology demonstration activities to remove technology barriers that limit private sector interest and demonstrate potential commercial applications of any research and technologies arising from National Laboratory activities.''.

SEC. 103. SENSE OF CONGRESS ON ACCELERATING ENERGY INNOVATION.

It is the sense of Congress that—

(1) although important progress has been made in cost reduction and deployment of clean energy technologies, accelerating clean energy innovation will help meet critical competitiveness, energy security, and environmental goals;

(2) accelerating the pace of clean energy innovation in the United States calls for—

(A) supporting existing research and development programs at the Department and the world-class National Laboratories;

(B) exploring and developing new pathways for innovators, investors, and decision-makers to leverage the resources of the Department for addressing the challenges and comparative strengths of geographic regions; and

(C) recognizing the financial constraints of the Department, regularly reviewing clean energy programs to ensure that taxpayer investments are maximized;

(3) the energy supply, demand, policies, markets, and resource options of the United States vary by geographic region;

(4) a regional approach to innovation can bridge the gaps between local talent, institutions, and industries to identify opportunities and convert United States investment into domestic companies; and

(5) Congress, the Secretary, and energy industry participants should advance efforts that promote international, domestic, and regional cooperation on the research and development of energy innovations that—

(A) provide clean, affordable, and reliable energy for everyone;

(B) promote economic growth;

(C) are critical for energy security; and

(D) are sustainable without government support.

SEC. 104. RESTORATION OF LABORATORY DIRECTED RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary shall ensure that laboratory operating contractors do not allocate costs of general and administrative overhead to laboratory directed research and development.

(b) EXCEPTION FOR NATIONAL SECURITY LABORATORIES.—This section shall not apply to the national security laboratories with respect to which section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) applies.

SEC. 105. RESEARCH GRANTS DATABASE.

(a) IN GENERAL.—The Secretary shall establish and maintain a public database, accessible on the website of the Department, that contains a searchable listing of each unclassified research and development project contract, grant, cooperative agreement, task order for a federally funded research and development center, or other transaction administered by the Department.

(b) REQUIREMENTS.—Each listing described in subsection (a) shall include, at a minimum, for each listed project, the Department office carrying out the project, the project name, an abstract or summary of the project, funding levels, project duration, contractor or grantee name (including the names of any subcontractors), and expected objectives and milestones.

(c) RELEVANT LITERATURE AND PATENTS.—The Secretary shall provide information through the public database established under subsection (a) on relevant literature and patents that are associated with each research and development project contract, grant, or cooperative agreement, or other transaction, of the Department.

SEC. 106. TECHNOLOGY TRANSFER AND TRANSITIONS ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and as often as the Secretary determines to be necessary thereafter, the Secretary shall transmit to the appropriate committees of Congress a report that includes recommended changes to the policy of the Department and legislative changes to section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) to improve the ability of the Department to successfully transfer new energy technologies to the private sector.

SEC. 107. AGREEMENTS FOR COMMERCIALIZING TECHNOLOGY PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall carry out the Agreements for Commercializing Technology pilot program of the Department, as announced by the Secretary on December 8, 2011, in accordance with this section.

(b) TERMS.—Each agreement entered into pursuant to the pilot program referred to in subsection (a) shall provide to the contractor of the applicable National Laboratory, to the maximum extent determined to be appropriate by the Secretary, increased authority to negotiate contract terms, such as intellectual property rights, payment structures, performance guarantees, and multiparty collaborations.

(c) ELIGIBILITY.—

(1) IN GENERAL.—Any director of a National Laboratory may enter into an agreement pursuant to the pilot program referred to in subsection (a).

(2) AGREEMENTS WITH NON-FEDERAL ENTITIES.—To carry out paragraph (1) and subject to paragraph (3), the Secretary shall permit the directors of the National Laboratories to execute agreements with a non-Federal entity, including a non-Federal entity already receiving Federal funding that will be used to support activities under agreements executed pursuant to paragraph (1), provided that such funding is solely used to carry out the purposes of the Federal award.

(3) RESTRICTION.—The requirements of chapter 18 of title 35, United States Code (commonly known as the ''Bayh-Dole Act'') shall apply if—

(A) the agreement is a funding agreement (as that term is defined in section 201 of that title); and

(B) at least one of the parties to the funding agreement is eligible to receive rights under that chapter.

(d) SUBMISSION TO SECRETARY.—Each affected director of a National Laboratory shall submit to the Secretary, with respect to each agreement entered into under this section—

(1) a summary of information relating to the relevant project;

(2) the total estimated costs of the project;

(3) estimated commencement and completion dates of the project; and

(4) other documentation determined to be appropriate by the Secretary.

(e) CERTIFICATION.—The Secretary shall require the contractor of the affected National Laboratory to certify that each activity carried out under a project for which an agreement is entered into under this section—

(1) is not in direct competition with the private sector; and

(2) does not present, or minimizes, any apparent conflict of interest, and avoids or neutralizes any actual conflict of interest, as a result of the agreement under this section.

(f) EXTENSION.—The pilot program referred to in subsection (a) shall be extended until September 30, 2019.

(g) REPORTS.—

(1) OVERALL ASSESSMENT.—Not later than 60 days after the date described in subsection (f), the Secretary, in coordination with directors of the National Laboratories, shall submit to the appropriate committees of Congress a report that—

(A) assesses the overall effectiveness of the pilot program referred to in subsection (a);

(B) identifies opportunities to improve the effectiveness of the pilot program;

(C) assesses the potential for program activities to interfere with the responsibilities of the National Laboratories to the Department; and

(D) provides a recommendation regarding the future of the pilot program.

(2) TRANSPARENCY.—The Secretary, in coordination with directors of the National Laboratories, shall submit to the appropriate committees of Congress an annual report that accounts for all incidences of, and provides a justification for, non-Federal entities using funds derived from a Federal contract or award to carry out agreements pursuant to this section.

SEC. 108. SHORT-TERM COST-SHARE PILOT PROGRAM.

(a) IN GENERAL.—Section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) is amended—

(1) in paragraph (1), by striking ''Except as provided in paragraphs (2) and (3)'' and inserting ''Except as provided in paragraphs (2), (3), and (4)''; and

(2) by adding at the end the following:

''(4) EXEMPTION FOR INSTITUTIONS OF HIGHER EDUCATION AND OTHER NONPROFIT INSTITUTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to a research or development activity performed by an institution of higher education or nonprofit institution (as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703)).

''(B) TERMINATION DATE.—The exemption under subparagraph (A) shall apply during the 2-year period beginning on the date of enactment of this paragraph.''.

(b) REPORTS.—

(1) INITIAL REPORT.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that describes the use of cost-sharing waivers by the Department under section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) during the 2-year period ending on the date of enactment of this Act.

(2) ANNUAL REPORTS.—Annually during the 2-year period beginning on the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that describes the use of cost-sharing waivers by the Department under section 988(b) of the Energy Policy Act of 2005 (42 U.S.C. 16352(b)) during the period covered by the report.

TITLE II—DEPARTMENT OF ENERGY RESEARCH COORDINATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Department of Energy Research Coordination Act''.

SEC. 202. PROTECTION OF INFORMATION.

Section 5012 of the America Competes Act (42 U.S.C. 16538) is amended—

(1) in subsection (a)(3), by striking ''subsection (n)(1)'' and inserting ''subsection (o)(1)'';

(2) by redesignating subsection (n) as subsection (o); and

(3) by inserting after subsection (m) the following:

''(n) PROTECTION OF INFORMATION.—The following types of information collected by ARPA–E from recipients of financial assistance awards shall be considered commercial

and financial information obtained from a person and privileged or confidential and not subject to disclosure under section 552(b)(4) of title 5, United States Code:

''(1) Plans for commercialization of technologies developed under the award, including business plans, technology-to-market plans, market studies, and cost and performance models.

''(2) Investments provided to an awardee from third parties (such as venture capital firms, hedge funds, and private equity firms), including amounts and the percentage of ownership of the awardee provided in return for the investments.

''(3) Additional financial support that the awardee—

''(A) plans to or has invested into the technology developed under the award; or

''(B) is seeking from third parties.

''(4) Revenue from the licensing or sale of new products or services resulting from research conducted under the award.''.

SEC. 203. CROSSCUTTING RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary shall use the capabilities of the Department to identify strategic opportunities for collaborative research, development, demonstration, and commercial application of innovative science and technologies.

(b) EXISTING PROGRAMS; COORDINATION OF ACTIVITIES.—To the maximum extent practicable, the Secretary shall seek—

(1) to leverage existing programs of the Department; and

(2) to consolidate and coordinate activities throughout the Department to promote collaboration and crosscutting approaches within programs of the Department.

(c) ADDITIONAL ACTIONS.—The Secretary shall—

(1) prioritize activities that use all affordable domestic resources;

(2) develop a planning, evaluation, and technical assessment framework for setting objective long-term strategic goals and evaluating progress that—

(A) ensures integrity and independence; and

(B) provides the flexibility to adapt to market dynamics;

(3) ensure that activities shall be undertaken in a manner that does not duplicate other activities within the Department or other Federal Government activities; and

(4) identify programs that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders.

SEC. 204. STRATEGIC RESEARCH PORTFOLIO ANALYSIS AND COORDINATION PLAN.

The Energy Policy Act of 2005 is amended by striking section 994 (42 U.S.C. 16358) and inserting the following:

''SEC. 994. STRATEGIC RESEARCH PORTFOLIO ANALYSIS AND COORDINATION PLAN.

''(a) IN GENERAL.—The Secretary shall periodically review all of the science and technology activities of the Department in a strategic framework that takes into account—

''(1) the frontiers of science to which the Department can contribute;

''(2) the national needs relevant to the statutory missions of the Department; and

''(3) global energy dynamics.

''(b) COORDINATION ANALYSIS AND PLAN.—

''(1) IN GENERAL.—As part of the review under subsection (a), the Secretary shall develop a plan to improve coordination and collaboration in research, development, demonstration, and commercial application activities across organizational boundaries of the Department.

''(2) PLAN CONTENTS.—The plan developed under paragraph (1) shall describe—

''(A) crosscutting scientific and technical issues and research questions that span more than one program or major office of the Department;

''(B) ways in which the applied technology programs of the Department are coordinating activities and addressing the questions referred to in subparagraph (A);

''(C) ways in which the technical interchange within the Department, particularly between the Office of Science and the applied technology programs, could be enhanced, including ways in which the research agendas of the Office of Science and the applied programs could better interact and assist each other;

''(D) ways in which the Secretary would ensure that the overall research agenda of the Department includes, in addition to fundamental, curiosity-driven research, fundamental research related to topics of concern to the applied programs, and applications in Departmental technology programs of research results generated by fundamental, curiosity-driven research;

''(E) critical assessments of any ongoing programs that have experienced subpar performance or cost overruns of 10 percent or more over one or more years;

''(F) any activities that may be more effectively left to the States, industry, nongovernmental organizations, institutions of higher education, or other stakeholders; and

''(G) detailed evaluations and proposals for innovation hubs, institutes, and research centers of the Department, including—

''(i) an affirmation that the hubs, institutes, and research centers will—

''(I) advance the mission of the Department; and

''(II) prioritize research, development, and demonstration; and

''(ii) an affirmation that any hubs, institutes, or research centers that are established or renewed within the Office of Science are consistent with the mission of the Office of Science described in subsection (c) of section 209 of the Department of Energy Organization Act (42 U.S.C. 7139).

''(c) SUBMISSION TO CONGRESS.—Every 4 years, the Secretary shall submit to Congress—

''(1) the results of the review under subsection (a); and

''(2) the coordination plan under subsection (b).''.

SEC. 205. STRATEGY FOR FACILITIES AND INFRASTRUCTURE.

(a) AMENDMENTS.—Section 993 of the Energy Policy Act of 2005 (42 U.S.C. 16357) is amended—

(1) by striking the section heading and inserting the following: ''**STRATEGY FOR FACILITIES AND INFRASTRUCTURE**''; and

(2) in subsection (b)(1), by striking ''2008'' and inserting ''2018''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Energy Policy Act of 2005 is amended by striking the item relating to section 993 and inserting the following:

''Sec. 993. Strategy for facilities and infrastructure.''.

SEC. 206. ENERGY INNOVATION HUBS.

(a) DEFINITIONS.—In this section:

(1) ADVANCED ENERGY TECHNOLOGY.—The term ''advanced energy technology'' means—

(A) an innovative technology—

(i) that produces energy from solar, wind, geothermal, biomass, tidal, wave, ocean, or other renewable energy resources;

(ii) that produces nuclear energy;

(iii) for carbon capture and sequestration;

(iv) that enables advanced vehicles, vehicle components, and related technologies that result in significant energy savings;

(v) that generates, transmits, distributes, uses, or stores energy more efficiently than conventional technologies, including through Smart Grid technologies; or

(vi) that enhances the energy independence and security of the United States by enabling improved or expanded supply and production of domestic energy resources, including coal, oil, and natural gas;

(B) a research, development, demonstration, or commercial application activity necessary to ensure the long-term, secure, and sustainable supply of an energy-critical element; or

(C) any other innovative energy technology area identified by the Secretary.

(2) HUB.—

(A) IN GENERAL.—The term ''Hub'' means an Energy Innovation Hub established under this section.

(B) INCLUSION.—The term ''Hub'' includes any Energy Innovation Hub in existence on the date of enactment of this Act.

(3) QUALIFYING ENTITY.—The term ''qualifying entity'' means—

(A) an institution of higher education;

(B) an appropriate State or Federal entity, including a federally funded research and development center of the Department;

(C) a nongovernmental organization with expertise in advanced energy technology research, development, demonstration, or commercial application; or

(D) any other relevant entity the Secretary determines appropriate.

(b) AUTHORIZATION OF PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out a program to enhance the economic, environmental, and energy security of the United States by making awards to consortia for establishing and operating hubs, to be known as ''Energy Innovation Hubs'', to conduct and support, at, if practicable, one centralized location, multidisciplinary, collaborative research, development, demonstration, and commercial application of advanced energy technologies.

(2) TECHNOLOGY DEVELOPMENT FOCUS.—The Secretary shall designate for each Hub a unique advanced energy technology or basic research focus.

(3) COORDINATION.—The Secretary shall ensure the coordination of, and avoid unnecessary duplication of, the activities of each Hub with the activities of—

(A) other research entities of the Department, including the National Laboratories, the Advanced Research Projects Agency—Energy, and Energy Frontier Research Centers; and

(B) industry.

(c) APPLICATION PROCESS.—

(1) ELIGIBILITY.—To be eligible to receive an award for the establishment and operation of a Hub under subsection (b)(1), a consortium shall—

(A) be composed of not fewer than two qualifying entities;

(B) operate subject to a binding agreement, entered into by each member of the consortium, that documents—

(i) the proposed partnership agreement, including the governance and management structure of the Hub;

(ii) measures the consortium will undertake to enable cost-effective implementation of activities under the program described in subsection (b)(1); and

(iii) a proposed budget, including financial contributions from non-Federal sources; and

(C) operate as a nonprofit organization.

(2) APPLICATION.—

(A) IN GENERAL.—A consortium seeking to establish and operate a Hub under subsection (b)(1) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a detailed description of each element of the consortium agreement required under paragraph (1)(B).

(B) REQUIREMENT.—If the consortium members will not be located at one centralized location, the application under subparagraph (A) shall include a communications plan that ensures close coordination and integration of Hub activities.

(3) SELECTION.—

(A) IN GENERAL.—The Secretary shall select consortia for awards for the establishment and operation of Hubs through a competitive selection process.

(B) CONSIDERATIONS.—In selecting consortia under subparagraph (A), the Secretary shall consider—

(i) the information disclosed by the consortium under this subsection; and

(ii) any existing facilities a consortium will provide for Hub activities.

(d) TERM.—

(1) IN GENERAL.—An award made to a Hub under this section shall be for a period of not more than 5 years, subject to the availability of appropriations, after which the award may be renewed, subject to a rigorous merit review.

(2) EXISTING HUBS.—A Hub already in existence on, or undergoing a renewal process on, the date of enactment of this Act—

(A) may continue to receive support during the 5-year period beginning on the date of establishment of that Hub; and

(B) shall be eligible for renewal of that support at the end of that 5-year period.

(e) HUB OPERATIONS.—

(1) IN GENERAL.—Each Hub shall conduct or provide for multidisciplinary, collaborative research, development, demonstration, and commercial application of advanced energy technologies within the technology development focus designated under subsection (b)(2).

(2) ACTIVITIES.—Each Hub shall—

(A) encourage collaboration and communication among the member qualifying entities of the consortium and awardees;

(B) develop and publish proposed plans and programs on a publicly accessible website;

(C) submit an annual report to the Department summarizing the activities of the Hub, including—

(i) detailing organizational expenditures; and

(ii) describing each project undertaken by the Hub; and

(D) monitor project implementation and coordination.

(3) CONFLICTS OF INTEREST.—Each Hub shall maintain conflict of interest procedures, consistent with the conflict of interest procedures of the Department.

(4) PROHIBITION ON CONSTRUCTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B)—

(i) no funds provided under this section may be used for construction of new buildings or facilities for Hubs; and

(ii) construction of new buildings or facilities shall not be considered as part of the non-Federal share of a Hub cost-sharing agreement.

(B) TEST BED AND RENOVATION EXCEPTION.—Nothing in this paragraph prohibits the use of funds provided under this section or non-Federal cost share funds for the construction of a test bed or renovations to existing buildings or facilities for the purposes of research if the Secretary determines that the test bed or renovations are limited to a scope and scale necessary for the research to be conducted.

TITLE III—DEPARTMENT OF ENERGY OFFICE OF SCIENCE POLICY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Department of Energy Office of Science Policy Act''.

SEC. 302. MISSION.

Section 209 of the Department of Energy Organization Act (42 U.S.C. 7139) is amended by adding at the end the following:

''(c) MISSION.—The mission of the Office of Science shall be the delivery of scientific discoveries, capabilities, and major scientific tools to transform the understanding of nature and to advance the energy, economic, and national security of the United States.''.

SEC. 303. BASIC ENERGY SCIENCES.

(a) ENERGY FRONTIER RESEARCH CENTERS.—

(1) IN GENERAL.—The Director shall carry out a program to provide awards, on a competitive, merit-reviewed basis, to multi-institutional collaborations or other appropriate entities to conduct fundamental and use-inspired energy research to accelerate scientific breakthroughs.

(2) COLLABORATIONS.—A collaboration receiving an award under this subsection may include multiple types of institutions and private sector entities.

(3) SELECTION AND DURATION.—

(A) IN GENERAL.—A collaboration under this subsection shall be selected for a period of 4 years.

(B) EXISTING CENTERS.—An Energy Frontier Research Center in existence and supported by the Director on the date of enactment of this Act may continue to receive support for a period of 4 years beginning on the date of establishment of that center.

(C) REAPPLICATION.—After the end of the period described in subparagraph (A) or (B), as applicable, a recipient of an award may reapply for selection on a competitive, merit-reviewed basis.

(D) TERMINATION.—Consistent with the existing authorities of the Department, the Director may terminate an underperforming center for cause during the performance period.

(4) NO FUNDING FOR CONSTRUCTION.—No funding provided pursuant to this subsection may be used for the construction of new buildings or facilities.

(b) BASIC ENERGY SCIENCES USER FACILITIES.—

(1) IN GENERAL.—The Director shall carry out a program for the development, construction, operation, and maintenance of national user facilities.

(2) REQUIREMENTS.—To the maximum extent practicable, the national user facilities developed, constructed, operated, or maintained under paragraph (1) shall serve the needs of the Department, industry, the academic community, and other relevant entities to create and examine materials and chemical processes for the purpose of improving the competitiveness of the United States.

(3) INCLUDED FACILITIES.—The national user facilities developed, constructed, operated, or maintained under paragraph (1) shall include—

(A) x-ray light sources;

(B) neutron sources;

(C) nanoscale science research centers; and

(D) such other facilities as the Director considers appropriate, consistent with section 209 of the Department of Energy Organization Act (42 U.S.C. 7139).

(c) ACCELERATOR RESEARCH AND DEVELOPMENT.—The Director shall carry out research and development on advanced accelerator and storage ring technologies relevant to the development of basic energy sciences user facilities, in consultation with the High Energy Physics and Nuclear Physics programs of the Office of Science.

(d) SOLAR FUELS RESEARCH INITIATIVE.—

(1) IN GENERAL.—Section 973 of the Energy Policy Act of 2005 (42 U.S.C. 16313) is amended to read as follows:

''SEC. 973. SOLAR FUELS RESEARCH INITIATIVE.

''(a) INITIATIVE.—

''(1) IN GENERAL.—The Secretary shall carry out a research initiative, to be known as the 'Solar Fuels Research Initiative' (referred to in this section as the 'Initiative') to expand theoretical and fundamental knowledge of photochemistry, electrochemistry, biochemistry, and materials science useful for the practical development of experimental systems to convert solar energy to chemical energy.

''(2) LEVERAGING.—In carrying out programs and activities under the Initiative, the Secretary shall leverage expertise and resources from—

''(A) the Basic Energy Sciences Program and the Biological and Environmental Research Program of the Office of Science; and

''(B) the Office of Energy Efficiency and Renewable Energy.

''(3) TEAMS.—

''(A) IN GENERAL.—In carrying out the Initiative, the Secretary shall organize activities among multidisciplinary teams to leverage, to the maximum extent practicable, expertise from the National Laboratories, institutions of higher education, and the private sector.

''(B) GOALS.—The multidisciplinary teams described in subparagraph (A) shall pursue aggressive, milestone-driven, basic research goals.

''(C) RESOURCES.—The Secretary shall provide sufficient resources to the multidisciplinary teams described in subparagraph (A) to achieve the goals described in subparagraph (B) over a period of time to be determined by the Secretary.

''(4) ADDITIONAL ACTIVITIES.—The Secretary may organize additional activities under this subsection through Energy Frontier Research Centers, Energy Innovation Hubs, or other organizational structures.

''(b) ARTIFICIAL PHOTOSYNTHESIS.—

''(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research needed to bridge scientific barriers to, and discover knowledge relevant to, artificial photosynthetic systems.

''(2) ACTIVITIES.—As part of the program described in paragraph (1)—

''(A) the Director of the Office of Basic Energy Sciences shall support basic research to pursue distinct lines of scientific inquiry, including—

''(i) photoinduced production of hydrogen and oxygen from water; and

''(ii) the sustainable photoinduced reduction of carbon dioxide to fuel products including hydrocarbons, alcohols, carbon monoxide, and natural gas; and

''(B) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

''(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

''(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.

''(c) BIOCHEMISTRY, REPLICATION OF NATURAL PHOTOSYNTHESIS, AND RELATED PROCESSES.—

''(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research needed to replicate natural photosynthetic processes by use of artificial photosynthetic components and materials.

''(2) ACTIVITIES.—As part of the program described in paragraph (1)—

''(A) the Director of the Office of Basic Energy Sciences shall support basic research to expand fundamental knowledge to replicate natural synthesis processes, including—

''(i) the photoinduced reduction of dinitrogen to ammonia;

''(ii) the absorption of carbon dioxide from ambient air;

''(iii) molecular-based charge separation and storage;

''(iv) photoinitiated electron transfer; and

''(v) catalysis in biological or biomimetic systems;

''(B) the Associate Director of Biological and Environmental Research shall support systems biology and genomics approaches to understand genetic and physiological pathways connected to photosynthetic mechanisms; and

''(C) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

''(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

''(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.''.

(2) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 973 and inserting the following:

''Sec. 973. Solar fuels research initiative.''.

(e) ELECTRICITY STORAGE RESEARCH INITIATIVE.—

(1) IN GENERAL.—Section 975 of the Energy Policy Act of 2005 (42 U.S.C. 16315) is amended to read as follows:

''SEC. 975. ELECTRICITY STORAGE RESEARCH INITIATIVE.

''(a) INITIATIVE.—

''(1) IN GENERAL.—The Secretary shall carry out a research initiative, to be known as the 'Electricity Storage Research Initiative' (referred to in this section as the 'Initiative')—

''(A) to expand theoretical and fundamental knowledge to control, store, and convert—

''(i) electrical energy to chemical energy; and

''(ii) chemical energy to electrical energy; and

''(B) to support scientific inquiry into the practical understanding of chemical and physical processes that occur within systems involving crystalline and amorphous solids, polymers, and organic and aqueous liquids.

''(2) LEVERAGING.—In carrying out programs and activities under the Initiative, the Secretary shall leverage expertise and resources from—

''(A) the Basic Energy Sciences Program, the Advanced Scientific Computing Research Program, and the Biological and Environmental Research Program of the Office of Science; and

''(B) the Office of Energy Efficiency and Renewable Energy.

''(3) TEAMS.—

''(A) IN GENERAL.—In carrying out the Initiative, the Secretary shall organize activities among multidisciplinary teams to leverage, to the maximum extent practicable, expertise from the National Laboratories, institutions of higher education, and the private sector.

''(B) GOALS.—The multidisciplinary teams described in subparagraph (A) shall pursue aggressive, milestone-driven, basic research goals.

''(C) RESOURCES.—The Secretary shall provide sufficient resources to the multidisciplinary teams described in subparagraph (A) to achieve the goals described in subparagraph (B) over a period of time to be determined by the Secretary.

''(4) ADDITIONAL ACTIVITIES.—The Secretary may organize additional activities under this subsection through Energy Frontier Research Centers, Energy Innovation Hubs, or other organizational structures.

''(b) MULTIVALENT SYSTEMS.—

''(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research needed to bridge scientific barriers to, and discover knowledge relevant to, multivalent ion materials in electric energy storage systems.

''(2) ACTIVITIES.—As part of the program described in paragraph (1)—

''(A) the Director of the Office of Basic Energy Sciences shall investigate electrochemical properties and the dynamics of materials, including charge transfer phenomena and mass transport in materials; and

''(B) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

''(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

''(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.

''(c) ELECTROCHEMISTRY MODELING AND SIMULATION.—

''(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research to model and simulate organic electrolytes, including the static and dynamic electrochemical behavior and phenomena of organic electrolytes at the molecular and atomic level in monovalent and multivalent systems.

''(2) ACTIVITIES.—As part of the program described in paragraph (1)—

''(A) the Director of the Office of Basic Energy Sciences, in coordination with the Associate Director of Advanced Scientific Computing Research, shall support the development of high performance computational tools through a joint development process to maximize the effectiveness of current and projected high performance computing systems; and

''(B) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

''(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

''(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.

''(d) MESOSCALE ELECTROCHEMISTRY.—

''(1) IN GENERAL.—The Secretary shall carry out under the Initiative a program to support research needed to reveal electrochemistry in confined mesoscale spaces, including scientific discoveries relevant to—

''(A) bio-electrochemistry and electrochemical energy conversion and storage in confined spaces; and

''(B) the dynamics of the phenomena described in subparagraph (A).

''(2) ACTIVITIES.—As part of the program described in paragraph (1)—

''(A) the Director of the Office of Basic Energy Sciences and the Associate Director of Biological and Environmental Research shall investigate phenomena of mesoscale electrochemical confinement for the purpose of replicating and controlling new electrochemical behavior; and

''(B) the Assistant Secretary for Energy Efficiency and Renewable Energy shall support translational research, development, and validation of physical concepts developed under the program.

''(3) STANDARD OF REVIEW.—The Secretary shall review activities carried out under the program described in paragraph (1) to determine the achievement of technical milestones.

''(4) PROHIBITION.—No funds allocated to the program described in paragraph (1) may be obligated or expended for commercial application of energy technology.''.

(2) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 975 and inserting the following:

''Sec. 975. Electricity storage research initiative.''.

SEC. 304. ADVANCED SCIENTIFIC COMPUTING RESEARCH.

(a) AMERICAN SUPER COMPUTING LEADERSHIP.—

(1) RENAMING OF ACT.—

(A) IN GENERAL.—Section 1 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5501 note; Public Law 108–423) is amended by striking ''Department of Energy High-End Computing Revitalization Act of 2004'' and inserting ''American Super Computing Leadership Act of 2017''.

(B) CONFORMING AMENDMENT.—Section 976(a)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16316(1)) is amended by striking ''Department of Energy High-End Computing Revitalization Act of 2004'' and inserting ''American Super Computing Leadership Act of 2017''.

(2) DEFINITIONS.—Section 2 of the American Super Computing Leadership Act of 2017 (15 U.S.C. 5541) is amended—

(A) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(B) by striking paragraph (1) and inserting the following:

''(1) DEPARTMENT.—The term 'Department' means the Department of Energy.

''(2) EXASCALE COMPUTING.—The term 'exascale computing' means computing through the use of a computing machine that performs near or above 10 to the 18th power operations per second.''; and

(C) in paragraph (6) (as redesignated by subparagraph (A)), by striking '', acting through the Director of the Office of Science of the Department of Energy''.

(3) DEPARTMENT OF ENERGY HIGH-END COMPUTING RESEARCH AND DEVELOPMENT PROGRAM.—Section 3 of the American Super Computing Leadership Act of 2017 (15 U.S.C. 5542) is amended—

(A) in subsection (a)(1), by striking ''program'' and inserting ''coordinated program across the Department'';

(B) in subsection (b)(2), by striking '', which may'' and all that follows through ''architectures''; and

(C) by striking subsection (d) and inserting the following:

''(d) EXASCALE COMPUTING PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a research program (referred to in this subsection as the 'Program') for exascale computing, including the development of two or more exascale computing machine architectures, to promote the missions of the Department.

''(2) EXECUTION.—

''(A) IN GENERAL.—In carrying out the Program, the Secretary shall—

''(i) establish two or more National Laboratory partnerships with industry partners and institutions of higher education for the research and development of two or more

exascale computing architectures across all applicable organizations of the Department;

''(ii) conduct mission-related codesign activities in developing the exascale computing architectures under clause (i);

''(iii) develop such advancements in hardware and software technology as are required to fully realize the potential of an exascale production system in addressing Department target applications and solving scientific problems involving predictive modeling and simulation and large scale data analytics and management;

''(iv) explore the use of exascale computing technologies to advance a broad range of science and engineering; and

''(v) provide, as appropriate, on a competitive, merit-reviewed basis, access for researchers in industries in the United States, institutions of higher education, National Laboratories, and other Federal agencies to the exascale computing systems developed pursuant to clause (i).

''(B) SELECTION OF PARTNERS.—The Secretary shall select the partnerships with the computing facilities of the Department under subparagraph (A) through a competitive, peer-review process.

''(3) CODESIGN AND APPLICATION DEVELOPMENT.—

''(A) IN GENERAL.—The Secretary shall—

''(i) carry out the Program through an integration of applications, computer science, applied mathematics, and computer hardware architecture using the partnerships established pursuant to paragraph (2) to ensure that, to the maximum extent practicable, two or more exascale computing machine architectures are capable of solving Department target applications and broader scientific problems, including predictive modeling and simulation and large scale data analytics and management; and

''(ii) conduct outreach programs to increase the readiness for the use of such platforms by domestic industries, including manufacturers.

''(B) REPORT.—The Secretary shall submit to Congress a report describing—

''(i) how the integration under subparagraph (A) is furthering application science data and computational workloads across application interests, including national security, material science, physical science, cybersecurity, biological science, the Materials Genome and BRAIN Initiatives of the President, advanced manufacturing, and the national electric grid; and

''(ii) the roles and responsibilities of National Laboratories and industry, including the definition of the roles and responsibilities within the Department to ensure an integrated program across the Department.

''(4) PROJECT REVIEW.—

''(A) IN GENERAL.—The exascale architectures developed pursuant to partnerships established pursuant to paragraph (2) shall be reviewed through a project review process.

''(B) REPORT.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall submit to Congress a report on—

''(i) the results of the review conducted under subparagraph (A); and

''(ii) the coordination and management of the Program to ensure an integrated research program across the Department.

''(5) ANNUAL REPORTS.—At the time of the budget submission of the Department for each fiscal year, the Secretary, in consultation with the members of the partnerships established pursuant to paragraph (2), shall submit to Congress a report that describes funding for the Program as a whole by functional element of the Department and critical milestones.''.

(b) HIGH-PERFORMANCE COMPUTING AND NETWORKING RESEARCH.—The Director shall support research in high-performance computing and networking relevant to energy applications, including modeling, simulation, and advanced data analytics for basic and applied energy research programs carried out by the Secretary.

(c) APPLIED MATHEMATICS AND SOFTWARE DEVELOPMENT FOR HIGH-END COMPUTING SYSTEMS.—The Director shall carry out activities to develop, test, and support—

(1) mathematics, models, and algorithms for complex systems and programming environments; and

(2) tools, languages, and operating systems for high-end computing systems (as defined in section 2 of the American Super Computing Leadership Act of 2017 (15 U.S.C. 5541)).

SEC. 305. HIGH-ENERGY PHYSICS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Director should incorporate the findings and recommendations of the report of the Particle Physics Project Prioritization Panel entitled ''Building for Discovery: Strategic Plan for U.S. Particle Physics in the Global Context'' into the planning process of the Department; and

(2) the nations that lead in particle physics by hosting international teams dedicated to a common scientific goal attract the world's best talent and inspire future generations of physicists and technologists.

(b) INTERNATIONAL COLLABORATION.—The Director, as practicable and in coordination with other appropriate Federal agencies as necessary, shall ensure the access of United States researchers to the most advanced accelerator facilities and research capabilities in the world, including the Large Hadron Collider.

(c) NEUTRINO RESEARCH.—The Director shall carry out research activities on rare decay processes and the nature of the neutrino, which may include collaborations with the National Science Foundation or international collaborations.

(d) DARK ENERGY AND DARK MATTER RESEARCH.—The Director shall carry out research activities on the nature of dark energy and dark matter, which may include collaborations with the National Aeronautics and Space Administration or the National Science Foundation; or international collaborations.

SEC. 306. BIOLOGICAL AND ENVIRONMENTAL RESEARCH.

(a) BIOLOGICAL SYSTEMS.—The Director shall carry out research and development activities in fundamental, structural, computational, and systems biology to increase systems-level understanding of the complex biological systems, which may include activities—

(1) to accelerate breakthroughs and new knowledge that would enable the cost-effective, sustainable production of—

(A) biomass-based liquid transportation fuels;

(B) bioenergy; and

(C) biobased materials;

(2) to improve understanding of the global carbon cycle, including processes for removing carbon dioxide from the atmosphere, through photosynthesis and other biological processes, for sequestration and storage; and

(3) to understand the biological mechanisms used to transform, immobilize, or remove contaminants from subsurface environments.

(b) LIMITATION FOR RESEARCH FUNDS.—The Director shall not approve new climate science-related initiatives without making a determination that such work is well-coordinated with any relevant work carried out by other Federal agencies.

(c) LOW-DOSE RADIATION RESEARCH PROGRAM.—

(1) IN GENERAL.—The Director shall carry out a research program on low-dose radiation.

(2) PURPOSE.—The purpose of the program is to enhance the scientific understanding of, and reduce uncertainties associated with, the effects of exposure to low-dose radiation to inform improved risk-management methods.

SEC. 307. FUSION ENERGY.

(a) FUSION MATERIALS RESEARCH AND DEVELOPMENT.—As part of the activities authorized in section 978 of the Energy Policy Act of 2005 (42 U.S.C. 16318)—

(1) the Director, in coordination with the Assistant Secretary for Nuclear Energy of the Department, shall carry out research and development activities to identify, characterize, and demonstrate materials that can endure the neutron, plasma, and heat fluxes expected in a fusion power system; and

(2) the Director shall provide an assessment of—

(A) the need for one or more facilities that can examine and test potential fusion and next generation fission materials and other enabling technologies relevant to the development of fusion power; and

(B) whether a single new facility that substantially addresses magnetic fusion and next generation fission materials research needs is feasible, in conjunction with the expected capabilities of facilities operational as of the date of enactment of this Act.

(b) TOKAMAK RESEARCH AND DEVELOPMENT.—The Director shall support research and development activities and facility operations to optimize the tokamak approach to fusion energy.

(c) INERTIAL FUSION ENERGY RESEARCH AND DEVELOPMENT.—The Director shall support research and development activities for inertial fusion for energy applications.

(d) ALTERNATIVE AND ENABLING CONCEPTS.—The Director shall support research and development activities and facility operations at institutions of higher education, National Laboratories, and private facilities in the United States for a portfolio of alternative and enabling fusion energy concepts that may provide solutions to significant challenges to the establishment of a commercial magnetic fusion power plant, prioritized based on the ability of the United States to play a leadership role in the international fusion research community.

(e) COORDINATION WITH ARPA–E.—The Director shall coordinate with the Director of the Advanced Research Projects Agency–Energy (referred to in this subsection as ''ARPA–E'') to—

(1) assess the potential for any fusion energy project supported by ARPA–E to represent a promising approach to a commercially viable fusion power plant;

(2) determine whether the results of any fusion energy project supported by ARPA–E merit the support of follow-on research activities carried out by the Office of Science; and

(3) avoid the unintentional duplication of activities.

(f) FAIRNESS IN COMPETITION FOR SOLICITATIONS FOR INTERNATIONAL PROJECT ACTIVITIES.—Section 33 of the Atomic Energy Act of 1954 (42 U.S.C. 2053) is amended by inserting before the first sentence the following: ''In this section, with respect to international research projects, the term 'private facilities or laboratories' means facilities or laboratories located in the United States.''.

(g) IDENTIFICATION OF PRIORITIES.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the fusion energy research and development activities that the Department proposes to carry out over the 10-year period

following the date of the report under not fewer than 3 realistic budget scenarios, including a scenario based on 3-percent annual growth in the non-ITER portion of the budget for fusion energy research and development activities.

(B) INCLUSIONS.—The report required under subparagraph (A) shall—

(i) identify specific areas of fusion energy research and enabling technology development in which the United States can and should establish or solidify a lead in the global fusion energy development effort;

(ii) identify priorities for initiation of facility construction and facility decommissioning under each of the three budget scenarios described in subparagraph (A); and

(iii) assess the ability of the fusion workforce of the United States to carry out the activities identified under clauses (i) and (ii), including the adequacy of programs at institutions of higher education in the United States to train the leaders and workers of the next generation of fusion energy researchers.

(2) PROCESS.—In order to develop the report required under paragraph (1)(A), the Secretary shall leverage best practices and lessons learned from the process used to develop the most recent report of the Particle Physics Project Prioritization Panel of the High Energy Physics Advisory Panel.

(3) REQUIREMENT.—No member of the Fusion Energy Sciences Advisory Committee shall be excluded from participating in developing or voting on final approval of the report required under paragraph (1)(A).

SEC. 308. NUCLEAR PHYSICS.

(a) ISOTOPE DEVELOPMENT AND PRODUCTION FOR RESEARCH APPLICATIONS.—The Director—

(1) may carry out a program for the production of isotopes, including the development of techniques to produce isotopes, that the Secretary determines are needed for research, medical, industrial, or related purposes; and

(2) shall ensure that isotope production activities carried out under the program under this paragraph do not compete with private industry unless the Director determines that critical national interests require the involvement of the Federal Government.

(b) RENAMING OF THE RARE ISOTOPE ACCELERATOR.—Section 981 of the Energy Policy Act of 2005 (42 U.S.C. 16321) is amended—

(1) in the section heading, by striking ''**RARE ISOTOPE ACCELERATOR**'' and inserting ''**FACILITY FOR RARE ISOTOPE BEAMS**''; and

(2) by striking ''Rare Isotope Accelerator'' each place it appears and inserting ''Facility for Rare Isotope Beams''.

SEC. 309. SCIENCE LABORATORIES INFRASTRUCTURE PROGRAM.

(a) IN GENERAL.—The Director shall carry out a program to improve the safety, efficiency, and mission readiness of infrastructure at laboratories of the Office of Science.

(b) INCLUSIONS.—The program under subsection (a) shall include projects—

(1) to renovate or replace space that does not meet research needs;

(2) to replace facilities that are no longer cost effective to renovate or operate;

(3) to modernize utility systems to prevent failures and ensure efficiency;

(4) to remove excess facilities to allow safe and efficient operations; and

(5) to construct modern facilities to conduct advanced research in controlled environmental conditions.

Ms. MURKOWSKI. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of H.R. 2353 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2353) to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006.

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

Ms. MURKOWSKI. I ask unanimous consent that the Alexander substitute amendment at the desk be agreed to and the bill, as amended, be considered read a third time.

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

The amendment (No. 3408) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Ms. MURKOWSKI. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2353), as amended, was passed.

Ms. MURKOWSKI. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

ORDERS FOR TUESDAY, JULY 24, 2018

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, July 24; 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 resume consideration of H.R. 6147; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. MURKOWSKI. 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 6:53 p.m., adjourned until Tuesday, July 24, 2018, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

OVERSEAS PRIVATE INVESTMENT CORPORATION

CHRISTOPHER P. VINCZE, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2019, VICE TODD A. FISHER, TERM EXPIRED.

DEPARTMENT OF STATE

EARL ROBERT MILLER, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF BANGLADESH.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

KATHE HICKS ALBRECHT, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2024, VICE BRUCE R. SIEVERS, TERM EXPIRED.

KEEGAN F. CALLANAN, OF VERMONT, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2024, VICE MANFREDI PICCOLOMINI, RESIGNED.

DAVID ARMAND DEKEYSER, OF ALABAMA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020, VICE DAWN HO DELBANCO, TERM EXPIRED.

KIM R. HOLMES, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2022, VICE PAULA BARKER DUFFY, TERM EXPIRED.

PHYLLIS KAMINSKY, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020, VICE ADELE LOGAN ALEXANDER, TERM EXPIRED.

JEAN M. YARBROUGH, OF MAINE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2022, VICE MARTHA WAGNER WEINBERG, TERM EXPIRED.

DEPARTMENT OF COMMERCE

STEVEN DILLINGHAM, OF VIRGINIA, TO BE DIRECTOR OF THE CENSUS FOR A TERM EXPIRING DECEMBER 31, 2021, VICE JOHN H. THOMPSON, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF CHAPLAINS, UNITED STATES AIR FORCE, AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8039:

To be major general

BRIG. GEN. STEVEN A. SCHAICK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. RONALD M. HARVELL

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. CHARLES L. KNOWLES

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

STEVEN J. NORDEEN
STEPHANIE E. WILSON

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DAWUD A. A. AGBERE
EDDIE W. COOK
RONALD E. COOPER, JR.
BRIAN P. CRANE
LANE J. CREAMER
LAWRENCE M. DABECK
KEVIN L. GUTHRIE

CHARLES E. HAMLIN
PAUL R. JAEDICKE
CARRON A. JONES
MOON H. KIM
KRZYSZTOF A. KOPEC
VAIOA T. LEAU
WILLIAM A. LOVELL
SHAWN E. MCCAMMON
STEVEN J. MOSER
STEVE W. PROST
KHALLID M. SHABAZZ
MARK A. STEWART
D010823

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CYNTHIA A. HOPKINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL J. LOOMIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LATONIA M. MAHNKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

JUSTIN A. EVISON

CONFIRMATION

Executive nomination confirmed by the Senate July 23, 2018:

DEPARTMENT OF VETERANS AFFAIRS

ROBERT L. WILKIE, OF NORTH CAROLINA, TO BE SECRETARY OF VETERANS AFFAIRS.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 23, 2018 withdrawing from further Senate consideration the following nomination:

CHRISTOPHER R. SHARPLEY, OF VIRGINIA, TO BE INSPECTOR GENERAL, CENTRAL INTELLIGENCE AGENCY, VICE DAVID B. BUCKLEY, RESIGNED, WHICH WAS SENT TO THE SENATE ON SEPTEMBER 5, 2017.

EXTENSIONS OF REMARKS

HONORING JAMES DRUMRIGHT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize James Drumright. James is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1096, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, James has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending James for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JAMES MOLONEY, VI

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize James Moloney, VI. James is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1096, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, James has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending James for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE IN HONOR OF MR. GEOFF LAREDO

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to Mr. Geoff Laredo in recognition of his retirement after many years of dedication to the National Institute on Drug Abuse (NIDA).

I have come to know and respect Mr. Laredo through our shared mission to combat the nation's opioid epidemic. Geoff is a true leader in the field and has been a trusted advisor to his boss and my dear friend, Dr. Nora Volkow, but also to me and my staff. He has a wealth of institutional knowledge and his departure will surely leave a void in the heralded halls of NIDA.

Mr. Laredo graduated with a degree in Political Science and Economics from the University of Pennsylvania and received his master's degree in Public Affairs from the Lyndon B. Johnson School of Public Affairs at the University of Texas. He then began a storied career of dedicated public service with stops at the Substance Abuse and Mental Health Services Administration, the National Institute of Justice, the U.S. Department of Justice, and the U.S. Senate Committee on Health, Education, Labor and Pensions Subcommittee on Substance Abuse and Mental Health Services.

During his time at NIDA, Geoff served as a liaison to state and local governments, ensuring NIDA research is used to inform local policies. Additionally, he served as the liaison to the Friends of NIDA organization, advocating for a level of resources for NIDA that reflects the tremendous personal, social and economic burden of drug abuse and addiction. Mr. Laredo has provided assistance to Congressional staff on legislative issues related to drug addiction prevention, treatment, and recovery research in response to the opioid crisis. He has also planned and coordinated hundreds of Hill briefings on a variety of topics, and is incredibly well known and well liked among members and staff alike. Geoff is one of the few who understood the urgency of the opioid epidemic early on and was a founding member of the planning committee for the National Rx Drug Abuse and Heroin Summit that was jointly established with Operation UNITE, an organization I founded to help combat the drug epidemic in rural southern and eastern Kentucky.

I am tremendously grateful for Mr. Laredo's many years of service to our great nation, and wish him the best in all his future endeavors. I hope that he and his wife, Donna, enjoy their many years of retirement together. Congratulations.

SEXUAL ASSAULT ON OUR CAMPUSES

SPEECH OF

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2018

Mr. MARCHANT. Mr. Speaker, I would like to thank my colleague from Texas, Judge TED POE, for hosting this special order, and for calling needed attention to sexual abuses occurring on college campuses and in many cases, off-campus events.

As with many of our fellow colleagues, I have constituents who are victims of sexual abuse and have come forward to share their tragic stories. One of them is the Bailey family of Ft. Worth, Texas, in support of their daughter Kendra.

Last December, a classmate assaulted Kendra Bailey, who recently completed her senior year at Texas A&M University. In addition to the trauma suffered by all victims in the days and weeks after an attack, being forced to still see and potentially interact with their alleged attackers only delays and makes the healing process more difficult. Such was sadly the case with Kendra. I call upon college administrators to do more to ensure proper separation for victims, especially during the immediate aftermath of an alleged assault, until a proper investigation can be concluded. After an investigation, Kendra's classmate who attacked her was found responsible for twenty-one charges by a university conduct panel of three faculty members. He was subsequently expelled from the university.

Most tragically, the full total of sexual abuse victims on college campus will never be known, as many are afraid to come forward for a variety of reasons. I call upon colleges across the country to demonstrate a commitment to supporting victims and to take appropriate and swift punishments against those who would commit such horrible abuses. Students should know the very first day they arrive on campus that sexual harassment and violence will not be tolerated and that victims have a wide array of support. Many sexual abusers count on their victims not coming forward—-only emboldening them to commit further sexual abuses.

It is my understanding that Texas A&M University has commissioned two reviews of the school's handling of sexual assault cases. I look forward to reading both of the reviews, and I hope they will be both comprehensive in their scope and thorough in making significant recommendations.

I appreciate the Bailey family coming forward and sharing Kendra's story; they should be commended for their courage. I hope that their actions will help reduce the number of would-be victims of sexual abuse on college campuses across our country in the future. I thank Judge POE for his continued work in supporting victims of abuse and for hosting this special order.

HONORING THE LIFE OF MACI GRACE EICKMAN

HON. WARREN DAVIDSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. DAVIDSON. Mr. Speaker, I rise today to remember the life of Maci Grace Eickman. Maci Grace was born October 1, 2015 with a rare genetic disease, Mucopolysaccharidosis type I (MPS I).

While I never had the opportunity to meet Maci Grace, I know through her parents and those who knew her that she touched many lives in the two years she was here on Earth.

Maci Grace is the daughter of Joshua and Elizabeth Eickman. As a parent, I join them in mourning. Through innocence Marci Grace fought her disease with strength, which stands as an inspiration today. We must continue to search for a cure to help the one in 100,000 children born with this rare disease.

Mr. Speaker, there is no foot so small that it cannot leave an imprint on this world. I ask my colleagues in the House to join me in extending our deepest condolences to Maci's family and friends during this difficult time. Parents should never have to bury their children.

CONGRATULATING THE KNOX COUNTY FARM BUREAU ON THEIR 100TH ANNIVERSARY

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize the Knox County Farm Bureau on its 100th Anniversary. Ever since the Knox County Farm Bureau Foundation was organized in 1918, it has served an essential role in the growth and development of the agriculture industry throughout Illinois.

The Knox County Farm Bureau advocates for agriculture, assists farmers with legislative issues and provides leadership opportunities for members of all ages. The organization's Committees and Task Forces provide their members with many programs, functions, and opportunities to continually improve their farming practices. Community and farmer education, in addition to your scholarship and internship programs have also increased awareness and spurred innovation on the issues that relate to the future success of agriculture in Knox County and ultimately the quality of life in our region.

It is because of dedicated groups such as the Knox County Farm Bureau that I am especially proud to serve Illinois' 17th Congressional District. Mr. Speaker, I would like to again formally congratulate the Knox County Farm Bureau on its 100th Anniversary and thank the organization for all of its service to the farmers in our community.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mrs. BLACK. Mr. Speaker, I am not recorded for roll call votes on Wednesday, July 18, 2018 because I was unavoidably detained. Had I been present, I would have voted Aye on final passage for H. Res. 990, Supporting the officers and personnel who carry out the important mission of the United States Immigration and Customs Enforcement (RC No. 337.) It is disheartening to see my Democrat colleagues in Congress demonizing the men and women who make a daily sacrifice to secure our borders. As an original co-sponsor of this legislation, I am proud to support the heroic officers who carry out the important mission at our border to preserve our national security and protect our families.

ELECTRONIC MESSAGE PRESERVATION ACT OF 2017

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 2018

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1376, the "Electronic Message Preservation Act of 2017," which helps ensure the preservation of federal agency electronic messages.

Mr. Speaker, it is critical that we are able to preserve records of activities and to have appropriate systems to manage and preserve those reports relating to Presidential records, and for other purposes.

According to CBO, enacting H.R. 1376 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

First, such regulations as a minimum must require the electronic capture, management, and preservation of such electronic records in accordance with the Federal Records Act.

Second, they must also require such records to be retrievable through electronic searches.

Third, it is imperative to include timelines for federal agency implementation of the regulations that ensure compliance as expeditiously as practicable.

Mr. Speaker, enacting H.R. 1376 will help preserve records of activities by requiring NARA to oversee and issue guidance on managing federal records, including email messages.

CBO estimates that any net changes in direct spending by those agencies would be insignificant.

Enacting this bill would not affect revenues.

I urge my colleagues to join me in voting for H.R. 1376 and standing true to our nation's commitment to advancing security in managing and preserving records.

COMMEMORATING BRANDT ON THEIR 65TH ANNIVERSARY

HON. DARIN LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. LaHOOD. Mr. Speaker, today, I would like to recognize the Brandt Consolidated Inc. on celebrating 65 years of excellence serving global agriculture and other related industries. From their humble beginnings in Pleasant Plains, Brandt has grown to serve agriculture in all 50 states and in 45 countries with facilities located across the United States, Brazil and Spain.

While expanding globally, Brandt has remained deeply rooted in the rich soil of central Illinois. By helping farmers increase their production and profits season after season, they have become a major economic driver in West Central Illinois and across the globe. Their vast and diverse portfolio of agronomic goods, turf and ornamental brands and home gardening products has helped revolutionize the world's ability to supply food, fuel and fiber. I am proud to say that Brandt continues to call the 18th Congressional District home.

Once again I would like to congratulate them on serving global agriculture for 65 years. We look forward to your next 65 years and more of continued success.

THE LUSK CREEK KAYAK RAMP

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the efforts of the hard-working men and women of the Shawnee National Forest Service, the Lusk Conservancy District and the Pope County Board of Commissioners. Together these groups were able to come together to make the Lusk Creek Kayak Ramp to give Southern Illinois residents safer and easier boat access to Lusk Creek and to revitalize tourism in the area.

On October 27, 2016, I met with the Pope County Chairman of the Commissioner's Board, Larry Richards. Mr. Richards asked for my assistance in helping to get a boat launch ramp built on Lusk Creek, a project that would help both tourists and local citizens alike access the creek. A few days later, I called the Shawnee Forest Service about the project and they were eager to share their progress.

Over the course of 2016 and early 2017, the Shawnee Forest Service and the Lusk Conservancy District developed a strong partnership. Together they completed an Environmental Assessment and began construction. They worked closely to address environmental concerns and create a sustainable, safe recreation area. This newly constructed project, finished in August of 2017, represents the only public developed access point on Lusk Creek upstream from the State Recreation Area Marina in Golconda, Illinois. I have recently visited the completed project, the Lusk Creek Kayak Ramp, and was impressed with what these different organizations in the area were able to come together to create.

Mr. Speaker, I congratulate the Shawnee National Forest Service, the Lusk Conservancy District and the Pope County Board of Commissioners for this achievement.

HONORING LIBERTY SAFES

HON. JOHN R. CURTIS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. CURTIS. Mr. Speaker, I stand before you today to honor Liberty Safes for being chosen to attend the Made in America Showcase this year.

Liberty Safes is the largest seller of full-size residential safes in the U.S. and manufactures over 120,000 safes a year. Headquartered in Payson, Utah, Liberty Safes is an important component of Utah's economy—employing nearly 400 Utahns and utilizing Utah steel

suppliers and other local companies. In fact, 90 percent of the materials that Liberty Safes uses for its products originate in the U.S. As the number one seller of full-size safes in the country, Liberty Safes demonstrate that products made in the U.S. with American materials can be the best in the world.

Liberty Safes was chosen to represent Utah at this year's Made in America Product Showcase at the White House. The showcase will feature a company from each state that produces exceptionally made American products. Liberty Safes will have the opportunity to showcase their technologically advanced and innovative products to President Trump and prominent business leaders at the event.

Having been closely involved in small business and local manufacturing myself, I applaud the success of Liberty Safes and its commitment to manufacturing its products in the U.S. with American materials. American-based companies and manufacturers remain an integral part of our economy and a primary driver of prosperity for all Americans.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Liberty Safes for being selected to represent Utah at the Made in America Product Showcase.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mrs. BLACK. Mr. Speaker, I am not recorded for roll call votes on Thursday, July 19, 2018 because I was unavoidably detained. Had I been present, I would have voted Aye on final passage for H. Con. Res. 119, which expresses the sense of Congress that a carbon tax is not in the best interest of the United States. Like any federal mandate that intervenes in our economy, a carbon tax would reward special-interests at the expense of American families. Further, carbon taxes are regressive and would disproportionately burden lower and middle class families.

HONORING THE CAREER OF MASTER SERGEANT DANNY D. REYNOLDS

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. HUDSON. Mr. Speaker, I rise today to recognize the extraordinary career of Master Sergeant Danny D. Reynolds.

In 1988, MSG Reynolds entered the Indiana Army National Guard. After completing Basic Training and Advance Individual Training at Fort Leonard Wood, Missouri, MSG Reynolds became active duty on July 25, 1990. He was first assigned to Delta Company 15th Engineer Battalion, 9th Infantry Division at Fort Lewis, Washington. From there, MSG Reynolds served all over the world, from Fort Bragg, North Carolina, to as far away as Yongsan, South Korea.

Deployed on numerous operational assignments around the globe and through some of our nation's toughest times, MSG Reynolds stood ready to answer the call to serve our great nation. Some of his most notable engagements took place in Iraq during Operation Iraqi Freedom and during his two deployments with the Theater Civil Military Support Element in support of Special Operations Command Pacific. Throughout these operations, he delivered on the promise to keep America safe and confront our enemies head on under the most difficult conditions.

During his career, MSG Reynolds received numerous medals, including the Meritorious Service Medal, Army Commendation Medal, Joint Service Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Korean Defense Service Medal, and the Combat Action Badge. His foreign badges include Korean, French and German Parachutist Badges. These awards and decorations are a testimony to his monumental success in safe-guarding America.

While defending our nation overseas, MSG Reynolds most important commitment was to his family back home. He and his wife, Michele, raised five children during MSG Reynolds' illustrious career. This country cannot repay the debt we owe to MSG Reynolds and his family—the Reynolds' are true American heroes. I wish him well in what is sure to be an active retirement.

Mr. Speaker, please join me today in commemorating the career of Master Sergeant Danny D. Reynolds.

INNOVATIVE STORMWATER INFRASTRUCTURE ACT OF 2018

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 2018

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 3906, the ''Innovative Storm water Infrastructure Act of 2018.''

H.R. 3906 directs the Environmental Protection Agency (EPA) to establish a stormwater infrastructure funding task force to study and develop recommendations to improve the availability of public and private sources of funding for stormwater infrastructure.

Houston area residents understand the importance of infrastructure that can mitigate the effects of storm water.

After making landfall, circled back and held in place for nearly four days, Hurricane Harvey dropped an unprecedented amount of rain in the Houston area—so much rain, in fact, that the flood area itself began to act like an inland sea, feeding moisture back into the storm to be dropped as yet more rain.

Hurricane Harvey brought more than 64 inches of rain to the Houston area, flooding 203,000 homes, 13 Superfund sites, and more than 800 wastewater treatment facilities.

The damage caused by Hurricane Harvey exceeds $125 billion.

According to the National Oceanic and Atmospheric Administration, second only to Hurricane Katrina.

Nine out of 19 of the official river gauges in Harris County, Texas, recorded all-time-high water levels.

Nederland, Texas recorded 60.58 inches of rainfall, making Hurricane Harvey the highest total rainfall ever recorded in the continental United States. Rainfall within a tenth of an inch of that total was recorded in Groves, a neighboring community.

These both exceed the previous U.S. rainfall record of 52 inches, set by Hurricane Hiki in Hawaii in 1950.

Eighteen locations in southeastern Texas broke previous tropical rainfall records in the contiguous United States, which was set by Tropical Storm Amelia in Medina, Texas in 1978.

Six to ten feet was the maximum water levels above the ground, which occurred near the areas where Harvey made landfall.

Fifty-seven tornadoes were reported during the Hurricane Harvey storm, about half of which occurred near or south of the Houston metro area.

At its peak on September 1, 2017, one-third of Houston was underwater.

Over 300,000 structures flooded in southeastern Texas, where extreme rainfall hit many areas that are densely populated.

Hurricane Harvey is the largest housing disaster to strike the U.S. in our nation's history.

Hurricane Harvey damaged 203,000 homes, of which 12,700 were completely destroyed.

Texans continue to work to recover, but thousands still are not able to return to flood damaged homes.

Next month marks a year since floodwaters swamped America's fourth-largest city, the extent of this environmental assault is beginning to surface, while questions about the long-term consequences for human health remain unanswered.

As disasters become more frequent and populations living in vulnerable areas increase, interest in the health effects of exposure to the combination of natural and technological disasters has grown.

According to experts, when rain falls on the roofs of our homes, streets, and parking lots in cities and their suburbs, the water is unable to soak into the ground as it should.

When a rainstorm occurs, rainwater hits the streets and gravity takes it on the path of least resistance.

Stormwater drains through gutters, storm sewers, and other engineered collection systems and is discharged into nearby water bodies.

Across the country, in every community, rain mixes with chemicals, oils, and other harmful pollutants to flood into our waterways.

Further, higher flows resulting from heavy rains can also cause erosion and flooding in urban streams, damaging habitat, property, and infrastructure.

H.R. 3906 will establish a stormwater infrastructure funding task force program such as the National Pollutant Discharge Elimination System Stormwater Program (NPDES).

This program is designed to prevent stormwater runoff from washing harmful pollutants into local waterbodies.

Some 500 chemical plants, 10 refineries and more than 6,670 miles of intertwined oil, gas and chemical pipelines line the nation's largest energy corridor.

Nearly 500 Million gallons of industrial wastewater mixed with storm water surged out of just one chemical plant in Baytown, east of Houston, on the upper shores of Galveston Bay.

Benzene, vinyl chloride, butadiene, and other known human carcinogens were among

the dozens of tons of industrial toxic substances released into surrounding neighborhoods and waterways following Harvey's torrential rains.

In addition, NPDES will study and develop recommendations to improve the availability of public and private sources of funding for stormwater infrastructure.

The EPA Administrator will ensure that these programs promote the use of innovative stormwater control infrastructure in and coordinate the integration of innovative stormwater control infrastructure into permitting programs, planning efforts, research, technical assistance, and funding guidance.

Mr. Speaker, a stronger investment in stormwater prevention programs allows for the implementations of cutting edge solutions and puts our communities in a path to healthier waters.

I urge my colleges to join me in voting for H.R. 3906.

RECOGNIZING JUSTIN HERSH AND ANUSHKA SCUDDER

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Ms. FRANKEL of Florida. Mr. Speaker, I rise to recognize Justin Hersh and Anushka Scudder, Palm Beach County's Do the Write Thing Ambassadors for 2018.

The Do the Write Thing challenge invites middle school students to submit essays and stories about their personal experiences with violence, bullying, and racism in school or throughout their community. These brave students share their stories to educate others about the need for more compassion and understanding in the world.

Justin and Anushka visited my office in Washington, D.C. last week and I heard their compelling stories. I commend them for their passion for making Palm Beach County a safer place for all students and hope that more will follow their stellar examples.

IN RECOGNITION OF JOHN FRANCIS AYLMER

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. KEATING. Mr. Speaker, I rise today in recognition of the life of John Francis Aylmer, a resident of Centerville, Massachusetts and dedicated public servant.

John was born in Barnstable and raised in the villages of Osterville and Centerville, graduating from Barnstable High School in 1953. Following his graduation from Admiral Billard Academy in New London, Connecticut, he received a bachelor's degree from the Massachusetts Maritime Academy and joined the United States Navy. Upon his honorable discharge, John served as a Merchant Marine Officer on oil tankers. He was later commissioned in the U.S. Navy Reserve for twenty-three years.

Within this same time span, John also served two terms as a Barnstable Selectman. He went on to earn his master's degree in education from Bridgewater State College. Then, in 1970, he successfully ran for election as a Massachusetts State Senator, where his commendable leadership resulted in his appointment as Assistant Senate Minority Leader. While in office, John also obtained his law degree from Suffolk Law School.

In 1981, John was appointed as Rear Admiral, U.S. Maritime Service. He also became the president of the Massachusetts Maritime Academy, holding this position for the following decade and presiding over a period of critical expansion. Upon his retirement, John continued to give back to his community through his long-time involvement in the Cape Cod Baseball League.

John married his wife Ann M. McLean in 1957, and over the sixty-one years they spent together they had four sons, and now three grandchildren. Unfortunately, John passed away on July 8, 2018. His commitment will live on through his growing family and the legacy of his activism in our community.

Mr. Speaker, I am proud to honor the life of John Francis Aylmer. I ask that my colleagues join me in recognizing his many years of dedication to his community and his country.

HONORING CHIEF BRET SACKETT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Chief Bret Sackett, on his retirement as the longest tenured police chief in Sonoma County, California.

Born in Los Angeles, California, Chief Sackett moved to Sonoma County and earned an Administration of Justice degree from Santa Rosa Junior College. He also graduated from Sonoma State University with a Bachelor's Degree in Business Management.

Chief Sackett has served 28 years with the Sonoma County Sheriff's Department and 14 years with the City of Sonoma. For the last 11 years he has been Sonoma's Chief of Police. Throughout his time as a law enforcement officer, Chief Sackett has been a correctional officer, academy training officer, field training officer, background investigator, SWAT team member and detective in the Domestic Violence and Sexual Assault unit.

When the City of Sonoma began contracting with the Sonoma County Sheriff's Department to provide law enforcement services in 2004, Chief Sackett joined the transition team as a patrol sergeant. In 2007, he was promoted to the Chief of Police for the City of Sonoma. Under Chief Sackett's leadership, the Sonoma Police Department enhanced community relations while approaching public safety compassionately. He also oversaw law enforcement services for the unincorporated areas of Sonoma Valley. He created a K–9 program and advanced a financial partnership with the City of Sonoma and Sonoma Valley Unified School District that established a School Resource Officer at Sonoma Valley High School. Chief Sackett's leadership and emergency management skills were crucial in responding to the 2017 October fires.

Chief Sackett has received honors from the Consul General of Mexico, the Sheriff's Office and the Optimist Club. He has been recognized for his service to the Hispanic community and his exceptional work and commitment to law enforcement and our Sonoma community.

Mr. Speaker, Chief Sackett is an admirable leader who is dedicated to serving our community. It is therefore fitting and proper that we honor Chief Bret Sackett here today.

IN HONOR OF MR. JAMES EDWARD WILEY, SR.

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. SESSIONS. Mr. Speaker, I rise today to honor Mr. James Edward Wiley, Sr., who passed away peacefully on Sunday morning of July 8, 2018, surrounded by his loved ones.

Mr. James Edward Wiley, Sr., the second son of A.P. and Florence Wiley, was born in Dallas, Texas on September 16, 1925. In 1942, he graduated from Adamson High School and entered the Corps of Cadets in August later that year, upon enrolling at The Agricultural and Mechanical College of Texas, now The Texas A&M University. After completing Armor Officer Commissioning School at Fort Knox, KY, James went to the Pacific Theater with the Army Corps of Engineers and assumed command of a Japanese POW Camp before he was even twenty years of age. Once he returned to College Station, he successfully completed his engineering degree in May of 1948 and he was awarded Texas A&M's highest honor as a Distinguished Alumnus in 1990 for all his hard work and dedication to the school.

Immediately following graduation from Texas A&M, James obtained a job with Robert E. McKee in their Dallas office. He helped construct many prominent additions to Dallas after the war, including the Federal Reserve Bank, Moody Coliseum, in addition to the "new" Parkland Hospital, just to name a few. However, in 1960, he left McKee to join his loving father and brother at Wiley Brothers General Contractors and Investment Builders where they adopted the popular model of building long-block warehouses and sub-dividing them for multi-tenant occupancy in the fast-expanding industrial parks in what became the Stemmons Corridor.

When the gift of grandchildren arrived, James embraced that role wholeheartedly. James used to invite his grandchildren to accompany him into Downtown Dallas to tour them through bank lobbies, and over Christmas break, he would treat them to lunch at the rotating Antares in Reunion tower. Throughout his life, James touched the hearts of many and always led by example, and his family will continue to thrive from his leadership.

James is survived by his wife Virginia; his 4 sons and their wives, Jim (Karen), Alan (Melinda), Don (Julia), and Glen (Ann); 8 grandchildren, and 17 great-grandchildren. Although no words can really help to ease the loss, his life was truly a blessing and he is held very close in thought and prayer. In honor of his memory, I would like to take this opportunity to thank Mr. James Edward Wiley, Sr. for his service to our country and his dedication to the city of Dallas.

MAJOR ROBERT ODELL OWENS POST OFFICE

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 2018

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 5238, to designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the ''Major Robert Odell Owens Post Office.''

Mr. Speaker, this bill is an opportunity for us all to pay tribute to a great American, a fighter for justice and equality, one of the most passionate advocates for educational opportunity, and a man who served in this body with distinction, Major Owens of New York.

Major Owens was born June 28, 1936, in Collierville, Tennessee.

He was educated at Morehouse College, from which he received his baccalaureate degree, and Atlanta University from which he earned a Master of Science degree.

Major Owens later moved to New York where he worked as a librarian before accepting an appointment from Mayor John V. Lindsay to serve as Director of the New York City Community Development Agency.

He also served as a faculty member in the Department of Public Administration at Medgar Evers College.

In 1974, Major Owens was elected to the New York State Senate and was reelected to serve a second term in 1978.

In 1982, Major Owens won a competitive primary to fill the seat of retiring Congresswoman Shirley Chisholm, the first African American woman elected to the House of Representatives and the first woman ever to seek the Democratic nomination for President of the United States.

As the Member of Congress for the 11th Congressional District of New York, Major Owens represented a diverse district centered in Brooklyn, including low income areas of Brownsville and parts of Bedford-Stuyvestant, the large Hasidic community of Crown Heights, the heavily Caribbean areas of Flatbush and East Flatbush, and the more affluent neighborhoods of Park Slope and Prospect Park.

Affectionately known as the ''Education Congressman'' by his constituents, Major Owens fought tirelessly throughout his twelve terms in Congress to protect and expand educational opportunity for all Americans, especially those from economically and socially disadvantaged backgrounds.

As he often reminded his colleagues in the House, education was ''the kingpin issue.''

In an article he published in Black Issues in Higher Education, he wrote: ''We have to believe that all power and progress really begins with education.''

Major Owens served on the House Committee on Government Reform and the Committee on Education and the Workforce.

As the Ranking Member on the Education and Workforce Subcommittee for Workforce Protections, Congressman Owens helped lead the fight for minimum wage increases, blocked the attempt to eliminate cash payments for overtime, fought against efforts to roll back or repeal Davis-Bacon, and to weaken the Occupational Safety and Health Administration.

As Chairman of the Education Subcommittee on Select Education and Civil Rights (1988 to '94), Congressman Owens was one of the earliest and strongest supporters of the Americans With Disabilities Act, which was enacted into law in 1991.

In recognition for his work to pass the ADA, Major Owens was awarded an honorary degree by Galludet University, the world's premier higher education institution serving deaf an hard of hearing people.

Major Owens loved serving in this body and he was a valued member of the Congressional Progressive Caucus and the Congressional Black Caucus.

As Chairman of the Congressional Black Caucus Task Force on Haiti, he led the successful three-year fight which restored the democratically elected President Jean-Bertrand Aristide.

Mr. Speaker, Congressman Owens was a legislator's legislator.

Major Owens touched so many lives in so many helpful ways that he will always be remembered by people he served so ably and selfless for more than thirty years.

H.R. 5238 will honor the memory of this great man by enshrining his legacy on a public building in his district.

I urge my colleagues to join me in supporting H.R. 5238, to designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the ''Major Robert Odell Owens Post Office.''

IN RECOGNITION OF CAPTAIN EDWARD J. MAROHN

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. KEATING. Mr. Speaker, I rise today in recognition of the retirement of Captain Edward J. Marohn, the Chief of External Affairs for the Coast Guard First District in Boston, Massachusetts.

Captain Marohn joined the United States Coast Guard at the age of seventeen and has served this country honorably for thirty-one years. He served in a variety of afloat, ashore and staff tours on both Coasts and on the Great Lakes. He also conducted counterdrug, fishery enforcement, search and rescue, and environmental protection operations from the Bering Sea to the Sea of Cortez. Further, while serving in Michigan, he coordinated the execution of over 7,000 search and rescue operations that resulted in saving or assisting over 1,200 lives and $10 million in property.

Complementing his remarkable operational career, Captain Marohn served as the Coast Guard Liaison to the National Marine Fisheries Service Office of Law Enforcement in Silver Spring, Maryland; Assistant Chief of Enforcement for First Coast Guard District in Boston, Massachusetts; Maritime Drug Interdiction Officer at Coast Guard Headquarters in Washington, D.C., and earned a Master of Marine Affairs from the University of Washington.

Recognized as an expert in fisheries management and enforcement, Captain Marohn has also served as the Coast Guard representative to the New England Fisheries Management Council, the Stellwagen Bank National Marine Sanctuary Advisory Council, the U.S. delegation to the Northwest Atlantic Fisheries Organization, and the North Atlantic Coast Guard Forum. Further, he was the sole Coast Guard representative on the U.S. State Department led delegation to the Northwest Atlantic Fisheries Organization, where he negotiated the first ever U.S. enforcement presence in this international fishery regime.

Captain Marohn pioneered the Integrated Maritime Security Operations program, an international approach to law enforcement on the northern border that involves joint operations between the U.S. Coast Guard and the Royal Canadian Mounted Police. These operations continue to serve as a model for overcoming jurisdictional challenges along a shared international maritime border to improve security. He is also known as the primary architect of the Coast Guard's Ice Rescue Program, and received the 2005 Coast Guard Innovation Award for Operational Management to recognize his groundbreaking achievement of developing the first-ever Ice Rescue Manual.

Today Captain Marohn has been married to his wife Christine for 26 years, and together they have two daughters, Meaghan and Lauren.

Mr. Speaker, I am proud to honor Captain Edward J. Marohn as he retires from the United States Coast Guard. I ask that my colleagues join me in recognizing his many years of dedication to his community and his country.

HONORING WILLIAM CLAYTON TUCKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mr. William Clayton ''W.C.'' Tucker, well known as a Christian man of great character and integrity with an enormous love for the Lord and his family.

Mr. William Clayton ''W.C.'' Tucker passed away surrounded by his family on Friday, July 13, 2018. He was born on February 25, 1950 to William Tucker and Olivia Smith Tucker. He was a 1968 graduate of Siggers High School in Shannon and a 1971 graduate of Mississippi Industrial College in Holly Springs.

Mr. Tucker shared 39 years of marriage with the love of his life, Mrs. Patty Tucker. They were blessed to have raised two wonderful daughters, Camille Young and Dr. Emily C. Tucker, and three lovely grandchildren; Amber and Kayla Young and William Tucker Young.

In 1989, while attending Union Baptist M.B. Church in Shannon, Mr. Tucker was ordained a deacon. He later joined White Hill M.B. Church in Tupelo where he taught Men's Sunday School classes.

After 35 years of hard work as a Senior Certified Engineer Technician, Mr. Tucker retired from the Mississippi Department of Transportation. Post retirement, he launched Tucker's Fresh Produce and sold fresh vegetables at the Tupelo Farmers Market.

Mr. Tucker was an avid gardener who was featured in the Daily Journal, the Lee County Courier, Mississippi State Extension Publications, Mississippi Farm Bureau Magazine, Minority Landowners Magazine, and WTVA for

his successful high tunnel gardening techniques. He enjoyed working with the youth of White Hill Church and Haven Acres Boys and Girls Club teaching raised-bed gardening. He was a member of the Lee County Master Gardener's Association and the Mississippi Minority Farmers Alliance. He was a former 4–H volunteer and Red Cross volunteer.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. William Clayton ''W.C.'' Tucker for his dedication to serving others.

HONORING DENNIS GOTT'S LIFE AND INDUCTION TO THE MISSOURI GROCERS ASSOCIATION HALL OF FAME

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the late Dennis Gott of Salem, Missouri for being inducted posthumously into the Missouri Grocers Association Hall of Fame.

Dennis was President and co-owner of Town & Country Supermarkets and co-owner and board member of Town and Country Banks. He is the second Gott family member to be awarded this honor. His father Wayne Gott founded Town & Country Supermarkets in Salem in 1962 and was inducted to the Missouri Grocers Hall of Fame in 2012.

Dennis began working at Town and Country in the 1970s and took over as President and CEO in 1999. Under his leadership, Town and Country expanded to 21 locations in south central Missouri, each one known for friendly customer service and active community involvement.

Dennis loved the grocery store business, and he loved his family and community. He was a member of the First Baptist Church of Salem and served on the boards of Harris Baking Company and the Salem Airport Authority. His untimely passing in 2016 shook my hometown of Salem and he is missed dearly.

For his outstanding career and legacy as a loving family man devoted to his community, it is my pleasure to recognize Dennis Gott before the United States House of Representatives.

RECOGNIZING DELANEY DEVINE, WILL SHERMAN, HAYDEN SMITH, AND JORDANNE STOBBS-VERGARA

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Delaney Devine, Will Sherman, Hayden Smith, and Jordanne Stobbs-Vergara for their hard work and dedication to the people of Colorado's Sixth District as interns in my Washington, D.C. office for the summer of the 115th Congress, Second Session.

The work of these young professionals has been nothing short of exemplary. During their time in my office, Delaney, Will, Hayden, and Jordanne served as tour guides, interacted with constituents, conducted legislative research and learned a great deal about the United States Congress. I know they all have especially bright futures ahead of them and I look forward to seeing them build their prospective careers.

All four of these impeccable interns have made plans to continue their educational careers throughout the United States. I am certain they will continue in their great success and I wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Delaney Devine, Will Sherman, Hayden Smith, and Jordanne Stobbs-Vergara for their service this summer.

IN RECOGNITION OF 49TH ANNIVERSARY OF THE FIRST APOLLO MOON LANDING, A SMALL STEP FOR MAN BUT A GIANT LEAP FOR MANKIND

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Ms. JACKSON LEE. Mr. Speaker, I rise in recognition of the 49th anniversary of the first Apollo Moon landing.

On July 20, 1969, the spaceship was a long way from home.

Blasting off from Cape Kennedy four days prior, Commander Neil Armstrong, Command Module Pilot Michael Collins, and Lunar Module Pilot Edwin ''Buzz'' Aldrin had been hurled from the cosmic shores of our orbit at an escape velocity of 24,200 miles per hour.

With them were cameras, scientific instruments, and the now famous three-by-five foot U.S. flag to be planted on the surface of the Moon.

They also carried two other U.S. flags—to be brought back and flown over the houses of Congress—the flags of the 50 States, the District of Columbia and U.S. territories, the United Nations flag, as well as those of 136 foreign countries.

But what they carried that fateful day was more than a collection of instruments and national symbols.

They carried the faith of mankind—of going where no human had gone before.

They also carried courage—not only the courage that is the absence of fear, but rather the resolute determination to fulfill the national destiny.

And more than courage they carried hope—that despite the bloodshed and weapons of mass destruction that defined the Cold War, humanity could stand together with bated breath for this new, brave step into the future.

On the afternoon of July 20, at 3:08 PM Eastern, more than 200,000 miles away from Earth, Aldrin and Armstrong fired the lunar module's descent engine for the first time.

While Armstrong flew the landing craft, Aldrin gave him altitude readings: ''Seven hundred and fifty feet, coming down at 23 degrees . . . 700 feet, 21 down . . . 400 feet, down at nine . . . Got the shadow out there . . . 75 feet, things looking good . . . Lights on . . . Picking up some dust . . . 30 feet, 2 1/2 down . . . Faint shadow . . . Four forward. Four forward, drifting to the right a little . . . Contact light. Okay, engine stop.''

When the 68-inch probes beneath three of the spacecraft's four footpads touched down, Armstrong shut off the ship's engine.

At 4:18 PM, the craft settled down at an angle of no more than four or five degrees on the right side of the Moon as seen from Earth.

From Tranquility Base, Armstrong immediately radioed Mission Control: ''Houston, the Eagle has landed.''

At 10:56 PM, Armstrong put his left foot to the Moon.

It was the first time in history that man has ever stepped on anything that has not existed on or originated from Earth.

''That's one small step for a man, one giant leap for mankind,'' Armstrong radioed.

Mr. Speaker, we gather here today not only to chronicle the extraordinary voyage of Apollo 11, but also to remember the efforts of thousands of America's brightest who stretched the bounds of human imagination with this accomplishment.

I am tremendously proud to say Houston's very own Johnson Space Center, then named Manned Space Center, was pivotal in guiding the spaceships *Columbia* and *Eagle* to their place in history.

Even after the Gemini and Apollo Missions, Houston has been the international hub of manned space flight ever since.

Johnson Space Center scientists, engineers, astronauts and other staff members have been tasked with controlling flights from Skylab and the Apollo-Soyuz missions through the Shuttle program and beyond.

Johnson Space Center is the training base and home for our nation's astronauts and the site of Mission Control, where a talented cadre of flight controllers monitors the work of our women and men in space.

Mr. Speaker, I remind this body that the American space flight program is not merely a collection of scientific achievements.

I celebrate the legacy of Mary Jackson, NASA's first black female engineer who joined the Langley Research Center in Hampton, Virginia in 1958.

Her pioneering work not only contributed immensely to the success of the Mercury space program—the predecessor to Gemini and Apollo—but also to influenced the hiring and promotion of women and people of color in NASA's science, engineering, and mathematics careers.

Not only African American women were involved, but also men and women of all races and trades—White, Hispanic, Asian, and Native American engineers, physicists, manufacturers, mathematicians, physicians, divers, sailors, and thousands more.

Armstrong and Aldrin may have walked on the moon, but all of America was with them in spirit.

I celebrate the legacy of President John Kennedy, who in 1961 in my home city of Houston declared to the world that ''We choose to go to the moon within the decade and do the other things, not because they are easy but because they are hard.''

I invoke the words of astronomer and writer Carl Sagan, who eloquently wrote on the scope and audacity of the President's proclamation:

''The Moon was a metaphor for the unattainable: 'You might as well ask for the Moon,' they used to say. For most of our history, we had no idea what it was.

''We would use rockets not yet designed and alloys not yet conceived, navigation and docking schemes not yet devised, in order to send a man to a world not yet explored—not

even in a preliminary way, with robots—and we would bring him safely back, and we would do it before the decade was over.

''This confident pronouncement was made before any American had even achieved Earth orbit.''

To anyone who might doubt America's ability to make good on this commitment, President Kennedy said, ''this country of the United States was not built by those who waited and rested and wished to look behind them. This country was conquered by those who moved forward—and so will space.''

He, like the Apollo program, represented the best of America's can-do spirit; an idea of tomorrow, a relentless march toward achieving the full promise of America, and an understanding that we, the people—all of us—have a place in that future and a role to play in bringing it about.

The Apollo program was certainly a pinnacle of American scientific triumph.

In that summer of 1969, we decided to use technologies developed to hold humanity captive under the specter of nuclear war to capture the imagination of humanity.

In that summer of 1969, we conveyed to the world an optimism about technology and an enthusiasm for the future.

In that summer of 1969, we reached for the stars and three Americans—Armstrong, Aldrin, and Collins—nearly had them in their grasp.

But our best days are not behind us.

For as long as we have been able to stand on two legs, we have been voyagers.

We had emerged from the caves and come down from the trees; we conquered continents; weathered oceans; we have connected the world in no way it had ever been connected before.

So you ask today, Mr. Speaker, what comes next?

I urge my colleagues on this most special anniversary to continue supporting our space program, celebrate the sciences, and encourage innovation and international scientific cooperation.

I ask that we work together, like that moment on July 20th, 1969, and stand together, arm in arm, to take the next small step forward—a giant leap for mankind.

HONORING VINSON TIGERS 8–10 ALL STAR, WEST VIRGINIA

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today to honor the Vinson Tigers 8–10 All Stars for winning State Baseball Tournament. This team from Vinson, West Virginia overcame an early loss in the tournament to triumph in the championship game. The tigers defeated South Charleston by 10–2 to win their first title in the team's history. The heart and dedication these young players put into their team is incredible.

I would like to congratulate the players, Eli Richards, Parker Phillips, Colin Dygert, Jonah Harrold, Zander Blankenship, Nyle Dygert, Devon Howard, Harrison Riggs, Isaiah Sanders, Gabe Chambers, Kaiden West, Evan Hagley, and Xander Marlins. Their manager Barry Ellis and two coaches Josh Dygert and Jamie Marlins have all worked extremely hard to win. Their love of baseball has helped them to succeed. I want to commend the players and Parents for the time and sacrifices they have made for their children and the coaches for their commitment to the team. I wish the Vison Tigers the best of luck as they continue in the Regional Tournament in Greenville, North Carolina this week.

IN RECOGNITION OF COLONEL JEFF CANTOR ON HIS MILITARY RETIREMENT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. PALLONE. Mr. Speaker, it is my honor to recognize Colonel Jeff Cantor of Marlboro, New Jersey on his retirement from the United States Army. Colonel Cantor has provided 32 years of steadfast leadership and selfless service in defense of the United States of America, and has been instrumental in spreading the ideals of democracy and freedom to oppressed people all over the world. His service is truly deserving of this body's recognition.

Colonel Cantor has commanded U.S. Army personnel at multiple levels in combat and in peacetime and has demonstrated personal sacrifice while deployed three times to hostile environments. He has had an illustrious career in the U.S. Army and has contributed to building stability in areas around the world with complex environments, and has successfully brought together warring factions so that they may enjoy peace in their lifetime and for future generations.

Colonel Cantor served as the European Command Civil Affairs Plans Team Chief and was responsible for working with former war-torn nations and building stability in the Balkans. He served as the director on various Joint Chiefs of Staff exercises, and served as the director for Immediate Response 16, where he was responsible for 1,900 soldiers from ten different countries conducting full spectrum operations and training in Slovenia and Croatia, in which the Prime Minister of Slovenia personally congratulated Colonel Cantor for his efforts during the exercise.

Colonel Cantor deployed to Iraq as a company commander and was among the first Civil Affairs Companies to enter the country during the 2003 invasion. During that deployment, he developed and significantly influenced the first post-Saddam Hussein Kirkuk provincial government to provide stability among 1.2 million ethnically diverse people and was responsible for the construction of over 285 schools, the creation of a new city police force and opened the first police academy in Iraq.

Colonel Cantor has helped people in dozens of countries solve complex programs and build capacity to increase stability, as he spent time in sub-Saharan Africa working with tribal leaders in Cameroon to provide health care to their people, and coordinated and successfully employed physicians and dentists in a highly impoverished area to expand health care to the neediest of people and provided expertise in lasting care, and helped build refugee camps for Tutsi refugees fleeing for their lives from neighboring countries.

Colonel Cantor supported the 82nd Airborne Division and became the Parwan Provincial Reconstruction Team Commander responsible for 245 troops, including operational control of a Kentucky National Guard Agriculture team. He was responsible for planning, preparing and executing multiple projects including the conversion of poppy crops to sustainable high labor crops and improving the effectiveness of provincial law enforcement functions.

Mr. Speaker, I sincerely hope that my colleagues will join me in congratulating Colonel Jeff Cantor on his military retirement and thanking him for his honorable service. This nation owes a debt of gratitude to Colonel Cantor for making the world a safer place and instilling the ideas of democracy in hostile environments around the world.

IN HONOR OF GARY SZALUCKA

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to recognize Gary Szalucka, who is retiring as President of the Perkins Pond Protective Association after nearly two decades of service.

New Hampshire is a state endowed with tremendous natural beauty, and Mr. Szalucka has been instrumental in efforts to ensure that our state's natural environment is maintained over generations, especially at his beloved Perkins Pond. Among his achievements during his time as President, Mr. Szalucka played an important role in lobbying for a new sewage system to replace antiquated septic systems around the Pond. In addition, he has remained an active member of the Volunteer Lake Assessment Program, taking samples of Perkins Pond for over 20 years.

New Hampshire's natural beauty is dependent on citizens taking an active role, and Mr. Szalucka has certainly answered the call. On behalf of my constituents across New Hampshire's Second Congressional District, I applaud Mr. Szalucka for his dedication to our community and for being an important part of what makes the Granite State so special. I am honored to recognize and congratulate Mr. Szalucka on his retirement, and I wish him all the best.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Ms. JACKSON LEE. Mr. Speaker, on Monday, July 16, 2018, I was unavoidably detained attending to representation duties in district and state and was not present for Roll Call Votes 329 and 330. Had I been present, I would have voted as follows:

On Roll Call 329, I would have voted AYE. (On Motion to Suspend the Rules and Pass H.R. 4946, designating the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the ''Specialist Trevor A. Win'E Post Office.'')

On Roll Call 330, I would have voted AYE. (On Motion to Suspend the Rules and Pass

H.R. 4406, designating the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the "Spc. Sterling William Wyatt Post Office Building.")

IN RECOGNITION OF SCOBA FRANCIS RHODES

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. KEATING. Mr. Speaker, I rise today in recognition of the life of Scoba Francis Rhodes, a resident of East Falmouth, Massachusetts and dedicated civil rights and education advocate.

Scoba was born in Indianapolis, Indiana, and moved to Falmouth with his family in 1947. Following his graduation from the Florida Agricultural and Mechanical College, he served in the Air Force as an education specialist during the Vietnam War era.

His laudable devotion to public service continued through his position as a guidance counselor at the Mores Pond School in Falmouth, while he ran a night program for students unable to finish High School. Later, he served as the assistant director of admissions and then associate director, at Southeastern Massachusetts University. Further, he served as the dean of students at Upper Cape Cod Regional Technical School and Worcester Academy and on the board of trustees for Cape Cod Community College.

Throughout his life, Scoba worked tirelessly to advance civil rights. To name a few roles in which he served, he was elected chairman of the Cape Cod Council of the Massachusetts Commission Against Discrimination in 1973, served as president of the Cape Cod chapter of the NAACP, and was the 2018 recipient of the Civic Leadership Award from the Falmouth "No Place for Hate" organization.

Unfortunately, Scoba passed away on June 23, 2018. His commitment will live on through his growing family and the legacy of his activism in our community.

Mr. Speaker, I am proud to honor the life of Scoba Rhodes. I ask that my colleagues join me in recognizing his many years of dedication to his community and his country.

APPRECIATION OF MR. ANDREW HAHN FOR HIS SERVICE AND INVOLVEMENT WITH THE CONGRESSIONAL INTERNSHIP PROGRAM FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. HARPER. Mr. Speaker, I rise today to extend appreciation to Mr. Andrew Hahn for his service and involvement with the Congressional Internship Program for Individuals with Intellectual Disabilities (CIPIID). I want to recognize Mr. Hahn who has been with George Mason University's Mason—Life Program, a postsecondary educational program for adults with intellectual disabilities, since 2009. Within this role, Mr. Hahn has also served as a liaison between the Mason Life Program and the U.S. Congress in order to coordinate matching CIPIID interns with congressional offices to serve in throughout the year.

Mr. Hahn began his employment with George Mason University and the Mason Life Program as support staff in 2009, in which he assisted and encouraged students within the program. In 2012, Mr. Hahn moved to his current role as Employment Coordinator for the Mason Life Program, where his main responsibility was to assist the students in developing necessary skills and relationships in order to be successful members in the workforce through the CIPIID program, as well as other work experiences.

Throughout his time of service, Mr. Hahn has proven to be crucial in assuring that all involved with the CIPIID program have both a positive and enlightening experience. Without his efforts, the internship program would not be what it is today. His dedication and passion for those with disabilities, paired with his appreciation of the value of meaningful employment for all, have helped skyrocket this program into what it is today.

In addition to serving as the liaison to CIPIID, Mr. Hahn has experienced success in many other areas of his life. He is an Eagle Scout Award Recipient, a member of the Council for Exceptional Children, and he has presented at various conferences on the topic of transitional services for adults with intellectual disabilities.

Mr. Hahn is a kind, hard-working, and dedicated individual. He has given much of his time to help adults with intellectual disabilities become involved and contributing members of society. The students of the Mason Life Program look up to Mr. Hahn as a mentor and friend, and those who have had the pleasure of working with him hold him in the highest regard. As Mr. Hahn closes out his time with the Mason Life Program, as well as our CIPIID, I want to express how much he will be missed. We are forever grateful for all of his contributions and extend our warmest wishes to him in his future endeavors.

HIGH STAKES ON THE HIGH COURT: JUSTICE HANGING IN THE BALANCE

SPEECH OF

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 16, 2018

Ms. FUDGE. Mr. Speaker, I rise today to express deep concern and opposition for the President's U.S. Supreme Court nominee, Brett Kavanaugh. I appeal to my colleagues on the other side of the aisle to recognize the threat Judge Kavanaugh poses to Americans' most fundamental rights and the impartiality required for any jurist filling a Supreme Court seat.

If my colleagues truly want to know how Judge Kavanaugh will rule on cases addressing Roe v. Wade, voting rights, affirmative action, Brown v. Board of Education and affordable health care, all they need to do is review his track record.

On the Affordable Care Act (ACA)—Judge Kavanaugh wrote in a 2011 decision that the ACA could be considered a tax because it requires individuals to buy health insurance. In his opinion, as a tax, the ACA is unconstitutional because it violates the Anti-Injunction Act—limiting the jurisdiction of federal courts over tax-related matters. What Judge Kavanaugh and Republican supporters seeking to repeal the ACA ignore is the ACA's success in: keeping insurance companies from charging women more than men; stopping insurers from denying coverage to individuals with pre-existing conditions; and preventing seniors from having to choose between their medications or daily meals.

On Voting Rights—Again in 2011, following the Obama administration's findings that a South Carolina voter ID law would disenfranchise tens of thousands of minority voters, Judge Kavanaugh sided with South Carolina government and expressed his approval of states enacting stronger voter ID laws.

On Roe v. Wade—The President said he will not ask his nominee how they would rule on Roe v. Wade, and there really is no need. The President clearly stated he would nominate "pro-life judges" who would overturn Roe. We already know how Judge Kavanaugh will rule in any case regarding a woman's reproductive rights. In 2015, he sided with religious groups refusing to provide contraceptive coverage, as required through ACA. Then, in 2017, he dissented from a decision that permitted an undocumented immigrant teen to have a legal abortion.

That brings me back to my earlier statement of the threat to impartiality on the bench. Judge Kavanaugh stated in a 2009 law review article that sitting presidents should receive "a temporary deferral of civil suits and of criminal prosecutions and investigations." With the continuing legal implications mounting against the President in the Mueller and Cohen investigations and the emoluments lawsuit filed by 200 congressional Democrats, if it were left up to Judge Kavanaugh, he would make the President untouchable. It is clear why Judge Kavanaugh would be a great pick for a President experiencing an unprecedented number of legal woes while in office—great pick for the President, but terrible for America and the progress we've made.

I urge Republicans in the Senate to reject this nomination and uphold their responsibility—stop avoiding vetting protocols put in place to ensure qualified jurists protect the fundamental rights of all citizens, and not just the chosen few.

FINANCIAL NET WORTH

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. SENSENBRENNER. Mr. Speaker, I am making my financial net worth as of March 31, 2018, a matter of public record. I have filed similar statements for each of the thirty-nine preceding years I have served in the Congress.

ASSETS

REAL PROPERTY

Single family residence at 609 Ft. Williams Parkway, City of Alexandria, Virginia, at assessed valuation. (Assessed at $1,407,301). Ratio of assessed to market value: 100% (Unencumbered): $1,407,301.00.

Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, Wisconsin, at assessor's estimated market value. (Unencumbered): $142,000,00

Undivided 25/44ths interest in single family Residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, Wisconsin, at 25/44ths of assessor's estimated market value of $1,519,000. $863,068.18.

Total Real Property: $2,412,369.18.

Common & Preferred Stock	# of shares	$ per share	Value
Abbott Laboratories, Inc.	12200	59.92	$731,024.00
AbbVie Inc.	7671	94.65	726,060.15
Allstate Corporation	370	94.80	35,076.00
AT&T	7275	35.65	259,353.75
JP Morgan Chase	4539	109.97	499,153.83
Benton County Mining Company	333	0.00	0.00
BP PLC	3604	40.54	146,106.16
Centerpoint Energy	300	27.40	8,220.00
Chemours Company	240	48.71	11,690.40
Chenequa Country Club Realty Co.	1	0.00	0.00
Comcast	1268	34.17	43,32.56
Darden Restaurants, Inc.	2160	85.25	184,140.00
Discover Financial Services	156	71.93	11,221.08
Dun & Bradstreet, Inc.	1250	117.00	146,250.00
DowDuPont Inc.	1538	63.71	97,985.98
Eastman Chemical Co.	540	105.58	57,013.20
Exxon Mobil Corp.	9728	74.61	725,806.08
Four Corners Property Trust Inc.	983	23.09	22,697.47
Gartner Inc.	651	117.62	76,570.62
General Electric Co.	15600	13.48	210,288.00
General Mills, Inc.	5760	45.06	259,545.60
NRG Energy	28	30.53	854.84
GlassBridge Ent.	9	1.19	10.71
Kellogg Corp.	3200	65.01	208,032.00
3M Company	2000	219.52	439,040.00
Express Scripts	6656	69.08	459,796.48
Monsanto Company	2852.315	116.69	332,836.64
Moody's	5000	161.30	806,500.00
Morgan Stanley	312	53.96	16,835.52
NCR Corp.	68	31.52	2,143.36
Newell Rubbermaid	1676	25.48	42,704.48
Nokia	74	5.47	404.78
PG & E Corp.	175	43.93	7,687.75
Pfizer	30415	35.49	1,079,428.35
Century Link	95	16.43	1,560.85
Tenneco Inc.	182	54.87	9,986.34
Unisys Corp.	16	10.75	172.00
US Bancorp	3081	50.50	155,590.50
Verizon	2002	47.82	95,735.64
Vodafone Group PLC	323	27.82	8,985.86
WEC Energy Group	2044	62.70	128,158.80
Total common & preferred stocks & bonds			$8,047,994.78

Life insurance policies	Face $	Surrender $
Northwestern Mutual No. 00	12,000.00	136,945.39
Northwestern Mutual No. 61	30,000.00	329,614.09
Massachusetts Mutual No. 75	10,000.00	19,933.41
Massachusetts Mutual No. 44	100,000.00	545,005.11
American General Life Ins. No.59L	175,000.00	38,512.54
Total life insurance policies		1,070,010.54

Bank & IRA accounts	Balance
JP Morgan Chase Bank, checking account	$106,723.00
JP Morgan Chase Bank, savings account	50,610.32
BMO Harris Bank, checking account	8,711.42
Burke & Herbert Bank, Alexandria, VA, checking account	4,983.54
JP Morgan, IRA account	143,109.81
Total bank & IRA accounts	314,138.09

Miscellaneous	Value
2009 Ford Taurus	$5,464.00
2013 Ford Taurus	13,038.00
Office furniture & equipment (estimated)	1,000.00
Furniture, clothing & personal property (estimated)	170,000.00
Stamp collection (estimated)	220,000.00
Deposits in Congressional Retirement Fund	254,911.65
Deposits in Federal Thrift Savings Plan	623,946.49
Traveler's checks	7,800.00
17ft. Boston Whaler boat & 70 hp Johnson outboard motor (estimated)	4,200.00
20ft. Pontoon boat & 40 hp Mercury outboard motor (estimated)	7,000.00
Total miscellaneous	1,307,360.14
Total assets	13,151,872.73

Liabilities: None.
Total Liabilities: $0.00.
Net worth: $13,151,872.73.

STATEMENT OF 2017 TAXES PAID

Federal Income Tax	$129,256.00

STATEMENT OF 2017 TAXES PAID—Continued

Wisconsin Income Tax	36,261.00
Menomonee Falls, WI Property Tax	2,269.00
Chenequa, WI Property Tax	18,332.00
Alexandria, VA Property Tax	16,271.00

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner, III, and Robert Alan Sensenbrenner. I am further the direct beneficiary of five trusts, but have no control over the assets of either trust.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other state or foreign country.

F. JAMES SENSENBRENNER, Jr.,
Member of Congress.

TRIBUTE TO MR. ROBERT (BOB) VON DRASEK

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to Mr. Robert (Bob) Von Drasek the most dedicated, committed and most loyal Saul Alinsky-trained organizer that I have ever known. Bob came to the South Austin Community during a time of great turbulence. The community was in the throes of a great transition from being 80 percent white to becoming 80 percent Black within a ten-year period of time. Block busting, panic peddling, redlining, disinvestment and all manner of malfeasance were taking place. Police brutality and other forms of law enforcement misconduct were rampant. I met Bob Von Drasek (during this period. It was also during this time that the organization for a Better Austin was organized, the South Austin Coalition Community Council (SACCC) was formed with Bob as lead organizer, and I decided to run for the City Council. Over the years I have followed Bob's work with SACCC. South Austin is practically an all black community except for a few merchants who never left the area, a few white residents, school teachers and policemen, Bob is white or caucasian and yet he won the hearts of the community and the trust of the people. He has developed intimate relationships with many of the residents and to many he is like a member of their family. Through much of Bob's leadership, SACCC became known as the top grassroots community organization in the Chicago land area. Bob was always a great strategist but the members like Mr. Ed Bailey, Mrs. Irene Norwood, Mrs. Lillian Drummond and Mr. George Lawson were the voices. Many people don't know it, but it was SACCC who led community reinvestment. It was SACCC who organized senior citizens. It was SACCC that led the fight for LIHEAP. It was SACCC that kept the Austin Bank on its toes (best behavior). It was SACCC that united block clubs. It was SACCC that got people to join local school councils, and it was SACCC that got churches to open their doors for community meetings. I have been in buildings with Bob where there was no heat. I have been in homes where there was no food, and I have been on streets where there were no lights. I have been in alleys where there was no hope. I have been with Bob and families after their relatives had been shot. Bob has worked to bring help to the helpless and hope to the hopeless. Bob Von Drasek is a good man and I thank him and his family, his wife and children for what they have meant to our community and to our world. True soldiers are always reluctant to come off the battlefield, but there comes a time when we must put away our swords and shields to practice war no more. When that time comes, just know that he has made a difference. When he came to South Austin, some newspapers, urban planners and prognosticators were predicting that Austin would be the next slum. They did not know him, and they did not know the people of South Austin. South Austin is not a slum. It is a vibrant, forward-thinking and forward-moving community. Bob has done the Master's work. He has fed the hungry, clothed the naked, brought hope to the hopeless, and helped the helpless. He has lifted spirits and he has taught people how to love, how to live, and how to work together. I close with words of my favorite song:

"If when you give the best of your service, Telling the world that the Savior is come; Be not dismayed when men believe you; He understands; and say, "Well done."

Oh, when I come to the end of my journey, Weary of life and the battle is won; carrying the staff and the cross of redemption, He'll understand, and say "Well done."

If when this life of labor is ended, And the reward of the race you have run; Oh! the sweet rest prepared for faithful, Will be his blest and final "Well done."

But if you try and fail in your trying, hands sore and scarred from the work you've begun; take up your cross, run quickly to meet Him; He'll understand, he'll say, "Well done!"

PERSONAL EXPLANATION

HON. J. FRENCH HILL

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Mr. HILL. Mr. Speaker, on March 7, 2017, I was sick and not present to vote. Had I been present, I would have voted YEA on Roll Call No. 128.

VOTE EXPLANATION ON H. RES. 990

HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2018

Ms. BONAMICI. Mr. Speaker, I rise today to make clear my intent in voting "Present" on H. Res. 990. This resolution expresses categorical support for Immigration and Customs Enforcement while failing to address valid concerns about recent ICE actions and policies like child separation. Since President Trump came into office, there have been multiple allegations of ICE officers around the country failing to follow proper protocol and potentially acting in violation of individuals' constitutional

rights. These incidents, several of which have been recorded on video, call into question whether ICE officials are conducting themselves in full accordance with federal law and agency policies and procedures.

I support having the appropriate personnel, equipment, facilities, and resources to protect our borders and enforce the rule of law in America, but immigration enforcement does not need to be militarized and operate with impunity. We can treat individuals in a humane and just manner and still prevent crime, reduce trafficking, and keep our country safe. People fleeing violence in their home countries and seeking asylum in the United States need to be protected, not fear more persecution. We must enact commonsense changes to improve accountability and protect the fundamental rights of immigrants—particularly those legally seeking asylum. I will continue pushing for rigorous oversight of ICE and reforms to our immigration enforcement system.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 24, 2018 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 25

9:30 a.m.

Select Committee on Intelligence

To hold hearings to examine the nominations of Joseph Maguire, of Florida, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence, and Ellen E. McCarthy, of Virginia, to be an Assistant Secretary of State (Intelligence and Research).

SH–216

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the race to 5G, focusing on exploring spectrum needs to maintain United States global leadership.

SR–253

Committee on Health, Education, Labor, and Pensions

Business meeting to consider S. 2554, to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees, H.R. 1222, to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, S. 2465, to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment, S. 3016, to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and pending nominations.

SD–430

Commission on Security and Cooperation in Europe

To receive a briefing on attacks on Roma in Ukraine.

SVC–214

Joint Economic Committee

To hold hearings to examine the innovation economy, entrepreneurship, and barriers to capital access.

LHOB–1100

Joint Select Committee on Solvency of Multiemployer Pension Plans

To hold hearings to examine how the multiemployer pension system affects stakeholders.

SD–215

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the state of play, focusing on globalized corruption, state-run doping, and international sport.

SD–562

2:15 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Space, Science, and Competitiveness

To hold hearings to examine destination Mars, focusing on putting American boots on the surface of the red planet.

SR–253

2:30 p.m.

Committee on Foreign Relations

To hold hearings to examine American diplomacy to advance our national security strategy.

SD–419

JULY 26

9:30 a.m.

Committee on Finance

To hold hearings to examine the nominations of Justin George Muzinich, of New York, to be Deputy Secretary, and Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel, both of the Department of the Treasury.

SD–215

9:45 a.m.

Committee on Appropriations

Subcommittee on Commerce, Justice, Science, and Related Agencies

To hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Office of the United States Trade Representative.

SD–192

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nominations of Rick A. Dearborn, of Oklahoma, to be a Director of the Amtrak Board of Directors, and Martin J. Oberman, of Illinois, to be a Member of the Surface Transportation Board.

SR–253

Committee on Foreign Relations

Business meeting to consider S. 1023, to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, S. 1580, to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, S. Res. 501, recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the Government of the United States to promote democracy and good governance, S. Res. 541, expressing the sense of the Senate that any United States-Saudi Arabia civilian nuclear cooperation agreement must prohibit the Kingdom of Saudi Arabia from enriching uranium or separating plutonium on its own territory, in keeping with the strongest possible nonproliferation ''gold standard'', S. Res. 571, condemning the ongoing illegal occupation of Crimea by the Russian Federation, an original bill entitled, ''Turkey International Financial Institutions Act'', the nomination of Joseph Cella, of Michigan, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu, Department of State, and routine lists in the Foreign Service.

S–116

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine the challenges and opportunities of the proposed government reorganization on Office of Personnel Management and General Services Administration.

SD–342

10:30 a.m.

Committee on Finance

Subcommittee on Taxation and IRS Oversight

To hold hearings to examine improving tax administration today.

SD–562

11 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine modernizing apprenticeships to expand opportunities.

SD–430

2 p.m.

Select Committee on Intelligence

To receive a closed briefing regarding certain intelligence matters.

SH–219

Daily Digest

HIGHLIGHTS

Senate confirmed the nomination of Robert L. Wilkie, of North Carolina, to be Secretary of Veterans Affairs.

Senate

Chamber Action

Routine Proceedings, pages S5115–S5226

Measures Introduced: One bill and one resolution were introduced, as follows: S. 3255, and S. Res. 587. **Page S5130**

Measures Reported:

S. 612, to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City. (S. Rept. No. 115–306)

H.R. 1547, to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City. (S. Rept. No. 115–307) **Page S5130**

Measures Passed:

Department of Energy Research and Innovation Act: Senate passed H.R. 589, to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, after agreeing to the following amendment proposed thereto: **Page S5219**

Murkowski Amendment No. 3403, to strike the provisions relating to nuclear energy innovation capabilities. **Page S5219**

Department of Energy Research and Innovation Act: Senate passed S. 2503, to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, after agreeing to the following amendment proposed thereto: **Pages S5219–25**

Murkowski Amendment No. 3404, to strike the provisions relating to nuclear energy innovation capabilities. **Page S5219**

Strengthening Career and Technical Education for the 21st Century Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 2353, to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S5225**

Murkowski (for Alexander) Amendment No. 3408, in the nature of a substitute. **Page S5225**

Measures Considered:

Department of the Interior, Environment, and Related Agencies Appropriations Act—Agreement: Senate began consideration of H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, taking action on the following amendments proposed thereto: **Pages S5122–26**

Pending:

Shelby Amendment No. 3399, in the nature of a substitute. **Pages S5122–26**

Murkowski Amendment No. 3400 (to Amendment No. 3399), of a perfecting nature. **Page S5122**

A unanimous-consent agreement was reached providing that for the purpose of Rule XVI in relation to Shelby Amendment No. 3399 (listed above), Division A of H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, serve as the basis for defense of germaneness for Division A of the amendment; Division B of H.R. 6147, serve as the basis for defense of germaneness for Division B of the amendment; that H.R. 5961, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, as reported by the House Appropriations Committee, serve as the basis for defense of germaneness for Division C of the

amendment; and that H.R. 6072, making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, as reported by the House Appropriations Committee, serve as the basis for defense of germaneness for Division D of the Amendment. **Page S5122**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m., on Tuesday, July 24, 2018. **Page S5225**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to significant transnational criminal organizations that was established in Executive Order 13581 on July 24, 2011 received during adjournment of the Senate on July 20, 2018; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–46) **Page S5129**

Nomination Confirmed: Senate confirmed the following nomination:

By 86 yeas to 9 nays (Vote No. EX. 163), Robert L. Wilkie, of North Carolina, to be Secretary of Veterans Affairs. **Pages S5118–22**

Nominations Received: Senate received the following nominations:

Christopher P. Vincze, of Massachusetts, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2019.

Earl Robert Miller, of Michigan, to be Ambassador to the People's Republic of Bangladesh.

Kathe Hicks Albrecht, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2024.

Keegan F. Callanan, of Vermont, to be a Member of the National Council on the Humanities for a term expiring January 26, 2024.

David Armand DeKeyser, of Alabama, to be a Member of the National Council on the Humanities for a term expiring January 26, 2020.

Kim R. Holmes, of Virginia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2022.

Phyllis Kaminsky, of Arizona, to be a Member of the National Council on the Humanities for a term expiring January 26, 2020.

Jean M. Yarbrough, of Maine, to be a Member of the National Council on the Humanities for a term expiring January 26, 2022.

Steven Dillingham, of Virginia, to be Director of the Census for a term expiring December 31, 2021.

2 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

Routine lists in the Air Force and Army. **Pages S5225–26**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Christopher R. Sharpley, of Virginia, to be Inspector General, Central Intelligence Agency, which was sent to the Senate on September 5, 2017. **Page S5226**

Messages from the House: **Pages S5129–30**

Measures Referred: **Page S5130**

Executive Communications: **Page S5130**

Petitions and Memorials: **Page S5130**

Additional Cosponsors: **Pages S5130–32**

Statements on Introduced Bills/Resolutions: **Pages S5132–33**

Additional Statements: **Pages S5128–29**

Amendments Submitted: **Pages S5133–S5219**

Privileges of the Floor: **Page S5219**

Record Votes: One record vote was taken today. (Total—163) **Page S5122**

Adjournment: Senate convened at 3 p.m. and adjourned at 6:53 p.m., until 10 a.m. on Tuesday, July 24, 2018. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5225.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 6463–6469, 6471–6478; and 8 resolutions, H. Res. 1007–1010, 1013–1016 were introduced. **Pages H6648–49**

Additional Cosponsors: **Pages H6650–51**

Reports Filed: Reports were filed today as follows:

H.R. 6077, recognizing the National Comedy Center in Jamestown, New York (H. Rept. 115–854);

H.R. 5979, to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, and for other purposes, with an amendment (H. Rept. 115–855);

H.R. 5613, to designate the Quindaro Townsite in Kansas City, Kansas, as a National Historic Landmark, and for other purposes, with amendments (H. Rept. 115–856);

H.R. 519, to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency, with an amendment (H. Rept. 115–857);

H.R. 5954, to amend title 18, United States Code, to clarify the meaning of the terms "act of war" and "blocked asset", and for other purposes, with an amendment (H. Rept. 115–858);

H.R. 1689, to protect private property rights (H. Rept. 115–859);

H. Res. 1011, providing for consideration of the bill (H.R. 184) to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices, and providing for consideration of the bill (H.R. 6311) to amend the Internal Revenue Code of 1986 and the Patient Protection and Affordable Care Act to modify the definition of qualified health plan for purposes of the health insurance premium tax credit and to allow individuals purchasing health insurance in the individual market to purchase a lower premium copper plan (H. Rept. 115–860);

H. Res. 1012, providing for consideration of the bill (H.R. 6199) to amend the Internal Revenue Code of 1986 to include certain over-the-counter medical products as qualified medical expenses, and providing for the proceedings during the period from July 27, 2018, through September 3, 2018 (H. Rept. 115–861);

H.R. 6470, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2019, and for other purposes (H. Rept. 115–862); and Conference report on H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (H. Rept. 115–863). **Pages H6647–48**

Speaker: Read a letter from the Speaker wherein he appointed Representative Lesko to act as Speaker pro tempore for today. **Page H6591**

Recess: The House recessed at 12 noon and reconvened at 2 p.m. **Page H6591**

Suspensions: The House agreed to suspend the rules and pass the following measures:

National Suicide Hotline Improvement Act: H.R. 2345, amended, to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system, by a ⅔ yea-and-nay vote of 379 yeas to 1 nay, Roll No. 366; **Pages H6592–95, H6631–32**

Precision Agriculture Connectivity Act of 2018: H.R. 4881, amended, to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States, by a ⅔ yea-and-nay vote of 378 yeas to 4 nays, Roll No. 367; **Pages H6595–97, H6632–33**

Agreed to amend the title so as to read: "To require the Federal Communications Commission to establish a task force for reviewing the connectivity and technology needs of precision agriculture in the United States.". **Page H6633**

Preventing Illegal Radio Abuse Through Enforcement Act: H.R. 5709, amended, to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio; **Pages H6597–98**

Educating Medical Professionals and Optimizing Workforce Efficiency and Readiness Act: H.R. 3728, amended, to amend title VII of the Public Health Service Act to reauthorize certain programs relating to the health professions workforce; **Pages H6598–H6600**

Children's Hospital GME Support Reauthorization Act: H.R. 5385, amended, to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs; **Pages H6600–02**

Palliative Care and Hospice Education and Training Act: H.R. 1676, amended, to amend the Public Health Service Act to increase the number of

permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine;

Pages H6602–05

Title VIII Nursing Workforce Reauthorization Act: H.R. 959, amended, to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs; **Pages H6605–08**

Advancing Critical Connectivity Expands Service, Small Business Resources, Opportunities, Access, and Data Based on Assessed Need and Demand Act: H.R. 3994, amended, to establish the Office of Internet Connectivity and Growth;

Pages H6608–10

Private Property Rights Protection Act: H.R. 1689, to protect private property rights;

Pages H6610–16

Anti-terrorism Clarification Act of 2018: H.R. 5954, amended, to amend title 18, United States Code, to clarify the meaning of the terms ''act of war'' and ''blocked asset''; **Pages H6616–18**

Foundation of the Federal Bar Association Charter Amendments Act: H.R. 4100, to amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association; **Pages H6618–20**

Knowledgeable Innovators and Worthy Investors Act: S. 2245, to include New Zealand in the list of foreign states whose nationals are eligible for admission into the United States as E–1 and E–2 nonimmigrants if United States nationals are treated similarly by the Government of New Zealand;

Pages H6620–21

La Paz County Land Conveyance Act: H.R. 2630, amended, to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona; **Pages H6621–23**

Establishing the Adams Memorial Commission to carry out the provisions of Public Law 107–62: H.R. 1220, amended, to establish the Adams Memorial Commission to carry out the provisions of Public Law 107–62; **Pages H6623–24**

Eastern Legacy Extension Act: H.R. 3045, amended, to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail; **Pages H6624–25**

Amending the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Federal Aid in Sport Fish Restoration Act, to provide parity for United States territories and the District of Columbia, to make technical corrections to such Acts and related laws: H.R. 5875, amended, to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Federal Aid in Sport Fish Restoration Act, to provide parity for United States territories and the District of Columbia, to make technical corrections to such Acts and related laws;

Pages H6625–27

Mill Springs Battlefield National Monument Act: H.R. 5979, amended, to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System;

Pages H6627–28

National Comedy Center Recognition Act: H.R. 6077, amended, recognizing the National Comedy Center in Jamestown, New York; **Pages H6628–29**

Amending the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund: S. 2850, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund; and **Pages H6629–30**

Quindaro Townsite National Historic Landmark Act: H.R. 5613, amended, to designate the Quindaro Townsite in Kansas City, Kansas, as a National Historic Landmark; **Pages H6630–31**

Agreed to amend the title so as to read: ''To designate the Quindaro Townsite in Kansas City, Kansas, as a National Commemorative Site.''. **Page H6631**

Recess: The House recessed at 5:55 p.m. and reconvened at 6:30 p.m. **Page H6631**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13581 with respect to significant transnational criminal organizations is to continue in effect beyond July 24, 2018—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 115–142).

Page H6592

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today and appears on page H6592.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H6632 and H6632–33. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 8:52 p.m.

Committee Meetings

RESTORING ACCESS TO MEDICATION AND MODERNIZING HEALTH SAVINGS ACCOUNTS ACT OF 2018; INCREASING ACCESS TO LOWER PREMIUM PLANS AND EXPANDING HEALTH SAVINGS ACCOUNTS ACT OF 2018; PROTECT MEDICAL INNOVATION ACT OF 2017

Committee on Rules: Full Committee held a hearing on H.R. 6199, the ''Restoring Access to Medication and Modernizing Health Savings Accounts Act of 2018''; H.R. 6311, the ''Increasing Access to Lower Premium Plans and Expanding Health Savings Accounts Act of 2018''; and H.R. 184, the ''Protect Medical Innovation Act of 2017''. The Committee granted, by record vote of 8–4, a rule providing for the consideration of H.R. 184 under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the Rules Committee report accompanying the resolution shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides for the consideration of H.R. 6311 under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–83, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. The Committee granted, by record vote of 8–4, a rule providing for further consideration of H.R. 6199 under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–82 shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides that on any legislative day during the period from July 27, 2018, through September 3, 2018: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. In section 3, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2. In section 4, the rule provides that each day during the period addressed by section 2 of the resolution shall not constitute a calendar day for the purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546). In section 5, the rule provides that each day during the period addressed by section 2 of the resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII (resolutions of inquiry). Finally, in section 6, the rule provides that each day during the period addressed by section 2 of the resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII (motions to instruct conferees). Testimony was heard from Representatives Jenkins of Kansas, Paulsen, and Levin.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D785)*

H.R. 770, to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories. Signed on July 20, 2018. (Public Law 115–197)

H.R. 2061, to reauthorize the North Korean Human Rights Act of 2004. Signed on July 20, 2018. (Public Law 115–198)

S.J. Res. 60, providing for the reappointment of Barbara M. Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution. Signed on July 20, 2018. (Public Law 115–199)

H.R. 219, to correct the Swan Lake hydroelectric project survey boundary and to provide for the conveyance of the remaining tract of land within the corrected survey boundary to the State of Alaska. Signed on July 20, 2018. (Public Law 115–200)

H.R. 220, to authorize the expansion of an existing hydroelectric project. Signed on July 20, 2018. (Public Law 115–201)

COMMITTEE MEETINGS FOR TUESDAY, JULY 24, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the nominations of Dan Michael Berkovitz, of Maryland, to be a Commissioner of the Commodity Futures Trading Commission, and James E. Hubbard, of Colorado, to be Under Secretary of Agriculture for Natural Resources and Environment, 10 a.m., SR–328A.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the nominations of Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission, Michael R. Bright, of the District of Columbia, to be President, Government National Mortgage Association, and Rae Oliver, of Virginia, to be Inspector General, both of the Department of Housing and Urban Development, and Dino Falaschetti, of Montana, to be Director, Office of Financial Research, Department of the Treasury, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine the National Oceanic and Atmospheric Administration's blue economy initiative, focusing on supporting commerce in American oceans and Great Lakes, 10 a.m., SR–253.

Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold hearings to examine strengthening and empowering United States amateur athletes, focusing on moving forward with solutions, 2:30 p.m., SH–216.

Committee on Energy and Natural Resources: business meeting to consider the nominations of Teri L. Donaldson, of Texas, to be Inspector General, Karen S. Evans, of West Virginia, to be an Assistant Secretary (Cybersecurity, Energy Security and Emergency Response), Christopher Fall, of Virginia, to be Director of the Office of Science, and Daniel Simmons, of Virginia, to be an Assistant Secretary (Energy Efficiency and Renewable Energy), all of the Department of Energy; to be immediately followed by a hearing to examine factors that are impacting global oil prices, 10 a.m., SD–366.

Committee on Foreign Relations: Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, to hold hearings to examine the China challenge, focusing on economic coercion as statecraft, 2:30 p.m., SD–419.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Education and the Workforce, Subcommittee on Health, Employment, Labor, and Pensions, hearing on H.R. 4219, the "Workflex in the 21st Century Act", 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled "Examining Advertising and Marketing Practices within the Substance Use Treatment Industry", 10 a.m., 2123 Rayburn.

Subcommittee on Energy, hearing entitled "DOE Modernization: Legislation to Authorize a Pilot Project to Commercialize the Strategic Petroleum Reserve", 10:15 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, markup on H.R. 1511, the "Homeless Children and Youth Act of 2017"; H.R. 2069, the "Fostering Stable Housing Opportunities Act of 2017"; H.R. 2570, the "Mortgage Fairness Act of 2017"; H.R. 3626, the "Bank Service Company Examination Coordination Act of 2017"; H.R. 5036, the "Financial Technology Protection Act"; H.R. 5059, the "State Insurance Regulation Preservation Act"; and H.R. 6332, the "Improving Strategies to Counter Weapons Proliferation Act", 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Middle East and North Africa, hearing entitled "Egypt: Security, Human Rights, and Reform", 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, markup on H.R. 5869, the "Maritime Border Security Review Act"; H.R. 6198, the "Countering Weapons of Mass Destruction Act of 2018"; H.R. 6265, the "PreCheck is PreCheck Act of 2018"; H.R. 6374, the "FIT Act"; H.R. 6400, the "United States Ports of Entry Threat and Operational Review Act"; H.R. 6430, the "Securing the Homeland Security Supply Chain Act of 2018"; H.R. 6438, the "DHS Countering Unmanned Aircraft Systems Coordinator Act"; H.R. 6439, the "Biometric Identification Transnational Migration Alert Program Authorization Act of 2018"; H.R. 6443, the "Advancing Cybersecurity Diagnostics and Mitigation Act"; H.R. 6459, the "TSA Opportunities to Pursue Expanded Networks for Business Act"; H.R. 6461, the "TSA National Deployment Force Act"; H.R. 6447, the "Department of Homeland Security Chief Data Officer Authorization Act"; H. Res. 1005, directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to the border security policies, procedures, and activities as such relate to the interdiction of families by the U.S. Border Patrol between ports of entry, 10 a.m., HVC–210.

Subcommittee on Border and Maritime Security, hearing entitled "Boots at the Border: Examining the National Guard Deployment to the Southwest Border", 2 p.m., HVC–210.

Committee on the Judiciary, Full Committee, hearing entitled "Examining the Wayfair decision and its Ramifications for Consumers and Small Businesses", 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, hearing entitled "Assessing Innovative and Alternative Uses of Coal", 10 a.m., 1324 Longworth.

Subcommittee on Indian, Insular and Alaska Native Affairs, hearing on H.R. 5244, the "Mashpee Wampanoag Tribe Reservation Reaffirmation Act"; S. 607, the "Native American Business Incubators Program Act"; and S. 1116, the "Indian Community Economic Enhancement Act of 2018", 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Cyber-securing the Vote: Ensuring the Integrity of the U.S. Election System'', 10 a.m., 2154 Rayburn.

Subcommittee on Healthcare, Benefits and Administrative Rules; and Subcommittee on Intergovernmental Affairs, joint hearing entitled ''Shielding Sources: Safeguarding the Public's Right to Know'', 2 p.m., 2154 Rayburn.

Subcommittee on the Interior, Energy, and Environment, hearing entitled ''Preserving Opportunities for Grazing on Federal Land'', 2 p.m., 2247 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''Urban Air Mobility—Are Flying Cars Ready for Take-Off?'', 10 a.m., 2318 Rayburn.

Full Committee, markup on legislation on Improving Science in Chemical Assessments Act; and S. 141, the ''Space Weather Research and Forecasting Act'', 2 p.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Economic Growth, Tax, and Capital Access; and Subcommittee on Agriculture, Energy, and Trade, joint hearing entitled ''Investing in Rural America'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled ''Update on Coast Guard Acquisition Programs and Mission Balance and Effectiveness'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Full Committee, hearing entitled ''Assessing Whether VA is on Track to Successfully Implement Appeals Reform'', 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Human Resources, hearing entitled ''The Opioid Crisis: Implementation of the Family First Prevention Services Act (FFPSA)'', 10 a.m., 1100 Longworth.

Subcommittee on Trade, hearing entitled ''Product Exclusion Process for Section 232 Tariffs on Steel and Aluminum'', 2 p.m., 1100 Longworth.

CONGRESSIONAL PROGRAM AHEAD

Week of July 24 through July 27, 2018

Senate Chamber

On *Tuesday*, Senate will continue consideration of H.R. 6147, Interior, Environment, Financial Services, and General Government Appropriations Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: July 24, to hold hearings to examine the nominations of Dan Michael Berkovitz, of Maryland, to be a Commissioner of the Commodity Futures Trading Commission, and James E. Hubbard, of Colorado, to be Under Secretary of Agriculture for Natural Resources and Environment, 10 a.m., SR–328A.

Committee on Appropriations: July 26, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Office of the United States Trade Representative, 9:45 a.m., SD–192.

Committee on Banking, Housing, and Urban Affairs: July 24, to hold hearings to examine the nominations of Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission, Michael R. Bright, of the District of Columbia, to be President, Government National Mortgage Association, and Rae Oliver, of Virginia, to be Inspector General, both of the Department of Housing and Urban Development, and Dino Falaschetti, of Montana, to be Director, Office of Financial Research, Department of the Treasury, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: July 24, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine the National Oceanic and Atmospheric Administration's blue economy initiative, focusing on supporting commerce in American oceans and Great Lakes, 10 a.m., SR–253.

July 24, Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold hearings to examine strengthening and empowering United States amateur athletes, focusing on moving forward with solutions, 2:30 p.m., SH–216.

July 25, Full Committee, to hold hearings to examine the race to 5G, focusing on exploring spectrum needs to maintain United States global leadership, 10 a.m., SR–253.

July 25, Subcommittee on Space, Science, and Competitiveness, to hold hearings to examine destination Mars, focusing on putting American boots on the surface of the red planet, 2:15 p.m., SR–253.

July 26, Full Committee, to hold hearings to examine the nominations of Rick A. Dearborn, of Oklahoma, to be a Director of the Amtrak Board of Directors, and Martin J. Oberman, of Illinois, to be a Member of the Surface Transportation Board, 10 a.m., SR–253.

Committee on Energy and Natural Resources: July 24, business meeting to consider the nominations of Teri L. Donaldson, of Texas, to be Inspector General, Karen S. Evans, of West Virginia, to be an Assistant Secretary (Cybersecurity, Energy Security and Emergency Response), Christopher Fall, of Virginia, to be Director of the Office of Science, and Daniel Simmons, of Virginia, to be an Assistant Secretary (Energy Efficiency and Renewable Energy), all of the Department of Energy; to be immediately followed by a hearing to examine factors that are impacting global oil prices, 10 a.m., SD–366.

Committee on Finance: July 26, to hold hearings to examine the nominations of Justin George Muzinich, of New York, to be Deputy Secretary, and Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel, both of the Department of the Treasury, 9:30 a.m., SD–215.

July 26, Subcommittee on Taxation and IRS Oversight, to hold hearings to examine improving tax administration today, 10:30 a.m., SD–562.

Committee on Foreign Relations: July 24, Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, to hold hearings to examine the China challenge, focusing on economic coercion as statecraft, 2:30 p.m., SD–419.

July 25, Full Committee, to hold hearings to examine American diplomacy to advance our national security strategy, 2:30 p.m., SD–419.

July 26, Full Committee, business meeting to consider S. 1023, to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, S. 1580, to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, S. Res. 501, recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the Government of the United States to promote democracy and good governance, S. Res. 541, expressing the sense of the Senate that any United States-Saudi Arabia civilian nuclear cooperation agreement must prohibit the Kingdom of Saudi Arabia from enriching uranium or separating plutonium on its own territory, in keeping with the strongest possible nonproliferation ''gold standard'', S. Res. 571, condemning the ongoing illegal occupation of Crimea by the Russian Federation, an original bill entitled, ''Turkey International Financial Institutions Act'', the nomination of Joseph Cella, of Michigan, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu, Department of State, and routine lists in the Foreign Service, 10 a.m., S–116, Capitol.

Committee on Health, Education, Labor, and Pensions: July 25, business meeting to consider S. 2554, to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees, H.R. 1222, to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, S. 2465, to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment, S. 3016, to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and pending nominations, 10 a.m., SD–430.

July 26, Full Committee, to hold hearings to examine modernizing apprenticeships to expand opportunities, 11 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: July 26, Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine the challenges and opportunities of the proposed government reorganization on Office of Personnel Management and General Services Administration, 10 a.m., SD–342.

Select Committee on Intelligence: July 24, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

July 25, Full Committee, to hold hearings to examine the nominations of Joseph Maguire, of Florida, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence, and Ellen E. McCarthy, of Virginia, to be an Assistant Secretary of State (Intelligence and Research), 9:30 a.m., SH–216.

July 26, Full Committee, to receive a closed briefing regarding certain intelligence matters, 2 p.m., SH–219.

House Committees

Committee on Agriculture, July 25, Full Committee, hearing entitled ''Examining the Upcoming Agenda for the Commodity Futures Trading Commission'', 10 a.m., 1300 Longworth.

Committee on Appropriations, July 25, Full Committee, markup on FY 2019 Homeland Security Appropriations Bill; and the Revised Report on the Suballocation of Budget Allocations for FY 2019, 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce, July 25, Subcommittee on Health, hearing entitled ''21st Century Cures Implementation: Updates from FDA and NIH'', 9 a.m., 2123 Rayburn.

July 25, Subcommittee on Environment, hearing entitled ''Background on Renewable Identification Numbers under the Renewable Fuel Standard'', 9:15 a.m., 2322 Rayburn.

July 25, Subcommittee on Communications and Technology, hearing entitled ''Oversight of the Federal Communications Commission'', 1 p.m., 2123 Rayburn.

July 26, Subcommittee on Health, hearing entitled ''MACRA and MIPS: An Update on the Merit-based Incentive Payment System'', 10 a.m., 2123 Rayburn.

Committee on Foreign Affairs, July 25, Subcommittee on Asia and the Pacific, hearing entitled ''Budget Priorities for South Asia'', 2 p.m., 2172 Rayburn.

Committee on Homeland Security, July 25, Full Committee, markup on FY 2019 Homeland Security Appropriations Bill; and Revised Report on the Suballocation of Budget Allocations for FY 2019, 10 a.m., Location TBA.

July 25, Subcommittee on Cybersecurity and Infrastructure Protection, hearing entitled ''Assessing the State of Federal Cybersecurity Risk Determination'', 10:30 a.m., HVC–210.

Committee on House Administration, July 25, Full Committee, markup on Committee Resolution 115–20; and hearing entitled ''Oversight of the Library of Congress' Strategic Plan Part 2'', 11:15 a.m., 1310 Longworth.

Committee on Natural Resources, July 25, Full Committee, hearing entitled ''Management Crisis at the Puerto Rico Electric Power Authority and Implications for Recovery'', 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, July 25, Subcommittee on Information Technology; and Subcommittee on Government Operations, joint hearing entitled ''GAO High Risk Focus: Cybersecurity'', 2 p.m., 2154 Rayburn.

July 25, Subcommittee on Intergovernmental Affairs, hearing entitled ''Federal Grant Management'', 2 p.m., 2247 Rayburn.

July 26, Subcommittee on National Security; and Subcommittee on Government Operations, joint hearing entitled ''The Federal Trade Commission's Enforcement of Operation Chokepoint-Related Businesses'', 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, July 25, Full Committee, begin hearing entitled ''James Webb Space Telescope: Program Breach and its Implications'', 10 a.m., 2318 Rayburn.

July 26, Full Committee, continue hearing entitled ''James Webb Space Telescope: Program Breach and its Implications'', 9 a.m., 2318 Rayburn.

Committee on Small Business, July 25, Full Committee, hearing entitled ''The Tax Law's Impact on Main Street'', 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, July 25, Full Committee, markup on H.R. 1872, the ''Reciprocal Access to Tibet Act of 2017'', 10 a.m., 2141 Rayburn.

Committee on Ways and Means, July 25, Subcommittee on Social Security, hearing entitled ''Examining Changes to Social Security's Disability Appeals Process'', 10 a.m., 2020 Rayburn.

Joint Meetings

Joint Economic Committee: July 25, to hold hearings to examine the innovation economy, entrepreneurship, and barriers to capital access, 10 a.m., 1100, Longworth Building.

Joint Select Committee on Solvency of Multiemployer Pension Plans: July 25, to hold hearings to examine how the multiemployer pension system affects stakeholders, 10 a.m., SD–215.

Commission on Security and Cooperation in Europe: July 25, to receive a briefing on attacks on Roma in Ukraine, 10 a.m., SVC–214.

July 25, Full Committee, to hold hearings to examine the state of play, focusing on globalized corruption, state-run doping, and international sport, 2 p.m., SD–562.

Next Meeting of the SENATE

10 a.m., Tuesday, July 24

Senate Chamber

Program for Tuesday: Senate will continue consideration of H.R. 6147, Interior, Environment, Financial Services, and General Government Appropriations Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, July 24

House Chamber

Program for Tuesday: Consideration of H.R. 184—Protect Medical Innovation Act (Subject to a Rule). Begin consideration of H.R. 6199—Restoring Access to Medication and Modernizing Health Savings Accounts Act of 2018 (Subject to a Rule) and H.R. 6311—Increasing Access to Lower Premium Plans and Expanding Health Savings Accounts Act of 2018 (Subject to a Rule). Consideration of measures under suspension of the Rules.

Extensions of Remarks, as inserted in this issue

HOUSE

Black, Diane, Tenn., E1042, E1043
Bonamici, Suzanne, Ore., E1049
Bustos, Cheri, Ill., E1042
Coffman, Mike, Colo., E1046
Curtis, John R., Utah, E1042
Davidson, Warren, Ohio, E1041
Davis, Danny K., Ill., E1049
Frankel, Lois, Fla., E1044
Fudge, Marcia L., Ohio, E1048
Graves, Sam, Mo., E1041, E1041
Harper, Gregg, Miss., E1048
Hill, J. French, Ark., E1049
Hudson, Richard, N.C., E1043
Jackson Lee, Sheila, Tex., E1042, E1043, E1045, E1046, E1047
Jenkins, Evan H., W.Va., E1047
Keating, William R., Mass., E1044, E1045, E1048
Kuster, Ann M., N.H., E1047
LaHood, Darin, Ill., E1042
Marchant, Kenny, Tex., E1041
Pallone, Frank, Jr., N.J., E1047
Rogers, Harold, Ky., E1041
Sensenbrenner, F. James, Jr., Wisc., E1048
Sessions, Pete, Tex., E1044
Shimkus, John, Ill., E1042
Smith, Jason, Mo., E1046
Thompson, Bennie G., Miss., E1045
Thompson, Mike, Calif., E1044

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