



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, THURSDAY, SEPTEMBER 6, 2018

No. 148

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
September 6, 2018.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### HE-SAID/HE-SAID DEBATE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, I have been thinking about all the criminal investigations pointing directly at the President and his associates and the fact that, for many Americans, this has become a he-said/he-said debate.

On the one hand, you have the President saying that this is all a witch hunt: Yes, I fired Comey and ordered to derail the investigation; yes, I knew about and helped conceal the Russia

meeting; and, yes, I knew about the payments to keep people quiet.

Then there is Robert Mueller, the former FBI Director, who really hasn't said a word this whole time, but his efficient, productive, and successful investigations keep rolling right along. I guess he lets his indictments do his talking.

So in this battle of he-said/he-said, who would the oddsmakers pick? If you were a betting man or woman, a Vegas oddsmaker, or just an armchair quarterback, who would you go with?

On the one hand, we have a conservative Republican who was the second longest serving FBI Director. Only Hoover served longer. On the other hand, we have the host of a reality TV show with no political or government or military or law enforcement experience whatsoever.

Hmm, let's continue.

On the one hand, we have a Vietnam veteran with a Purple Heart and a Bronze Star. Director Mueller joined the Marines as a volunteer at the height of the Vietnam war after his high school teammate was killed in action. Mueller enlisted to honor his friend and out of a sense of duty, honor, and obligation to put oneself behind one's country as a matter of honor.

On the other hand, we have the President, who avoided military service by claiming he had bone spurs in his foot, despite ample evidence that was a lie, a complete fiction made up to serve what? His own personal interests above those of the Nation at time of war.

According to what I have read, Director Mueller was a good student at Princeton, and after earning his bachelor's and master's and after serving in Vietnam with distinction, he studied law at the University of Virginia, where he served on the Law Review, a prestigious accomplishment at any law school, let alone one of the best.

The President went to business school and inherited millions of dollars

and started a real estate business because his dad gave him the money.

Director Mueller is a courtroom expert and veteran law enforcement leader. Think about this: He was a private litigator, a prosecutor in the U.S. Attorney's Office, and started serving at the Justice Department under Attorney General Dick Thornburgh, who was Ronald Reagan's and George H.W. Bush's Attorney General.

To be sure, the President has a great deal of courtroom experience, too, but that is mostly related to depositions, civil lawsuits, and criminal cases when he sues people or threatens to sue them.

On a more personal note, Director Mueller's service as FBI Director, as you may remember, was delayed at one point because he was fighting prostate cancer, which he beat.

He is a man of integrity who married his high school sweetheart in 1966, and to the best of everyone's knowledge, it is the only marriage of either one of them.

The President, well, I am running out of time, so I won't be able to discuss his long list of marriages and affairs, which have all become quite public.

Finally, while the President characterizes the Mueller investigation as the most expensive witch hunt in history, I bet the oddsmakers would give a lot of weight to the following facts: The President's campaign chairman has been convicted; his National Security Advisor resigned and pleaded guilty; his personal attorney and long-time fixer in New York pleaded guilty on multiple counts; and people from inside The Trump Organization and inside the campaign and the White House are cooperating with prosecutors as we speak. And this was all despite the President's efforts and with the full cooperation of Republicans in Congress to prevent the truth from coming out.

There are a lot of people in this body who are staking their careers on the

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Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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President and his influence over their voters in their States or their congressional districts. Okay. You are betting on a guy who is up tweeting at 3 a.m. in the morning.

Look, I am going to bet—when I look at the main protagonist in this legal drama, I will put my money on the law enforcement veteran who, at 3 a.m. in the morning, is working on who he is going to indict next.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President of the United States.

#### RECOGNIZING UGA'S COLLEGE OF PHARMACY DEAN SVEIN OIE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. CARTER) for 5 minutes.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the University of Georgia's College of Pharmacy's dean, Svein Oie, who stepped down as dean on July 31 after 18 years.

Dean Oie's tenure led to great strides in the reach and capabilities of UGA's College of Pharmacy. Also my alma mater, Dean Oie increased the college's class size, added satellite campuses across the State, began training residents, and created the Center for Drug Discovery to develop new drugs to combat diseases that are, so far, incurable.

Although Dean Oie is stepping down as dean of the college, I am glad that he is going to continue with his teaching profession. With a shortage of healthcare professionals in the United States, his ability to train these individuals is more important than ever.

Thank you, Dean Oie, for your service to the University of Georgia, the field of pharmacy, and healthcare overall in the State of Georgia.

#### RECOGNIZING PASTOR BILL LIGON

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the work of Pastor William T. Ligon, who is retiring from the ministry after 60 years.

Pastor Ligon's dedication to the Word of God is unparalleled, taking him not only throughout the First Congressional District of Georgia, but across the globe. In the early part of his career, Pastor Ligon served as a Southern Baptist missionary in Barcelona and Valencia, Spain, where he was a professor in the Spanish Baptist Theological Seminary.

When he returned to Georgia, he founded the Christian Renewal Church in Brunswick. A testament to his abilities, Pastor Ligon's new church grew rapidly and now includes seven congregations in three different States. He has been the pastor of the Brunswick location for the past 44 years.

However, much of this would not be possible without Pastor Ligon's wife, Mrs. Dorothy Jean Ligon, whom he has been married to for 60 years.

Thank you, Pastor Ligon, for the wonderful work you have been doing in Georgia and across the world.

#### RECOGNIZING EDGAR M. EDWARDS, SR.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Edgar M. Edwards, Sr., who passed away on August 1 at the age of 92.

Known as Mr. Ed to those around him, he will be remembered for his unending passion to give all Georgia students the best possible education.

Mr. Ed began teaching at the Bradwell Institute in Hinesville in 1950, beginning a career that took him through many different perspectives in educating students. He quickly rose from teacher to principal at Bradwell Institute and was rapidly elected superintendent of the Liberty County School system, where he earned the Georgia Superintendent of the Year Award.

Even when he retired from direct involvement with students, Mr. Ed began work for an architecture company to build numerous schools throughout the State of Georgia until he was 90 years old.

Perhaps most importantly, Mr. Ed had perfect attendance for 38 straight years at Bradwell football games.

I truly believe that Mr. Ed's passion and energy to impact the lives of all students who step foot into the Liberty County School system is a model we can all learn from.

#### RECOGNIZING BOB WARNOCK

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Bob Warnock on both his 40-year anniversary practicing as a licensed pharmacist and his retirement from the field.

Mr. Warnock is a talented pharmacist who made an impact not only on countless patients, but also numerous aspiring pharmacists. He once said to future pharmacists not to "accept a diminished role. Make sure every day when you go home you can say the life of at least one patient is better because of your efforts."

I have firsthand experience with Mr. Warnock's drive to improve the lives of those around him, as he inspired me to do the same. He was one of the first people to help me when I was trying to start my small pharmacy business, and he remains a lifelong friend to this day.

Now Mr. Warnock oversees PruittHealth's entire pharmacy business, employing thousands of workers and operating in multiple States, a testament to hard work and a compassion for others. I am proud to know Bob Warnock, and I know his expertise and kindheartedness will be missed in the world of pharmacy.

#### IMPEACHMENT IS THE SOLUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, and still I rise. I am always proud to stand in the well. It is an honor to have the preeminent privilege to speak to the Nation from this point, from this very place in Congress.

Mr. Speaker, I rise today to call to the attention of the American public, the American people, an article that was printed in The New York Times yesterday. It is styled: "I Am Part of the Resistance Inside the Trump Administration."

I cannot vouch for this article, but there is one passage that I can speak of with some degree of credibility. It reads: "... we believe our first duty is to our country..."

Regardless as to what else in this article may or may not be true, this is true: Our country should come first.

I love my country, and I stand here today because I do.

It goes on to say: "and the President continues to act in a manner that is detrimental to the health of our Republic."

This is true. I think there is little debate about some aspects of the things that the President has done that are detrimental to the health of the Republic.

We know that it was detrimental to the health of the Republic for the President to say there were some nice people among the racists and bigots in Charlottesville where a person lost her life.

We know that it is detrimental to the Republic for the President to institute a policy that separates babies from their mothers and not find a way, to this day, to put them back together. We know that that is detrimental to the Republic.

But what we also know is that there are great talking points about what the President has done, great talking points about how he is harming society, great talking points about how he is unfit to be President—great talking points.

But here is the question: Where are the action items?

It is not enough to have great talking points. I hear them all the time, if you will, on various shows on television. You hear people talking about how this is not American; this is un-American—great talking points.

But at some point, we have to go from talking points to action items. At some point, we have to deal with the problem. It is not enough to identify it. We have got to also identify the solution.

There is a solution to an unfit President. I thank God for giving me this opportunity to be in Congress, and I will not let my record show that I was here, and when there was a scourge, if you will, on the country by virtue of the way the President is behaving, I will not let my record show that I didn't take advantage of this opportunity to stand in the well and denounce what this President has done.

There is a solution. Everybody knows it. And we are going to get there. But I will say this to you. We cannot allow political expediency to stand in the way of the moral imperative to remove a President who is doing things that are detrimental to the country.

This is not about Democrats. This is about democracy. It is not about Republicans. It is about the Republic. And if we are going to save this Republic, we have got to remove this President from office.

I have filed Articles of Impeachment to do so. I stand on what I have done, and I stand on this: I will not allow this to continue without a challenge. I will challenge him again. I will challenge this House. I will challenge us because this is our country that is in jeopardy, and we are doing very little to stop it. And we have the power. The Framers gave us the means.

□ 1015

It is not a question of whether there is a way. The question is, do we have the will to stand up for justice and stand up for our country?

There is one solution. Article II, Section 4 speaks to it. There will be an impeachment of this President, or at least an attempt to get him out of office by way of impeachment. I stand on it.

#### RECOGNIZING 70TH ANNIVERSARY OF FULBRIGHT COMMISSION

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, I rise today to recognize the 70th anniversary of the creation of the bilateral US-UK Fulbright Commission.

I would like to take this opportunity to honor the many exchange scholars who have crossed the Atlantic to strengthen the special relationship between the United States and the United Kingdom. In doing so, these individuals have forged a bond between our two nations, rooted in Senator Fulbright's vision at the end of the Second World War.

I quote his vision: "The vital mortar to seal the bricks of world order is education across international boundaries, not with the expectation that knowledge would make us love each other, but in the hope that it would encourage empathy between nations, and foster the emergence of leaders whose sense of other nations and cultures would enable them to shape specific policies based on tolerance and rational restraint."

The Fulbright program stands out as a symbol of collaboration and friendship between nations. It enables students and scholars of all stages of their academic careers to garner a deeper understanding of and appreciation for a culture and nation different from their own.

While much has changed since the first US-UK Fulbright exchange nearly 70 years ago, much remains the same.

As chairman of the British-American Parliamentary Group, I am proud of the broad bipartisan and bicameral support for the US-UK Fulbright Commission. The special relationship we

have with the United Kingdom has undoubtedly been further cemented by the friendships forged as succeeding generations have come to a deeper understanding of each other through academic exchange.

Important scientific discoveries have been made and Nobel Prizes won. A Fulbright scholarship has been the catalyst for great novelists and playwrights, economists, scientists, entrepreneurs, and, yes, even politicians.

Today, I invite my colleagues to commemorate this 70th anniversary of the US-UK Fulbright program by celebrating the achievements of its alumni and pledging their continued support to ensure its enduring success.

#### LIMITING GI BILL TRANSFERABILITY BREAKS PROMISE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, in June 1944, 2 weeks after the D-day landings in Normandy, President Franklin Roosevelt signed the Servicemen's Readjustment Act, more commonly known as the GI Bill. That landmark measure created both college tuition grants and a living stipend for returning servicemembers who, according to FDR, had "been compelled to make greater economic sacrifice and every other kind of sacrifice than the rest of us."

Even though World War II would rage on for another year, leaders in Washington at the time recognized that millions of drafted young soldiers, sailors, marines, and airmen would soon be returning to civilian life, and, for their sake and for the sake of the postwar economy, creating an educational pathway to the middle class made tremendous sense.

It has been 74 years since the GI Bill was signed into law, and it is now recognized as one of the most successful pieces of domestic legislation ever enacted. The postwar economic boom of the 1950s and 1960s, and the blossoming of the American middle class, both have been attributed, in part, to the GI Bill.

Many renowned Americans, including Bob Dole, Johnny Carson, Harry Belafonte, Justice William Rehnquist, and even Clint Eastwood, to name just a few, were beneficiaries of the GI Bill.

Economic studies have concluded that for every dollar the U.S. Government spent on the GI Bill, our economy saw nearly \$7 in return in the form of additional economic output and tax revenues from income growth.

Despite its stellar performance, the relative strength of the GI Bill deteriorated over time. By 2008, it was clear that the tuition assistance and living stipends had not kept pace with the rising costs of college education.

As a freshman Congressman on the House Armed Services Committee, I heard from Iraq and Afghan veterans

that, because of the GI Bill erosion, they were forced to choose between dropping out of school and shouldering the burden of student loans.

To fix this inequity, the Post-9/11 GI Bill was passed by a Democratic Congress on a bipartisan basis and signed into law by a Republican President, George W. Bush. And I want to actually take a moment to publicly acknowledge that the late Senator John McCain was deeply involved in the final negotiations that made that passage and enactment successful.

The updated law increased benefits to match the cost of 4-year public university tuition in a servicemember's home State and increased the living stipend to keep faith with the law. Critically, it also allowed GI benefits to be transferred on a one-time basis to a spouse or dependent child, a groundbreaking change that transformed the value of military service.

After the bill signing, I flew to Iraq on a congressional visit and vividly recall being in Baghdad surrounded by hundreds of soldiers bursting with questions about when and how this feature would be implemented.

Over the last 10 years, it has been clear that the transferability of the GI Bill benefit has been an enormous morale booster and a valuable incentive to enlist and remain in service.

Despite the 10 years of success of the new law, however, the Trump Department of Defense announced a new policy this past July 12 that would bar servicemembers with more than 16 years of service from transferring their Post-9/11 GI Bill benefits to eligible family members.

Mr. Speaker, I just want to say, as someone who represents a military district, in the August break when I was home visiting the submarine base in New London and talking to Guard and Reserve members, they were absolutely blindsided, stunned, and angry at this arbitrary change that many of them had built their career decisions about staying in the military to basically qualify for this educational benefit.

The Iraq and Afghan Veterans of America have started a national petition drive to reverse this policy change. Really, it is our duty, as Members of Congress, to make sure that that is successful.

Arbitrarily revoking transferability breaks our commitment to our most dedicated and highly trained servicemembers. Such a policy change sends exactly the wrong message to those who have chosen the military as their long-term career, and sets a damaging and dangerous precedent for the removal of other critical benefits to our all-volunteer force.

Two weeks after the Pentagon announced this policy, 83 of my colleagues joined me in a letter that we sent to Secretary of Defense James Mattis, objecting to this change and calling for its immediate reversal. So far, they have not given a single public explanation for this policy change, and

they are promising that that is coming.

But I will just say this: As someone who was involved when this bill was first passed, we will make sure there will be a legislative response if the Department of Defense does not keep faith with those who wear the uniform of this country and who have volunteered based on reliance of the fact that there would be a GI Bill benefit for them and their spouse and children.

To use FDR's words, protecting transferability "gives emphatic notice to the men and women in our Armed Forces that the American people do not intend to let them down."

#### SUPPORT OIL REGION NATIONAL HERITAGE AREA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, northwest Pennsylvania has a rich history and vibrant, diverse economy. Its winding trails, beautiful landscapes, recreational and educational opportunities, and thriving communities make Venango and Crawford Counties especially captivating places to live, to work, and to visit.

Many of these attractions are centered around one common theme, the world's first commercial oil well. Colonel Drake successfully drilled this well in 1859, triggering the first oil boom and establishing the oil region as "the valley that changed the world."

His efforts not only made northwestern Pennsylvania the energy powerhouse that it is today, but it also sparked a cultural revolution that came as a result of the booming economy.

We are tremendously proud of our history and heritage in northwest Pennsylvania. We still celebrate these communities that bloomed from Colonel Drake's innovative idea today, and Drake Well continues to have a tangible impact on the area's economy.

In 2004, Congress designated the region as a national heritage area. There are only 49 of these areas across the country that are designated as places where natural, cultural, and historic resources combine to form a cohesive, nationally important landscape.

The Oil Region National Heritage Area was the Nation's 25th national heritage area, and it celebrates the birth of the petroleum industry.

The region is honored to have this important designation, but without action, it will sunset next year. That is why I introduced the Oil Region National Heritage Area Reauthorization Act.

The heritage area's coordinating entity, the Oil Region Alliance of Business, Industry, and Tourism, has taken a grassroots, community-driven approach to heritage, conservation, and economic development.

Through public-private partnerships, national heritage area entities support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects. These partnerships foster pride of place and an enduring stewardship ethic.

The Oil Region Alliance focuses on heritage development, economic development, and tourism destination marketing. All three of these areas have been successful, and, from 2005 to 2015, the ORA has been able to invest more than \$6.8 million in heritage development projects, invest more than \$6.7 million in economic development activities, and attract nearly 240,000 visitors annually. They have done an excellent job using innovative methods to stimulate the local economy, using a mixture of both Federal and private funds.

Last month, I was with my colleague Congressman MIKE KELLY at the home of the legendary investigative journalist Ida Tarbell. Born in Pennsylvania at the onset of the oil boom, Tarbell is best known for her 1904 book, "The History of the Standard Oil Company."

The ORA recently completed a full restoration of Ms. Tarbell's home, ensuring that it would be preserved for generations to come.

Congressman KELLY and I announced the Oil Region National Heritage Area Reauthorization Act at the Tarbell House as an example of why this designation is important. Our bill would extend Federal funding authorization of our heritage area through 2026.

Extending this funding is crucial for the ORA to continue its mission of preserving the Oil Region's history, stimulating the local economy, and allowing others to appreciate the beauty and the culture of Venango and Crawford Counties.

The ORA's efforts give us the ability to appreciate the rich history of northwestern Pennsylvania and understand the impact that our communities have had on American culture today. While the Tarbell home restoration is just one of the ORA's projects, they have completed countless other projects to support our communities, educate the public, and help local businesses grow and thrive.

I urge my colleagues to cosponsor this legislation, which will directly impact northwestern Pennsylvanians and preserve our rich heritage for all Americans.

#### PAYING CONGRESSIONAL INTERNS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Ms. BONAMICI) for 5 minutes.

Ms. BONAMICI. Mr. Speaker, I rise today in support of the congressional interns who serve in our offices here in Washington, D.C., in my State of Oregon, and around the country, and to ask all my colleagues to make internship opportunities available to more qualified applicants by paying interns for their work.

Congressional internships are highly desirable. They provide students and recent graduates with valuable experience, learning firsthand how Congress and how our government works.

Many current staff members and, in fact, many Members of Congress started their careers as congressional interns and were able to use the skills they learned and the connections they made to leverage future opportunities.

The reality is, however, that most young people do not have the option of coming to work on Capitol Hill as an intern because most internships are still unpaid. Many bright and motivated people simply cannot afford to take an unpaid internship, no matter how prestigious it might be, because they need to earn money to continue paying for college or to support themselves or their families.

No one who is qualified who wants to intern on Capitol Hill should be precluded because of financial barriers.

I am proud that I offer paid internships in my office, so students and recent graduates have an opportunity to work and learn and gain experience.

But paying interns doesn't just help them. It helps us, too. My staff and I benefit greatly from having interns from all backgrounds and all walks of life working in our office. The diversity of perspectives is critical as I consider legislation and think about how to best serve my constituents who are also from diverse backgrounds and all walks of life.

Many of my colleagues understand the importance of equitable intern opportunities and, through the leadership of Representative TIM RYAN and others, are working to increase funding and cut red tape so that all our offices will be able to offer and support paid internships.

□ 1030

Capitol Hill is best served when our offices reflect the diversity of our districts and our country.

I will continue to work with my colleagues to make sure that all qualified applicants can apply for internships and serve as interns regardless of their financial situation. It helps our offices, it helps the interns, and it helps the country.

#### TAX REFORM 2.0

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. ARRINGTON) for 5 minutes.

Mr. ARRINGTON. Mr. Speaker, in the short time since we have passed historic tax relief for the American people, we have already seen tremendous results.

By putting in place pro-growth, free market policies, we have unleashed a booming economy with higher wages and more job opportunities. With over 6 million job openings, the unemployment rate at an 18-year low and small business optimism at a 34-year high, our country's economic future looks as bright as it has ever been.

And thanks to tax cuts, 90 percent of Americans have seen an increase in take-home pay, with a family of four in my district keeping about \$2,000 a year.

Now, some people call that crumbs, people, I think, that are disconnected to working families and middle-income families, people who want to raise your taxes because they think Washington knows best when it comes to spending your money. They want to prop up failed government-controlled, top-down healthcare systems that have failed.

West Texans know better than this, and they know that this is real cash in their pockets that will allow them to invest more in their future and in their family's future.

The bottom line is this: tax reform is paying off in a big way for our families all across this great land; companies are giving bonuses, increasing benefits, and hiring new employees and providing workers with new opportunities, and most importantly, we are seeing optimism, optimism spread throughout this great land.

In fact, tax reform has been so successful, that we want to keep building on it and keep the momentum going. That is why I am proud to support Tax Reform 2.0. I want to thank my friend and fellow Texan, chairman of the House Ways and Means Committee, KEVIN BRADY, for leading the charge.

The central point of Tax Reform 2.0 is making tax relief for lower and middle income families and small businesses permanent.

In the first round of tax reform, we cut taxes for individual and small business owners, doubled the standard deduction and doubled the child tax credit. However, under current law, these provisions and others are set to expire in 2025.

We don't need to wait until the last minute to prevent Americans' taxes from going up. We can make tax relief permanent now, and that is where Tax Reform 2.0 comes in.

According to the nonpartisan Tax Foundation, making this tax relief permanent will grow the GDP by another 2.2 percent, boost wages, and create over a million new jobs; this, on top, again, of the significant gains we have seen and experienced from the Tax Cuts and Jobs Act.

Making tax cuts permanent would also allow Americans to plan more confidently for their future, whether that is putting more money away for their kids' colleges or setting more money aside for their retirement or a rainy day fund.

A recent survey found that nearly 80 percent of Americans live paycheck to paycheck and 60 percent of Americans say they couldn't afford a \$500 emergency. Remember, the folks in my district are keeping \$2,000 a year because of the recent tax reform. Sixty percent of Americans say \$500 would put them in a real bind.

Making tax relief permanent is an essential opportunity for us, giving Americans the certainty that they de-

serve in making their financial decisions, and we in Congress can provide that certainty by delivering on Tax Reform 2.0.

Mr. Speaker, currently our economy is growing at a record pace, and we need to keep the policies in place that allow job creators and businessowners of all kinds to keep their foot on the pedal.

Our job creators are always thinking of ways they can be more innovative and competitive, and we in Congress would do well to have that same mentality. We must be proactive and constantly be revisiting our Tax Code and finding ways to improve it, to modernize it so we don't fall behind our foreign competitors.

In order to encourage and reward the risk-taking, the invention, the entrepreneurship that has characterized the great American economy, Tax Reform 2.0 also expands on expensing for startup companies. By allowing new businesses to write off more of their initial costs, we can spur innovation and more job creation new businesses bring to this country and allow us to maintain our position as the economic envy of the world.

Mr. Speaker, the first round of tax reform reflects the timeless truth that the American people know best how to spend their hard-earned money, better than politicians, better than government bureaucrats in Washington, D.C. By cutting the amount that government takes out of people's paychecks, people have more freedom and they have more resources to invest in their families, in their community, and in our economy.

Tax Reform 2.0 would keep our economy growing and ensure America retains our entrepreneurial edge that has made us a magnet for innovation and the most prosperous, the most powerful, and the most generous country in all the world.

Mr. Speaker, I am proud to support Tax Reform 2.0 and I encourage my colleagues to do so.

#### DETROIT PUBLIC SCHOOLS DRINKING WATER SHUTOFF

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Michigan (Mrs. LAWRENCE) for 5 minutes.

Mrs. LAWRENCE. Mr. Speaker, I rise to address the extremely serious and ongoing issue of safe drinking water in our schools.

This week in my hometown of Detroit, the Detroit Public Schools began the year without safe and clean drinking water. The superintendent chose to shut the water off to the entire school district after 16 of the schools tested positive for elevated levels of lead and copper.

What should have been an exciting first day of school was overshadowed by the fears of lead poisoning and unsanitary learning conditions.

This, unfortunately, is no surprise. We have seen this happen all over the

country, where schools put bags over their drinking fountains because they are not safe for the children to consume the water.

This is a consequence of years of neglecting our Nation's infrastructure. For years, I have spoken out against the severe funding decrease in our infrastructure and our public schools. For too long we have kicked the can down the road and ignored this critical issue of safe drinking water in America.

Deliberately not funding necessary and long overdue upgrades for our water infrastructure hurts women, children, and especially the poor and people of color.

We cannot repeat the Flint water crisis, and we must learn from our mistakes. This situation demands a sense of urgency and should be handled in a timely manner.

As adults, we are responsible for protecting our children. We are the ones who must make the right decisions. This is not a partisan issue, but a public health issue.

The Detroit Public Schools and the Detroit children, every day they work hard to face the challenges to simply obtain an excellent education.

We need to address the immediate health concerns. And we need resources to protect our children from future harm.

Every child must be tested. I appreciate and applaud the superintendent's positive response to this emergency. I urge the school district and the city to use whatever resources are immediately available to test these children for lead poisoning. We need to know how widespread this situation is. The tests will help us understand how much damage our children have been exposed to.

Children covered by Medicare are already required to receive blood lead screening tests. I will work with the city and the State to see how we can get every child in Detroit tested.

Without adequate resources and access to information, we stand to fail our children. This is unacceptable.

We also learned from Flint that professionals, not politicians, should be making health decisions. That is why I introduced H.R. 1909, the Environmental Health Workforce Act.

Only 28 States require the environmental health workforce to be credentialed. And unfortunately, Michigan is not one of those States. This legislation I am proposing will ensure every State has a credentialed workforce.

We would not go to a doctor who did not have an MD. Why would we let someone who is making decisions about our water quality and food do it without proper qualifications.

These emergencies show us that we cannot keep relying on a patchwork of quick fixes. We don't know how many children are in danger until every child is tested. We need to truly invest in long-term solutions.

As I continue monitoring this situation, I will continue pursuing the issue until we have solutions and funding on a Federal level to protect our children.

Water is not a luxury, it is a necessity for life. And the least of ours, our children, should not be put in danger.

#### RECOGNIZING BRIDLE PATH ELEMENTARY SCHOOL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize a school in Montgomery County, Pennsylvania, that has played a critical role in molding the lives of countless young citizens.

Bridle Path Elementary, located in Lansdale, is part of the North Penn School District. The staff at this school understands that the elementary age group encompasses some of the most formative years of a child's life. As such, Bridle Path provides a myriad of opportunities for students to grow, thrive, and explore their interests.

One area in which Bridle Path consistently shines is in the area of music education. Just last year, Bridle Path Elementary School Chorus, under the leadership of band director Michael Klenk, won the 101.1 FM's ninth annual Christmas Choir Competition.

From my experience with this community, I have witnessed their warmth and their dedication to helping each other, and I applaud the work of Principal Heather Mann and her dedicated team of educators and staff, and I wish them continued success.

#### RECOGNIZING PEBBLE HILL CHURCH

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize a house of worship in Bucks County, Pennsylvania, that last month celebrated its 50th anniversary.

Pebble Hill Church in Doylestown was founded in 1968. In its first decade, the church became known for its fierce advocacy for peace and its willingness to show independence from conventional norms.

In 1983, the Reverend Gary Culp joined the congregation, quickly cementing the church's reputation of community service and mutual understanding.

Each year, Pebble Hill Church honors an individual with the Harold and Alma Able Peace Award. This year's winner was Janet Berkowitz for her work with the organization Suicide Anonymous. September, Mr. Speaker, is Suicide Prevention Month, and I commend Pebble Hill for recognizing Janet and for her work in shining a light on the plight of mental illness.

I applaud the entire Pebble Hill Church family for their sustained commitment to making our world brighter and more peaceful. I wish the current celebration coordinator, the Reverend Larry Hall, and all dedicated members

of the staff, volunteers, and worshippers continued success for years to come.

#### HONORING THE MEMORY OF RICHARD STRICKER

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor the memory of a community icon in Montgomery County, Pennsylvania.

Richard Stricker, who passed away in late 2015, spent decades dedicated to public service. A former council member who served on the Lansdale Cemetery Board of Directors for over 50 years, Richard was a fixture in Lansdale.

He was fittingly recognized on this year's Founders Day, receiving the Lansdale Borough's Lifetime Achievement Award. Throughout his storied career as a small businessman and a contractor and a politician, and as a driving force in the revitalization of the Lansdale Cemetery, Richard always treated all of his fellow citizens with kindness and with respect.

Said Lansdale Historic Society officer Dick Shearer, you would be "hard-pressed to find someone who gave as much to Lansdale as he did."

I am proud to honor Richard Stricker for a lifetime of service, and would like to thank the Lansdale Borough Council and Councilwoman Mary Fuller and all of the ceremony attendees for their work in honoring the life of this fine citizen.

□ 1045

#### SHAWKAN AND FREEDOM OF THE PRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. CICILLINE) for 5 minutes.

Mr. CICILLINE. Mr. Speaker, I rise today to speak out in support of international press freedom and to highlight, in particular, two egregious cases of government assaults on the rights of journalists.

This Saturday, a court in Egypt will decide whether to execute an award-winning photojournalist for doing his job. While in Myanmar, formerly known as Burma, the Nobel Prize-winning former political prisoner, Aung San Suu Kyi, has overseen the imprisonment and sentencing of two Reuters reporters who were attempting to shed light on the atrocities committed by the Burmese military against the Rohingya minority.

In Egypt, Mahmoud Abou Zeid, who is known professionally as Shawkan, was taken into custody along with two other journalists while photographing the violent dispersal of a protest in Rabaa Square on August 14, 2013. The other journalists were foreign nationals and were released within hours, while Shawkan, an Egyptian, has been abused and beaten, denied his freedom, due process, and adequate medical treatment ever since—simply for doing his job.

In 2016, the U.N. Human Rights Council Working Group on Arbitrary Deten-

tion issued a report on his case, calling his detention "arbitrary" and recommending that he be released immediately.

Shawkan received the 2018 UNESCO Freedom Prize and has been recognized by press freedom organizations worldwide for his outstanding contributions to the profession in the face of danger.

In July, I sent a letter to President Sisi of Egypt urging him to support the immediate release of Shawkan or, at the very least, to support an individual trial instead of the mass trial that serves as a basis of his detention so that evidence specific to his case can be heard and considered. The Egyptian Government has not responded to this letter, and they are planning to sentence Shawkan as early as this weekend.

Unfortunately, Egypt is not alone in its harassment and imprisonment of members of the press. Just this week a Burmese court sentenced Wa Lone and Kyaw Soe Oo, reporters working for Reuters, to 7 years in prison following their arrest while reporting on the mass killing of 10 Rohingya Muslim men in the village of Inn Din, Rakhine State, last September.

This decision is a significant step backward in Burma's transition to democracy and reflects poorly on the Aung San Suu Kyi government's commitment to those same democratic ideals for which he was punished not so long ago.

The freedom to express oneself is a fundamental right enshrined in the Universal Declaration of Human Rights. The freedom of the press and the public's right to information are paramount to the success of a democracy. The censorship and degradation of the press is among the most effective tools for oppression and control.

Thomas Jefferson captured this sentiment when he said, and I paraphrase, if forced to choose, he would prefer newspapers without a government rather than a government without newspapers.

Today, authoritarian rule has targeted members of the press in order to stifle dissent and maintain power. According to Freedom House, only 13 percent of the world's population enjoys a free press. Global press freedom has declined to its lowest point since 2013 amid unprecedented threats to journalists in major democracies and attempts by authoritarian states to control the media, even beyond their borders.

We are witnessing a new era in press suppression as even politicians in democracies attempt to shape news coverage by undermining traditional media outlets, exerting influence over public broadcasters, and favoring friendly private outlets.

Unfortunately, the current President of the United States has led the charge against the press with nearly daily tirades against the media, branding them as the enemy of the state and rejecting the news media's role in holding public servants accountable. Just

yesterday, President Trump suggested he would like to change libel laws in order to prevent negative news stories about himself, a tactic more suited to Russian or Iranian leadership than the world's greatest democracy.

And let there be no doubt that leaders around the world take note of the President's attacks on the press. They know that the Trump administration has no interest in lecturing them about their human rights abuses and no leg to stand on if it did.

So the Egyptians and Burmas of the world will continue to ignore national norms while the Trump administration looks the other way or worse. That is why, as Members of Congress, it is absolutely imperative that we remind the world that, no matter what the President says, we have not forgotten our values, those universal values that apply to every man, woman, and child. We must remain vigilant and defend against even the smallest attacks on the free and independent press, because the loss of this freedom creeps slowly like a cancer on our democracy.

I urge the Governments of Egypt and Burma to do the right thing and end their attacks on the media and release Shawkan, Wa Lone, Kyaw Soe Oo, and all other political prisoners. I will continue to use my voice to advocate for them and the hundreds of other journalists around the world whose freedoms are at risk because of their work and because of what they do every day, and I hope my friends on both sides of the aisle will join me in this effort.

#### HONORING UNITED STATES NAVY CHIEF PETTY OFFICERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. RUTHERFORD) for 5 minutes.

Mr. RUTHERFORD. Mr. Speaker, I rise today to honor our United States Navy's chief petty officers and their families and loved ones who are gathering today at the Jacksonville Veterans Memorial Arena and Wall for CPO Pride Day. This annual event celebrating their service is held in different regions across the country, and I can tell you, it holds significance for me.

Mr. Speaker, my father, James A. Rutherford, was a young sailor who was deployed abroad on the USS *Waccamaw* the day I was born in September of 1952. He proudly worked his way through the ranks to later attain the position of chief petty officer.

Like so many military families both then and now, my father and other CPOs sacrificed a great deal to defend our freedoms.

Mr. Speaker, chief petty officers are the backbone of the Navy, responsible for training junior officers. They lead a division of sailors and petty officers and inspire them to be part of something bigger than themselves.

North Florida is incredibly proud to be home to so many sailors and their

families, and our community gratefully celebrates chief petty officers today, for we owe them a debt of gratitude that can never be repaid.

Congratulations and best wishes to them on this CPO Pride Day.

#### CONCERN OVER LEADERSHIP

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ESPAILLAT) for 5 minutes.

Mr. ESPAILLAT. Mr. Speaker, I rise today to express my deep concerns over the leadership coming from our Nation's White House.

Mr. Speaker, I would like to quote the words of a White House staff member that was recently published by The New York Times in an op-ed:

The dilemma—which the President does not fully grasp—is that many of the senior officials in his own administration are working diligently from within to frustrate parts of his agenda and his worst inclinations.

This comes directly from a staffer at the Trump White House.

It is scary to think that the policies that have come out of the White House already publicly aren't even the President's worst inclinations.

It is scary to think that separating children from their mothers, as young as 9 months old, is not the President's worst inclination.

It is scary to think that the rhetoric being launched at immigrants, hateful rhetoric launched against immigrants from all parts of the world—this is a nation of immigrants—that that is not part of the President's worst inclination.

It is scary to think that arming teachers not with a book, not with a laptop, but with weapons is not the President's worst inclination.

There is a quiet resistance within the administration of people choosing to put country first. That is what the staff member said in that op-ed. People before party. Country before party.

That is what the staff member has said in this op-ed, and I stand here today to say to my Republican colleagues: Where are you? Will you put country before party?

Where is your courage to do what is right? Will you put country before party?

Where is your courage to hold the President accountable, to exercise the checks and balances that are given to us by the Constitution?

Trump's circle of chaos runs deep within the administration. To my colleagues: Where are you?

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

#### HONORING KENNEWICK POLICE CHIEF KENNETH HOHENBERG FOR 40 YEARS OF SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Washington (Mr. NEWHOUSE) for 5 minutes.

Mr. NEWHOUSE. Mr. Speaker, I rise today to honor Kennewick Police Chief Kenneth Hohenberg for 40 years of service to the Kennewick Police Department.

Chief Hohenberg began his career as an officer at age 22, making him the city's longest serving employee. He rose quickly through the ranks. He served on patrol, both as a motorcycle cop and a DARE officer, a sergeant, a lieutenant, and then captain. He attended the FBI National Academy, an honor few police officers receive, and was named chief in 2003.

Not only is Chief Hohenberg one of the most respected police chiefs in the State, but he is also a widely admired member of our community. He has been named Benton-Franklin United Way Volunteer of the Year, Kennewick Man of the Year, and Tri-Citizen of the Year.

In central Washington, we know him as a man who is constantly looking for opportunities to help and always willing to serve in and out of the police department.

I ask my colleagues to join me in thanking Chief Ken Hohenberg for his tremendous service to the city of Kennewick and to Washington's Fourth Congressional District.

#### CONGRATULATING ROWDY BARRY

Mr. NEWHOUSE. Mr. Speaker, I rise today to congratulate Rowdy Barry, Kennewick's own professional bullfighter, on a successful 33-year career.

Rowdy grew up around rodeos and has been bullfighting rodeos of all sizes since he was 18 years old. Putting himself between bulls and bull riders requires a true dedication to the sport. Rowdy sacrificed his time, as well as several injuries and broken bones, to keep riders safe and to provide a few additional laughs for the audience. On September 15, Rowdy will be hanging up his bullfighting hat for good at the Othello Rodeo.

Earlier this year, he was inducted into both the Kennewick Rodeo and Omak Stampede Halls of Fame. The Walla Walla Frontier Days posters honored him with some of his own artwork.

Mr. Speaker, I urge my colleagues to join me in congratulating Rowdy on a career that will not be forgotten in central Washington. I wish him the best in his future.

#### CONGRATULATING JAMES WEBB

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize James Webb, a Yakima native, for receiving the prestigious Louis H. Bauer Founders Award by the Aerospace Medical Association this year.

It is not every day that a man born and raised in central Washington is awarded the Aerospace Medical Association's highest honor, and Mr. Webb deserves it.

After graduating from the University of Washington, James joined the

United States Air Force, where he completed 175 combat missions and received the Distinguished Flying Cross as well as several other awards.

James was inspired to research altitude decompression sickness, finding solutions to help astronauts and pilots across the country and around the world.

Before receiving the Founders Award, James won five other awards from the association and also served as president.

Mr. Speaker, I thank James Webb for his contributions to aerospace medicine. I urge my colleagues to join me in congratulating him on this award.

#### RECESS

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

Accordingly (at 10 o'clock and 57 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

#### PRAYER

Reverend Alexander Breckinridge IV, St. Thomas Episcopal Church, Medina, Washington, offered the following prayer:

God of love and mercy, the fountain of all wisdom, whose will is gracious and whose law is truth, fill the people of this Nation with a zeal for justice and hearts for mercy that we might each walk humbly before You all the days of our lives.

In times of prosperity, may we be filled with gratitude and thanksgiving, and in the day of trouble, let not our trust in You fail.

Grant that the Members of this House assembled may be guided by Your will to enact only such laws as are pleasing in Your sight to the glory of Your name and the well-being of our Nation and all the world; and let our words spoken here be charitable and patient and kind, that they may be a reflection of Your tender love for all Your people.

All these things we pray in Your most holy name.

Amen.

#### THE JOURNAL

The SPEAKER. 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. Will the gentlewoman from Hawaii (Ms. GABBARD)

come forward and lead the House in the Pledge of Allegiance.

Ms. GABBARD 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.

#### WELCOMING REVEREND ALEXANDER BRECKINRIDGE IV

The SPEAKER. Without objection, the gentlewoman from Washington (Ms. DELBENE) is recognized for 1 minute.

There was no objection.

Ms. DELBENE. Mr. Speaker, I rise today to recognize the Reverend Alexander, or Lex, Breckinridge, and to thank him for offering this morning's prayer. Father Lex serves as the rector of St. Thomas Episcopal Church in my hometown of Medina, Washington.

He always felt the call to ordained ministry in the church, but it took him awhile getting there. He was born in West Virginia. He went on to school in New Hampshire and North Carolina, and practiced law in New Orleans before attending a seminary in Austin, Texas. After serving the church in Austin, he found his way to the great Northwest and to our community.

Reverend Breckinridge is joined today by his wife, Zonnie. They have three children and have enriched the Medina community for 9 years. We value his service and appreciate his leadership and guidance that continues to impact so many lives. We appreciate him flying across the country to be with us today.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FRANCIS ROONEY of Florida). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

#### NEVER FORGET SEPTEMBER THE 11TH

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

Mr. WILSON of South Carolina. Mr. Speaker, next Tuesday is the tragic 17th anniversary of the terrorist attack by radical Islamic jihadists who sought to destroy our freedoms on September the 11th, 2001.

The memories of the 3,000 innocent civilians who were killed at the Pentagon, the World Trade Center, and in rural Shanksville, Pennsylvania, will never be forgotten. We are reminded of the incredible heroes of that day, the selfless commitment of so many first responders helping their neighbors, co-workers, or complete strangers, with the leadership of President George W. Bush.

Since that fateful day, our Armed Forces have courageously fought to

prevent another tragedy by eliminating safe havens overseas. These servicemembers and their families who have paid the ultimate sacrifice deserve our eternal gratitude.

Unfortunately, the global war on terrorism is generational, as Islamic terrorists continue to barbarically murder civilians, killing people of Islamic faith first, in their attempt to establish safe havens to plot mass murder in America, as were the acts of 9/11. Today, I am grateful that President Donald Trump is rebuilding the military to protect American families.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### NEW TARIFFS RESULT IN HIGHER PRODUCT COSTS

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, the White House's proposed list of new tariffs includes headwear, hats, and headgear. If a 25 percent tariff on these products were imposed, New Era Cap, the largest headwear company in the United States and based in my district, would be hurt.

Based in Buffalo, New Era employs 800 people in 19 States. New Era supplies official headwear for the National Football League, the National Basketball Association, and Major League Baseball.

Mr. President, you can't tariff your way to economic growth. A tariff is a tax levied by a government on imported goods by placing taxes on foreign component parts. These products become more expensive for American consumers. The imposition of these tariffs are a race to the bottom and will result in higher product costs for all Americans.

#### PROSTATE CANCER AWARENESS MONTH

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, today I want to take a moment to talk about something very dear and near to my heart.

This year, over 160,000 men will be diagnosed with prostate cancer in the United States. That is one man every 3.2 minutes.

Many of my colleagues here today may not know this, but 3 years ago, I was one of those men. Fortunately, the cancer was caught early, and I was able to survive the diagnosis. Unfortunately, and it pains me to say this, this is not the case for roughly 30,000 men every year.

Mr. Speaker, the month of September is National Prostate Cancer Awareness Month, and we need to talk about this. It is the most common cancer among American men, and over 12,000 will be diagnosed this year in just Texas alone.

Education and early detection is critical to stopping prostate cancer in its tracks, and, therefore, we need to better educate our fathers, brothers, sons, and friends. All men are at risk, and as a survivor, I encourage the men of Texas District 25 to participate in regular screenings. Together, we can beat prostate cancer.

In God we trust.

#### TEXAS ACA LAWSUIT

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, yesterday, Texas Attorney General Ken Paxton and more than a dozen Republican attorneys general began their case in a Texas Federal court arguing that the Affordable Care Act's preexisting protection is unconstitutional.

According to the Department of Health and Human Services, nearly 130 million adults under age 65 have preexisting conditions. Prohibiting health insurance providers from denying coverage to Americans with preexisting conditions remains one of the most popular parts of the Affordable Care Act.

If the court were to strike that part of the law, thousands of American families would be denied coverage or go broke because of the unaffordable health costs. We can't roll back the clock.

I am shocked it is my home State taking the lead on this divisive issue when Texas still has the highest number of uninsured individuals in the Nation. What is more frustrating is Mr. Paxton stated in court briefs that States challenging the ACA should be able to eliminate protections if the judge does not decide to strike the law entirely.

People need certainty in their healthcare, not politics.

#### RECOGNIZING 200TH ANNIVERSARY OF CLEARFIELD PRESBYTERIAN CHURCH

(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, I rise today to congratulate the Clearfield Presbyterian Church on its 200th anniversary.

First organized in 1818, groups of worshippers met in private homes and places of public gatherings. That same year, Hugh Jordan and Archibald Shaw were ordained and installed as ruling elders. In 1825, the Reverend Gary Bishop was called to be a pastor of the church, and he served from 1826 to 1834.

The first church was erected in 1841, but it was removed in 1867 to build the new stone church. It was dedicated in 1869, and the cost exceeded \$41,000. The church was known for its 150-foot steeple, which was the highest in the community.

This Sunday, September 9, the church will celebrate two centuries of delivering the good news of Jesus Christ to members of its congregation, both near and far.

Mr. Speaker, generations of Pennsylvanians have gathered in this beautiful church to hear the Word of the Lord. On this special occasion, I both congratulate and pray for the Clearfield Presbyterian Church, its leaders, and the entire congregation, both past and present.

#### ATROCITIES COMMITTED AGAINST CIVILIANS IN YEMEN

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, for too long, the United States has turned a blind eye to the atrocities being committed against civilians in Yemen by the Saudi-U.S. coalition.

Just last month, the Saudi-led coalition dropped a U.S.-made bomb in a devastating attack on a schoolbus that killed 40 children, just the latest in the long string of horrors in this genocidal war that has killed tens of thousands of Yemeni civilians with bombs and mass starvation, creating the worst humanitarian crisis in the world. Yet today, in Yemen, our military continues to wage this interventionist war alongside Saudi Arabia, unauthorized by Congress.

The time for crocodile tears and baseless platitudes is over. Enough is enough. The U.S. must end its support for Saudi Arabia and stop waging interventionist wars that increase destruction, death, and suffering around the world, drain our resources here at home, and threaten our own national security.

#### HONORING FIRE CHIEF MICHAEL REESE

(Mr. SMUCKER asked and was given permission to address the House for 1 minute.)

Mr. SMUCKER. Mr. Speaker, it is with a heavy heart that I rise today to honor and remember a dedicated public servant in our community who just passed away 2 weeks ago today at the young age of 53—Willow Street Fire Chief Michael Reese.

Chief Reese's career as a firefighter, which spanned four decades and began when he was a teenager, stands out in our community as one of service, pride, and bravery. His loss is a tremendous loss to our community as well as his fellow firefighters. President Bob Kiesel said recently in a statement, and he said it best: "Chief Reese's life was dedicated to helping others."

In addition to his 39 years as a firefighter and EMT, Chief Reese spent 17 years as an emergency dispatcher and assistant supervisor with the Lancaster County-Wide Communications. Chief Reese focused his entire career on serving others, on making our commu-

nity a safer place, and on saving the lives of those he was charged with protecting.

Michael served alongside his brother, David, who is the deputy fire chief in Willow Street. David and all the firefighters in Willow Street and across central Pennsylvania will carry Michael's spirit with them for the rest of their lives.

I am extraordinarily grateful for his service. We owe a debt of gratitude to Chief Reese, his wife, Susan, and to his entire family. His memory will not soon be forgotten.

#### STUDENTS RETURNING TO SCHOOL IN THE VIRGIN ISLANDS

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, 1 year ago today, Hurricane Irma struck my home, the Virgin Islands of the United States. Much was lost, but we were bent but not broken, and our good God has preserved our spirit.

This week, many Virgin Islands students return to school. Some still await their facilities being prepared for them. It is a significant step forward. It also serves as a reminder that there is much work yet in restoring an environment wholly conducive to the needs of our students.

After the hurricanes, both school districts lost estimates of \$700 million in facility supplies and food for educational purposes. It is incumbent on all of us—all of us—to put our shoulders in to push our children forward.

I want to thank those who have been gifted with one of the most important roles in our community: the hard-working teachers, administrators, faculty, and staff who played an integral role in our students returning to school this week in the Virgin Islands. We are grateful for your efforts.

□ 1215

#### REMEMBERING AND HONORING VICTIMS OF SEPTEMBER 11, 2001, ATTACKS

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

Mr. YODER. Mr. Speaker, I rise today to remember and honor those who lost their lives on September 11, 2001. On that tragic day, nearly 3,000 innocent Americans were killed in the attacks on the World Trade Center in New York, the Pentagon in D.C., and those on Flight 93 in Pennsylvania. Some of those who perished included brave first responders who ran into the burning buildings as others were running out.

That horrific day changed our great Nation forever. It became clear that there was an ever-present threat by those who wish to attack our country and its citizens.

Eleven days after these attacks, the Department of Homeland Security was created to make a more secure America that is better equipped to confront the range of threats that we face.

As the current chairman of the Homeland Security Appropriations Subcommittee, I am working to ensure that the Department is provided with the resources to accomplish their mission. Working to keep our Nation safe is one of my top priorities, and one of the primary roles of the Federal Government.

Together, we must work to make sure that terrorist attacks like 9/11 never happen again.

**PROVIDING FOR CONSIDERATION OF H.R. 6691, COMMUNITY SAFETY AND SECURITY ACT OF 2018, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES**

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1051 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

**H. RES. 1051**

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6691) to amend title 18, United States Code, to clarify the definition of “crime of violence”, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommend.

SEC. 2. It shall be in order at any time on the legislative day of September 13, 2018, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

**GENERAL LEAVE**

Mr. BUCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the under-

lying legislation. This rule makes in order one bill dealing with a pressing legal issue.

Mr. Speaker, under the Immigration and Nationality Act, or INA, an immigrant convicted of certain felonies is subject to deportation. In order to qualify for this particular provision of the INA, an immigrant must be convicted of a crime of violence.

The statute defines “crime of violence” as an offense that, “by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.”

This has been a longstanding and roundly accepted policy of the U.S. Government. For years, we have deported dangerous criminal immigrants.

However, earlier this year, the U.S. Supreme Court ruled that how the law defined “crime of violence” was impermissibly vague. The result of the ruling threw all of these kinds of deportation cases into question.

Historically, this realm of immigration law has never been an area of law to which the Court has applied constitutional rights. But writing the ruling for the majority, Justice Elena Kagan applied due process rights afforded by the Constitution to the removal process of criminal immigrants. Because the Court applied the Constitution in this manner, it concluded that the term “crime of violence” could be applied arbitrarily and unpredictably.

Chief Justice John Roberts warned of the path down which this ruling could lead as it pertains to other provisions of Federal criminal law. In fact, his concerns were justifiable.

In May, the Tenth Circuit struck down a similar provision in another portion of Federal law relating to using weapons in the commission of a crime. That particular case resulted in the sentence of a man convicted for firebombing a store with a Molotov cocktail being vacated.

Then again, in August, the D.C. Circuit struck down convictions of two men who were convicted for a violent criminal act. This ruling opened up the possibility that convictions for criminal acts involving firearms can be overturned.

Mr. Speaker, this is the backdrop against which we consider this bill today. This legislation, the Community Safety and Security Act, plugs the gaps in Federal law created by these recent court rulings.

It specifies the circumstances by which a criminal offense should be construed as a crime of violence. In particular, a crime of violence will include crimes of murder, sexual abuse, kidnapping, robbery, domestic violence, human trafficking, and many other types of violent acts.

By clearly outlining Congress’ intent of what constitutes a violent crime, this bill will eliminate the Court’s concerns about ambiguity and will allow our law enforcement agencies to con-

tinue carrying out their duties to protect the American public.

Mr. Speaker, law and order is a crucial component of a healthy society. We are beginning to see the effects of feel-good policies in some locales on the crime rate in those areas, particularly the violent crime rate. When law and order breaks down in our communities, the residents suffer.

I am confident there is no intention to erode law and order or embolden criminals. However, the effects are just the same. That is why this legislation is so critical.

We need to ensure that there is a clear definition of violent crime, so that courts across this country are not boxed in by this Supreme Court ruling and do not have to vacate sentences or release violent criminals onto our streets.

Mr. Speaker, I have spent more than 2 decades fighting crime, both at the Federal level and in my own community. The impact of crime, and violent crime in particular, on victims is heartbreaking. Watching someone suffer the worst of societal ills is bad enough when justice is served. But watching a victim suffer not just the crime, but the lack of justice, is infuriating.

We need to fix this loophole carved by these rulings and defend our communities from criminals. We need to stand up for victims of violent crime and see that the justice that we all want for them is served.

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

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

I thank the gentleman, my friend from Colorado, for yielding me the customary 30 minutes for debate, and I am proceeding under the assumption that we will conclude this pretty rapidly.

Once again, my Republican colleagues have decided that the best way to govern is through a rushed and closed process, all in an obvious attempt to throw red meat to their base. Let’s not parse words. This is an ill-thought-out bill trying to score cheap political points with the Republican base.

Mr. Speaker, this bill takes up no small feat. It attempts to utterly redefine what is meant by “crime of violence” in our criminal code. Our need to revisit the definition is due to the fact that the United States Supreme Court has now twice held that what is known as the residual clause under this particular area of our criminal code is unconstitutional because it is so broad it violates a person’s constitutional right to due process.

Such a reality does not invite this body’s attention, but demands it. However, with that demand comes a great responsibility, a responsibility to take the time necessary to do it right; a responsibility to ensure that members of the committee of jurisdiction, and other Members of Congress, are consulted; a responsibility to ensure that

we hear from public defenders, prosecutors, judges, and criminal justice and immigration reform experts, for this bill touches upon all of these areas, and not one person, let alone an expert, has been consulted in the drafting of this bill, at least not in the light of day.

Ostensibly, this bill was dropped to address the Supreme Court decisions just noted, the most recent of which was handed down in April of this year. I presume the composition of the bill was started soon after the Court dropped its decision, and, therefore, the author had from that time until last Friday to prepare today's bill. I think it only fair, then, that we have a similar amount of time to consider such an important matter.

Of course, I know that is not going to happen. No, instead, my friends across the aisle have, once again, insisted on engaging in fly-by-night legislating and, in so doing, shutting out not only Democrats but Republicans, and not only Democrats and Republicans, but the American people.

Mr. Speaker, this is the 96th closed rule of this session, and that is record-breaking in and of itself. That means that Members don't have an opportunity to have input to substantive legislation, and somehow or another, with no hearings, or any markup or anything, a measure like this is before us.

While home for the district work period, my constituents didn't talk to me about replacing the definition of a "crime of violence" in the Federal criminal code. They did talk to me about a number of circumstances, but they didn't talk to me about liquefied natural gas, one of the other bills the House is going to consider this week.

On the other hand, they did ask about what Congress is going to do to address the gun violence epidemic ravaging our country, including, regrettably, today, in Cincinnati, Ohio.

They asked about what Congress is doing to ensure that DACA, the Dream recipients, and temporary protected status holders have a pathway to citizenship, and they asked what Congress is going to do to address the Nation's need for serious and sustained investments in our infrastructure.

□ 1230

And high among the things that I heard from my constituents was about the cost of drugs and the rising cost of insurance.

Let us also include with those very important issues, including today, there are nine legislative days until the government runs out of money. I had representatives from the National Association of Air Traffic Controllers visit me an hour and a half ago explaining to me what a government shutdown would do to that particular agency.

We once again are forced to stare down the very real possibility of another government shutdown. And what are my friends across the aisle doing to thwart that inevitability? Nothing.

Mr. Speaker, we have some serious issues to tackle, and so I am discouraged to be on the floor today focusing on yet another messaging bill. I call on my Republican friends to put their perplexing fear of governing aside in the final days before we leave Washington, so that we may get to the people's business.

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

Mr. BUCK. Mr. Speaker, I would make an inquiry of my friend. I have no Members here to speak, and I am prepared to close if my friend is.

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

We were supposed to have a speaker speak to the previous question, and she may not be here to discuss it.

Mr. Speaker, last night at the Rules Committee, I heard my colleague, Mr. BUCK, discuss how one of the root causes of rising crime in this country is our broken education system.

And now I will say to the gentleman that Ms. BONAMICI has arrived, and like him, she was just a little bit delayed. So she will speak to this issue once I finish my comments, and then that will be our only speaker, I would urge my friend.

I also would like to say, it is not often in this body that Members say that they made a mistake. In an exchange last night in dialogue with my friend from Colorado, he commented that Florida's violent crime had gone down, and I mistakenly said to him that he was in error.

He was correct. It has gone down. I indicated to him last night that I would speak with him more about it. And there are some particulars that I will share with him, not so much in this particular setting, but I will get a chance to talk to him. There are some things where crime did go up, and Florida still ranks fifth in the Nation in violent crime, but I do want to say to him that I was mistaken when I spoke last evening.

Mr. Speaker, I don't disagree with my friend from Colorado about education, and I believe every Member of this House is concerned about the education of our children in this country. We are failing our younger generations. We need to make monumental strides in this country to better our education system, and I believe that starts with childcare.

And I always make a caveat there, because when I am asked about education at home, and my opponent brought it up often in the election that I was involved in, and I constantly reminded her that the Federal Government only provides less than 7 percent of the budgets of our local communities. So this is largely a matter where we talk a lot up here, but the local communities are where the rubber hits the road.

We need to make these strides because of the problems that we are seeing. We obviously need more pre-K, we obviously need more Head Start, but in

the past decade, the cost of childcare has increased by 25 percent. In 33 States and the District of Columbia, infant care costs exceed the average cost of a 4-year in-state college tuition. This is a huge financial burden that is only worsening.

Mr. Speaker, families need access to a system that provides high quality, affordable early learning and care that will prepare children for success without breaking the bank.

That is why, if we defeat the previous question, I am going to offer an amendment to the rule to bring up Education and the Workforce Committee Ranking Member SCOTT's bill, H.R. 3773, the Child Care for Working Families Act. This bill will establish a new Federal-State partnership to provide high quality, affordable childcare from birth through age 13.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Oregon (Ms. BONAMICI) to discuss our proposal.

Ms. BONAMICI. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, there is bipartisan consensus that our Nation's families, on behalf of our Nation's children, who are our future and our future leaders, must be able to access affordable, high quality childcare and other early learning opportunities to fulfill their potential and succeed in college and career and in life. In fact, a recent poll done by the First Five Years Fund found that 89 percent of voters, including 82 percent of Republicans, support making quality early childhood education more affordable for working families.

Last year, I joined Ranking Member BOBBY SCOTT and more than 120 of my colleagues to introduce the Child Care for Working Families Act.

This bill would ensure universal access to quality early learning programs for all families making less than 150 percent of their State's median income.

Today, the average annual cost of full-time, center-based childcare in the United States exceeds the average annual cost of in-state tuition.

In Oregon and other places around the country, lower and middle-income families are forced to pay up to 30 percent of their annual income on childcare, with many of the lowest income families unable to afford care at all.

The Child Care for Working Families Act is a bold solution to fix this national problem. The legislation would mean that no family of four earning an annual household income below \$139,000 per year would pay more than 7 percent of that income for quality childcare.

This legislation would also ensure that early learning teachers and caregivers finally get the time, attention, training, and resources they deserve. Whether in childcare, preschool, pre-kindergarten, or in other early learning environments, every child should receive quality care.

Parents are out working hard. They deserve the peace of mind that comes from the confidence of knowing that childcare and early learning professionals are well trained, and that means well paid. No longer would a full-time early learning professional have to enroll in public assistance to make ends meet.

Decades of research shows that properly nurturing children in the early years of life is instrumental in supporting enhanced brain development, cognitive functioning, and emotional and physical health. Research also shows what all of us know: investing in quality early learning programming leads to better educational outcomes, stronger job earnings, and lower crime rates.

Quality early learning helps prevent and mitigate academic achievement gaps, it provides indisputable long-term benefits for our Nation. And nothing returns more money to the Treasury than investments in early learning programs. Our Nation receives \$7 in economic benefit for every \$1 invested in these programs. That, my colleagues, is a good investment in our future, our children. This bill is not only the right thing to do, but also the smart thing to do.

The Child Care For Working Families Act lays out the path of what early learning in America could and should look like. If we want a promising future for our children, if we want strong and stable families, we must make sure that all families can access high quality early learning opportunities. Quality childcare is a national priority. This bill deserves immediate attention and, importantly, bipartisan support. Our future is at stake.

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

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

Mr. Speaker, the people's House should be approaching our work in a manner that is fair to all Americans, in a manner where the committees of jurisdiction hold hearings and markups, in a manner where experts in the field are consulted, in a manner where members of both parties have an opportunity to offer amendments and debate the contents of the bills that come before this body.

None of that happened with today's bill.

Instead, for reasons beyond understanding, we have to vote on a bill that no person in this body had sufficient time to understand, let alone time to consider the far-reaching consequences it could have on people living in this country and on our Constitution. The fact that Republican leadership insists

on governing in such a manner is, as always, as disappointing as, in my opinion, it is shameful.

Now, listen: 96 closed rules. I am fond of talking about when I first ran for Congress in 1992, the then leadership of the Republican Party did an effective job saying to the American public that the then leadership of the Democrats were having closed rules and closing out the process.

Newt Gingrich was the person that was the author of that, in many respects in retrospect, brilliant strategy. That was one of the tenets that he put forward, that it was not right for Democrats to have as many closed rules as they had at that time. I don't remember the exact number, it was a number, but it didn't come close to 96. And now, if we flip the script, what we have is 96 closed rules.

I serve on that Rules Committee with my friend from Colorado. And repeatedly, you look around this room, on an ordinary, regular order process, we would have at least five or six speakers on either side to substantive legislation, or we would have had an opportunity for Members to offer amendments that could have been considered in a germane or non-germane manner to be able to come out here on the floor.

The American people are being shut out, not just Republicans and Democrats. It is not right, and we shouldn't go forward that way.

I promise you that we are doing a disservice when we do not allow for measures of this consequence. We don't know what the outcome of this is going to be.

I can't disagree with a thing my friend from Colorado said with reference to the measure and the clarification that is needed after the two Supreme Court decisions, but please know this: the proper way to do that would have been for the committee of jurisdiction to hold hearings and then to have a markup and then come to the Rules Committee. But what we saw was, bam, right straight to the Rules Committee, no hearings, no markup, no experts, no prosecutors, no public defenders, no input, and the public not having an opportunity to participate. It is wrong.

Mr. Speaker, I urge a "no" vote on the rule, and I yield back the balance of my time.

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

I appreciate my friend from Florida and his views on open and closed rules and the importance of open rules and the importance of amendments and the importance to an open process.

The fact is the Democrats continue to focus on closed rules versus open rules, ignoring the structured amendment process, which has routinely been used by both majorities.

If we are going to use that metric for measuring openness, I want to clarify a couple of points for the record. Sixteen of the closed rules cited by the minor-

ity were rolling back regulations under the Congressional Review Act, which does not allow for amendments, to ensure that only a majority vote is required in the Senate.

□ 1245

Another 12 closed rules were for bills where the majority put out a call for amendments but received no amendments.

And if my friends from the other side of the aisle believe that open rules are the only measure of success, it is only fair that we clarify for the American people the Democrat majority's record.

In the 111th Congress, under Speaker PELOSI, the majority had zero open rules. However, as we have already stated in the past, comparing open to closed rules ignores the structured amendment process. This majority has made it a priority to make in order large numbers of amendments for floor consideration, a majority of those with a Democrat sponsor and/or cosponsor.

In fact, as of July 24, 2018, Republicans in the 115th Congress, in which we serve now, have provided for the consideration of over 1,650 amendments on the House floor; over 745 Democrat amendments, or 45 percent of the total number of amendments; over 630 Republican amendments or 38 percent of the total amendments; and over 280 bipartisan amendments, or 17 percent of the total amendments.

In the 114th Congress, the last Congress to have served, the Republican majority allowed over 1,700 amendments to be considered on the House floor.

In the 113th Congress the Republican majority allowed over 1,500 amendments to be considered on the House floor.

And in the entire 111th Congress, Speaker PELOSI, and the Democrats allowed less than 1,000 amendments to be considered on the floor.

I just wanted to make sure that we put into perspective the arguments from my friend.

Mr. Speaker, it is really fairly simple. Law and order is being jeopardized as it relates to the term, "crime of violence." This bill plugs the gap left in our laws by the court's ruling.

Mr. Speaker, there are a lot of different viewpoints across this country about our criminal justice and immigration system, but there are two nearly universally held beliefs by Americans: one, criminals should receive justice; and two, criminal immigrants should be deported.

While we can debate many aspects of our criminal code, we must not waiver in our commitment to protect the American people from criminals and to bring justice to victims. There have been numerous cases lately of immigrants committing violent crimes against Americans. Some of these cases are too recent to even mention by name here today. We must stand with victims and their families and remove criminal immigrants from this country. It is unjust to do anything else.

Our country is great, in part, because of our commitment to law and order. It is wrong to pursue a softening of our response to violent crime. To do so would invite more crime and produce more victims.

We must uphold the rule of law in America. Americans want it. Americans deserve it. That is exactly what this bill does. It defines violent crimes so that our immigration and criminal justice systems will have the tools necessary to remove violent immigrants from our country.

Mr. Speaker, I call on my colleagues to support this bill. Uphold law and order. Vote “yes” on the previous question. Vote “yes” on the resolution. And vote “yes” on the underlying bill.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 1051 OFFERED BY  
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3773) 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3773.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that

“the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BUCK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. 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 question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess.

□ 1300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FRANCIS ROONEY of Florida) at 1 p.m.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 1051; and

Adoption of House Resolution 1051, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION  
OF H.R. 6691, COMMUNITY SAFETY  
AND SECURITY ACT OF 2018,  
AND PROVIDING FOR CONSIDERATION  
OF MOTIONS TO SUSPEND  
THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 1051) providing for consideration of the bill (H.R. 6691) to amend title 18, United States Code, to clarify the definition of “crime of violence”, and for other purposes, and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 224, nays 181, not voting 24, as follows:

[Roll No. 386]

YEAS—224

Abraham	Brooks (IN)	Cramer
Aderholt	Buchanan	Crawford
Allen	Buck	Culberson
Amash	Bucshon	Curbelo (FL)
Arrington	Budd	Curtis
Babin	Burgess	Davidson
Bacon	Byrne	Davis, Rodney
Balderson	Calvert	Denham
Banks (IN)	Carter (GA)	DesJarlais
Barr	Carter (TX)	Diaz-Balart
Barton	Chabot	Donovan
Bergman	Cheney	Duffy
Biggs	Cloud	Duncan (SC)
Bilirakis	Coffman	Duncan (TN)
Bishop (MI)	Cole	Dunn
Bishop (UT)	Collins (GA)	Emmer
Black	Collins (NY)	Estes (KS)
Blum	Comer	Faso
Bost	Comstock	Ferguson
Brady (TX)	Conaway	Fitzpatrick
Brat	Cook	Fleischmann
Brooks (AL)	Costello (PA)	Flores



Visclosky	Waters, Maxine	Yarmuth
Wasserman	Watson Coleman	
Schultz	Wilson (FL)	

## NOT VOTING—25

Amodei	Jenkins (WV)	Ros-Lehtinen
Barletta	Johnson (GA)	Royce (CA)
Blackburn	Maloney, Sean	Ryan (OH)
Capuano	Moore	Speier
Connolly	Neal	Titus
DeSantis	Palazzo	Walz
Ellison	Poe (TX)	Webster (FL)
Eshoo	Rooney, Thomas	Welch
Huffman	J.	

□ 1334

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 6417

Mr. BISHOP of Georgia. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of H.R. 6417.

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

There was no objection.

## ENSURING SMALL SCALE LNG CERTAINTY AND ACCESS ACT

## GENERAL LEAVE

Mr. OLSON. 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 bill, H.R. 4606.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 1049 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4606.

The Chair appoints the gentlewoman from Wyoming (Ms. CHENEY) to preside over the Committee of the Whole.

□ 1338

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay, with Ms. CHENEY in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. OLSON) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. OLSON. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise in support of H.R. 4606, the Ensuring Small Scale

LNG Certainty and Access Act, a bill written by the gentleman from Ohio (Mr. JOHNSON).

This important bill will speed up the review of applications to export small amounts of natural gas to the emerging small LNG markets in the Caribbean, Central America, and South America. This bill will strengthen our energy security, create jobs at home, and open new markets for Americans.

This bill is about creating a level playing field for the smallest projects. Right now, to export natural gas to a country that we have a free trade agreement with, it is approved without red tape. We want to do that for very small projects, too, no matter the buyer.

H.R. 4606 is truly focused on “small-scale” projects. We are talking about projects that amount to maybe one-tenth of 1 percent of the natural gas America consumes every single day. It is only 0.14 billion cubic feet per day. The big LNG products that you hear about are more like 2 billion cubic feet per day. That is 0.14 versus 2 billion cubic feet. These are tiny projects worth looking at. We want them to make their way to the emerging markets.

But don't let the small size fool you. Just as larger LNG exports help us push back against Vladimir Putin and help free Eastern Europe, small LNG will preserve American influence in Latin America. We can give our trading partners a cleaner, more dependable option than unreliable and unstable Venezuelan exports. That is why I call our LNG exports “liquid American freedom.” America will never turn off the spigot over politics.

Madam Chair, this is a bipartisan bill. It went through regular order in the Energy and Commerce Committee, where we held hearings and accepted a bipartisan amendment to perfect the bill.

The Department of Energy is also in support of this bill's intent. Passing this bill, they said, means “saving several months of review time, at a minimum.”

We have also heard from LNG producers, terminal operators, and overseas developers. One said it will provide certainty and speed up “America's rise as a world-class exporter of natural gas, creating U.S. jobs, growing our economy, strengthening global energy security, all while reducing emissions and pollution.”

I believe it is important to point out that H.R. 4606 makes absolutely no changes to environmental law. In fact, at our markup we accepted a bipartisan amendment that clarifies that any project would have to qualify for a broad exclusion under NEPA to be put on the fast track. This bill is not about waiving environmental laws.

□ 1345

Most importantly, DOD is working on the same problem and is improving their rules as we speak. They say that

many of the countries in the Caribbean and Latin America don't have enough demand to cover the costs of enormous import terminals for huge ships. The small-scale LNG export market is the only path that makes sense to bring affordable American energy to these projects and countries.

Congress needs to put DOE's policy into law. That is the only way we can create certainty. No one wants to make investments on a single administration's policy. Congress must create certainty, and this bill does just that.

I urge my colleagues to join me in supporting this bill. It is good for our economy, our jobs, and our economic diplomacy.

Madam Chair, I reserve the balance of my time.

Mr. PALLONE. Madam Chair, I yield myself such time as I may consume.

This bill is unnecessary because the Department of Energy is aggressively approving liquefied natural gas exports. DOE currently conducts a public interest review of all applications to export LNG to a country without a free trade agreement with the United States, and this process is working just fine.

To date, DOE has granted final approval for 29 applications to export LNG. Over the past few years, the U.S. has emerged as one of the largest exporters in the world.

There is no backlog of applications or delay at DOE to speak of, and the Trump administration has taken every opportunity to promote U.S. natural gas abroad.

In July, the Department of Energy finalized a rule to automatically approve applications to export less than 0.14 billion cubic feet per day of LNG. It declares in this rule that all small-scale exports are always in the public interest, removes longstanding consumer protections of the Natural Gas Act, prevents the public from having the opportunity to know about or provide input on export proposals, and violates the public hearing requirements of the Natural Gas Act.

Rather than stand up for American consumers and manufacturers who benefit from low natural gas prices, the Trump administration is boosting the profits of oil and gas special interests by allowing them to export LNG without any regard for domestic impacts.

This bill is intended to codify DOE's small-scale LNG rule, but proponents have not justified the need for swift congressional action on a rule that was just finalized.

There are drawbacks to codifying the rule with such a prescriptive volume requirement. For example, should the circumstances arise where exporting this amount of LNG is no longer in the public interest, Congress would then have to enact a new law to make any necessary changes.

In addition, Madam Chair, an unrestricted export policy could lead to even higher levels of LNG exports, which could have significant impacts

on domestic natural gas prices and adversely affect American consumers and manufacturers.

Unfettered exports would also exacerbate climate change by encouraging more fossil fuel extraction and displacing carbon-free sources of power. High methane leak rates and increased demand for LNG exports would likely offset any climate benefits associated with natural gas use.

For Congress and the Trump administration to prioritize such a policy at a time when methane pollution from U.S. oil and gas operation is expected to warm the planet as much as coal is, in my opinion, completely reckless.

Madam Chair, beyond that, the use of floor time on such an unnecessary bill is just the latest example of our current reality. Republicans are running a government of, by, and for the corporate interests, not a government for the people.

This bill will not create a single new job.

Madam Chair, the House has just 16 legislative days remaining before the election and just 8 legislative days before the end of the fiscal year. The farm bill expires this month. So does authorization for FAA and the Land and Water Conservation Fund. We also need to fund the government to prevent another Trump shutdown.

We should be focusing our limited time on legislation that would fix our crumbling infrastructure, create jobs that pay a livable wage, and move America toward a smarter, greener energy future.

We need a practical balance and sustainable energy policy. What we do not need are bills like this that target problems that don't exist. We don't need to be throwing more bones to the fossil fuel industry.

I will be opposing this legislation, and I urge my colleagues to do the same.

Madam Chair, I reserve the balance of my time.

Mr. OLSON. Madam Chair, I yield such time as he may consume to the gentleman from Ohio (Mr. JOHNSON), the author of the bill.

Mr. JOHNSON of Ohio. Madam Chair, I have said it many times this week, and I will say it again. The legislation before us today, H.R. 4606, the Ensuring Small Scale LNG Certainty and Access Act, will help the United States fully realize its economic potential regarding small-scale liquefied natural gas exports and associated technologies.

This bill addresses current permitting concerns, but it is also forward looking. H.R. 4606 will help the United States to grow as a reliable, trusted trading partner. It can help reduce trade deficits, promote new job opportunities at home, and strengthen ties with our allies abroad.

Specifically, this bill provides that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas will be granted without delay, but only if they

do not require an environmental assessment under the National Environmental Policy Act. This means that both FERC and DOE must continue to fully comply with NEPA regulations and that they must evaluate the potential direct and indirect impacts, consult with other agencies, and receive public input.

Importantly, this bill is the product of bipartisan compromise and work. During markups at the House Energy and Commerce Committee, Representative GENE GREEN and I worked together so that both sides of the aisle could support this commonsense legislation. I appreciate his hard work, along with the work of many of my other colleagues.

As a result, this bill has support from a diverse group of stakeholders, including the Center for Liquefied Natural Gas, the National Association of Manufacturers, the Laborers' International Union of North America, the American Petroleum Institute, and Citizens for Responsible Energy Solutions.

Now, as the Representative for rural eastern and southeastern Ohio, I have long recognized the benefits of excess natural gas exports. Because of the shale gas boom, new opportunities are emerging for Ohio and the surrounding States virtually daily, as ethane cracker plants and ethane storage hubs begin to take shape.

Reports show that this trend will only continue, as one study predicts that the region has sufficient ethane feedstock to support up to five ethane cracker plants.

These opportunities are huge and have become viable thanks to new technologies that have led to an increase in natural gas production. But it is also due to an increase in production resulting from the growing demand for excess U.S. natural gas.

In fact, natural gas production is at an all-time high, and reserves are so large that they are predicted to meet domestic demand for almost a century. Ohio alone reached new highs in October 2017, as natural gas production reached 5.5 billion cubic feet per day.

H.R. 4606 can play a role in furthering America's economic progress by allowing our domestic producers and gas providers to export small quantities of natural gas to neighboring countries in a more efficient manner.

Don't misunderstand this. There is an interest for U.S. natural gas in the Caribbean, Central America, and South America, although not in the quantities that the current large-scale domestic exporting facilities were built to address via conventional liquefied natural gas tankers.

This bill will help our job creators meet that demand and take full advantage of our economic opportunities throughout our Western Hemisphere. And, with the certainty provided by H.R. 4606, companies currently in operation or those exploring new small-scale possibilities will be incentivized to move forward with new investments

with the increased certainty provided by H.R. 4606.

This is especially important considering that the Dominican Republic is the only country in the Caribbean with a free trade agreement that can get our excess natural gas easily. And, as Puerto Rico continues to rebuild after the devastating hurricane in 2017, increased shipments and availability of American small-scale LNG can help the island meet its energy needs.

H.R. 4606 will also better allow our domestic providers the opportunity to deliver a stable source of U.S. energy to countries currently relying on Venezuelan fuel oil, which has been used to gain influence within countries throughout the region.

This effort to increase U.S. energy opportunities within this area of the world is not new, as the previous administration also sought increased engagement through the creation of the Caribbean Energy Security Initiative. Similarly, the Department of Energy recently issued a final rule very similar to H.R. 4606.

Now I would like to quickly address a few concerns that we have heard about this bill during debate. Some of my colleagues have said that the bill is unnecessary because it would replicate a Department of Energy regulation that was recently finalized, while at the same time arguing that this bill would lead to an unrestricted natural gas export policy with dire consequences.

I disagree with both of those statements, as it is important for Congress to exercise its authority and not leave policy solely up to the administration, and this bill by no means promotes an unrestricted policy. What is telling about these conflicting statements is that they simply cannot both be true at the same time, and it leads me to question the sincerity behind the statements.

Additionally, I have heard arguments that this bill could allow companies to skip the review process for larger projects by splitting them into smaller pieces.

Now, these LNG companies are building to economies of scale. These are expensive projects. The financial viability of stacking or combining many small-scale trains is simply not viable, and the operating costs would surely cause the cost of gas to be uncompetitive in the global market.

Madam Chair, the benefits of natural gas exports are clear. As numerous Department of Energy studies and various independent studies have concluded, they are a net positive to our U.S. economy. These studies have found that LNG exports support thousands of American jobs, many of them within manufacturing.

In fact, the Department of Energy once again highlighted the benefits of LNG exports with a study it released in June. This study, which is in addition to four other studies commissioned by the DOE since 2012, presented additional data that demonstrates how

LNG exports are a net benefit to our economy.

With U.S. natural gas reserves as large as they are, and with new technological advancements allowing our producers to access an increasing amount of natural gas each and every day, it is imperative that the United States takes full advantage of this important and abundant energy resource.

H.R. 4606 is a step in that direction. It will strengthen U.S. geopolitical ties, increase job creation, and promote domestic economic growth as a result.

Madam Chair, I hope all of my colleagues will join me in supporting this important bipartisan legislation today.

Mr. PALLONE. Madam Chair, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Madam Chair, I want to thank our ranking member for yielding me the time.

I rise in support of H.R. 4606, the Ensuring Small Scale LNG Certainty and Access Act. This bill has been worked on in good faith with Mr. JOHNSON—I thank him for his kind words—which would expedite U.S. small-volume LNG exports, so long as they do not require an environmental impact assessment under the National Environmental Policy Act, or NEPA.

Natural gas production has dramatically increased all across the country thanks to the energy revolution that we have seen in the last 10 years. We are now able to get gas out of shelves long thought impossible.

The U.S. has enough natural gas to meet our own energy needs for over a century. Soon, we also will be able to be a net exporter of these petroleum products.

Despite being the world leader in production of natural gas, many companies are unable to export the small quantities of LNG, or liquefied natural gas, to neighboring countries in the Caribbean.

□ 1400

If the U.S. does not have a free trade agreement with another nation, natural gas exports must go through a lengthy national determination at the Department of Energy. Currently, the U.S. has only a free trade agreement with the Dominican Republic in the region.

DOE recently recognized that this placed an undue burden on small volume exports and issued a rule similar to this bill to address the issue. The dominant fuel source in the region for these countries is Venezuelan fuel oil, a source that is not geopolitically friendly or environmentally sound.

What we would like to have is more natural gas being used for electricity in the Caribbean and Puerto Rico instead of fuel oil, which is an environmental disaster.

U.S. LNG in the region would drastically reduce emission rates from burning fuel oil for power generation. The benefits of H.R. 4606 are not limited to other countries. As I said, Puer-

to Rico continues to rebuild with the devastation of Hurricane Maria.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. Madam Chair, I yield as much time as he may consume to the gentleman from Texas.

Mr. GENE GREEN of Texas. Madam Chair, to rebuild from the devastation of Hurricane Maria, this LNG has the potential to reshape the Puerto Rican grid, making it safer and more reliable and more environmentally safe.

This bill also protects the environment. No application for export under the Natural Gas Act will be granted unless the applicant qualifies for a categorical exclusion under NEPA, ensuring that there won't be an adverse environmental impact.

Study after study has shown natural gas exports are a clear net positive to our domestic economy. Moreover, energy ties develop diplomatic ties with countries that they go to. This bill will strengthen U.S. ties with countries throughout the region.

I urge my colleagues to support this important bill.

Mr. OLSON. Madam Chair, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Madam Chair, I rise today in support of my good friend, Mr. JOHNSON's bill, the Ensuring Small Scale LNG Certainty and Access Act.

As many Members are aware, we are currently in the midst of a natural gas boom, with liquefied natural gas more of a resource than ever before. We have seen how this increase in production has benefited not only the United States, but some of our closest allies and trading partners. Now we have an opportunity to continue to build and foster those relationships while stimulating American industries.

For over 60 years, the United States has been a net importer of natural gas, relying on other countries to supply our LNG needs. I have seen it firsthand, as I have a facility in my district that was once an import facility for natural gas. That has changed as they are undergoing a massive overhaul to allow for the export of natural gas.

This bill will help to address backlogs and delays in the application process by allowing small shipments of LNG to be exported, so long as they don't go over the threshold set forth in this legislation. That would have major implications for our regional trading partners, especially those in the Caribbean and Latin America, which don't have access to consistent and reliable forms of energy production.

I applaud my colleagues on the Energy and Commerce Committee for their bipartisan work on this legislation, and I urge my colleagues to support this bill.

Mr. PALLONE. Madam Chair, I yield 3 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Madam Chair, who doesn't want to export natural gas? I

suspect we all do. We like to do it in the proper manner, and this is the debate to be had over whether it should be done with or without this exemption from the normal process.

But there is another issue at hand. Clearly, natural gas is a strategic national asset. Both sides would agree to that. I don't think there is any debate whatsoever—a strategic national asset. And it is certainly going to be to the benefit of certain parts of this Nation that happen to have shale gas available. It is also going to be a benefit to the petroleum industry and those that are able to extract the natural gas—all good.

But why don't we use this strategic national asset to support another strategic national asset, our maritime industry?

It used to be when the north slope of Alaska opened up that all of that oil that was exported from Alaska had to be on American ships with American sailors. Over the years, that disappeared. But we have an opportunity right here with this piece of legislation to really enhance the benefit that comes from this strategic national asset.

I am all for the Caribbean. Good for them. Good for us. But what if that was shipped on American ships, built in American shipyards by American workers, and the steel was American steel?

What if we made it in America? What if we used this natural gas export, LNG, for the benefit of the broad American economy, not just for a few places that are fortunate enough to have the gas in the ground and those that extract it?

Why not require that a small percentage—1, 2, 5, 10 percent—of that gas be on American-built ships with American mariners?

Spread the benefit of this extraordinary natural resource, this strategic national asset to the broad width of America, the shipyards of America located on our coasts, the steel mills of America, the engine manufacturers. Americans throughout could benefit.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. Madam Chair, I yield an additional 1 minute to the gentleman from California.

Mr. GARAMENDI. Well, let me wrap this up very, very quickly in the next 60 seconds.

A strategic national asset, natural gas, coupled with another strategic natural national asset, our mariners, our shipyards, our steel industry, our manufacturers of pumps and motors, take a small percentage.

By the way, we have a bill to do this, bipartisan, bicameral, Senator WICKER, Senator CASEY, good men and women in California, in the legislature here on this side, all of us supporting this. So why don't we amend this bill in the process?

In the meantime, I will vote it out of here, but let's remember, this asset

could be for the benefit of all America, not just a narrow portion of it.

Mr. OLSON. Madam Chair, I yield 2 minutes to the gentleman from Texas (Mr. BARTON), the former chairman of the Energy and Commerce Committee and the current chairman and a senior member of the Texas delegation.

(Mr. BARTON asked and was given permission to revise and extend his remarks.)

Mr. BARTON. Madam Chair, I rise in strong support of H.R. 4606.

I want to compliment Congressman JOHNSON for his leadership and, also, on the Democratic side, Congressman CUELLAR. I don't know if he is in the room. I compliment him for being an original sponsor. I am kicking myself that I am not an original sponsor. I don't know how that happened, but I am proud of them.

This is a straightforward bill, Madam Chair. It simply says, as long as you are below a certain threshold, 0.14 BCF a day, you still have to file an application with the Department of Energy to export natural gas, but it shall be in order to be approved. So you still have to apply, but it is specific in the law that the answer will be "yes" as long as it is below this threshold.

You might think: Well, that is not very much. Why even bother?

Well, we still want to make sure that we know where it is going, so that is a good reason to do it. And the good news is that there is a market for small-scale LNG, certainly our partners in the Caribbean and South America. And who knows, if this works, maybe we can increase the number later on if we make sure that we don't do any environmental damage.

This is a good piece of legislation. I am proud that it is bipartisan. I hope that, when we pass it, it will be taken up very quickly in the other body and the President will sign it. I am strongly supportive, and I urge a "yea" vote.

Mr. PALLONE. Madam Chair, I yield 3 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Madam Chair, I want to thank the ranking member, Mr. PALLONE, for yielding and his leadership in the committee, for all the work that he and his staff have done. I also want to thank my fellow Texan, Mr. OLSON, for bringing this legislation to the floor. I want to thank my colleague, Representative JOHNSON, for introducing this bipartisan bill, along with my friend GENE GREEN, also from Texas.

In particular, the dean, Mr. BARTON, I want to thank Mr. BARTON because, back in December 2015, Mr. BARTON and I worked along with a team here to lift the ban on oil exports, and that has been the boom for not only Texas, but for the rest of the country.

Today's legislation, Madam Chair, deals with H.R. 4606, the Ensuring Small Scale LNG Certainty and Access Act. This bipartisan legislation codifies the Department of Energy's recent efforts to encourage the exports of

small volumes of natural gas as countries in the Caribbean, Central America, and South America look to the United States to meet their natural gas needs.

Let me give you an example, a different type of country, Mexico.

Mexico is getting a lot of natural gas from us and refined products. In fact, the U.S. has an \$8 billion surplus when it comes to natural gas that we are sending off, so we can also help our friends in the Caribbean and Central America and South America if we do the same thing.

The bottom line is this means jobs.

I have the Eagle Ford area, and I know about the jobs. Whether they are at \$60,000, \$70,000, or more, those are good jobs, and if we are able to export, we will be able to create jobs also. This is why it is important that we continue working with our former Governor, Rick Perry, in the Energy Department, to approve any application to import or export small amounts of LNG if there is no environmental review required and that application waiting time will be reduced by several months. Those several months mean jobs.

Right now, the U.S. is currently the world's largest producer of natural gas, with trillions of cubic feet of recoverable natural gas. And again, if we work together, especially with Canada, the U.S., and Mexico, we will be the new Middle East of the world by sticking together and working together.

Again, this bipartisan piece of legislation will benefit our economy, strengthen our ties with allies abroad, reduce our allies' reliance on Russian natural gas.

Again, this is good for the country, and we need to support this bipartisan piece of legislation, so let's move this bill forward to that particular goal.

Again, I want to thank all of you all for working on this bipartisan piece of legislation.

Mr. OLSON. Madam Chair, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR), the chair of the Western Caucus.

Mr. GOSAR. Madam Chair, I rise in strong support of H.R. 4606, the Ensuring Small Scale LNG Certainty and Access Act, bipartisan legislation introduced by my good friend and colleague, Representative BILL JOHNSON.

I applaud the gentleman from Ohio for his strong leadership in bringing forward this important bill. This commonsense legislation will further increase American energy dominance by expediting the permitting process for the small-scale liquefied natural gas, or LNG, market. Such action will create thousands of jobs, increase regulatory certainty, and help reduce global emissions.

Thanks to American ingenuity and the efforts of private companies, the United States is now the world's leading producer of oil and natural gas. Despite this remarkable achievement, businesses still face a plethora of bu-

reaucratic hurdles that are unable to export small quantities of LNG expeditiously. Removing unnecessary roadblocks that are shackling LNG job creators will foster economic growth and increase global influence.

As DOE Secretary Rick Perry likes to say, we are not just exporting energy, we are exporting freedom. I saw that firsthand in Lithuania last year.

Further, the U.S. has the highest regulatory standards for producing and exporting oil and gas in the world. Put quite simply, if we aren't making it in America, someone else will, and they will most likely do it in a way that is worse for the environment.

I urge adoption of this excellent legislation introduced by the gentleman from Ohio.

Mr. PALLONE. Madam Chair, I yield as much time as he may consume to the gentleman from Illinois (Mr. RUSH), the ranking member of the Energy Subcommittee.

□ 1415

Mr. RUSH. Madam Chair, I rise in opposition to H.R. 4606, the Ensuring Small Scale LNG Certainty and Access Act.

Madam Chair, this bill is unnecessary, as the Department of Energy has already finalized a rule that would approve any application to import or export as much as 0.14 billion cubic feet of natural gas per day if no environmental reviews are required.

Additionally, Madam Chair, I offered an amendment to this bill that would have protected the property rights of landowners, but that amendment was refused by the Rules Committee.

Madam Chair, my amendment would simply have ensured that eminent domain would not be exploited for the construction of any pipeline used to import or export any of the gas through this expedited process.

Madam Chair, Members from both sides of the aisle have been bombarded with complaints from their constituents who have been forced to defend their own property rights due to aggressive tactics employed by companies seeking to appropriate their land in order to make a profit.

Congress should stand on the side of these constituents, as my amendment would have ensured, instead of making it easier for private companies to seize land from American citizens. This is especially true in cases where applications are expedited, with little or no opportunity for public input or public debate through the process, as the underlying bill mandates.

Madam Chair, although my constituents are strongly opposed to this bill, and although my amendment was not made in order, I would urge my colleagues to support both of the amendments offered by my colleagues on the Energy and Commerce Committee.

Ranking Member PALLONE's amendment would require public hearings so that the American people will have the opportunity to have their voices heard in this process.

Additionally, Congresswoman DEGETTE's amendment would require LNG export applications to demonstrate that the natural gas was produced in a manner that minimizes dangerous methane emissions.

A June 2018 report by Science magazine found that 13 million metric tons of methane are emitted yearly by the oil and gas industry, despite the fact that there is already existing cost-effective technology available to reduce these emissions.

So, Madam Chair, I strongly urge all of my colleagues to support both the Pallone and the DeGette amendments. If those two amendments are defeated, then I would urge all of my colleagues to oppose the underlying bill, H.R. 4606.

Mr. OLSON. Madam Chair, I yield 2 minutes to the gentlewoman from Arizona (Mrs. LESKO).

Mrs. LESKO. Madam Chair, while in the district, I met with the Puerto Rican Center of Arizona, including Gretchen Patterson, the founder and president, Leticia Jimenez, Jose Moro, Claudio Medina, and Maria Romero. They are advocates for Puerto Rico and have family members still on the island. They work in Arizona communities to share the culture of Puerto Rico and educate people about the island. They described devastation on the island caused by Hurricane Maria. They also talked about the problems with the electrical grid, even before Hurricane Maria.

This legislation, H.R. 4606, will help Puerto Rico and other Caribbean islands by expediting the approval of projects to export small shipments of LNG to Caribbean island nations, which are in desperate need of natural gas to modernize their electric grids and supply more affordable fuel and feedstocks for manufacturing.

H.R. 4606 will also help our U.S. citizens living in Puerto Rico and the Virgin Islands who are still recovering from Hurricane Maria. While the territories don't need a special permit to receive U.S. natural gas shipments, they would certainly benefit if we allow more U.S. small-scale LNG exports to other destinations in the Caribbean.

H.R. 4606 will jump-start investments and jobs, which will create economies of scale. With more competition, Puerto Rico and the Virgin Islands will have more supply options and lower costs.

The Caribbean islands have some of the highest fuel and electricity prices. We shouldn't deny them the opportunity to share in some of our surplus natural gas.

H.R. 4606 isn't a silver bullet, but it will help deliver cleaner and more affordable fuel to those remote locations.

Mr. PALLONE. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I understand the previous speaker, my colleague from Arizona's interests in helping our friends and neighbors in the Caribbean, but nothing in this bill or the rule requires small-scale shipments to go to the Car-

ibbean area. And, in fact, Puerto Rico is the largest importer of LNG in the region, and the problems associated with getting them natural gas are due to Jones Act restrictions, not DOE approval of export applications.

I reserve the balance of my time.

Mr. OLSON. Madam Chair, I yield 2 minutes to the gentleman from Kansas (Mr. MARSHALL).

Mr. MARSHALL. Madam Chair, I rise today to support my colleague, BILL JOHNSON's legislation, H.R. 4606, the Ensuring Small Scale LNG Certainty and Access Act. With its passage, there will no longer be unnecessary restrictions placed on small-scale liquefied natural gas exports, creating more open, transparent, and competitive markets for our natural gas industry.

H.R. 4606 includes a rule finalized by the Department of Energy that expedites approval for small-scale gas exports, ending the several-months wait in the review process.

These simple fixes are so common-sense that the bill itself is significantly bipartisan which, as you know, is a rarity here in Washington. But I am pleased to see that when the good clearly outweighs the bad, both sides really can come together, and that is what we see here today.

This legislation would also place small-scale exports on a level playing field with Canada and Mexico, and open new markets in the Caribbean, Central America, and South America. As a result, this bill would create new jobs in the United States, boosting our local economies.

I spent most of the day yesterday with the Farm Bill Conference Committee, where the biggest theme we heard was the need to have certainty. That desire for policy certainty is something that transcends parties and, in this case, committees. This legislation would provide that assurance to our energy folks and protect jobs and investments in the United States.

Mr. PALLONE. Madam Chair, I have no additional speakers, and I yield myself the balance of my time.

Madam Chair, LNG exports are clearly a priority for this administration, and I see no indication that this trajectory is changing, so we don't need this bill to enshrine the prescriptive and problematic small-scale LNG rule into law.

Passing this bill will not create new jobs or approve any small-scale LNG applications. It is solely a political win for the fossil fuel industry at the expense of American consumers and manufacturers.

Those who are against unrestricted export of natural gas argue that cheap, domestic natural gas prices are providing a big boost and competitive advantage to U.S. manufacturing. They are worried that exporting large volumes of LNG will drive up domestic natural gas prices, harming American manufacturers and consumers.

Madam Chair, I believe it is reasonable to question the wisdom of export-

ing too much of our natural gas and to consider whether such an approach will hurt our domestic manufacturing base, and giving the fossil fuel industry a green light to extract and export unlimited amounts of natural gas will only lead to greater methane leaks and the displacement of carbon-free energy sources. So I urge my colleagues to vote "no" on the bill.

I yield back the balance of my time.

Mr. OLSON. Madam Chair, I yield myself the balance of my time.

It is real simple. This bill is about good-paying, American jobs, American energy going to our neighbors in Latin America, South America, Central America, and the Caribbean.

This bill does not skate around any environmental laws. You have to comply with all the rules as they exist today to export this natural gas.

This bill is bipartisan as here today, two speakers from the other side spoke in favor of this bill. I ask my colleagues to join those Members and our Members and vote for this good bill for American jobs, American security, and great foreign relations.

I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 4606

*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 "Ensuring Small Scale LNG Certainty and Access Act".*

**SEC. 2. SMALL SCALE EXPORTATION OR IMPORTATION OF NATURAL GAS.**

*Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—*

*(1) by striking "For purposes" and inserting "(1) For purposes"; and*

*(2) by adding at the end the following:*

*"(2) For purposes of subsection (a), and in addition to any importation or exportation of natural gas described in paragraph (1), importation or exportation of natural gas shall be deemed to be consistent with the public interest, and an application for such importation or exportation shall be granted without modification or delay, if—*

*"(A) the application for such importation or exportation proposes to import or export a volume of natural gas that does not exceed 0.14 billion cubic feet per day; and*

*"(B) the Commission's approval of such application does not require an environmental impact statement or an environmental assessment under the National Environmental Policy Act of 1969."*

The CHAIR. No amendment to the committee amendment in the nature of

a substitute shall be in order except those printed in part B of House Report 115-919. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. PALLONE

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-919.

Mr. PALLONE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 18, insert "after opportunity for hearing and public input," after "delay,".

The CHAIR. Pursuant to House Resolution 1049, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Madam Chair, I yield myself such time as I may consume.

Madam Chair, one of my biggest concerns with this bill, and DOE's Small-Scale LNG rule, is the removal of public hearing requirements for LNG export applications. This is drastic change in the approval process, and my amendment seeks to restore the ability for public input through a public hearing.

Section 3 of the Natural Gas Act requires DOE to grant an application to export natural gas to a non-Free Trade Agreement country, unless it finds that the proposed export is not consistent with the public interest. And typically, notices of non-FTA applications are posted in the Federal Register for public comment, which ultimately informs DOE's evaluation of an application's consistence with the public interest.

DOE evaluates a range of factors when performing a public interest review, including economic impacts, international considerations, U.S. energy security, and environmental considerations. And these are important considerations that are unique to each export application, and the public plays a key role in DOE's decision-making process.

□ 1430

But DOE recently turned this process on its head for small-scale exports.

Hidden in its small-scale LNG proposed rule, DOE proclaimed that: "This proposed rule, and the 45-day comment period for this proposed rule, would constitute the notice and opportunity for hearing on all prospective small-scale natural gas export applications."

What that means, Madam Chair, is that all qualifying small-scale export applications would be approved without any public notice or comment, or

need for a unique public interest determination, in perpetuity.

I think that is pretty outrageous, and I would argue it violates the public hearing requirements of the Natural Gas Act.

DOE failed to justify the sweeping change to the existing approval process. Congress should avoid the same mistake.

Congress should not be in the business of limiting the participation of the American public in such a debate, but that is exactly what H.R. 4606 does.

By codifying the DOE rule, this legislation reduces the ability of communities directly impacted by these projects to give meaningful input during the review process.

Exporting America's resources to foreign nations while creating domestic environmental and public health impacts is not in the public interest, nor is cutting the public out of the process by which we express our interest.

Congress should not create laws to export our natural resources wealth at the expense of our environment and our manufacturers while simultaneously limiting the rights of Americans to comment on natural gas export projects in their communities.

My amendment is a commonsense proposal to fix this problem in the underlying bill. It is good government. It is in the public interest that consumers and communities have the ability to provide input on export applications, no matter how small.

Madam Chair, for these reasons, I urge adoption of my amendment, and I reserve the balance of my time.

Mr. JOHNSON of Ohio. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JOHNSON of Ohio. Madam Chair, this amendment adds an additional round of DOE hearing and public comment on proposed small-scale LNG exports. Unfortunately, this amendment is designed to undercut the important benefits of this legislation, and we simply cannot accept it.

H.R. 4606 was narrowly drafted with bipartisan input throughout the committee process, as the ranking member knows very well. In fact, at committee, I worked with Mr. GREEN and other Democrats on a bipartisan amendment that ensures that DOE and FERC must fully comply with NEPA and the Council on Environmental Quality's regulations under this bill. This means they must evaluate the potential direct and indirect impacts, consult with other agencies, and, most importantly, receive public input.

Not only has this idea been vetted through hearings and markup on the Energy and Commerce Committee, but, additionally, this concept has already been thoroughly vetted and subjected to a fully transparent rulemaking process at the Department of Energy, complete with public comment and input.

We simply want to put this in the right lane. It should be the Congress

that is passing law, not putting it solely in the hands of the administration.

Today's amendment serves only one purpose, and that is delay.

The purpose of H.R. 4606 is to help the United States fully realize its economic potential regarding small-scale liquefied natural gas exports and associated technologies. It will strengthen U.S. geopolitical ties, increase job creation, and promote domestic economic growth as a result.

This amendment jeopardizes those goals and it denies nations in the Caribbean and Latin America the opportunity to have an inexpensive, reliable source of energy from right here in the United States.

Madam Chair, I urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. PALLONE. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I just wanted to read some parts of a letter from the Industrial Energy Consumers of America in support of the amendment.

Let me just say to my colleagues on the other side, the purpose of the amendment is not delay, but public input for the public interest.

The Industrial Energy Consumers write: "In behalf of the Industrial Energy Consumers of America, IECA, we support your amendment to provide consumers of natural gas an 'opportunity for hearing and public input' for small-scale LNG export applications, in advance of final approval by the U.S. Department of Energy. It is good government and in the public interest that consumers have the ability to provide input.

"Every study conducted by the U.S. Department of Energy on the potential economic impacts of LNG exports concludes that exports of LNG increase the price of natural gas and electricity. Although we do not anticipate this being a significant problem in the short term, public policy must consider longer term potential impacts. It is for this reason that it is wise to provide for public input. Consumers of natural gas deserve that option.

"The manufacturing sector consumes about 25 percent of all U.S. natural gas and demand is increasing annually. IECA members are mostly energy intensive trade exposed, EITE, companies, which means that relatively small changes to the price of natural gas and electricity can have relatively large impacts to competitiveness and jobs. For the majority of our applications, there is no substitute for natural gas."

And then it is signed by the president, Paul Cicio.

Again, Madam Chair, I would urge support of my amendment. There is nothing wrong with public input. It is part of the democratic process.

I do think we need to be concerned about the increased price of natural gas from LNG exports and what it might mean not only for consumers, but for manufacturing. If manufacturing is decreased because of the increase, then that means fewer jobs for Americans.

So I appreciate the support from the Industrial Energy Consumers.

Madam Chair, I yield back the balance of my time.

Mr. JOHNSON of Ohio. Madam Chair, I include letters of support in the RECORD.

CLNG, CENTER FOR LIQUEFIED  
NATURAL GAS,  
December 11, 2017.

Hon. GREG WALDEN,  
Chairman, Committee on Energy and Commerce,  
House of Representatives, Washington, DC.  
Hon. FRANK PALLONE, Jr.,  
Ranking Member, Committee on Energy and  
Commerce, House of Representatives, Wash-  
ington, DC.

DEAR CHAIRMAN WALDEN AND RANKING  
MEMBER PALLONE: Regulatory certainty is  
vital to U.S. LNG and bipartisan legislation  
like the Unlocking Our Domestic LNG Pot-  
ential Act (H.R. 4605) and The Ensuring  
Small Scale LNG Certainty and Access Act  
(H.R. 4606) take steps to provide a clear and  
straightforward path for the industry. Pro-  
viding a certain pathway for U.S. natural gas  
to be sold abroad will create thousands of  
good paying jobs right here in the United  
States, generate millions in tax revenue for  
the federal, state, and local governments,  
and supply our allies and trading partners  
with a reliable, clean, safe source of energy.

The United States is awash with natural  
gas, with more discoveries almost daily, and  
in order for the U.S. natural gas industry to  
continue to be an engine for growth, reliable  
exports offer a perfect solution. Legislation  
by Congress that creates a more certain reg-  
ulatory process enables our country to cap-  
ture this narrow window of opportunity to  
export LNG internationally and sends a  
strong signal to our allies and trading part-  
ners that the U.S. is committed to its role as  
a global energy leader.

Bi-partisan support for LNG certainty  
highlights how important the issue is. Pol-  
icymakers from both sides of the aisle can  
appreciate good paying jobs here at home  
and energy choices for allies around the  
globe. Representatives Johnson and Ryan  
have a long history of support for U.S. LNG  
and we look forward to working with them  
and others in the future on LNG issues.

We urge support for Representative John-  
son and Ryan's Unlocking Our Domestic  
LNG Potential Act and The Ensuring Small  
Scale LNG Certainty and Access Act.

Sincerely,

CHARLIE RIEDL,  
Executive Director, Center for LNG.

LIUNA!,  
September 5, 2018.

Hon. PAUL RYAN,  
Speaker of the House of Representatives,  
Washington, DC.

Hon. NANCY PELOSI,  
Minority Leader, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER AND LEADER PELOSI: On  
behalf of the 500,000 members of the Labor-  
ers' International Union of North America  
(LIUNA), I want to express our support for  
H.R. 4606, Ensuring Small Scale LNG Cer-  
tainty and Access Act, offered by Represent-  
ative Bill Johnson of Ohio. This bipartisan  
bill amends the Natural Gas Act by granting  
approval to applications, without modifica-  
tion or delay, seeking to export 0.14 billion  
cubic feet (Bcf) per day or less, that do not  
require an Environmental Assessment (EA)  
or an Environmental Impact Statement (EIS)  
under the National Environmental Policy  
Act (NEPA).

H.R. 4606 solidifies and provides certainty  
to a recently enacted rule made by the De-  
partment of Energy (DOE) that mirrors Rep.

Johnson's legislation. This cuts the red tape  
for small-scale exports and imports of lique-  
fied natural gas. This bill not only continues  
to promote our Nation's economic growth, it  
also guarantees job security for the thou-  
sands of skilled working men and women we  
proudly represent within the energy sector.

LIUNA believes in an all-of-the-above en-  
ergy policy. Our members work across vir-  
tually every sector of our domestic energy  
production. Whether it is solar-panel fields,  
wind farms, pipelines, or hydro power, our  
members are working to bringing our Na-  
tion's abundant energy resources to market.

This legislation has bipartisan cosponsors,  
and was voted out of committee with even  
stronger bipartisan support. I urge you to  
support H.R. 4606, Ensuring Small Scale LNG  
Certainty and Access Act.

With kind regards, I am  
Sincerely yours,

TERRY O'SULLIVAN,  
General President.

CITIZENS FOR RESPONSIBLE  
ENERGY SOLUTIONS,  
Washington, DC, September 5, 2018.

Speaker PAUL RYAN,  
House of Representatives,  
Washington, DC.

DEAR SPEAKER RYAN: On behalf of Citizens  
for Responsible Energy Solutions (CRES), I  
am writing in support of H.R. 4606, Ensuring  
Small Scale LNG Certainty and Access Act.  
CRES urges the House to pass this legisla-  
tion.

H.R. 4606 would expedite approvals for  
small-scale exports and imports of liquefied  
natural gas (LNG) up to 0.14 billion cubic  
feet per day if no environmental reviews are  
required. The legislation would help mod-  
ernize U.S. energy policy by facilitating ex-  
ports and imports of LNG which is critical as  
the U.S. continues to position itself as a net  
energy exporter over the next decade. The  
legislation would support the growth of jobs  
in the LNG space because of greater cer-  
tainty in permitting and because it would  
allow for the greater use of LNG terminals  
already built or under construction. This  
economic growth would be achieved without  
substantively greater risk to the environ-  
ment due to a strict adherence to National  
Environmental Policy Act (NEPA) require-  
ments.

H.R. 4606 is important legislation for grow-  
ing domestic jobs and for elevating the U.S.'s  
position in global energy markets. We en-  
courage Congress to pass this legislation as  
soon as possible.

Sincerely,

HEATHER REAMS,  
Managing Director.

Mr. JOHNSON of Ohio. Madam Chair,  
I have before me a letter from the Center  
for Liquefied Natural Gas. It says: "The  
United States is awash with natural gas,  
with more discoveries almost daily, and in  
order for the U.S. natural gas industry to  
continue to be an engine for growth, reliable  
exports offer a perfect solution."

They go on to say: "Bipartisan support  
for LNG certainty highlights how important  
this issue is."

I also have a letter here in front of  
me from LIUNA, and they say this: "On  
behalf of the 500,000 members of the  
Laborers' International Union of North  
America, LIUNA, I want to express our  
support for H.R. 4606, Ensuring Small  
Scale LNG Certainty and Access Act."

They go on to say: "LIUNA believes  
in an all-of-the-above energy policy."

Madam Chair, that is exactly what  
H.R. 4606 promotes.

I also have a letter here in front of  
me from Citizens for Responsible En-  
ergy Solutions. There is nobody any  
more concerned about our energy pol-  
icy than the American people. We talk  
about it here all the time in Wash-  
ington, D.C., oftentimes in political  
terms, ideological terms, but it is the  
American people who are going to ben-  
efit from the results of LNG exports,  
whether it is along the Ohio River or  
all across America.

This is a job creator. It is an oppor-  
tunity creator. It strengthens our geo-  
political ties. And we can't underesti-  
mate the strength of that geopolitical  
tie factor in what we are doing.

We have countries like Russia that  
are using their energy resources to  
hammer other countries, to use it as a  
leverage point to force them into obe-  
dience. The last thing that we want is  
for countries in the Caribbean and  
Latin America to have to face going to  
Russia or other countries to get their  
energy resources when they could be  
getting those from us.

Right here, this letter from Citizens  
for Responsible Energy Solutions says:  
"On behalf of Citizens for Responsible  
Energy Solutions, CRES, I am writing  
in support of H.R. 4606, Ensuring Small  
Scale LNG Certainty and Access Act.  
CRES urges the House to pass this leg-  
islation."

Madam Chair, I yield back the bal-  
ance of my time.

The CHAIR. The question is on the  
amendment offered by the gentleman  
from New Jersey (Mr. PALLONE).

The question was taken; and the  
Chair announced that the noes ap-  
peared to have it.

Mr. PALLONE. Madam Chair, I de-  
mand a recorded vote.

The CHAIR. Pursuant to clause 6 of  
rule XVIII, further proceedings on the  
amendment offered by the gentleman  
from New Jersey will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. DEGETTE

The CHAIR. It is now in order to con-  
sider amendment No. 2 printed in part  
B of House Report 115-919.

Ms. DEGETTE. Madam Chair, I have  
an amendment at the desk.

The CHAIR. The Clerk will designate  
the amendment.

The text of the amendment is as fol-  
lows:

Page 3, line 22, strike ";" and" and insert a  
semicolon.

Page 4, line 2, strike "of 1969" and all that  
follows through the end and insert "of 1969;  
and".

Page 4, after line 2, insert the following:  
"(C) with respect to an application for such  
exportation, the application includes suffi-  
cient information to demonstrate that the  
natural gas to be exported was produced  
using available designs, systems, and prac-  
tices to minimize methane emissions from  
leaks or venting."

The CHAIR. Pursuant to House Reso-  
lution 1049, the gentlewoman from Col-  
orado (Ms. DEGETTE) and a Member op-  
posed each will control 5 minutes.

The Chair recognizes the gentle-  
woman from Colorado.

Ms. DEGETTE. Madam Chair, I yield myself such time as I may consume.

Madam Chair, H.R. 4606, the Ensuring Small Scale LNG Certainty and Access Act, is far from perfect, as several of our colleagues have noted. The amendment I am offering today would reverse most of the bill's most egregious shortcomings and help ensure that liquefied natural gas exports benefiting from expedited approval truly are in the public interest, as the original bill purports to do.

This amendment would help keep methane waste to a minimum for the LNG exports permitted by the bill. It requires export applications to show that the natural gas was produced using available techniques and technologies to minimize methane emissions from leaks or venting.

In other words, this amendment would require companies developing liquefied natural gas for export to actually develop and export the natural gas rather than venting vast quantities into the atmosphere or lighting it on fire.

This requirement is easy to implement with readily available technologies. Many companies are already working to reduce their methane emissions.

Sara Ortwein, president of XTO Energy, a subsidiary of ExxonMobil, just this week stated her company's continued support for Federal methane regulations, and she is far from alone.

In Colorado, we have had strong methane rules in place since 2014, and our oil and gas industry has continued to thrive, even as it is required to find and stop the leaks.

Stopping these leaks has real benefits. There is widespread scientific consensus that methane leaks into the atmosphere significantly contribute to climate change. The volatile organic compounds released with the methane increase ground-level pollution and harm public health. When natural gas is produced on public land, it leaks rob taxpayers of royalties on the wasted gas.

So we can and we must prevent such needless harmful emissions wherever possible, and this measure is one way to do it. It would increase the royalties collected for taxpayers; it would reduce climate-changing emissions; and it would protect public health.

Vote for it and you will vote for a better future for our constituents, for our children, and for generations to come.

Now, colleagues who are considering whether to support this amendment may be interested to learn that national and regional polling consistently show strong bipartisan support for methane rules. Sixty to 80 percent or more of those polled expressed their approval.

Now, there may be many reasons for which some people will oppose this amendment, but I can't think of any that would stand up to scrutiny. I would look forward to discussing those reasons here. And if you oppose this amendment, let's talk about it.

Otherwise, we can reduce these emissions; we can pass this bill; and it would go a long way toward cleaning up our environment and saving money.

Madam Chair, I reserve the balance of my time.

Mr. OLSON. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Madam Chair, this amendment is unnecessary and misguided because emissions from natural gas wells are already regulated by the EPA and States under the Clean Air Act.

H.R. 4606 applies only to projects that have already undergone rigorous environmental review and are eligible for an exclusion under the National Environmental Policy Act.

□ 1445

Other than the Natural Gas Act, DOE has the responsibility to protect the public interest. In doing so, DOE must consider whether the project applicant is following the laws and regulations, including those under the Clean Air Act.

Let's be clear about the environmental benefits of natural gas in general and this legislation, specifically.

U.S. carbon emissions in 2017 were the lowest they have been since 1992 because we are using more clean natural gas. Unfortunately, carbon emissions are increasing in other parts of the world because they don't have access to clean-burning natural gas. Our friends in South America, Central America, and the Caribbean are still burning Venezuelan fuel oil in places where our U.S. LNG can replace that fuel oil.

H.R. 4606 is good for our economy. It is good for new American jobs, and it is good for our environment. This legislation will start America's rise as a world-class exporter of natural gas, which will help reduce emissions and pollution all across the globe.

If you really care about reducing emissions, you can't deny the benefits of this legislation.

I urge a "no" vote on this amendment, and I reserve the balance of my time.

Ms. DEGETTE. Mr. Chairman, just quickly, these rules that the gentleman referred to, alleging that they solve the problem, I would just say the BLM Methane and Waste Prevention rule was eliminated by the Trump EPA under Scott Pruitt, and so that is not controlling the public lands emissions right now, which is what this amendment would do. And the EPA rule under the Clean Air Act is also under attack.

Really, if it is current law, why not just support it? Why not say, if we are going to be developing this LNG, let's stop these leaks? Because it helps our environment, it helps with our air and our climate change, and it also helps with profits. And, frankly, for the BLM lands and the other Federal lands, it will help the taxpayers recover money.

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

Mr. OLSON. Mr. Chairman, again, this bill is all about good-paying American jobs.

American exports of liquefied natural gas help our neighbors in South America, Central America, and the Caribbean. This bill makes our air cleaner. Let's lock those benefits in for years to come.

I urge my colleagues to support H.R. 4606 and oppose this amendment.

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

The Acting CHAIR (Mr. CALVERT). The question is on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. DEGETTE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Colorado will be postponed.

Mr. OLSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. CHENEY) having assumed the chair, Mr. CALVERT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay, had come to no resolution thereon.

**MOTION TO INSTRUCT CONFEREES ON H.R. 6147, INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019**

Mr. CALVERT. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Calvert moves that the House take from the Speaker's table the bill, H.R. 6147, with the Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. CALVERT. Madam Speaker, this is a necessary step to continue to move the fiscal year 2019 appropriations process forward under regular order.

On July 19, the House passed H.R. 6147 by a vote of 217-199, which includes the Interior, Environment, and Related Agencies and the Financial Services and General Government bills.

The Senate has now sent H.R. 6147 back to the House with the Agriculture

and Transportation bills added to the package. With the appointment of these conferees, the House and the Senate may begin to resolve differences, with the goal of passing H.R. 6147 before the end of the fiscal year.

As such, I strongly support this motion.

Madam Speaker, I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

A motion to reconsider was laid on the table.

Ms. McCOLLUM. Madam Speaker, I have a motion to instruct conferees at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. McCollum moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 6147 be instructed to agree to section 114 of division A of the matter proposed to be added by the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentlewoman from Minnesota (Ms. McCOLLUM) and the gentleman from California (Mr. CALVERT) each will control 30 minutes.

The Chair recognizes the gentlewoman from Minnesota.

#### GENERAL LEAVE

Ms. McCOLLUM. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Minnesota?

There was no objection.

Ms. McCOLLUM. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this motion would instruct conferees to use a provision from the Senate Interior Appropriations bill that guarantees full funding for the Payment in Lieu of Taxes program. The Payment in Lieu of Taxes program—or PILT, as I will refer to it from now on—provides Federal payments to local governments to help offset the loss of property taxes due to nontransferable Federal lands within their boundaries.

Since local governments cannot tax Federal lands, PILT payments help defray the cost for maintaining vital community services, such as police and fire protection and construction of schools and roads in many cases. It also provides much-needed search and rescue operations.

To date, including fiscal year 2018 payments, approximately \$8.5 billion in payments have been made to local units of government. These payments are a vital lifeline for communities across this country.

Originally, PILT was part of the discretionary appropriations process; but often, Congress failed to provide enough funding for our counties and

they ended up being shortchanged. To stop this from happening and to correct the problem, the program was made mandatory. However, Congress has failed to authorize the PILT program, so we are back to funding PILT through the Interior Appropriations bill.

Funding PILT through the discretionary appropriations process creates uncertainty and unpredictability for local governments across this country. Why? Because the amount available to be appropriated for PILT is constrained by the 302(b) allocation provided in the Interior, Environment, and Related Agencies Subcommittee. And with less than a 1 percent funding increase for 2018 and 2019, it just goes to show that the Interior allocation cannot continue to keep pace with the rising cost of PILT.

At the same time, we need to meet other important obligations in the Interior bill, such as providing healthcare for Native Americans and Alaskan Natives, addressing the backlog of deferred maintenance on Federal lands, and maintaining our national parks, only to name a few.

In the past 25 years, PILT has grown from \$103 million to \$553 million in fiscal year '18. The estimate for this year is again going to exceed \$500 million.

I agree with our local units of government; PILT should be funded as a permanent mandatory program. But with the reauthorizers not having completed their work, the next best thing we can do is to pass this motion to guarantee full funding for our counties.

Madam Speaker, I urge my colleagues to pass this commonsense motion, and I reserve the balance of my time.

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

Madam Speaker, I rise in reluctant opposition to the motion to instruct conferees. The House and Senate, both Democrats and Republicans, have been working together to complete work on as many appropriations bills as possible as quickly as possible. We face a looming deadline of September 30. We are making great progress.

The conferees recognize the importance of the four bills included in this conference package: Interior, Environment, and Related Agencies; Financial Services and General Government; Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; and Commerce, Justice, Science, and Related Agencies. These programs support economic growth, the preservation and promotion of our natural resources and agricultural products, and critical law enforcement functions.

As chairman of the Interior, Environment, and Related Agencies Subcommittee, I am determined to complete this legislation, a commitment I know my friends on the other side of the aisle and on the other side of the Capitol also share.

As we are doing with the two other conference committees, both of which I am serving on, we are negotiating in good faith and working to ensure that the agencies and departments under these bills are adequately funded.

The House and Senate are returning to regular order, and this is great news for the American people. We should let the process work as intended.

Given this, this motion to instruct is unnecessary. I am sure it is going to be one of the items we will be discussing over the next few days. We should not risk any delays to completing the final conference report for these four bills, particularly given the deadline and limited number of legislative days ahead.

Madam Speaker, I urge my colleagues to reject this motion to instruct conferees, and I yield back the balance of my time.

Ms. McCOLLUM. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I appreciate the chairman's reluctance in opposing this because the Payment in Lieu of Taxes program is a nonpartisan issue and it is something that the Interior, Environment, and Related Agencies Subcommittee has been struggling with over our allocations, and it is something, as I bring up, that the Senate has in their bill, something which I think is a good idea and should be discussed. I look forward to further discussions on this, as well as with the other conference committee the chairman and I serve on, Madam Speaker.

But we have a precedent for using this provision. In fact, it a fiscal year 2018 enacted bill. This provision would simply ensure that 100 percent of the PILT payments will be made even if the cost exceeds the cost of the Interior Department's original estimate.

So this is a backstop. This is a guarantee. We still need the authorizers to do their work, but this is to make sure that we don't shortchange any of the other important programs that we fund in the Interior bill. So in my opinion, this is a commonsense issue, and I would urge my colleagues to vote "yes" on that.

Madam Speaker, I thank the chairman for his comments and look forward to going to conference and completing our goal together.

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

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Ms. McCOLLUM. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 187, nays 218, not voting 24, as follows:

[Roll No. 388]

## YEAS—187

Adams Gabbard Nadler  
 Aguilar Gallego Napolitano  
 Barragán Garamendi Nolan  
 Bass Gohmert Norcross  
 Beatty Gomez O'Halleran  
 Bera Gonzalez (TX) O'Rourke  
 Beyer Gottheimer Pallone  
 Bishop (GA) Green, Al Panetta  
 Blumenauer Green, Gene Pascrell  
 Blunt Rochester Grijalva Payne  
 Bonamici Gutiérrez Pelosi  
 Boyle, Brendan Hanabusa Perlmutter  
 F. Hastings Peters  
 Brady (PA) Heck Peterson  
 Brown (MD) Higgins (NY) Pingree  
 Brownley (CA) Himes Pocan  
 Bustos Hoyer Polis  
 Butterfield Jackson Lee Price (NC)  
 Carbajal Jayapal Quigley  
 Cárdenas Jeffries Raskin  
 Carson (IN) Johnson (GA) Rice (NY)  
 Cartwright Johnson, E. B. Richmond  
 Castor (FL) Jones Rogers (AL)  
 Castro (TX) Kaptur Rosen  
 Chu, Judy Keating Roybal-Allard  
 Cicilline Kelly (IL) Ruiz  
 Clark (MA) Kennedy Ruppersberger  
 Clarke (NY) Khanna Rush  
 Clay Kihuen Sánchez  
 Cleaver Kildee Sarbanes  
 Clyburn Kilmer Schakowsky  
 Cohen Kind Schiff  
 Connolly Krishnamoorthi Schneider  
 Cooper Kuster (NH) Schrader  
 Correa Lamb Scott (VA)  
 Costa Langevin Scott, David  
 Courtney Larsen (WA) Serrano  
 Crist Larson (CT) Sewell (AL)  
 Crowley Lawrence Shea-Porter  
 Cuellar Lawson (FL) Sherman  
 Cummings Lee Sinema  
 Davis (CA) Levin Sires  
 Davis, Danny Lewis (GA) Smith (WA)  
 DeFazio Lieu, Ted Soto  
 DeGette Lipinski Suozzi  
 Delaney Loeb sack Swalwell (CA)  
 DeLauro Lofgren Takano  
 DelBene Lowenthal Thompson (CA)  
 Demings Lowey Thompson (MS)  
 DeSaulnier Lujan Grisham, Tonko  
 Deutch M. Torres  
 Dingell Luján, Ben Ray Tsongas  
 Doggett Lynch Vargas  
 Donovan Maloney, Veasey  
 Doyle, Michael Carolyn B. Vela  
 F. Matsui Velázquez  
 Duncan (TN) McCollum Visclosky  
 Engel McGovern Wasserman  
 Espallat McNeerney Schultz  
 Esty (CT) Meeks Waters, Maxine  
 Evans Meng Watson Coleman  
 Foster Moore Welch  
 Frankel (FL) Moulton Wilson (FL)  
 Fudge Murphy (FL) Yarmuth

## NAYS—218

Abraham Byrne Estes (KS)  
 Aderholt Calvert Faso  
 Allen Carter (GA) Ferguson  
 Amash Carter (TX) Fitzpatrick  
 Amodoi Chabot Fleischmann  
 Arrington Cheney Flores  
 Babin Cloud Fortenberry  
 Bacon Coffman Foyx  
 Balderson Cole Frelinghuysen  
 Banks (IN) Collins (GA) Gaetz  
 Barletta Collins (NY) Gallagher  
 Barr Comer Garrett  
 Barton Comstock Gibbs  
 Bergman Conaway Goodlatte  
 Biggs Cook Gosar  
 Billirakis Costello (PA) Gowdy  
 Bishop (MI) Cramer Granger  
 Bishop (UT) Crawford Graves (GA)  
 Black Culberson Graves (LA)  
 Blum Curbelo (FL) Graves (MO)  
 Bost Curtis Griffith  
 Brady (TX) Davidson Grothman  
 Brat Davis, Rodney Guthrie  
 Brooks (AL) Denham Handel  
 Brooks (IN) DesJarlais Harper  
 Buchanan Diaz-Balart Harris  
 Buck Duffy Hartzler  
 Bucshon Duncan (SC) Hensarling  
 Budd Dunn Herrera Beutler  
 Burgess Emmer Hice, Jody B.

Higgins (LA) Hill  
 Hill McCaul  
 Holding McClintock  
 Hollingsworth McHenry  
 Hudson McKinley  
 Huizenga McMorris  
 Hultgren Rodgers  
 Hunter McSally  
 Hurd Meadows  
 Jenkins (KS) Messer  
 Johnson (LA) Mitchell  
 Johnson (OH) Mooleenaar  
 Johnson, Sam Mooney (WV)  
 Jordan Mullin  
 Joyce (OH) Newhouse  
 Katko Norman  
 Kelly (MS) Nunes  
 Kelly (PA) Olson  
 King (LA) Palmer  
 King (NY) Pearce  
 Kinzinger Perry  
 Knight Pittenger  
 Kustoff (TN) Poe (TX)  
 Labrador Poliquin  
 LaHood Posey  
 LaMalfa Ratcliffe  
 Lamborn Reed  
 Lance Reichert  
 Latta Renacci  
 Lesko Rice (SC)  
 Lewis (MN) Roby  
 LoBiondo Roe (TN)  
 Long Rogers (KY)  
 Loudermilk Rohrabacher  
 Love Rokita  
 Lucas Rooney, Francis  
 Luetkemeyer Roskam  
 MacArthur Ross  
 Marchant Rouzer  
 Marino Rutherford  
 Marshall Sanford  
 Massie Scalise  
 Mast

## NOT VOTING—24

Blackburn Maloney, Sean  
 Capuano McEachin  
 DeSantis Neal  
 Ellison Noem  
 Eshoo Palazzo  
 Gianforte Paulsen  
 Huffman Rooney, Thomas  
 Issa J.  
 Jenkins (WV) Ros-Lehtinen

## □ 1528

Mrs. COMSTOCK, Messrs. LEWIS of Minnesota, HUNTER, TURNER, GRIF-FITH, Ms. GRANGER, Messrs. DENHAM, ROKITA, COLLINS of Georgia, BOST, DUFFY, and STEWART changed their vote from "yea" to "nay."

Messrs. CROWLEY and DONOVAN changed their vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. PAULSEN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 388.

## ENSURING SMALL SCALE LNG CERTAINTY AND ACCESS ACT

THE SPEAKER pro tempore (Mr. RUTHERFORD). Pursuant to House Resolution 1049 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4606.

Will the gentleman from Texas (Mr. WEBER) kindly take the chair.

□ 1530

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay, with Mr. WEBER of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 2 printed in part B of House Report 115-919 offered by the gentleman from Colorado (Ms. DEGETTE) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115-919 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. PALLONE of New Jersey.

Amendment No. 2 by Ms. DEGETTE of Colorado.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. PALLONE

The ACTING Chair. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been requested.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 227, not voting 26, as follows:

[Roll No. 389]

## AYES—176

Adams	Chu, Judy	Demings
Aguilar	Cicilline	DeSaulnier
Barragán	Clark (MA)	Deutch
Bass	Clarke (NY)	Dingell
Beatty	Clay	Doggett
Bera	Cleaver	Doyle, Michael
Beyer	Clyburn	F.
Bishop (GA)	Cohen	Engel
Blumenauer	Connolly	Espallat
Blunt Rochester	Cooper	Esty (CT)
Bonamici	Correa	Evans
Boyle, Brendan	Costa	Foster
F.	Courtney	Frankel (FL)
Brady (PA)	Crist	Fudge
Brown (MD)	Crowley	Gabbard
Brownley (CA)	Cuellar	Gallego
Bustos	Cummings	Garamendi
Butterfield	Davis (CA)	Gomez
Carbajal	Davis, Danny	Gonzalez (TX)
Cárdenas	DeFazio	Gottheimer
Carson (IN)	DeGette	Green, Al
Cartwright	Delaney	Grijalva
Castor (FL)	DeLauro	Gutiérrez
Castro (TX)	DelBene	Hanabusa

Hastings Maloney, Sánchez  
 Heck Carolyn B. Sarbanes  
 Higgins (NY) Matsui Schakowsky  
 Himes McCollum Schiff  
 Hoyer McGovern Schneider  
 Jackson Lee McNeerney Schrader  
 Jayapal Meeks Scott (VA)  
 Jeffries Meng Scott, David  
 Johnson (GA) Moore Serrano  
 Johnson, E. B. Moulton Sewell (AL)  
 Jones Murphy (FL) Shea-Porter  
 Kaptur Nadler Sherman  
 Keating Napolitano Sinema  
 Kelly (IL) Norcross Sires  
 Kennedy O'Halleran Smith (WA)  
 Khanna O'Rourke Soto  
 Kihuen Pallone Suozzi  
 Kildee Panetta Swalwell (CA)  
 Kilmer Pascrell Takano  
 Kind Payne Thompson (CA)  
 Krishnamoorthi Pelosi Thompson (MS)  
 Kuster (NH) Perlmutter Tonko  
 Langevin Peters Torres  
 Larsen (WA) Pingree Tsongas  
 Lawrence Pocan Vargas  
 Lawson (FL) Polis Veasey  
 Lee Price (NC) Vela  
 Levin Quigley Velázquez  
 Lewis (GA) Raskin Visclosky  
 Lieu, Ted Rice (NY) Wasserman  
 Lipinski Richmond Schultz  
 Loeb sack Rosen Waters, Maxine  
 Lofgren Roybal-Allard Watson Coleman  
 Lowenthal Ruiz Welch  
 Lowey Ruppertsberger Wilson (FL)  
 Lynch Rush Yarmuth

Sanford Stivers Weber (TX)  
 Scalise Taylor Webster (FL)  
 Schweikert Tenney Wenstrup  
 Scott, Austin Thompson (PA) Westerman  
 Sensenbrenner Thornberry Williams  
 Sessions Tipton Wilson (SC)  
 Shimkus Trott Wittman  
 Shuster Turner Womack  
 Simpson Upton Woodall  
 Smith (MO) Valadao Yoder  
 Smith (NE) Wagner Yoho  
 Smith (NJ) Walberg Young (AK)  
 Smith (TX) Walden Young (IA)  
 Smucker Walker Zeldin  
 Stefanik Walorski  
 Stewart Walters, Mimi

Hoyer Jackson Lee Maloney, Sánchez  
 Jayapal Jayapal Carolyn B. Sarbanes  
 Jeffries Matsui Schakowsky  
 Johnson (GA) McCollum Schiff  
 Johnson, E. B. McGovern Schneider  
 Kaptur McNeerney Schrader  
 Katko Kapture Scott (VA)  
 Keating Katko Meeks Scott, David  
 Kelly (IL) Keating Meng Serrano  
 Kennedy Kelly (IL) Moore Sewell (AL)  
 Khanna Kennedy Moulton Shea-Porter  
 Kihuen Khanna Murphy (FL) Sherman  
 Kildee Kihuen Nadler Sinema  
 Kilmer Kilmer Napolitano Sires  
 Kind Nolan Norcross Smith (NJ)  
 Krishnamoorthi Krilmer O'Halleran Smith (WA)  
 Kuster (NH) Kuster (NH) Soto  
 Lamb Lamb Stefanik  
 Langevin Langevin Swalwell (CA)  
 Larsen (WA) Larsen (WA) Takano  
 Larson (CT) Larson (CT) Thompson (CA)  
 Lawrence Lawrence Thompson (MS)  
 Lawson (FL) Lawson (FL) Tonko  
 Lee Lee Torres  
 Levin Levin Pingree  
 Lewis (GA) Lewis (GA) Pocan  
 Lieu, Ted Lieu, Ted Polis  
 Lipinski Lipinski Price (NC)  
 LoBiondo LoBiondo Quigley  
 Loeb sack Loeb sack Raskin  
 Lofgren Lofgren Reichert  
 Love Love Rice (NY)  
 Lowenthal Lowenthal Richmond  
 Lowey Lowey Rooney, Francis  
 Lujan Grisham, M. Rosen  
 Luján, Ben Ray Roybal-Allard  
 Lynch Lynch Ruiz  
 MacArthur MacArthur Ruppertsberger  
 Rush Rush Wilson (FL)  
 Yarmuth Yarmuth

NOT VOTING—26

Blackburn Joyce (OH) Rooney, Thomas  
 Capuano Larson (CT) J.  
 DeSantis Maloney, Sean Ros-Lehtinen  
 Ellison McEachin Royce (CA)  
 Eshoo Neal Russell  
 Gianforte Noem Ryan (OH)  
 Huffman Nolan Speier  
 Issa Palazzo Titus  
 Jenkins (WV) Perry Walz

□ 1535

Mr. MEADOWS changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. PERRY. Mr. chair, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 389.

AMENDMENT NO. 2 OFFERED BY MS. DEGETTE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 195, noes 210, not voting 24, as follows:

[Roll No. 390]

AYES—195

Abraham Emmer Latta  
 Aderholt Estes (KS) Lesko  
 Allen Faso Lewis (MN)  
 Amash Ferguson LoBiondo  
 Amodei Fitzpatrick Long  
 Arrington Fleischmann Loudermilk  
 Babin Flores Love  
 Bacon Fortenberry Lucas  
 Balderson Foxx Luetkemeyer  
 Banks (IN) Frelinghuysen Lujan Grisham,  
 Barletta M.  
 Barr Gallagher Luján, Ben Ray  
 Barton Garrett MacArthur  
 Bergman Gibbs Marchant  
 Biggs Gohmert Marino  
 Bilirakis Goodlatte Marshall  
 Bishop (MI) Gosar Massie  
 Bishop (UT) Mast McCarthy  
 Black Granger McCaul  
 Blum Graves (GA) McClintock  
 Bost Graves (LA) McHenry  
 Brady (TX) Graves (MO) McKinley  
 Brat Green, Gene McMorris  
 Brooks (AL) Griffith McMorris  
 Brooks (IN) Grothman Rodgers  
 Buchanan Guthrie McCaul  
 Buck Handel Meadows  
 Bucshon Harper Messer  
 Budd Harris Mitchell  
 Burgess Hartzler Moolenaar  
 Byrne Hensarling Mooney (WV)  
 Calvert Herrera Beutler Mullin  
 Carter (GA) Hice, Jody B. Newhouse  
 Carter (TX) Higgins (LA) Norman  
 Chabot Hill Nunes  
 Cheney Holding Olson  
 Cloud Hollingsworth Palmer  
 Coffman Hudson Paulsen  
 Cole Huizenga Pearce  
 Collins (GA) Hultgren Peterson  
 Collins (NY) Hunter Pittenger  
 Comer Hurd Poe (TX)  
 Comstock Jenkins (KS) Poliquin  
 Conaway Johnson (LA) Posey  
 Cook Johnson (OH) Ratcliffe  
 Costello (PA) Johnson, Sam Reed  
 Cramer Jordan Reichert  
 Crawford Katko Renacci  
 Culberson Kelly (MS) Rice (SC)  
 Curbeo (FL) Kelly (PA) Roby  
 Curtis King (IA) Roe (TN)  
 Davidson King (NY) Rogers (AL)  
 Davis, Rodney Kinzinger Rogers (KY)  
 Denham Knight Rohrabacher  
 DesJarlais Kustoff (TN) Rokita  
 Diaz-Balart Labrador Rooney, Francis  
 Donovan LaHood Roskam  
 Duffy LaMalfa Ross  
 Duncan (SC) Lamb Rothfus  
 Duncan (TN) Lamborn Rouzer  
 Dunn Lance Rutherford

Adams Clarke (NY) Dingell  
 Aguilar Clay Doggett  
 Barragán Cleaver Doyle, Michael  
 Bass Clyburn F.  
 Beatty Coffman Engel  
 Bera Cohen Espallat  
 Beyer Connolly Esty (CT)  
 Bishop (GA) Cooper Evans  
 Blumenauer Correa Fitzpatrick  
 Blunt Rochester Costa Foster  
 Bonamici Costello (PA) Frankel (FL)  
 Boyle, Brendan Courtney Fudge  
 F. Crist Gabbard  
 Brady (PA) Crowley Gallego  
 Brown (MD) Cuellar Garamendi  
 Brownley (CA) Cummings Gomez  
 Bustos Curbelo (FL) Gonzalez (TX)  
 Butterfield Curtis Kelly (MS)  
 Carbajal Davis, Danny Green, Al  
 Cárdenas DeFazio Green, Gene  
 Carson (IN) DeGette Grijalva  
 Cartwright Delaney Gutiérrez  
 Castor (FL) DeLauro Hanabusa  
 Castro (TX) DelBene Hastings  
 Chu, Judy Demings  
 Cicilline DeSaunier  
 Clark (MA) Deutch Himes

Abraham Dunn Lamborn  
 Aderholt Emmer Lance  
 Allen Estes (KS) Latta  
 Amash Faso Lesko  
 Amodei Ferguson Lewis (MN)  
 Arrington Fleischmann Long  
 Babin Fortenberry Loudermilk  
 Bacon Foxx Lucas  
 Balderson Frelinghuysen Luetkemeyer  
 Banks (IN) Gaetz Marchant  
 Barletta Gallagher Marino  
 Barr Garrett Marshall  
 Barton Gibbs Massie  
 Bergman Gohmert McCarthy  
 Biggs Goodlatte McCaul  
 Bilirakis Gosar McClintock  
 Bishop (MI) Gowdy McHenry  
 Bishop (UT) Granger McKinley  
 Black Graves (GA) McMorris  
 Blum Graves (LA) Rodgers  
 Bost Graves (MO) McCaul  
 Brady (TX) Griffith Meadows  
 Brat Grothman Messer  
 Brooks (AL) Guthrie Mitchell  
 Brooks (IN) Handel Moolenaar  
 Buchanan Harper Mooney (WV)  
 Buck Harris Mullin  
 Bucshon Hartzler Newhouse  
 Budd Hensarling Norman  
 Burgess Herrera Beutler Nunes  
 Byrne Hice, Jody B. Olson  
 Calvert Higgins (LA) Palmer  
 Carter (GA) Hill Paulsen  
 Carter (TX) Carter (TX) Pearce  
 Chabot Hollingsworth Perry  
 Cheney Hudson Peterson  
 Cloud Huizenga Pittenger  
 Coffman Hultgren Poe (TX)  
 Cole Hunter Poliquin  
 Collins (GA) Hurd Posey  
 Collins (NY) Comer Jenkins (KS)  
 Comer Johnson (LA) Ratcliffe  
 Comstock Johnson (OH) Reed  
 Conaway Johnson, Sam Renacci  
 Cook Jones Rice (SC)  
 Cramer Jones Roby  
 Crawford Jordan Roe (TN)  
 Culberson Joyce (OH) Rogers (AL)  
 Curbeo (FL) Kelly (MS) Rogers (KY)  
 Curtis Kelly (PA) Rohrabacher  
 Davidson King (IA) Rokita  
 Davis, Rodney King (NY) Roskam  
 Denham Kinzinger Ross  
 DesJarlais Kinzinger Rothfus  
 Diaz-Balart Knight Rouzer  
 Donovan Kustoff (TN) Sanford  
 Duffy Labrador Sanford  
 Duncan (SC) LaHood Scalise  
 Duncan (TN) LaMalfa Schweikert

NOES—210

NOES—227

NOES—210

Scott, Austin	Thompson (PA)	Wenstrup
Sensenbrenner	Thornberry	Westerman
Sessions	Tipton	Williams
Shimkus	Trott	Wilson (SC)
Shuster	Turner	Wittman
Simpson	Valadao	Womack
Smith (MO)	Wagner	Woodall
Smith (NE)	Walberg	Yoder
Smith (TX)	Walden	Yoho
Smucker	Walker	Young (AK)
Stewart	Walorski	Young (IA)
Stivers	Walters, Mimi	Zeldin
Taylor	Weber (TX)	
Tenney	Webster (FL)	

## NOT VOTING—24

Blackburn	Jenkins (WV)	Royce (CA)
Capuano	Maloney, Sean	Russell
DeSantis	McEachin	Rutherford
Ellison	Neal	Ryan (OH)
Eshoo	Noem	Speier
Flores	Palazzo	Titus
Gianforte	Rooney, Thomas	Walz
Huffman	J.	
Issa	Ros-Lehtinen	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1541

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. FERGUSON). The question is on the committee amendment in the nature of a substitute.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEBER of Texas) having assumed the chair, Mr. FERGUSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay, and, pursuant to House Resolution 1049, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mrs. WATSON COLEMAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. WATSON COLEMAN. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Watson Coleman moves to recommit the bill H.R. 4606 to the Committee on En-

ergy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

Page 3, line 22, strike “; and” and insert a semicolon.

Page 4, line 2, strike “of 1969” and all that follows through the end and insert “of 1969; and”.

Page 4, after line 2, insert the following: “(C) such importation or exportation will not involve the use of any pipe line with respect to which eminent domain was, or will be, used to acquire land or other property necessary for its construction, operation, or maintenance.”.

Mrs. WATSON COLEMAN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from New Jersey is recognized for 5 minutes in support of her motion.

Mrs. WATSON COLEMAN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

We are here because our Constitution provided for a body that would represent the interests of the people. There are 435 of us, and our mandate is to represent the interests of individuals from coast to coast, and beyond to our territories, ensuring that our laws help each of them work toward the American Dream.

For many Americans, owning property is the pinnacle of that dream. Once they have achieved it, that is not something we, the Federal Government, should take away lightly, and that is a principle upon which I think my colleagues on the other side of the aisle would be particularly willing to agree. It is certainly not something that we should be letting companies impede upon.

Yet, current law allows pipeline companies, with authorization of the Federal Energy Regulatory Commission, or FERC, to circumvent landowner opposition and to use eminent domain to acquire people’s lands so that they can build pipelines, even if the product of those pipelines ends up being used overseas.

Why would we allow private companies, shipping our resources overseas for a profit, with no benefit to us here at home, to take away privately owned land from owners who don’t want to lose their property?

Worse still, compensation provided to the property owners is often far from fair or just, and the negotiations are rarely conducted in good faith. That is to say nothing of the polluting nature of these companies or our Nation’s continued reliance on fossil fuels.

When you take away all the environmental considerations and look only at the basic transaction here, we are giving away people’s private land to pipeline companies for no public benefit. In

fact, we are giving away people’s private land so that private companies can profit from selling liquefied natural gas to customers outside of the United States.

This body has fallen into a bad habit of corporate giveaways, but this is one of the worst.

With the recent boom in the domestic gas production, this is happening across the United States and harming property owners in many of our districts.

In my own State of New Jersey, residents, including my own constituents, are deeply concerned about the PennEast Pipeline Project, a proposed 118-mile, 36-inch gas pipeline stretching from northeast Pennsylvania to my district. More than 500 landowners, many of whom have vocally opposed the pipeline, will now have their properties cut up for construction.

Preventing these private, for-profit companies from having access to the eminent domain authority in section 7h of the Natural Gas Act would immediately halt abuse of that authority by private gas pipeline companies. It would place public interests over private profit. Most importantly, it will protect our constituents’ hard-earned pieces of the American Dream.

This is an opportunity for each of us to show that we are for the people, that we acknowledge our job is to serve the people’s interests, and that corporations shouldn’t be able to take private land.

It shouldn’t be a difficult choice because, if you are not here for the people, then you shouldn’t be here at all.

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

Mr. OLSON. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Speaker, this is just a procedural motion to deny the important benefits of this bipartisan legislation to American workers, businesses, our energy security, and global American energy dominance. It fits a pattern of delay and obstruction that we simply can’t afford.

Our neighbors in South America, Central America, and the Caribbean are praying for American LNG instead of fuel oil from unstable and collapsing Venezuela. Let’s answer those prayers today. Vote against the motion to recommit and for final passage.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

## RECORDED VOTE

Mrs. WATSON COLEMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 231, not voting 20, as follows:

[Roll No. 391]

AYES—178

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clever  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Engel  
Españat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge

Gabbard  
Gallego  
Garamendi  
Gomez  
Gottheimer  
Green, Al  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeback  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Matsui  
McCollum  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler

Napolitano  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarell  
Payne  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Sires  
Smith (WA)  
Soto  
Suoizzi  
Swailwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Vislosky  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

NOES—231

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Balderson  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Billirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blum

Bost  
Brady (TX)  
Brat  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Cloud  
Coffman  
Cole  
Collins (GA)

Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Curtis  
Davidson  
Davis, Rodney  
Denham  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)

Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gibbs  
Gohmert  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzer  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Olson  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger

Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamb  
Lamborn  
Lance  
Latta  
Lesko  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Newhouse  
Norman  
Nunes  
Olson  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Schneider  
Schweikert  
Rice (SC)  
Robby  
Roe (TN)  
Rogers (AL)

Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Roskam  
Ross  
Rothfus  
Rouzer  
Russell  
Rutherford  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

NOT VOTING—20

Blackburn  
Capuano  
DeSantis  
Ellison  
Eshoo  
Gianforte  
Huffman  
Jenkins (WV)  
Maloney, Sean  
McEachin  
Neal  
Noem  
Palazzo  
Rooney, Thomas J.  
Ros-Lehtinen

□ 1558

Mr. THOMPSON of Mississippi changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PALLONE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 260, noes 146, not voting 23, as follows:

[Roll No. 392]

AYES—260

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Balderson  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Billirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blum  
Bost  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Cloud  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Curtis  
Davidson  
Davis, Rodney  
Denham  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Dunn  
Emmer  
Estes (KS)  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gibbs  
Gohmert  
Gonzalez (TX)  
Goodlatte

Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Al  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Himes  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jackson Lee  
Jenkins (KS)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamb  
Lamborn  
Lance  
Larsen (WA)  
Latta  
Lesko  
Lewis (MN)  
Lipinski  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
Lujan Grisham,  
M.  
Luján, Ben Ray  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (FL)  
Newhouse

Nolan  
Norcross  
Norman  
Nunes  
O'Halleran  
O'Rourke  
Olson  
Palmer  
Paulsen  
Pearce  
Perlmutter  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Richmond  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Roskam  
Ross  
Rothfus  
Rouzer  
Russell  
Rutherford  
Scalise  
Schrader  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Sewell (AL)  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Smith (MO)  
Smith (NE)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Veasey  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

NOES—146

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera

Beyer  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan F.

Brownley (CA)  
Bustos  
Carbajal  
Cárdenas  
Carson (IN)  
Castor (FL)

Chu, Judy	Jeffries	Pingree
Cicilline	Johnson (GA)	Pocan
Clark (MA)	Johnson, E. B.	Price (NC)
Clarke (NY)	Jones	Quigley
Clay	Kaptur	Raskin
Cleaver	Keating	Rice (NY)
Clyburn	Kelly (IL)	Rosen
Cohen	Kennedy	Roybal-Allard
Connolly	Khanna	Ruiz
Courtney	Kihuen	Ruppersberger
Crist	Kildee	Rush
Crowley	Kilmer	Sánchez
Cummings	Kind	Sanford
Davis (CA)	Krishnamoorthi	Sarbanes
Davis, Danny	Kuster (NH)	Schakowsky
DeFazio	Langevin	Schiff
DeGette	Larson (CT)	Schneider
Delaney	Lawrence	Scott (VA)
DeLauro	Lawson (FL)	Scott, David
DelBene	Lee	Serrano
Demings	Levin	Shea-Porter
DeSaulnier	Lewis (GA)	Sherman
Deutch	Lieu, Ted	Smith (NJ)
Dingell	Lofgren	Smith (WA)
Doggett	Lowenthal	Soto
Engel	Lowe	Suozzi
Espallat	Lynch	Swalwell (CA)
Esty (CT)	Maloney,	Takano
Evans	Carolyn B.	Thompson (CA)
Foster	Matsui	Tonko
Frankel (FL)	McCollum	Torres
Fudge	McGovern	Tsongas
Gabbard	Meeks	Vargas
Galleo	Meng	Vela
Garamendi	Moore	Velázquez
Gomez	Moulton	Vislosky
Grijalva	Nadler	Wasserman
Gutiérrez	Napolitano	Schultz
Hanabusa	Pallone	Waters, Maxine
Hastings	Panetta	Watson Coleman
Heck	Pascarell	Welch
Higgins (NY)	Payne	Wilson (FL)
Hoyer	Pelosi	Yarmuth
Jayapal	Peters	

## NOT VOTING—23

Blackburn	Huffman	Rooney, Thomas
Butterfield	Jenkins (WV)	J.
Capuano	Loeb sack	Ros-Lehtinen
Coffman	Maloney, Sean	Royce (CA)
DeSantis	McEachin	Ryan (OH)
Ellison	Neal	Speier
Eshoo	Noem	Titus
Gianforte	Palazzo	Waltz

□ 1609

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### APPOINTMENT OF CONFEREES ON H.R. 6147, INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 6147:

Messrs. FRELINGHUYSEN, ADERHOLT, SIMPSON, CALVERT, COLE, DIAZ-BALART, GRAVES of Georgia, YOUNG of Iowa, RUTHERFORD, Mrs. LOWEY, Messrs. PRICE of North Carolina, BISHOP of Georgia, Ms. MCCOLLUM, Mr. QUIGLEY, and Ms. PINGREE.

There was no objection.

#### MOMENT OF SILENCE HONORING RONALD V. DELLUMS

(Ms. LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, I rise to remember the life and legacy of a great statesman and social justice warrior,

Congressman Ron Dellums, who passed away on July 30.

Mr. Speaker, the contributions that Ron made to our community, the Nation, and the world are endless. As a former marine and the first African American to serve on the House Armed Services Committee and later to become its chair, he was a true patriot and a hero.

As cofounder of the Congressional Black Caucus and the Congressional Progressive Caucus, Ron fought for the civil and human rights for everyone in America and around the world; also, he fought to end poverty.

As a social worker, Congressman Dellums made it his life mission to fight for the most vulnerable. That was evident in his fight against the brutal apartheid regime leading to the passage of his South Africa Sanctions Bill after introducing it 11 times. President Reagan vetoed the bill and Congress overrode the veto.

I am blessed to call Ron my dear friend, my predecessor, my mentor, and my former boss. I miss him tremendously, and I will hold him dear to my heart and the lessons that I learned from this great public servant.

My condolences are with the Dellums family, friends, and loved ones. His legacy and his spirit will be with us forever.

Now I ask my colleagues to join me, please, in a moment of silence for our great fallen hero.

The SPEAKER pro tempore (Mr. LEWIS of Minnesota). All Members please rise for a moment of silence.

#### ERDOGAN THE BULLY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, our supposed Turkish allies are holding Americans hostage. At least two Americans, Andrew Brunson and Serkan Golge, are being held by the Turkish regime on fake charges.

President Erdogan, an Islamist who has arrested thousands of Turks who oppose him and puts them in jail, believes that he can also imprison Americans and use them as bargaining chips. He hopes that he can trade American hostages for his political opponents that have fled Turkey.

Even if the individuals Erdogan wanted had clearly committed crimes, which there is absolutely no evidence they have, we should never engage in rewarding Turkey for taking hostages.

Erdogan the bully has proven he has no respect for the rule of law, and, instead, rules by fear, intimidation, threats, and terror. We must not assist him in his destruction of his own democracy.

American hostages like Pastor Andrew Brunson, who has been held for more than 600 days, must be returned immediately to America. Until then, Turkey should no longer be considered an ally of Americans but a kidnapper of Americans.

And that is just the way it is.

□ 1615

#### PERIPHERAL ARTERY DISEASE

(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, I rise today to call attention to an epidemic, a pandemic of unnecessary amputations in our country. In the 21st century, non-traumatic amputations should be a thing of the past, but they are not.

Poor blood circulation because of peripheral artery disease often leads to amputations, and minorities are suffering disproportionately. In fact, African Americans with PAD are more likely to be amputated and less likely to have their lower limbs revascularized.

Across this country, people are having their limbs and digits amputated simply because they are poor, simply because they don't have access to healthcare until it is too late.

Yesterday, Mr. PAULSEN and I brought together experts from across the country to discuss ways Congress can prevent this unnecessary amputation issue. This is serious.

The problem is no one checks or does any screening prior to amputations. If a woman went in to her doctor and found a lump in her breast today and the doctor said well, we are just going to have to do a mastectomy, we would go crazy. So we need testing in this area as well because these limbs can be saved and Americans can go on and live the quality of life that they deserve in this Nation.

This is a serious health issue that affects people in all of our districts, and I look forward to continuing to work with both Democrats and Republicans to reduce unnecessary amputations.

#### SEPTEMBER IS NATIONAL CHILDHOOD CANCER AWARENESS MONTH

(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, September is the National Childhood Cancer Awareness Month. It is a month about a young lady from home. Her name is Marlee Pack.

On April 10 of 2015, she was told a small bump on her left foot was cancer. Two weeks later, her left foot was cut off. Next was 40 straight weeks of chemotherapy in Houston. The chemo took all of her hair, but it never took her smile.

She kept smiling when her cancer came back in July of 2017. She smiled because she beat her cancer again. Marlee smiles because she is bathed in love from her parents, a teacher who let Marlee shave her head at school,

and a parade at her school, Sienna Crossing Elementary in Fort Bend County.

But Marlee's biggest smile is yet to come. Soon, she will ring that bell that she is cancer-free. Let's smile with Marlee and make D.C. gold this month.

#### A PICTURE IS WORTH A THOUSAND WORDS

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, they say a picture is worth a thousand words. This is a the moment when Judge Brett Kavanaugh refused to shake the hand of Fred Guttenberg, a man whose 14-year old daughter was murdered during a school shooting at Parkland, Florida earlier this year.

Instead of shaking his hand, Judge Kavanaugh buttoned up his jacket, turned and walked away. That moment said all I need to know about Judge Kavanaugh. It is clear he doesn't possess the empathy necessary to serve on the highest court in the land.

Yesterday, Judge Kavanaugh said he wants both parties in his cases believing he gave them a fair shake. And yet, when facing a man who lost his daughter in one of the most horrific school shootings in our country's history, he wouldn't even shake his hand.

As a judge, Brett Kavanaugh said he believes a ban on the sale of semiautomatic assault weapons is unconstitutional. That is his record.

On the Supreme Court, he will allow the unrestricted sale of weapons like the one used to kill Mr. Guttenberg's daughter. But as a person, his actions toward Mr. Guttenberg on Tuesday speak louder than any legal opinion he could write.

The Senate must reject his nomination.

#### HUMAN TRAFFICKING

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

Mr. ESTES of Kansas. Mr. Speaker, I rise to offer thanks to the Wichita Police Department, FBI, and ICE for making a series of arrests last month to help end human trafficking in my community in Wichita, Kansas.

On August 23, several raids began after an investigation into possible child sex trafficking led to a tip from a 15-year-old female victim. Information this brave young girl provided led to the arrest of eight people for charges of aggravated human trafficking, as well as illegal firearms, drug possession, and rape. This would not have been possible without the partnership between the local Wichita police, the FBI, and the Homeland Security Investigations unit of ICE.

People may not be aware, but human trafficking is one of the most heinous crimes investigated by ICE. Rather

than disavow ICE and all law enforcement, these brave men and women deserve our support for their service.

So, Mr. Speaker, as a member of the Homeland Security Committee, and Representative from Wichita, I ask my colleagues to join me today in thanking all law enforcement for keeping communities like mine safe.

#### HONORING RONALD V. DELLUMS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I look forward to having the opportunity to speak about former Congressman Ron Dellums at a lengthier time, but I wanted to stand and pay tribute to him at this time, and to indicate what an important experience it was to serve with him for the short period of time that I had to do so.

One of my predecessors, the Honorable Mickey Leland, who died in Ethiopia some many years ago trying to serve those who were starving, had a strong bond and friendship with Congressman Ron Dellums, and it was clear, when I came to the United States Congress, why. Both men had a deep and abiding passion and conscience for what is right.

And even as Mr. Dellums ascended to the chairmanship or leadership of the Armed Services Committee, he was always committed and dedicated to his values, and that was peace, and reconciliation, and the idea that it was important to invest in people, as opposed to investing in enormous, large budgets for the defense.

We thank him for his work on HIV/AIDS but, more importantly, on his counseling and mentoring, and we are grateful to his family for sharing him with America.

#### RECOGNIZING CHIEF JIM DEMANN

(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, I want to recognize the service of Eden Prairie Police Chief Jim DeMann, who will retire at the end of September after a career of dedication to the safety of Eden Prairie and Minnesota families.

Chief DeMann spent his entire career in law enforcement serving our community in Eden Prairie. In fact, his 31 years of service began back in 1983, as a Police Department intern. But by 1987 he was a sworn officer, and he served for almost a decade as a canine officer.

I have known Jim for years, and his leadership will surely be missed because he led by example and has seen a lot of growth in our community. But incoming Chief Greg Weber now will surely be up to the task.

On behalf of our entire Eden Prairie community, I want to thank Chief DeMann for his service to the entire

Eden Prairie community, and I wish him all the best in his retirement.

#### PREVENTING ALL-OUT CHAOS

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, because of our diversity of interests and constituents, Congress is an inherently volatile body. For stability, the Nation typically looks to the President, the one official elected nationwide.

This President has abdicated his role as a unifying figure. Instead, he daily takes radically disconcerting actions, alarming residents who do not know what to expect from 1 day to the next.

The Republican majority does not even try to help, so, instead, Trump's own appointees now seek to reassure the public and our allies that someone on the inside is trying to prevent all-out chaos.

Those who want the author of the uncontradicted New York Times op-ed to resign need to explain how that would quell the undeniable chaos in the administration or reassure the American public that responsible officials are looking out for them.

#### RECOGNIZING NICK RATLIFF, 2018 CARHARTT BASSMASTER CLASSIC COLLEGE SERIES INDIVIDUAL CHAMPION

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

Mr. COMER. Mr. Speaker, I rise today to recognize Nick Ratliff, a native of Elizabethtown, Kentucky, and a senior at Campbellsville University, who recently earned the title of individual champion at the 2018 Carhartt Bassmaster Classic College Series.

The grueling competition at Milford Lake in Junction City, Kansas, tested Ratliff's endurance and fishing prowess, with only 4 ounces ultimately separating him from his competitor. After 3 days of challenges, and battling stormy conditions, Ratliff emerged the champion with a 13-pound, 8-ounce catch.

Following this incredible victory, he has earned the right to compete at the 2019 Bassmaster Classic on the Tennessee River in March of 2019 in Knoxville, Tennessee.

I join with his family and friends, as well as his coach, Pete Hedgepath, in congratulating him on this great accomplishment. I wish him the best of luck in his future competitions, and look forward to many more titles and championships as a result of his continued dedication to his sport.

#### HONORING RONALD V. DELLUMS

(Ms. MAXINE WATERS of California asked and was given permission to address the House for 1 minute.)

Ms. MAXINE WATERS of California. Mr. Speaker, I would like to thank Congresswoman BARBARA LEE and Congressman JAMIE RASKIN for organizing a Special Order to follow the 1 minutes to honor the memory of our dear friend and former colleague, Congressman Ron Dellums.

Ron Dellums was an unabashed progressive icon, and a strong and outspoken advocate for his constituents, veterans, people of color, and other vulnerable communities during his 13-term tenure in the United States Congress.

Understanding the unique problems facing the African-American community, Ron Dellums joined with 12 fellow civil rights giants, including Lou Stokes, Bill Clay, Shirley Chisholm, to create the Congressional Black Caucus in 1971. True to his creed, the CBC remains the conscience of the Congress today and has grown to a historic 48 members.

As a former U.S. Marine, Ron Dellums was one of the most outspoken opponents of the Vietnam war. In Congress, he led an effort to educate the American public of war crimes that were committed during the Vietnam war.

In 1993, he also made history as the first African American chair of the House Armed Services Committee.

However, one of Ron Dellums' greatest achievements is one that is also dear to my heart, ending apartheid in South Africa. As a member of the California State Assembly and a national board member of Trans Africa, I had the privilege of working with Ron Dellums to pass legislation at the State and Federal level that forced the United States to divest from apartheid, the regime in South Africa.

#### CENTRAL NEW YORK MEMORIAL STAIR CLIMB

(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, 343 firefighters, 70 law enforcement officers, and 8 emergency medical technicians. Seventeen years ago our Nation was changed forever. While the Twin Towers burned, thousands of first responders rushed to save the lives of their fellow citizens, knowing the dangers ahead; 421 first responders made the ultimate sacrifice that day. Side by side, they climbed 110 flights of stairs, in nearly 70 pounds of gear. It was the largest high-rise rescue operation in history.

"We climb because they climbed."

In an inspiring, touching tribute this Saturday, hundreds of our local first responders will take part in the annual Central New York Memorial Stair Climb. Wearing the same 70 pounds of gear, they will make the same climb at the Utica State Office Building to keep the memory of our fallen heroes alive.

Mr. Speaker, in the face of the worst of humanity, our Nation saw the best

of humanity in those brave men and women. Let us never forget their selfless sacrifice.

□ 1630

#### HONORING RONALD V. DELLUMS

(Mr. DANNY K. DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to Representative Ron Dellums, who, among other things, was known as one of the most outstanding, articulate, and eloquent persons to ever serve in this House of Representatives.

He was a political, social activist who used his voice and his mannerisms to educate millions of people throughout the world about issues, AIDS, HIV, Free South Africa.

He was an icon. He is an icon and will always be an icon, a great Member of this body.

#### HONORING RONALD V. DELLUMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RASKIN. Mr. Speaker, thank you very much for this Special Order hour, which we have decided to devote to the life and career of an extraordinary former colleague, Ron Dellums, the giant who has fallen and whose death has deeply affected this body. We have invited Members who have reminiscences and appreciations to come forward and to participate in remembrance of the life of Ron Dellums.

I just have a few things to say. I never had the good fortune of serving with Congressman Dellums, but he was a very close friend of my family's, so, as a little boy, I grew up admiring him.

He was an incredibly warm and dynamic, charismatic and brilliant man who really exuded love of people wherever he went.

Among his many extraordinary achievements in public life, one of them was to bring into politics and government service our distinguished colleague BARBARA LEE, who succeeded him in office and who will be taking over the Special Order hour after I say just a few words, but we should not understate the importance of that achievement.

Congresswoman LEE served as his chief of staff for many years; she will tell you that story. Then he backed her for the seat that he occupied, so she is the proud and worthy successor to Congressman Dellums.

But I wanted to say that, in a professional field where so many participants are known for putting their finger up to the wind and following simply what the pollsters or campaign donors are telling them to do, Ron Dellums was a diamond in the rough from day one. He

always put his ideals and his values first, and he didn't waver from them, no matter how politically tough it became.

He was raised in a politically engaged environment. His father was a longshoreman who was deeply involved in the labor movement. His uncle, Cottrell Lawrence Dellums, was instrumental in helping A. Philip Randolph organize the Brotherhood of Sleeping Car Porters before being elected president of that union in 1966.

Now, Ron, when he graduated from high school, enlisted in the United States Marine Corps and spent several years in the Marines before an honorable discharge.

He went on to college and to receive his master's in social work and became a psychiatric social worker in the California Department of Mental Hygiene.

He was elected to the Berkeley City Council in 1967 at the age of 32. He was deeply involved in the movement against the Vietnam war, which profoundly affected his political outlook and his development as a leader. He was elected to Congress in 1972.

I will allow my colleague to talk about the various legislative efforts they were involved in with Congressman Dellums, but I will say, when I was in college, he was a great hero to college students across the country and to anti-apartheid activists, not just across America, but across the world for his leadership for comprehensive sanctions against South Africa, the Comprehensive Anti-Apartheid Act of 1986, which was passed as a culmination of a movement that he organized that involved civil disobedience at the South African Embassy.

I was very proud to have played a tiny part in that as a college student, to have come and participated and submitted to arrest, along with thousands of other people who did that at that time in order to galvanize public opinion against American complicity and involvement with apartheid in South Africa.

But I would say that one other thing that always made such a powerful impression on me was that Congressman Dellums, like another great leader for peace, George McGovern, was himself a veteran, and he saw no conflict between the two. He was someone who proudly served in the Armed Forces of his country and nobly did so, but thought that it was equally noble to fight for peace and to make sure that our defense budget was one that was very closely tethered to the actual military and national security needs of the country, not one that is bloated and subject to waste and corruption and graft and embezzlement and kickbacks and so on.

That has been a historic struggle that goes back to the very beginning of our Republic. We want a military that actually serves the people, that serves the Republic, and is not an opportunity for other people to rip off the taxpayers.

He was very focused on making sure that our military budget was really targeted to the actual defense and security of the country, and that America was a force for human rights and security of all peoples and peace all over the world.

So he leaves an extraordinary and inspiring and difficult legacy for all of us to live up to.

I am very proud at this point to turn it over to Congresswoman BARBARA LEE, who has become, in her years in office, also a great and famous leader for peace, human rights, and social justice.

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

#### HONORING RONALD V. DELLUMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from California (Ms. LEE) is recognized for the remainder of the hour as the designee of the minority leader.

#### GENERAL LEAVE

Ms. LEE. 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 subject of our Special Order tonight.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LEE. Mr. Speaker, I rise this evening to really celebrate the life and legacy of my mentor, my former boss, and my dear friend, Congressman Ronald V. Dellums.

I had the privilege to serve as an intern in Ron's Washington office during the Watergate hearings of 1974 and as a senior member of his staff for 11 years.

First, my deepest condolences to Ron's beloved family, friends, and our community, who he loved so deeply, as we continue to come to grips, quite frankly, with the grief in the passing of this tremendous voice, yet we honor and celebrate Ron's magnificent legacy.

Mr. Speaker, let me thank Congressman JAMIE RASKIN for being a part of this Special Order tonight and for co-leading it. Congressman RASKIN's father, Marcus Raskin, was a close and cherished friend of Ron's. They deeply loved and respected each other.

Let me also thank all of my colleagues in the Congressional Progressive Caucus and the Congressional Black Caucus for holding this Special Order tonight to remember a truly historic figure, the late, great Congressman Ron Dellums.

Congressman Dellums was a founding member of the Congressional Black Caucus and the Congressional Progressive Caucus, and I know this celebration of his life would mean so much to him.

Ron will be remembered not only for his many accomplishments, but for his integrity and his brilliance. He was a

courageous statesman, a warrior for world peace, a soldier for social justice, and a son of west Oakland. He served his country in both the Marines and in this Congress, with distinction, for 27 years and as mayor of Oakland for 4 years.

He was beloved by his east bay constituents, regarded by his colleagues from both sides of the aisle, and respected as a global leader.

Above all else, Congressman Dellums was a visionary, and his conscience guided him in the pursuit of peace and justice and equality in all forms.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. LEWIS), one of Ron's very close friends, a person whom he loved dearly, who is an icon in his own right, someone who led the fight for our voting rights.

Mr. LEWIS of Georgia. Mr. Speaker, I thank my beloved friend, Congresswoman BARBARA LEE, for holding this Special Order.

You know, Ron Dellums was a special human being, special leader. He was one of a kind. He was born and grew up in due season.

Those of us who worked with him and got to know him, we loved him. We admired him. I can see him now saying, "Hi, bro. What is going on?"

We must continue to stand up and speak up and fight the good fight.

You know, Ron never gave up; he never gave in. He never became bitter. He was never hostile. He loved people. He worked so hard and tirelessly for what he believed in.

As Congresswoman BARBARA LEE has stated so well, Ron was the founding member of the Congressional Black Caucus. But I tell you, he was a peaceful warrior. He believed in peace.

He struggled to help build what I call a true democracy in America. He fought to build what Dr. King called the beloved community. He wanted to redeem the soul of America.

He wanted to bring people together. It didn't matter whether they were Black or White, Latino, Asian American, or Native American. He saw us as one people, one family living in the same house, not just the American house, but the world house.

I tell you, as one Member who came here after winning an election in 1986, coming here in 1987, I would talk with Ron a great deal. I learned a great deal from him.

He used his leadership of the Armed Services Committee to highlight the senseless nature of war and to press for greater investment in the public good. He fought for peace at home and abroad.

As a Member of Congress, he was the author of legislation and the movement for corporate divestment in South Africa.

As a political leader, he was an inspiration to people all over the world. People admired him. People loved him.

You know, he was tall. He stood up; he stood out. And he spoke with passion.

In his passing, the Nation has lost a strong and powerful crusader for justice, for equality, and for peace.

He was cool before it became popular to be cool. He dressed so well. You knew Ron Dellums was coming when you saw him before he made it to you.

□ 1645

For many of us, he was our hero. Activists of the 21st century, and all of the new Members of Congress who seek progressive change in America would do well to take several pages from Ron Dellums' book. It would make you a better Member of this body.

His voice made him a force to be reckoned with as a committee chair, as a legislator, as a leader. He insisted in his call for justice for his cause for peace. He will be deeply missed all over America, not just in California, not just in Oakland, but all over America and around the world, for people who long for peace, for justice, for equality.

Thank you, Ron Dellums, for all that you did to help make our country and make our world a better place. I thank the gentlewoman, BARBARA LEE, for this Special Order.

Ms. LEE. Mr. Speaker, I thank Congressman LEWIS for that very beautiful tribute to Ron. It was a loving tribute, and I know personally how much Ron loved him and, in many ways, looked up to him and respected him as a human being and for his tremendous leadership. So I thank the gentleman on behalf of Ron's family, friends, and our community.

Now I would like to ask Congresswoman ELEANOR HOLMES NORTON to come forward. Congresswoman NORTON knew Ron very well, served with Ron, and Ron served as chair of the District of Columbia Committee when I was actually a staffer during that period. They had many, many struggles during that day. Ron and ELEANOR remained friends, and he loved her dearly and always asked about her.

I yield to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank my very good friend, Representative BARBARA LEE from California, who has the great honor of serving in the seat that Ron held. And she has that honor because of her work with Ron and because those who lived in his district understood that Ron did not serve them alone.

I think that for BARBARA LEE to have risen from intern to chief of staff to Ron Dellums says everything about her service in the Congress. She is just the right person to be leading this special honor for our good friend, the dapper, the brilliant, Ron Dellums.

Ms. LEE shows us that Ron had an eye for talent, and I thank her for sharing that talent now with the Nation.

It is true that my district and I had a special relationship with Ron Dellums; and, therefore, a special love. Because for 14 years, he chaired the old District of Columbia Committee, which he helped me get rid of, understanding

that the District deserved equality with other districts.

Yet, I have to say how fortunate we were that Ron chose to use one of his committee seats for the District of Columbia. Why would Ron Dellums do that? There is not a vote in the District of Columbia for Ron Dellums—much as people would have loved to vote for him—but there wasn't a single vote because he didn't live in the District of Columbia.

This was such an unselfish human being. He went where he thought he was needed. And I do need to tell you how unusual that is, because most Members choose their committees, and this applies to his choice of the Armed Services Committee, as well as the District Committee. You choose your committee because it allows you to bring home something to your constituents, and I am the perfect example.

I have chosen committees which have helped me rebuild entire sections of the District of Columbia, the Wharf, or the Southwest Waterfront, the Southeast Waterfront, and other sections of the city. That is how most of us operate.

Well, let me tell you something: It is hard to bring home peace. Yet, that is why Ron Dellums chose to serve on the Armed Services Committee, as he unselfishly served on the District Committee. I will have a word to say about that—it was because he could not bear to see any Americans treated as less than full American citizens.

I must note, though, because I don't want to leave you with a sense, a parochial sense of Ron Dellums, or think I am just here because of what he did for my district. That would be reason enough for me to be here, but I am here to note the uniqueness of Ron Dellums as a Member of Congress, because not before, and not since, has there been a Member like Ron Dellums.

As a lawyer, I am going to prove this point. I hope you will agree before I sit down.

First of all, here was a Marine Corps vet—a pretty tough branch of the armed services—and, of course, this gave Ron special credibility when he became the leader of antiwar efforts in the Congress of the United States. Whether House or Senate, this was the leader of antiwar efforts when we were in Vietnam and when we were in wars since.

Never before or since has a Member who opposed most of the mandate of a committee been elected to chair that committee, as Ron was elected to chair the Armed Services Committee. Now, remember, you don't get appointed to chair these committees. You have to earn the respect of your colleagues on the committee so that they want to elect you to chair them.

I defy my colleagues to find any other Member of Congress who has gotten elected or could get elected chairman of a committee with a mission they oppose.

Ron Dellums was the leading advocate for peace in the Congress, winning

the votes of his colleagues to chair the Armed Services Committee, which has, if you will forgive me, little to do with peace. They have to do with preparing for war.

I begin there to make you understand what manner of man I am talking about. Now, he didn't just decide when he came to Congress: Wouldn't this be a cute thing to do given where I stand on these issues to chair, to grow up as it were in Congress to chair the Armed Services Committee. He started right where he ended. As a freshman, Ron introduced a resolution calling for an investigation of war crimes, or what he regarded as war crimes in Indochina. Particularly as a freshman, that was refused.

So instead of walking away as virtually any Member would, especially a freshman, he said: I am going to call some unofficial hearings on this very subject and he was able to lure some of his colleagues with him, despite many colleagues regarding the introduction of the resolution as an outrage to begin with.

Here is a Member of Congress whose reputation for fairness, whose congeniality was such that when time came to elect a chairman, many Republicans as well supported him to become chairman of the Armed Services Committee. The defense establishment that was certainly rattled. What to expect from this man? Well, this is what you got. You got leadership from a man who managed every bill to increase defense funding with great equanimity and fairness, while opposing his own bills. That is what you got. Find yourself that kind of a Member, much less a chairman, today in the Congress of the United States.

You got a man who was, in fact, very much for equal rights for gays in the military, but ushered through his committee a ban on gays serving openly in the military regardless. He understood the difference between Ron Dellums the man and Mr. Chairman. That is an important difference. And because Members tend not to understand that difference, they tend not to get elected chair of a committee whose mandate they oppose.

I must say, because I was not a Member of Congress at the time of the Free South Africa movement, but, was a leader of that movement, how much Ron was appreciated throughout the country for his leadership as the chief sponsor of the bill that produced sanctions against South Africa for its apartheid policies, and, ultimately, the release of Mandella from prison.

Finally, if I may say to my friend from California, a word of special thanks regarding Ron Dellums' service on the District of Columbia Committee. He served on it from the moment he was in Congress, and he chaired the committee for, as I indicated, 14 years. It is interesting, that this was a committee he wanted to eliminate as one of the first supporters for statehood for the District of Colum-

bia when the District of Columbia was just trying to get the local vote, or what we call home rule.

Some of his words deserve repeating. For example, he said: "I am an advocate, not an overseer of District affairs." Now, Ron was the committee chairman. He clearly was the overseer. We didn't want that power. He had it. This is how he approached his work as chair of a committee that had nothing to do with his district. This is how he approached giving the District the respect that it deserved.

I was not a Member of Congress at the time, but I know that my friend, Walter Fauntleroy, who represented the District at the time, deeply appreciated Ron Dellums, in particular.

When I indicate that Ron was for D.C. statehood, you might think, well, you are for D.C. statehood. What do you expect? Remember, we didn't have good home rule then. We didn't get that until 1994, and we were just getting to the point where people understood the inequality of the residents who live in the District of Columbia. But Ron Dellums understood, you have got to advocate for what people deserve, not where they are now in getting what the Congress wants to give them.

His service as chair of the District Committee was long ago, it meant everything to the District to have a chairman who loved the District of Columbia as he loved his own city who understood what the District needed and wanted, and who always consulted with the District.

Yes, California is far away from the District of Columbia, but notwithstanding the distance, I stand here this evening with the greatest gratitude for the 700,000 people I represent now and for all those who at the time had the great privilege of having Ron as the chair of the District Committee.

I stand here to thank Representative Ron Dellums, to let him know he will be forever remembered in our city, and to let him know that he has not been and never will be forgotten by the people of the District of Columbia.

My thanks to my good friend for leading this Special Order.

Ms. LEE. I thank Congressman ELEANOR HOLMES NORTON. Let me say that Ron passed away in his home here in Washington, D.C., on July 30. She was his Representative.

□ 1700

Ron loved the District of Columbia, as Ms. NORTON said. His children went to Alice Deal Junior High School and Woodrow Wilson High School. He worked with Ms. NORTON, as well as Hilda Mason, who was on the city council and was a strong activist for statehood. So I thank Ms. NORTON for reminding us of Ron's wonderful history in the District of Columbia.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. JOHNSON), my friend, a member of the Judiciary Committee and the Transportation and Infrastructure Committee, but a prior member of

the House Armed Services Committee. I thank Congressman JOHNSON for being with us tonight.

Mr. JOHNSON of Georgia. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I express my sincere condolences to the family and friends of a great patriot, Representative Ron Dellums. My sincere condolences for their loss.

It is my great honor to be here tonight to pay my respects to a man who was a true giant of this body, the United States House of Representatives, as well as in American life, a man who, I think we can all say with assurance, was one upon whose shoulders we all stand.

Before we had the incomparable JOHN LEWIS and the inimitable MAXINE WATERS in Congress, there was Ron Dellums, who left us his distinct mark, not just on this august body, but the San Francisco Bay Area, the Nation, and the world.

He left an indelible impression upon me as a Congressman.

The greatest legacy that he left us, however, was his successor, Congresswoman BARBARA LEE, who carries on his legacy.

For 10 years, I was honored and privileged to serve as a member of the House Armed Services Committee. Ron Dellums' portrait hanging in the committee room was a constant reminder of the type of committee member who I aspired to be.

"If being an advocate of peace, justice, and humanity toward all human beings is radical, then I am glad to be called radical," he once said. I will repeat that: "If being an advocate of peace, justice, and humanity toward all human beings is radical, then I am glad to be called radical." That is what Ron Dellums said.

He further stated, "And if it is radical to oppose the use of 70 percent of Federal moneys for destruction and war, then I am a radical."

That quote, ladies and gentlemen, has stuck with me. It has guided me in my public service.

Ron Dellums would never allow the powers that be, or the corrosive forces of Washington, D.C., to put him in a box. He never allowed labels to define who he was. Rightwing critics called him a Communist. But Ron shot back and described himself as a "commie pinko, Afro-topped, bell-bottomed dude from Berkeley." He was a true Renaissance man. And he was cool before Congress knew what cool was, a bell-bottomed cat from Berkeley.

Who other than Ron Dellums could rise from the streets of Oakland to become a Congressman, a mayor, and one of the guiding forces behind a 14-year campaign against apartheid in South Africa that helped bring down that racist regime? Who else but Ron Dellums could help form the Congressional Black Caucus, and from his seat and chairmanship on the powerful House Armed Services Committee propose

spending not for war and weapons, but instead for education, jobs, housing, healthcare, assistance to the poor, and programs to fight drug abuse?

Ladies and gentlemen, Ron Dellums set the ultimate example for us today with the powerful message and legacy of being true to one's self, a man who stood tall for the people, and not just for the people of America. Ron stood for the people of the world.

He was a unique and authentic human being, and his presence will be missed.

Mr. Speaker, I thank Ron for his guidance and for his example that we can look to as a beacon as we make our way, moving our country forward during these turbulent times. The lessons we have learned from his example will serve us well as we continue the good fight for peace, justice, and humanity toward all human beings.

Ms. LEE. Mr. Speaker, I thank Congressman JOHNSON for that very beautiful tribute.

I know one of Ron's greatest gifts was mentoring those who came after him, and I know he certainly appreciated Mr. JOHNSON's leadership on that Armed Services Committee and talked a lot about the great work that he was engaged in.

Mr. Speaker, I yield to the gentlewoman from California (Ms. PELOSI), our leader, who knew Ron very well, even before Ron and NANCY served together in Congress. I thank her so much for being here and for paying tribute.

Ms. PELOSI. Mr. Speaker, I thank Ms. LEE for bringing us together for this Special Order to honor a very, very special person, Congressman, Mr. Mayor, Ron Dellums.

She has worked with him, so she saw close up his commitment to values to make the future better for everyone in our country.

She also participated in his collaboration, that when an issue arose or even was anticipated, he engaged the entire community in the discussion, in the collaboration of what was best for the community, not deigning to tell them, but listening. He listened, and we all listened.

When Ron Dellums came to the floor, it was an occasion. Everything stopped, as we wanted to hear what he had to say, because we knew it would be substantial. But we also knew it would be eloquent and, on occasion, humorous.

He was an absolute star in the Congress of the United States, like no other in the galaxy of stars here that many of us have served with. He shined so much brighter, and the world is a duller place for his leaving us.

What is important about Ron are some of the things that our colleague Mr. JOHNSON referenced about apartheid in Africa, how important he was in that fight, and how effective he was as a leader in that fight.

When he assumed the chairmanship of the Armed Services Committee, a progressive from Berkeley, he under-

stood that our country had to be strong, but he measured our strength not only in our military might, but the health, education, and well-being of the American people. He saw them go together. Without that piece of it, we could never really reach the potential of strength that America is about.

We will have a number of occasions, one in Oakland on Sunday, to share some stories, then at a later date here in Washington, D.C., again, and many times in between, about Ron Dellums. But I know, for anyone who served with him—and he was in Congress long before I came, but I had the privilege of serving for a while—anyone who served with him considered it a tremendous honor to call him colleague. For those of us who had the privilege to call him friend, that was a joy in our lives.

As Californians, though, we took special pride in Ron Dellums. One story that I love about him, there are many, but one that I love about him is—this is a prince. You see how elegant he is, dressed meticulously, so beautifully.

But one story that he told is that, the first time he went to Africa, a person who was proud of his skin color and proud of the community he represented and sprang from, but to be on a continent and visit countries where the leaders of the country were African, to see people who shared his ethnicity lead their countries and be respected, it was something he brought home to us with great emotion and great pride.

With great emotion and great pride, I am grateful that I had the opportunity to serve with him.

I know time is limited, so I will save some stories for Oakland on Sunday, but I thank Ms. LEE again for not only bringing us together here, but for honoring the legacy of Ron Dellums and his long career as a Member of Congress, honoring the values they shared, making her own mark in the Congress, and now keeper of the flame of Ron Dellums.

Ms. LEE. Mr. Speaker, I thank Leader PELOSI for those remarks.

Let me just say one thing to Ms. PELOSI in terms of Ron's sensitivity and an example of his humanness. He was so happy she reached out to him during his last few days on this Earth. I was with him, and after he spoke with Ms. PELOSI, he had tears in his eyes. He talked about how much he missed her and how much he loved her. He was so grateful that she gave him that call, so I thank her very much.

Mr. Speaker, I yield to the gentleman from Missouri (Mr. CLAY). Congressman LACY CLAY, of course, is the son of a great hero, Congressman Bill Clay, with whom Ron served. Also, he was so proud of LACY, because he knew Congressman CLAY as a teenager. He may want to share some of his stories about that period of time also.

Mr. CLAY. Mr. Speaker, I thank Ms. LEE for teeing that up, our good friend Congresswoman BARBARA LEE who succeeded my friend Ron Dellums. Ron was a giant, and I truly admired him.

Mr. Speaker, I rise tonight in honored memory of a great American who served with distinction in this House for 27 years, the late gentleman from California, former Congressman Ron Dellums.

Like my father, former Congressman Bill Clay, Congressman Dellums will forever be revered as one of the founding members of the Congressional Black Caucus, and he was also a founding member of the Congressional Progressive Caucus.

Ron was a legendary figure. Whatever task he took on, he excelled in it. I first met Congressman Dellums when I was a very young man in college and I was assigned to this Chamber as an assistant door keeper. My door was what is known as the west door, and I had to know Ron.

I remember two instances where one time Ron Dellums portrayed the iconic figure of Frederick Douglass in a play, and I was so impressed with that.

He was also a member of the congressional baseball team and played first base.

Whatever he did, he did it well.

Our families became close, and when I came back to this body as a Member, our professional relationship continued. When I first met him, I was immediately impressed, not just with his powerful intellect, but with his fearless advocacy to end the war in Vietnam, protect the right to vote, speak truth to power in defense of our most vulnerable citizens, and his unyielding demand that America must be a beacon for human rights around the world.

During his first run for Congress in 1970, former Vice President Spiro Agnew branded Ron Dellums as a “dangerous radical” for his vigorous opposition to the Vietnam war. In response to that, Ron Dellums said, “If it’s radical to oppose the insanity and cruelty of the Vietnam war; if it’s radical to oppose racism and sexism and all other forms of oppression; if it’s radical to want to alleviate poverty, hunger, disease, homelessness, and other forms of human misery, then I’m proud to be called a radical.”

□ 1715

Mr. Speaker, I am proud to stand on the shoulders of Ronald Dellums as we continue the unfinished struggle to make America live up to all that we promise as a great nation, and I hope all Members will join me as we send our deepest condolences to the family and give thanks for his courageous leadership.

Ms. LEE. Mr. Speaker, I thank Congressman CLAY for some of the stories he shared that many of us as a former staffer remember.

Yes, I remember Ron playing the role of Frederick Douglass, and it was unbelievable because it didn’t take much for the transformation. Sometimes we would say: Who is this, Ron or Frederick?

So I thank the gentleman for reminding us of that tonight.

Mr. Speaker, Ron’s family hailed from Texas. Congresswoman JACKSON LEE was a friend of Congressman Dellums. She currently serves on the Judiciary Committee, Homeland Security Committee, and the Budget Committee. Also, Ron was very proud of SHEILA, and he loved hearing the gentlewoman speak and listening to her insights about criminal justice reform in our judiciary.

So I thank the gentlewoman again for being here tonight.

Mr. Speaker, I yield to the gentlewoman from the great State of Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I am honored to stand here with our good friend just leaving the podium, the Honorable LACY CLAY.

It is good to see the kind of family attitude that we are all expressing. Each person has gone to hug the Honorable BARBARA LEE because she is the closest to Congressman Ron Dellums, and we want his family to know of the intensity of our love and respect.

Congressman LACY opened up the gate for me and the door for me because I think Congressman Ron Dellums understood, as Frederick Douglass did, that, where there is no struggle, there is no power. Without struggle, there is no power. For all that he stood for, even in his early years, he had no fear of struggle.

So I stand today on the floor of the House to be able to pay tribute to our friend and, might I say, our brother, to be able to thank the gentlewoman from California for her wisdom in allowing us to share this time with him. I thank the gentlewoman so very much for giving us this beautiful portrait for us to stand next to and for America to be reintroduced to the Honorable Ron Dellums.

Ron Dellums was a Member of Congress, former bay area Congressman and Oakland mayor, first African American elected to Congress from northern California, tireless champion of racial and social justice, Marine Corps veteran and peace warrior, and Congressional Black Caucus and Congressional Progressive Caucus co-founder. That is a long litany of brilliance, but, as well, a pioneer—legendary, brilliant—and a dynamic former chairman of the House Armed Services Committee. And the fact that he represented constituents so ably.

I am glad, as I came here as a newbie, as a new Member of the United States Congress, wasn’t I fortunate to get the last years of service of the Honorable Ron Dellums? I saw him as the lead Democrat on the Armed Services Committee, just missed his service as a chair of the Armed Services Committee.

I listened to Leader PELOSI, and she will be able to tell her stories going forward as they celebrate in Oakland. Might I pay tribute to his family members who will celebrate in Oakland.

Let me say to the family members, my deepest sympathy, but joy for his

life, and thank you for sharing him with us.

I must start with the story that I heard, which was of the appointment of Ron Dellums and Pat Schroeder to, I believe, the Armed Services Committee, as the committee was convened then by individuals who held themselves high and mighty, including the chairman. There was only one chair, and that chair had to be shared by the first woman and the first African American to be on that committee.

Yes. Can you imagine? They were told to sit in one chair.

But I am grateful that through that struggle—power in his birth in 1935; power to his parents, Verney and Willa Dellums, and all of his relatives; and, as well, power in what he did in life—his engagement and his passionate commitment were traits of the Dellums family.

His father was a longshoreman. There lays the foundation for his love of labor. I understand Cottrell Laurence Dellums helped Asa Philip Randolph organize the Brotherhood of Sleeping Car Porters, of which my grandfather was a member.

He graduated from high school. He enlisted in the Marine Corps during the Cold War, but he also came back to his community and used the GI Bill. He developed a pathway for education, an associate of arts degree out of Oakland City College, then on to get a bachelor of science degree from San Francisco State. What I want most of all to say is that he then carved his pathway.

And BARBARA LEE continues to remind us that she is a social worker. Well, Ron Dellums got his MSW from the University of California at Berkeley in 1962.

Yes, this manly man, this man of men, was a social worker who understood the needs of people who were vulnerable, a psychiatric social worker where he worked in the department of mental health and mental hygiene and taught at San Francisco State.

Interestingly enough, he became a council member, of which I was one as well, at a young age, served only for a short time. And then, in his thirties, he went to the United States Congress and never looked back. He never lost. He ran against an incumbent as an antiwar, anti-Vietnam candidate, and he won overwhelmingly.

Again, there is no power without struggle. That was not a friendly place to be, against the war. It was well known to follow you throughout your career. It was viewed as unpatriotic, maybe even as NFL players today are viewed as they take a knee for issues that they believe in.

But Ron Dellums was a dignified patriot. He loved his country. He loved his flag. And he came to this Congress with a love of the institution as he served on so many committees, Foreign Affairs.

I remember the Post Office Committee because Mickey Leland was on the Post Office Committee, and they

served together. They became good friends. It is important to acknowledge them together as good friends.

I met Ron, maybe for the first time, as an unelected official when Mickey brought the Congressional Black Caucus to Houston, Texas. It was a day we will never forget. It was a day of happening. It was a day of celebration. We couldn't believe it. The Congressional Black Caucus was coming to Houston, Texas, to the Shamrock Hotel that used to be a segregated hotel, and all of us came to pay homage, tribute, and honor to these Congresspersons who had come to celebrate.

He was of grand stature, being a member of the Permanent Select Committee on Intelligence, and then, of course, going on to be a founder of the Congressional Black Caucus. I stand here as the chair of the Congressional Black Caucus Foundation to express my deepest appreciation for that service.

In the Progressive Caucus, Ron Dellums again became a soldier on the battlefield for so many issues, in particular, ending and breaking the shackles of apartheid in South Africa.

Remember, when I started out, there is no power without struggle. He participated in that struggle, and I remember that fight, that magnificent day when he brought forward this bill in 1986 to overturn Reagan's veto, the Comprehensive Anti-Apartheid Act of 1986. He had a congressional override where the President of the United States was vetoing the sanctions that Congress was attempting to put forward. That was a legacy, or that was the pathway, the struggle, that helped to propel the end of apartheid, the vicious cycle of apartheid in South Africa.

He continued to champion Africa even after he retired. He continued to mentor and to stay around to give us inspiration, to tell us that we could do it, that we could be strong.

Of course, how I remember when this Congresswoman, the Honorable BARBARA LEE, came and touched all of us and came with that inspiration and that idea and vision that Ron Dellums had about ending the horrors of HIV/AIDS in Africa, the whole idea of PEPFAR, the whole idea of the Millennium Fund. All of these were visionary ideas that came about for him to help save lives.

So as I said, in my early years, he retired in 1998, but he then continued on to be the man that he is, being the mayor of Oakland, and being a striking mayor, a truth-telling mayor, somebody who was loved and beloved by all those whom he had the privilege of serving.

Then, of course, to his family, he was that giant, that husband, that father and brother and just someone whom they could look up to.

So I thank the gentlewoman for organizing this Special Order, and I thank this giant of a man in stature but, as well, in purpose and in heart. I thank

him so very much for serving his nation and showing us what patriotism is, what the flag really means. It is the opportunity to protest, petition, and to speak to your government, and also to protest to make your government a better place.

This is a great, great nation. Ron Dellums understood that. Marine Corps Ron Dellums understood that. Social worker Ron Dellums understood that. Husband, father, and relative understood that. And, of course, United States Congressperson Ron Dellums understood that.

But never would he yield his values, his heart, his passion, and his sense of justice just because he had a title. He believed that America's greatness was one based upon her people's willingness to challenge her and to make her the very best that she can be.

My heart goes out to his family and I continue to mourn, but I celebrate his life with joy.

Ms. LEE. Mr. Speaker, I thank Congresswoman JACKSON LEE for reminding us what a visionary and a leader Ron was.

Mr. Speaker, I remember when we came to Houston, Texas, Ron was determined to put together a coalition between African Americans and Latinos to look at our common issues. He and Mickey Leland were very close, and he worked very closely with the Latino community to really put together the agenda that spoke to both of our communities. So I thank the gentlewoman very much for being here and reminding us of that.

He was a coalition builder. I called him the father of coalition politics, and the gentlewoman laid that out tonight.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). The gentlewoman from California has 6 minutes remaining.

Ms. LEE. Mr. Speaker, we have heard quite a bit tonight of the life and legacy of a great human being and a great warrior for peace and justice, Congressman Ron Dellums. Let me highlight a couple of stories that weren't highlighted tonight that I would like to share.

First of all, Ron really worked in a bipartisan fashion on many, many issues. I remember that Ron and former Speaker Newt Gingrich were talking about collaborating on a book together. This was really a time of true bipartisanship.

Also, Ron called himself a feminist, and he believed in equality for women. This just wasn't lip service. He followed his convictions in his hiring practices. Ron hired women and women of color in the early 1970s and took pride in employing a diverse staff.

When I worked for Ron in the seventies, I was one of a very few African Americans and only a couple African American women in key senior staff positions on Capitol Hill, but he made

certain that I was treated fairly and empowered me to manage his office.

Ron had remarkable female role models, including his mother, Mrs. Willa Dellums. She was a major influence on Ron and taught him to be proud that he was an American of African descent. She taught him that his culture and his heritage was an important part of who he was as a human being and as an elected official.

Ron was really the big brother that I never had. He gave me personal advice and support as a single mom raising two boys here in Washington, D.C. He loved children.

When my son, Craig, graduated from Brent Elementary School around the corner from the Capitol, he asked Ron to be his graduation speaker. Mind you, this was, I believe, in the sixth grade.

Ron left the Hill, spoke at the graduation, took pictures, and talked to the children afterwards. Mind you, these were young children. They didn't have political clout and they couldn't vote, but Ron didn't mind. He did this out of the goodness of his heart because he loved children and cared about their future.

When Ron retired, I announced my candidacy for his seat. He introduced me at my campaign kickoff, and he literally passed a blue baton to me at that kickoff, which I will cherish forever. But that baton reminds me of his impact on the world both in the policies that he championed and in all of those he inspired to follow in his footsteps.

□ 1730

Ron didn't serve in public office for the glory. He served to make life better for other people. He used to tell his staff: "Don't measure decisions by what is politically expedient. Just ask yourself: Is this the right thing to do? And if it is, then go ahead and do it. You don't need to ask me about that."

In his final weeks on this Earth, I had the privilege to visit Ron several times. I spent my birthday, July 16, with him in the evening. He was in rare form, telling stories, toasting our friendship, and singing happy birthday to me. Yet he was frail, in pain, but all along he demonstrated a sense of hope and courage, even as he knew he would meet his Maker soon.

As Ron lived with dignity and respect, doing it all "his way," he left this Earth exhibiting courage and a sense of peace, reminding me of the Scripture 2 Timothy 4:7, "I have fought the good fight, I have finished the race, and I have kept the faith."

There is no more fitting way to honor the memory of Congressman Dellums than for us to lift his legacy in the spirit of respect for different points of views, sticking to one's values and principles, and fighting to make this a better world for all.

It is an honor of a lifetime to carry the baton which Ron passed on to me in our shared fight for justice, peace,

and equality. But most importantly, as Ron said, we must secure the future for generations yet unborn. That is what this blue baton reminds me of.

I thank all of those who have been here tonight to share the memory and celebrate the life and mourn the loss of my friend, my former boss, the great Congressman Ronald Dellums.

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

Mr. HOYER. Mr. Speaker, I want to thank my friend Rep. Lee and my other colleagues tonight who have gathered to pay tribute to our former colleague Rep. Ron Dellums, who passed away on July 30. I rise to join them in remembering Ron, who was my friend and with whom I served in this House for many years.

Ron Dellums's entire career was spent in service—to his community, his city, and his country. As a U.S. Marine, he proudly wore the uniform of our nation at a time when the peace of the world was threatened by cold war. As a city councilman in Berkeley, he drew on his family history of labor activism to fight for better conditions for working families. As a Congressman, he led the fight for sanctions against apartheid South Africa and chaired the Armed Services Committee as our military challenges were changing from a Cold War to a post-Cold War environment. He was a founder of the Congressional Black Caucus, which today is the conscience of the Congress. Later, as Mayor of Oakland, Ron worked hard to make neighborhoods safer, improve local schools, and bring new infrastructure funding to the city.

Ron fought with tenacity for the causes he believed in. One of those was human rights and the equal dignity of all people. When a presidential veto threatened to block his anti-apartheid legislation, he rallied support to override it. As Chairman of the Armed Services Committee, he earned the respect of his Committee colleagues and military leaders, and he worked diligently to transition our military to meet the threats of the twenty-first century. It came as no surprise to those of us who served with him that when he retired in 1998, praise for his service and leadership came from both sides of the aisle.

I was deeply saddened to learn of Ron's passing. Our nation lost a faithful public servant and a champion for working families and those working hard to make it in America. I mourn with the people of California and my colleagues in this House who served with Ron. I mourn with his wife Cynthia and the Dellums family. I mourn the loss of a man who gave service his all and contributed so much to the nation he loved and this institution he so faithfully served.

Ms. MAXINE WATERS of California. I would like to thank Congresswoman BARBARA LEE and Congressman JAMIE RASKIN for organizing a Special Order Hour to honor the memory of our dear friend and former colleague, Congressman Ron Dellums.

Ron Dellums was an unabashed, progressive icon, and a strong and outspoken advocate for his constituents, veterans, people of color, and other vulnerable communities during his 13-term tenure in the U.S. Congress.

Understanding the unique problems facing the African American community, Ron Dellums joined with 12 fellow civil rights giants, including Louis Stokes, Bill Clay, Sr., and Shirley

Chisholm, to create the Congressional Black Caucus in 1971. True to its creed, the CBC remains the 'Conscience of the Congress' today, and has grown to a historic 48 members.

As a former U.S. Marine, Ron Dellums was one of the most outspoken opponents of the Vietnam War. In Congress, he led an effort to educate the American public of war crimes that were committed during the Vietnam War. In 1993, he also made history as the first African American Chair of the House Armed Services Committee.

However, one of Ron Dellums's greatest achievements is one that is also dear to my heart: ending apartheid in South Africa. As a member of the California State Assembly and a national board member of TransAfrica, I had the privilege of working with Ron Dellums to pass legislation at the state and federal level that forced the United States to divest from the apartheid regime in South Africa.

While I authored, and fought to enact California Assembly Bill 134, which passed in August 1986 and made California the first state to divest its \$12 billion in state pension funds tied to the apartheid regime in South Africa, Ron Dellums was simultaneously championing similar legislation in the U.S. Congress. His historic bill, the Comprehensive Anti-Apartheid Act of 1986, gained enough support to not only pass in both chambers of Congress, but to also override President Ronald Reagan's veto in 1986.

Though he retired from Congress after 27 years of service, Ron Dellums maintained his dedication to his community and was elected mayor of his hometown, Oakland, California, in 2007.

The incomparable Ron Dellums—a passionate drum major for peace, inspiring community leader, effective politician, and lifelong public servant—left an indelible mark on the City of Oakland and in the hearts of so many people across this country who also love him.

Though our hearts are heavy, I join the Congressional Black Caucus and the entire U.S. Congress in celebrating his service to our nation.

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a man who I was honored to call a mentor, colleague, and dear friend, former Representative Ron Dellums.

Ron was an extraordinary man who wore many hats. He was a determined public servant who was dedicated to improving the conditions of humankind. He was also a marine, a social worker, a titan for civil rights here and across the world, a chairman of the House Armed Services Committee, and a founding member and past chair of the Congressional Black Caucus. Representative Dellums was a true advocate for fairness, human rights, and justice.

Congressman Ron Dellums was an icon. I served with him early during my career in Congress. He demonstrated courage, compassion, fairness, character, and dignity as a Member of Congress and as a man. He was a great role model for people of conscience to emulate. I will be forever grateful for his wise counsel, friendship, and his legacy of service to humankind.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute and to honor the legacy of my dear colleague, the Honorable Ronald V. Dellums. Although it saddens my heart to see that we have lost an-

other great trailblazer, I would be remiss if I didn't take the time to honor his life and the change he brought to this great country.

Dellums was not only a patriarch for the Congressional Black Caucus, but he was trailblazer for change all around the world. With a political career of over forty years, he was determined to help those around him and provide hope for his community. As a former member of the Berkeley City Council, United States House of Representatives, and mayor of Oakland, Dellums always inspired to pave the way for the next generation to be advocates and a voice.

During his 14 years in the U.S. House of Representatives he became the first African American to chair the Armed Services Committee. Dellums used this platform not for his own benefit, but to create an agenda to ensure civil rights and programs for people ahead of weapons systems and warfare. He was also the antiwar activist to hold that post. As a Congresswoman who proudly stands in the gap for my constituents, I always admired how Congressman Dellums fought hard and served his constituents with distinction and treated his colleagues with the utmost respect. He was determined to share his light with the world.

As a dedicated leader in human rights and civil rights in America and around the world, Congressman Dellums worked tirelessly to pass anti-apartheid legislation against South Africa. After a 14-year campaign against apartheid in South Africa, he wrote the 1986 legislation that mandated trade embargoes and divestment by American companies and citizens of holdings in South Africa.

Congressman Dellums was not only a leader; he was a person of incredible intellect who possessed the ability to build alliances with people and groups from diverse backgrounds and varying interests. He was a co-founder of the Congressional Black Caucus, which he chaired from 1989–1991, and a co-founder of the Congressional Progressive Caucus in 1991. After retiring from Congress he remained involved and determined to be a light for his people. He worked in the private sector on global aids, healthcare and transportation. He returned then to his native Oakland, in 2006, and was elected Mayor, serving one term and retiring from elective office in 2011.

I ask my colleagues to join me in paying tribute to Congressman Dellums for his outstanding and dedicated service.

#### TERM LIMITS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. ARRINGTON) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. ARRINGTON. 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 topic of this Special Order.

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

There was no objection.

Mr. ARRINGTON. Mr. Speaker, George Mason, the patriot, said:

“Nothing so strongly impels a man to regard the interest of his constituents as the certainty of returning to the general mass of the people, from whence he was taken, where he must participate in their burdens.”

Translation: The Founding Fathers wanted us to come here and do the people’s business and then go home, back to the “farm,” and live under the rules we passed. They want us to come up here and represent the people, their interests, and no other; the public’s interests, no other; America’s interests, no other.

They wanted us to come here with a singular purpose and that is to do what is right and good for the American people and to have the courage to step up to the plate, because every generation is called to do so, and to make the sacrifices and to make the tough calls and take on the tough issues of the day and solve them, even if that causes you to have a shorter political career than you anticipated. That is the theme of this Special Order, Mr. Speaker. It is term limits.

We the Members who gather today to talk about it might be taken off some of the Christmas card lists of some of our friends and colleagues. But this does not in any way disparage Members who served here for many years and many terms. I think you have folks here—and I think in fact I can name some—who have done a good job, who have served well. But I don’t think it is healthy.

Just because you can do it doesn’t mean we shouldn’t create an environment and have the right incentives for the right behavior. I think there are just too many forces that pull us as Members in directions other than doing what is best and right for this country and for the people we came here to represent.

So I think there is an ideal way. And I think we are off the mark from that ideal, from the spirit and the intent of what George Mason said in that quote, and what our Founding Fathers believed from the very outset.

Mr. Speaker, like my colleagues who will speak here in a moment, we didn’t run just to rearrange the furniture in the people’s House. We ran to make a real difference, to advance real reform, so that this country and its leaders could govern and solve problems and move this Nation forward.

So my greatest calling, I believe, isn’t just to advance reforms to education or to healthcare or to the Tax Code. I think this is a season for reforming this institution, first and foremost. I think that we are long overdue, but I think the time is right for structural, fundamental, systemic reforms to the United States Congress.

As a new Member and as a new generation of Members, I cannot tell you how excited I am to stand with my colleagues today, Republican and Democratic, and talk about one of those structural reforms that I think will strike at the heart of some of the prob-

lems with Washington and the culture of Washington.

Woe to me and any Member who comes up here just to change the course, the policy course of this country, and not do anything to affect the broken culture of this body. I think it is incumbent upon us to do that and to change this broken culture.

I think if we take anything away from this last Presidential election on either side of the aisle and whatever party you claim, we can all agree that the American people are fed up with the status quo. They don’t want business as usual. I think there is a crisis in confidence in this institution.

When I ran, I ran railing against the culture of Washington and the fundamental changes and the brokenness of this institution. Now I am a Member. Now it is time to act on the things that I so boldly proclaimed that we needed to do.

I think that for this reason Republican and Democrats alike have come together to support a constitutional amendment that would limit the number of terms an individual may serve in the United States Congress.

There are different ways to organize it, structure it, but I think the intent and the heart of all these reform initiatives around term limit are getting after, I think, the same desired outcome. We believe that, above and beyond Tax Code reform, bettering the healthcare system, limiting regulatory burden, and so on and so forth, we have got to change this institution.

We have a great chance. I do think the timing is right. Our Founders never intended these public servants to be professional career politicians. They didn’t want a permanent political class to rule the land from Washington. Instead, they envisioned this sort of citizen-legislator way of leading and serving, and then living back among our brothers and sisters.

People say this is tilting at windmills and this is an unproductive quest. But all you have to do is look at George Washington and the example he set by custom, by tradition. When asked to serve more than two terms as President, he said: We got rid of a King George. We don’t need a King George. I wanted to serve my people as President. It is time for me to go back to the farm.

For 100 years, that custom was honored. And then, FDR ran for a third and fourth term. The people reacted, and we had the 22nd Amendment to the Constitution and we have term limits on our Presidents.

I think that if it can happen for Presidents, where the people say, We don’t want kings, I believe—and especially today, in these times—that the people are speaking, if we will just listen and respond. They don’t want career politicians either. Neither are healthy for this great country.

There was a recent survey, as recent as February of this year, where over 80 percent of the American people—Demo-

cratic, Republican, Independent—say that this initiative of term limits being effectuated in an amendment to the Constitution would make this institution run better and would change the culture for the better. They support it. I am old-fashioned enough to believe if 80 percent of the people want something, they ought to get their chance to at least debate it and vote on it. I am grateful for this time that we have to talk about it.

I am looking at my colleagues here in the Chamber and I see RO KHANNA, my friend from California. We have very different backgrounds. We come from different places and different ideological places. We have different thoughts about policy reforms on various issues.

But when we met during orientation as two new Members—a former member of the George W. Bush administration and a former member of the Obama administration—you couldn’t have two more different people. But we had a great conversation, we struck up a friendship, and our families love each other, care about each other, and I want him to be successful. I want his family to be successful. We came together on one thing in particular and it was this notion of term limits.

We introduced what I think is still the only bipartisan, Democratic and Republican-introduced legislation to limit Members of Congress’ terms. I am grateful for his friendship and I am glad he is here.

I think I am going to stop talking, Mr. Speaker, and ask my colleagues to share their thoughts. I am going to start with a dear friend, Representative BRIAN FITZPATRICK from the Commonwealth of Pennsylvania, District Eight.

Brian is the heart and soul of this initiative. We went to see the President of the United States on this, Republicans and Democrats, and he said: This is the most energized group I have met with. It is because we believe that we can actually make real change with real reforms like term limits.

Brian has been the heart and soul of this. He, like myself, is very passionate about this. He has dedicated a lot of his time and effort introducing congressional reform and anticorruption legislation to fix Washington’s broken system. These measures include his own term limit legislation, a constitutional amendment that would prevent Members of Congress from being paid unless a budget is passed, and a balanced budget amendment that would force Congress to stop kicking the can down the road and address our national debt now.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Speaker, I am doing something a little bit unconventional here. I am actually speaking from the left side of the aisle in a sign of solidarity with our good friend and colleague, RO KHANNA, on an issue that, as JODEY ARRINGTON pointed out,

doesn't just unite Americans, it unites 80 percent of Americans. Eighty percent. How many issues are out there that enjoy the support of 80 percent of the American people?

A lot of our colleagues here, when you are dealing with the rigors of this job, say one thing, give you one piece of advice: Never forget why you ran. Just remember that theme that caused you to make that difficult decision.

I think that the reason we all ran was this: term limits to fix a broken system. The genesis of that desire, the genesis of that belief may vary amongst many of us. I can tell you where it came from with me, Mr. Speaker, and that was my time running the political corruption unit at FBI headquarters right down this road here, where you are responsible for a lot of cases.

Like many jobs, when you go home at night, sometimes you take a step back and you think: Well, if I were ever given the opportunity to have a policy-making role to change this brokenness, what would I do?

At the top of that list, Mr. Speaker, was legislative term limits.

You heard my friend and colleague, JODEY ARRINGTON, talk about George Washington, my favorite President ever, for this very reason: he set this tradition in motion. He said he only wanted to serve one term, go back to his farm in Mount Vernon, live under the laws he helped pass, make way for a new generation of leadership. That is the most organic way to serve a democracy. It is the healthiest form of democracy.

They talked him into a second term. He said: No more. It was a tradition that every single President honored, up until FDR served four terms, at which point Congress passed the 22nd Amendment to the Constitution. But true to form, they applied it to the executive. They did not apply it to themselves.

□ 1745

We need a constitutional amendment for term limits in this country.

Is there anybody in this Chamber who does not agree with this very basic principle, this very basic premise, that more organic change in this organization, in this body, is a good thing?

Mr. Speaker, in the FBI, we had term limits in the Bureau. If you were a supervisor, you had to serve up to 7 years—no more, not a day longer than 7 years.

Do you lose some good people? Of course you do.

Overall, did it benefit the institution? You bet you it did. You bet you it did. It brought people in from different places, different perspectives, different educational backgrounds. They had an opportunity to serve and lend their area of expertise.

That is a good thing for this institution. It is a good thing for our country. It is not just from the corruption standpoint; it is from the getting along standpoint.

I can tell you how proud I am of this freshman class—so proud. I am particularly proud of RO KHANNA, mostly because he is from Bucks County—the most special place in America, I might add—and now representing Silicon Valley.

Here you have an issue. RO and I come from different parties. We checked different boxes on our voter registration form when we were 18 years old. We grew up in the same community; we care about the same things; and we have an issue here that unites us.

JODEY ARRINGTON, a very wise man, identified this—and I couldn't agree more—as a root issue. So much of what we deal with in this House, so much of what we deal with in this country are symptoms. It is symptomatic of what the root issues are. The root issues get to the functionality of this body.

The Problem Solvers Caucus introduced a Break the Gridlock package essential to changing the way things operate here. The government reform, anticorruption legislation that several Members have introduced, myself included, on term limits, on dealing with things like no budget, no pay, these are important things that will fundamentally change the way this body works. And when we do that, we will win back the trust and support of the American people, too many of whom have lost faith in this institution—and for good reason.

We can make those changes. This is Exhibit A of what we need to do to fix a broken system, to restore that trust. Mr. Speaker, it is an 80 percent issue.

How dare we not address, on the floor of this House, an issue that addresses the root cause of our problems that is supported by 80 percent of the American people. We have to get this done.

I want to thank my colleague, JODEY. This is an issue that fires both of us up. We talk about it every single day we are on the floor of the House of Representatives: my friend MIKE GALLAGHER from Wisconsin, who did the first Special Order on term limits shortly after we got sworn in, and my friend RO KHANNA, who has shown incredible courage. This is a man who could serve here for a long, long time, but he is making a courageous decision to stand for what is right, what is good for this institution, what is good for this country. God bless Mr. KHANNA for doing that.

Mr. ARRINGTON. Mr. Speaker, I think anybody who heard the remarks from my friend BRIAN FITZPATRICK is, without a doubt, inspired by the new blood and the new fire in the belly of this new membership of this institution that, again, wants to make real change.

I love what he said to me—and he may be mad when I quote him, but he said: If we could get a vote, if we could just get a vote. And if we got a vote, I believe it would pass because I think the American people would put too much pressure on our colleagues, which

is a good thing. That is how it works. And we would pass this, and we would be able to have this new dynamic which would get at that root cause and change the behavior of this institution and the culture.

He said: If I could get that, I would be willing to leave tomorrow, if that is what it took. If I knew I could leave knowing that that would happen, I would leave tomorrow.

Thank God for people like BRIAN FITZPATRICK. I am so proud to serve with the gentleman, and I appreciate his leadership on this issue. He really is the heart of this movement in our class. And I know that it extends beyond our class, but I think there is a sense of urgency to do something real in this class.

This isn't the silver bullet. This isn't the panacea. There is a list of things that are root causes and fundamental structural reforms, but I think this one should be the easiest to pass this House. And the people want it, as the gentleman said.

Mr. Speaker, now I am going to introduce another member of this new class of Representatives, from the great State of Wisconsin, another dear friend, MIKE GALLAGHER.

During his first 100 days in office, MIKE introduced a number of bills to drain the swamp, including his own term limit legislation, a 5-year lobbying ban for retiring Members, reforms to the congressional pension, and the Do Your Job Act, which would prevent Congress from leaving for recess until it passed all its appropriations bills.

This is a guy who wants to make a real difference, and he is willing to stick his neck out and do it. Probably, none of these are very popular here, but I guarantee you they would be powerful in implementation and the change—the good change—that they would make.

Since taking office last year, he has made decreasing the size and influence of the Federal Government, restoring power back to the people, a top priority; and he is an original cosponsor of RO KHANNA and my term limit legislation and led the first Special Order to discuss term limits in this Chamber. I thank Mr. GALLAGHER for his leadership.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. GALLAGHER).

Mr. GALLAGHER. Mr. Speaker, I am proud to stand with my colleagues here: Mr. ARRINGTON from Texas, Mr. FITZPATRICK, and Mr. KHANNA.

I want to say, since we started on this journey a year and a half ago, I have been blown away by the response that I have gotten from constituents in my district.

RO KHANNA and I wrote an op-ed together very early on in Congress where we laid out three priorities for draining the swamp, one of which was term limits; and to this day, I still have people coming up to me on the street saying: I love that. I just love the fact that you

were willing to write an op-ed with a Democrat.

I just think it gets to what my colleagues have laid out, which is that issues like this cross party lines. They have the overwhelming support of 80 percent of the American people.

We have to ask ourselves the serious question as to whether we are willing to disregard the wisdom, the common sense of 80 percent of the American people. I think we do so at our own peril.

I recognize that there are principled and serious objections to the idea of term limits, and I would like to address what I think are the three most salient, albeit briefly.

The one thing I hear a lot from opponents of term limits is that, well, we already have term limits built into the system. We have term limits every 2 years in the House and every 6 years in the Senate in the form of elections.

I understand the logic there, but anyone who is taking a serious look at how elections work in this country cannot conclude that there is an honest chance for newcomers to overcome the serious hurdles that we have placed to them running for office and to overcome the serious advantages that we have given incumbents.

I think my friend, Mr. KHANNA, is the one pointing out that, in many cases, the turnover rates among Members of Congress is actually lower than in certain European monarchies, which goes to the fact that incumbency comes with enormous advantage.

Think of how many good people, good citizens who love this country aren't even willing to run because they see it as such an insurmountable task. That shows how far we have gotten away from the model of the citizen legislator.

I won't even get into the issue of PAC money that is available to incumbents, as well as the way in which incumbents are able to use their official budget to contact voters in a way that people trying to challenge incumbents are not. So I don't think that argument stands up to serious scrutiny.

The second thing I have heard, which I take seriously, is that term limits have been tried at the State level, and there have been mixed results. In some cases, there are arguments that they have actually had a negative effect. I would say that, most basically, that experiment has not been run enough times to be significant in a meaningful, statistical sense.

Contrarily, we have actually run this experiment here over and over again, and we have seen the results of careerism and the use of congressional office as a stepping stone and as a means to enrichment.

But I would also say you have to make a fundamental distinction between service at the Federal level and service at the State and local level. And it is my belief that the Founders intended service at the Federal level to be, as my colleague JODEY ARRINGTON

more eloquently pointed out, a season of service.

You want expertise and authority concentrated at the lowest possible level that is responsible, where it can be more responsive to the needs of the people and, also, more accountable. So I bring that up to say you have to make a distinction between service at the State level and service at the Federal level.

The final thing I hear, and I think it is actually the most serious objection, is that, if you term-limit Members of Congress, you will only empower the staff; you will further empower a staff that, by the way, is already over-empowered and already running this place because Members do not take an interest in the serious work of legislation and, instead, are only interested in perpetuating the Kabuki theater that dominates what we do in this place.

I am a former staffer. I worked in the Senate. I was paid to advise Members of the Senate on how they should make decisions. I can tell you that staff power is inversely proportional to Member interest. In other words, if Members are not interested in doing the hard work of showing up to their committee hearings, legislating, then staff is going to run the place.

If you create a dynamic where Members feel they have a limited period of time to make an impact via term limits, then it is my firm belief that you will actually have the opposite effect, that you will have Members taking ownership of the legislative process rather than outsourcing it to not only unelected congressional staff, but unelected members of the executive branch and the judicial branch whom the American people did not hire to make laws.

They hired us to make laws, but we are failing in that fundamental duty. We have placed most of the Federal Government on autopilot, and we are more than happy to outsource consequential decisions that we should be making constitutionally to Article II and Article III.

The final thing I will say, though: Put aside all the philosophical arguments for or against term limits. Given what my colleagues have laid out, given the historically low levels of approval that this body faces right now, the shared sense among all of us that Congress, as an institution, is fundamentally broken, that it is in need of some serious reform, we need to do something different.

I cannot promise you that term limits will solve all of our problems, but I believe firmly that, if nothing else—if nothing else—it will send a signal to the American people that we are interested in changing the status quo and the fundamental dynamic here in Washington, D.C., because the American people have made their opinion clear over and over again, and that is that they are not satisfied with the status quo.

To continue business as usual, to continue making the same mistakes over and over again, would satisfy the literal definition of insanity; and I would hope that we could avoid that, at the very least. What my colleague Mr. FITZPATRICK said and my colleague JODEY ARRINGTON echoed, that we should demand a vote, is absolutely right.

We are going to have a Speaker's race no matter who wins the election. This should be a key part of that debate. Getting a vote on the House floor is something that we should demand, and this is an idea whose time has finally come.

Mr. ARRINGTON. Mr. Speaker, that is the courage of a captain in the Marine Corps. I am grateful for his service to this country in the armed services. I am blessed to call him my friend. And again, the fire in the belly to come up here and make lasting reforms for our children and grandchildren—and game-changing reforms.

So I am grateful to Mr. GALLAGHER, and I thank the gentleman for being a leader on this issue.

Mr. Speaker, I am now going to introduce a dear friend whom I mentioned earlier, RO KHANNA, a Democrat from California.

I want to just also note before Representative GALLAGHER may have to leave, but he is speaking from the traditionally Democratic podium. I don't know. There is not a law. I don't think there is even a House rule that says you have to speak on the right side or the left side. But he speaks over there, and our Republican colleague BRIAN FITZPATRICK also stood over there, not just in solidarity on this issue, but with the spirit of friendship and the notion of restoring civility in this body.

When I look at you guys across the aisle and I see a Republican and Democrat on the Democratic side, traditionally, I am reminded of our class signing the civility agreement and sitting in the middle of this Chamber as a message to others and as an affirmation to each other that part of the culture change that we are talking about—in this respect, it is term limits, but it is more than that. It is some of the things that Mr. GALLAGHER is pushing through legislation, but it is also the softer issues, the intangible cultural issues like civility.

With that, I want to say that I thank Mr. KHANNA for his leadership. His folks are well represented by him. He knows what he believes. He fights hard for his beliefs and his constituents, but he remains independent to those beliefs and to those interests. I am proud to call RO KHANNA my friend.

Mr. Speaker, I yield to the gentleman from California (Mr. KHANNA).

□ 1800

Mr. KHANNA. Mr. Speaker, I thank Representative ARRINGTON for his friendship. One of the things I get asked all the time as a freshman is: What is it like in Congress? Do you actually know people on the other side?

I always say that, actually, one of my closest friends in Congress is JODEY ARRINGTON. I really value the friendship we have formed, that our families have formed, much at his initiative. I mean, he struck up a conversation with my wife, and he has been so gracious as we have had our own family.

It is one of the things I have enjoyed most about our class, to have relationships that transcend the rancor and the partisanship. You get to know people and know that everyone, in their own way, cares about the country, and there are things that we can do in common.

I so admire Mr. ARRINGTON's leadership from day one on term limits and trying to find common ground on making sure that this is an issue that isn't partisan, that you can be a Democrat, a Libertarian, a Republican, and still have a belief in what Thomas Jefferson said, that we should live under the laws that we make.

I still have a belief that these jobs weren't supposed to be a career. They were supposed to be ones that were inspired out of answering the Nation's call to service and then returning home to your community.

I also want to recognize my friend MIKE GALLAGHER, recognize, of course, his extraordinary service to our Nation as a marine, but also his desire to cross the aisle. I was honored to host him in Stanford, where he had great ideas on cybersecurity. I know Mr. GALLAGHER has been championing political reform, term limits, and is sincere about wanting to see progress.

BRIAN FITZPATRICK left, but I have a soft spot for BRIAN because we are both Bucks County kids. We grew up in Bucks County, and BRIAN is relentless, as JODEY ARRINGTON has pointed out. We had that meeting with the President, and BRIAN would chime in and challenge the President whenever he wanted to push further for term limits, in a respectful way, but wanting to really advocate for this issue as the most important issue.

So I am really honored to work with Representative ARRINGTON, Representative FITZPATRICK, and Representative GALLAGHER on this. They have made most of the points. I will just add a few more.

Representative GALLAGHER referenced the Economist article, which I was shocked to see, where they had the turnover rate of European monarchies. They showed that the turnover rate of the United States Congress was less than European monarchies. I thought that is why we fought a revolution, that we didn't believe in dynastic rule. We didn't believe that people should just be in power for decade after decade.

Yet, the incumbent reelection rate remains at 95 or 98 percent. And you wonder, you say, how is it possible that our approval ratings are at 10 percent as a body, and yet 95 or 98 percent are getting reelected?

Sometimes, when I talk to friends, I say, it is as if there is a company that

is going bankrupt and all the presidents and vice presidents are fighting over who gets to be CEO.

Sometimes I think that is what the American people think. We are here fighting about who gets control, who gets to chair a committee, and the institution isn't working.

They are saying: Why don't the men and women fix the institution first? That is what term limits will do. I have seen it in my own class. I have seen how people of both sides of the aisle—and let's not be Pollyannaish about it. We probably vote differently on 95 percent of the issues. But I have seen that people in this class have come here with a sense of wanting to restore our democracy, of trying to fix something and make it functional, because we all heard that out on the campaign trail.

I get the loudest applause in one of the most liberal districts when I talk about working on legislation with a Republican like we did on the VALOR Act or writing an op-ed together and reaching across the aisle. That is what people are hungry for.

I believe that, if you have term limits and if you take the careerism out of it and if people know they are going to have about a decade to have an impact, you are going to encourage more efforts to find that common ground, more efforts to be willing to compromise when it makes sense for the Nation to look for some overlap in issues.

So I am committed to this. I really respect JODEY, again, in his leadership in pursuing this. It is not easy to make change, and a lot of times, after we do one of these things, it is easy to say: Okay. It is out in the press. We have had a meeting. We made the point.

But Mr. ARRINGTON has been so persistent about getting us back together, continuing to fight for this, and I echo the call that we should have a vote on the House floor, whoever the Speaker is, to make sure that the American people have their voices heard, and we can get a vote on term limits.

Mr. ARRINGTON, Mr. Speaker, I thank Representative KHANNA. I think we would do a lot for the confidence of the American people if we could get a vote on it. I think they would believe that this body is actually responding to them, instead of just talking to each other in this bubble up here in Washington.

Again, there are good people, but there is a bad dynamic. You put good people in a bad dynamic and a history that creates a bad culture and you get bad outcomes.

So this isn't to disparage anybody on either side. It is to align the incentives so that we can be most responsive and do what was expected when the folks hired us to do this job, and that is to focus on their interests, the interests of our country, do the right thing, and put America first.

I am reminded from the comments of Mr. KHANNA that, when we had the meeting with the President—and I

want to say that Mr. MARK MEADOWS, the Representative from North Carolina, helped us a great deal to get that audience with the President. I think everybody here is grateful for his efforts to do that. We knew that, from the outset—Mr. KHANNA and I talked about this—that if we were going to have a path to success and not just make this part of the sort of rhetoric or some political box-checking exercise, but if we were going to really try to get this across the goal line with many others who have other pieces of legislation similar to our term limits legislation: A, it needed to be bipartisan; and, B, we needed buy-in from the drainer of the swamp in chief.

If there is anything that the man in the Oval Office, Donald J. Trump, represents, it is shaking up this culture. Whether you like the way he is shaking it up or not, that was the message, that they wanted change. They didn't want business as usual.

This is a proud moment for me because of my colleagues' response to the President when he said: Do you really think we are going to get a vote on this? Do you really think that you are actually going to get a vote whereby your fellow Members, who have been there longer than you all, would actually term limit themselves?

That is when my new friends and colleagues, Republican and Democrat, said: Mr. President, grandfather them in. Term limit us. Start with our class and every class that follows. Don't worry about the ones who are there. They may want a term limit, they may not. But we are not going to get into that. We don't want to slow this down. We want to be successful.

I really appreciate that response. I believe in it wholeheartedly. I am all in, and I am a true believer in what we are doing. So I thank Mr. KHANNA.

Now, Mr. TOM MARINO, the United States Representative from the great Commonwealth of Pennsylvania, the 10th District, he has been working on this before probably my freshmen colleagues had thought to even run for this in their respective offices. He introduced term limit legislation to help "return our government" to one that truly is for the people and by the people.

He believes, like I do, and the gentleman you heard speak earlier, that it is well past time to get Washington back to work for the American people.

So may God bless my friend TOM MARINO, as I yield to him to speak about this term limit effort.

Mr. Speaker, may I ask how much time I have left?

The SPEAKER pro tempore. The gentleman from Texas has 22 minutes remaining.

Mr. ARRINGTON. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. MARINO.)

Mr. MARINO. Mr. Speaker, I thank Congressman ARRINGTON for providing this opportunity to talk about term limits, and I thank my colleagues who were here to comment on it.

First of all, I would like to take a moment to pay tribute and thank our veterans, our law enforcement, our emergency service people, and their families for how they protect us. If it weren't for them, we would not be able to be in this Chamber doing what we are doing tonight.

Now, I am probably, in years, age, the oldest Member here who is talking about term limits. I am in my eighth year, so it is my fourth term. When I first ran for Congress in 2010, I advocated for term limits, and I have introduced legislation in the past three election cycles for term limits.

President Trump ran on draining the swamp, and I believe that term limits are the exact way to ensure that we drain the swamp and effectively serve the American people. I can remember when I was on the campaign trail many, many months with the President, and one of the things he asked me, he said: What would you do to change Congress?

I said: Term limits.

He said to me: You would be putting yourself out of a job.

I said: It wasn't designed to be a lifetime career.

When he went out and spoke to the people, he raised that issue of term limits.

Now, I am not criticizing my colleagues who have been here longer than 12 years, because my term limit legislation is 12 years. But times have changed, and we have to change with the times to improve the quality of life for people.

As I said, my legislation would limit any Senator or any House Member to 12 years in office. Now, let me explain something on this concept. First of all, we use the word "Congress"; we use the word "House Member"; we use the word "Senator." Most of my colleagues know this, and most of the people know it, but Congress represents the House and the Senate.

The Members of the Senate are Members of Congress. The Members of the House are Members of Congress. For some reason, the Senate goes by "Senate," and we go by "Congress" or "House Members."

But I don't mean 12 years serving in the House and then 12 years in the Senate or vice versa. I mean 12 years and you are out. That would be six terms for Congressmen and two terms for a Senator, or vice versa, however they wanted to do it.

I was once told by a reporter who asked a Member, and I won't mention that Member's name in Congress, and you don't know if it is in the House or in the Senate: What do you think of MARINO's term limit legislation of 12 years?

The reporter told me that the elected official responded by saying: Well, we are only beginning to learn what is going on here and how it works in 12 years.

So my term limit legislation would hinder Congress' ability to get things

done. How's that been going? I completely disagree.

Opponents say we will not have the experience. Wrong, and that is a lame excuse.

They say that staff members will be making the decisions. Well, if there is a Member in the House or the Senate who is letting their staff members make the decisions, that elected official shouldn't be here.

Part of my background is that I worked in a factory until I was 30, started sweeping floors and worked my way up. I started college 2 weeks after my 30th birthday and then went on to law school. Having a background in the private sector, I can tell you that if a person in the private sector or who worked for someone in business were to argue that I need 12 years to start being successful or doing my job correctly, they would be fired in the first week.

□ 1815

The President is limited to two terms, 8 years. Many governors are limited to two terms. State House and Senate elected officials in some States are limited in their terms.

Why not Congress? It is not a lifetime career.

I am only advocating for term limits at the Federal level, not at the State level. It is completely ridiculous for a lawmaker to state that they are unable to serve their constituents unless they are here for longer than 12 years. Knowing that one is limited to 12 years, or a variation of that, then the elected official knows what they have to do to get the job done, what they promised.

We need to change the culture here in Congress, and term limits is the only way to accomplish this.

According to the most recent clear politics polling average, 18.4 percent of the American public approves of the job that Congress is doing. What does that tell us?

This certainly seems like a good argument for why we need turnover in Congress and new ideas consistently coming through the doors.

CEOs, chief executive officers, presidents of companies, chairmen and women of corporations leave or are asked to leave their position after 8 to 10 years, on average. And why is that? That is because the company wants fresh ideas. That is because that person who is in that position feels that they have accomplished all that they can and they move on to their next goal.

Serving in Congress was originally never viewed as a career or a lifetime appointment. We need new ideas from new Members, women and men, young and not so young.

There is a great deal of talent here in Congress and, with term limits, newer Members will have the ability to chair committees, instead of waiting for 15 or 20 years to be a chairman or a chairwoman.

We have, in the House, a person can serve 6 years on one committee as the

chair, and then move to another committee for 6 years. That is 12 years. I understand that that is the Republican side. I understand, and someone correct me if I am wrong, on the other side of the aisle it is lifetime in situations.

That doesn't give the talent, the new talent, the ability to move up and have a say of how things are run. It gives the new talent ability to get into leadership without having to be here 20 years.

The framers of the Constitution were not full-time legislators. They were businessmen, they were entrepreneurs, they were farmers, they were inventors, et cetera. They spent very little time actually in Philadelphia and in New York. They went back home with their constituents, and back home to their jobs.

See, there was a difference there between representing the people, putting together a Constitution, and then going back to your job.

There was also never supposed to be a permanent class that would rule over the citizens and without term limits that is what we have.

In 2016, 97 percent of all House Members who were seeking reelection won their races. We also must change, in Congress, the rules. They are outdated; they are old; they are inefficient, in both Chambers, in the House and in the Senate. But to do this, we need term limits.

As I said, I have brought up term limits the last three elections. I can't even get a hearing on it.

It is not healthy for our republic or for our constituents who deserve better.

I ask my constituents every time I am out in my district, and when I am speaking around the State, and in other States: Do you support my term limit of 12 years? And overwhelmingly, overwhelmingly, it is a resounding yes. I have had people say to me, I never used to support term limits, but now I do.

I want to, again, thank Congressman ARRINGTON and the other Members that were here for holding this Special Order Hour to discuss this very important issue. I would encourage all of my colleagues to join us in supporting term limits to help drain the swamp and maintain a healthy legislative branch, or at least get it to a debate. This is a game-changer, term limits, and will improve the quality of life for Americans.

Mr. ARRINGTON. Mr. Speaker, I thank the gentleman from the Commonwealth of Pennsylvania, and his passion and his focus on the things that will really move the needle and really change the culture and really make a difference for his kids and grandkids. And I am thankful that he came and expressed his sentiments and the history behind his leadership and experience long before I showed up; and he has plowed some good ground for the new Members who spoke today, and we greatly appreciate that.

Mr. Speaker, I say to the gentleman, I think we can be successful, I really do, and here is why. I think we have the precedents of the 22nd Amendment, which was done in the shadow that was cast by one of our greatest leaders, George Washington, and the custom and tradition of the 2 terms for President.

But the people, with angst and vehement opposition to more than two terms as President, spoke, and there was enough critical mass where we had the 22nd Amendment. We passed a constitutional amendment. It has already happened and it can happen again. I believe that we are embarking on such a time and a season in the life of this country.

And the public frustration, we have talked about the approval rating, popular reform. We talked about the polls. Over 80 percent of the American people want this. And then we talked about the man in the Oval Office who ran on draining the swamp. And this is a definitive measurable way to do that. It is not the only way; it is not the panacea for all of the ills culturally in this institution, but it would certainly be a big start.

So, Mr. Speaker, I say thank you to my colleagues for the support and for their eloquent and passionate remarks to advance this.

And I want to say a special thanks to the President for tweeting out on this after our meeting, for endorsing our efforts, and I encourage him. There are two things we need. We need the President to continue to make this a priority, and we need him to continue to talk about it; and we need the next leadership of this body, whatever that looks like and however that sorts out, we need the leadership to bring this to a vote.

Mr. Speaker, I yield to the gentleman from North Carolina (Ms. FOXX). It is not on the issue of term limits. It is on another very important issue.

#### RECOGNIZING ELI HERMAN

Ms. FOXX. Mr. Speaker, I thank my colleague from Texas, Mr. ARRINGTON, for leading this Special Order and yielding me some time.

Mr. Speaker, I rise to share the story of a young American entrepreneur, Eli Herman, who lives with his parents, Teresa and Ritchie Herman, on their farm in Alexander County.

I met Eli and his parents at the Alexander County Draft Horse Pulling Contest recently, where he opened the contest by riding into the arena with his ponies and the American flag.

It was clear from the beginning of our meeting that Eli is not a typical 11-year old boy. This young man truly embodies the American entrepreneurial spirit and exudes patriotism.

At his young age, Eli has big dreams and the self-motivation he needs to accomplish them. Starting at a very young age, Eli raised his own calves and was able to earn some money from that endeavor. He made the decision to

use that money to purchase ponies and a wagon.

Now Eli owns 11 ponies, which he shows. He participates in events to promote American values, and will be participating in the North Carolina State Fair in October, where I know he will be a big hit.

Eli's long-term dream is, one day, to follow in the footsteps of his hero, Randy Derrer, the driver of the Wells Fargo stagecoach. He has my best wishes to achieve that dream, and it is my good fortune to have met him and his parents and know that they are among the many wonderful people in the Fifth District of North Carolina that it is my privilege to represent.

Mr. ARRINGTON. Mr. Speaker, I thank the gentlewoman from North Carolina. And I just say, in conclusion, before I yield the balance of my time back, Mr. Speaker, that, and I was remiss to not mention that this would be the appropriate way to conclude.

I want to thank the majority leader, KEVIN MCCARTHY, for allowing my colleagues and I to speak on this issue on the floor of the House, of the people's House, and being open to allow Members to bring their ideas and the things that they ran on, the things that they are passionate about, that they believe will make the biggest difference for the future of this country.

To me, that is a big part of leadership, being big enough to allow people to take the microphone and speak on these issues, whether he believes in it, supports it or not, I don't know. But I know that he is a good leader for allowing us to speak about it, and I am grateful for that.

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

#### HONORING THE LIFE AND LEGACY OF SENATOR JOHN MCCAIN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Arkansas (Mr. HILL) for 30 minutes.

#### GENERAL LEAVE

Mr. HILL. 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 the topic of this Special Order.

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

There was no objection.

Mr. HILL. Mr. Speaker, tonight, in this hallowed Chamber of the House, in the U.S. Capitol, we pay tribute to a good friend, a patriot, a loyal Member of this House of Representatives, and the Senate, and that is John McCain, who we lost last week, after a long and productive life.

It seems fitting that we are here in the House Chamber with the portraits of George Washington and the Marquis de Lafayette, two generals in the army of the liberation in our American Revolu-

tion, two comrades at arms, two people who set the standard for high, ethical standards of leadership, and leading us in what we treasure today, our United States of America. And really John McCain epitomized that.

Mr. Speaker, it may be unusual that a Member from Arkansas would lead a tribute in honor of our distinguished former colleague, but there is a connection, because when I started, one of my earliest jobs was serving Senator John Tower of Texas, on his personal staff and on the staff of the Senate banking committee.

You couldn't work for John Tower and not be a friend to John McCain, because John McCain was, as a young captain, the liaison to the Senate between 1977 and 1981, and then he ran for office in 1982 in his home State of Arizona.

He said it was hard to decide to run. He didn't really have a home. The longest place he had lived before he ran for Congress from Arizona was in the Hanoi Hilton, Mr. Speaker.

□ 1830

And John Tower broke his promise to not campaign and mess around in a Republican primary by traveling Arizona and Texas helping John McCain win his election in 1982.

They were, like Lafayette and Washington, comrades in arms, both Navy men: Tower, the seniormost enlisted man elected to the Senate, and John McCain, a captain, son and grandson of admirals.

Tower's favorite story about John was when they went to Oman, and Captain McCain was his escort officer on a codel, and they were with the Sultan of Oman out in the desert in a tent, arrayed on beautiful carpets.

As you know, it is bad protocol to show one's soles of the feet in the Arab culture, and John McCain, Mr. Speaker, could not bend his legs from his beatings in the Hanoi Hilton. And so there he was, cross-legged—or tried to be cross-legged—in that tent in Oman with the soles of his feet pointing directly at the sultan.

It was Tower who said: Your Majesty, please understand that Captain McCain can't properly cross his legs, as he was a POW in Vietnam and is crippled from that horrible ordeal.

And the Sultan of Oman said: My dear Senator, I am a graduate of Sandhurst and a former captain in the British Army of the Rhine. I understand. And it is a pleasure to have Captain McCain at our table.

Years later, it was John McCain who worked his tail off to try to have John Tower confirmed as Secretary of Defense in 1989 for my old boss, President Bush, to no avail. But in the minutes before that failed vote in the Senate, McCain turned to Tower and said: God bless you, John Tower. You are a damn fine sailor.

So tonight, Mr. Speaker, I pay tribute to John McCain, his comradeship, his friendship with John Tower, his

service to this country, his undenied patriotic leadership and strength in the country that we have today.

Mr. Speaker, I would like to call on my friend from Texas, and it is a special call, it is an emotional call for all of us in this Chamber tonight, to ask SAM JOHNSON to come to the podium, SAM JOHNSON, who spent 7 years in the Hanoi Hilton, 42 months in solitary confinement, a 29-year career in the Air Force.

So, Mr. Speaker, I now yield to my friend, the gentleman from Texas (Mr. SAM JOHNSON), and thank him for sharing his thoughts on his comrade in arms, former Senator John McCain.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I thank the gentleman for recognizing me, and I appreciate those comments.

Mr. Speaker, I would like to thank my colleague, FRENCH HILL, for arranging this Special Order to honor John.

Mr. Speaker, John was more than just a colleague in Congress. We were friends, and that friendship was forged in the infamous Hanoi Hilton. Not everyone knows that he and I shared a cell there together for a time.

I can testify to the fact that John did everything he could to defend freedom and honor our great Nation, not just in that hell on Earth, but beyond those bleak years. This is most evident in his service in the United States House and Senate.

John, we will remember your strength of spirit, your commitment to our servicemembers and our democracy, and your love of country.

I would now like to tap a special message for John and his family, who remain in my prayers. This tap code was used by the POWs to resist our captors.

That is a G. That is a B. And that is a U. And that is what we all used to use, "God bless you."

God bless you, partner. I salute you.

Mr. HILL. Mr. Speaker, I thank our good friend for his service.

SAM JOHNSON has served this Chamber so nobly during his years on Ways and Means and ends his career in the people's House this term. All of us treasure our time with him, our work together, and his leadership, and we treasure his remarks tonight in honor of his great comrade.

And, sir, we salute you and we thank you, and God bless you for all you have done for this great country.

With that, I yield to the gentleman from California (Mr. DENHAM), who serves on the Transportation and Infrastructure Committee, Natural Resources. Also, he served this great country in the Air Force for 16 years, fought in Operation Desert Storm in Iraq, Operation Restore Hope in Somalia. We welcome him, and we thank him for his comments tonight.

Mr. DENHAM. Mr. Speaker, I thank Mr. HILL for recognizing me.

Mr. Speaker, I rise today to honor John McCain, a family man, a war hero, United States Senator, and a very, very close friend.

John was a one-of-a-kind, a man with an undeniable spirit, an incredible gift to work alongside people of different beliefs and backgrounds for the good of all people.

As a veteran, I recognized John's service went above and beyond the call of duty.

McCain was not the kind of man to put his brothers in arms at risk to save his own skin. Even as a POW, he put country first.

His patriotism was inspiring. It was so inspiring that, as a young airman at the time—I was going to junior college at Victor Valley College, became the student body president, and the first time they sent somebody to Washington, D.C., it was me. It was my first trip to Washington, D.C., and I actually got to meet the man that I had only read about and really got to know him, know John and his real character.

It was an honor to be with him in the 2000 campaign and again in the 2008 campaign. In 2008, we spent a lot of time traveling together throughout the West Coast, even spending some time in my district in Modesto, California.

Sonia and I were lucky enough to witness John at his happiest on his ranch in Sedona, working the grill, surrounded by family, to see the joy in the man's face just flipping shrimp and burgers and being around family in a very serene, beautiful spot.

John never lost sight of what truly mattered. He was willing to take on great risk in his political career, as he did in his military one, not because it was convenient or because it would benefit him, but because he knew it was the right thing to do.

John and I worked together to create a bipartisan fix for our broken immigration system. Together, we drafted the Uniting and Securing America Act, the USA Act, as he introduced it in the Senate, one that would provide a compromise for children who were brought here through no fault of their own and deserve an opportunity in this great country.

He and I had sat down initially in 2010 when I was first elected to Congress to talk about my idea on the ENLIST Act and talk about how you could show the ultimate act of patriotism and allow these kids in our high schools to be able to serve in the military. Together, we made sure our country had a serious discussion about real immigration reform for the first time in over 20 years.

Here in the U.S. House of Representatives and across the country, we must not lose sight of the vision John had for this Nation. His America was one defined by bipartisanship, optimism, and hope, looking forward to a brighter tomorrow where our Nation can come together as one; and I, too, believe in that vision.

I will be forever grateful to John for making me part of his incredible journey, and I pray that the example he set will serve as an inspiration for this Congress, for our Nation, and for generations to come.

Mr. Speaker, I thank Mr. HILL very much for yielding to me tonight and for honoring our great friend.

Mr. HILL. Mr. Speaker, I thank my friend from California. I appreciate his personal testimony about John's service and his friendship. I thank him again for his service to our country, not only in the people's House, but in the U.S. Air Force.

Mr. Speaker, I now yield to my friend from Memphis, my neighbor from across the Mississippi River, the gentleman from Tennessee (Mr. COHEN), a Representative from Memphis who serves on the Committee on Ethics, where he is a ranking member. I am proud to have his contributions tonight in tribute and memory to our former colleague, Senator McCain.

Mr. COHEN. Mr. Speaker, I thank Mr. HILL for scheduling this Special Order. It is most appropriate that we meet here and we talk about John McCain, whose elected political career started in this House with two terms in the House of Representatives.

I spent most of my life as an elected legislator, 39 years, and I value my service. I think highly of people who take the oath of office and support it and make people think that government is an honorable profession and encourage younger generations to get involved because they set good examples.

John McCain was one of those people who set a good example for American citizens to think well of their government, to think well of their leaders, and to desire to serve in public office.

John McCain was a person I only had a few opportunities to interact with, and each of those opportunities are ones I will never forget. He was as nice and kind as he could be.

But I knew him from his career. We didn't always agree. He was a conservative and a Republican. But when he was wrong, he learned and he changed, and that is a great sign of a human being, to be able to continually evolve and become a better human being.

When he was running for President, he wasn't able, in South Carolina, in 2000, to come out against the Confederate flag, but he later knew it was wrong, came out against it and admitted his mistake.

He learned about campaign finance and worked with Russ Feingold on campaign finance reform, and on that, he was a maverick.

And he was a maverick on climate change. He recognized science and the need to preserve our planet.

He recognized the need to have reasonable and good immigration laws to not only protect our borders, but to give others an opportunity to come to this country and continue to make our country greater, because what we are is a country of immigrants that has benefited from the brainpower and hard work of immigrants who have sought a better home for themselves and their families.

John McCain was courageous as a military leader in Vietnam when he

was in prison, but he was courageous as a politician. When he stood up to the lady that condemned Barack Obama and was trying to throw scurrilous remarks about Barack Obama—in her mind they were scurrilous—John McCain, the candidate, could have just gone on and let it pass and moved to the next subject, but he didn't because he had character and he had a soul. And he stopped and he told the lady: "No. You are wrong. Barack Obama is a good man. He is a good family man." And he spoke well of his opponent, something that we have not seen in recent Presidential elections, a Presidential candidate who rose above the fight and realized that Barack Obama and he were both Americans and on the same team even though he wanted to be President rather than Barack Obama.

There is so much that John McCain did. And when he came and did that famous thumbs-down on the ACA—yes, I was for the ACA, so I liked that a lot. I don't know if he did that because of the fact that the Senate wasn't following their rules and regular order, which was a good reason not to be for it, or if it was because he had recently found out that he had brain cancer and was undergoing a horrific health experience that he did face with great courage, but he saw that he had had the best medical treatment available, and I suspect he had to think about Americans who needed health insurance if they came into the same situation that he had experienced.

That showed he had empathy and he could grow and vote in a way as a human being and not just as a party person, because of others who suffer from health afflictions.

I watched every minute of the services in Phoenix, here in Washington, and was inspired—inspired—by Meghan McCain and her remarks and the two Presidents who were his opponents who spoke so well of him, and others.

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I am sorry I couldn't attend those services on Saturday. I will be in Annapolis, Maryland, and I will visit his grave and pay my respects in person. He was a great American, and he was courageous. We are lucky he came our way.

Fair winds and following seas, John McCain.

Mr. HILL. Mr. Speaker, I thank my friend from Tennessee for his remarks about our friend John McCain.

Now, I would like to ask a colleague of his from Arizona, my friend, who we served on the House Financial Services Committee together, DAVE SCHWEIKERT, who represents Phoenix and Scottsdale and currently serves on the House Ways and Means Committee.

Mr. Speaker, I yield to Representative SCHWEIKERT and thank him for being with us tonight.

Mr. SCHWEIKERT. Mr. Speaker, I thank Mr. HILL for doing this Special Order.

Mr. Speaker, I am going to give you, actually, a slightly different recollection, because I am one of those who, over the years, since almost 1982, had time around John McCain.

I want to start with the fact that I have had the pleasure of having John McCain step in when I was running for office and endorse me and help me and do things. And I have had the pleasure of having John McCain step into one of my races to oppose me and work against me.

It was always a really interesting experience, because one of the reasons I have never held hostility, and, actually, always really appreciated him, it is something that rarely happens around this body. Someone fusses at you and a couple of hours later calls you and says: Hey, I thought about that. We need to talk it through. I think there is a way we can fix it. Hey, I didn't mean that.

To have a U.S. Senator sometimes being frustrated with what you were doing, and then a couple of hours later call you and say: Hey, I am sorry. I was probably a little aggressive on that. I understand. Have you thought about doing it this way?

This place never says sorry. This place never sort of has that type of passion. And you heard over and over in the memorials in Phoenix and here at the Capitol discussions of people who were very close with Senator McCain, this sort of discussion of how human he was, how passionate he was.

I want to make the argument of someone who knew Senator McCain most of his life and interacted with him in and out throughout that life. It is that humanity, that ability to at one moment put a finger in my chest and fuss at me, and an hour later call me and say: David, how can I help you? I want to help you get something done. Can I help you get this done if you do it this way?

That humanity, that passion, is something that desperately is missing around here. We have all become so careful in everything we say and everything we do, because there is always the next moment we are going to get beaten up by someone out in the community, or the press, or those things.

Imagine this body if we all were like Senator McCain, where you just sort of let your passion fly. If you went a little too far, you said you were sorry. If it was something worth fighting for, you stood up and you engaged in it. And then, a few minutes later, you went out and had a hamburger with the very people you were debating.

Some of that is really missing around here, because we are so far in our camps. I am not sure the public completely understands the power, whether it be on the Democratic side or the Republican side, of when the cameras go off, when the reporters aren't around, when we are walking through the hallways, when we are in the elevator. There is this great humanity around here.

I think that humanity was exemplified by my former senior Senator, John McCain.

Mr. HILL. Mr. Speaker, I thank my friend from Arizona. I thank him for his personal stories tonight and his tribute to our former friend from Arizona.

It is a pleasure for me to ask my friend from Fresno, California, Representative JIM COSTA, to share some thoughts on the life of John McCain.

Mr. COSTA serves on the Agriculture Committee and Natural Resources Committee, and we are grateful for him being with us tonight.

Mr. Speaker, I yield to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I thank the gentleman from Arkansas (Mr. HILL) for giving me this opportunity to pay my tribute to Senator John McCain.

John McCain was clearly an American hero. His love and patriotism for our country knew no bounds. I first met Senator McCain in 2006 when we were on a congressional trip to Antarctica. We spent 6 days together, exploring the science and the efforts that were going on with NASA and with our Defense Department and American universities that were doing valuable research.

I got to witness firsthand his self-deprecating sense of humor. Like he did with many Members and people with whom he came into contact, he gave me counsel. During those days we spent together he said: Hey, kid, if you really want to learn how to do this right—well, first of all, I liked the fact that he called me kid—you ought to listen carefully. Too many people around here don't spend enough time listening.

For me, and for so many other Members and people professionally that Senator McCain came into contact with, he was a role model on how we should conduct ourselves, not only as Representatives, but also as people who want to solve problems. He, clearly, I think, set the bar quite high on how we develop bipartisan compromises.

I gave a speech here last year about what has happened to the art of the political compromise. Has it become a lost art? Well, Senator John McCain had fine-tuned his skills, his efforts to reach across the aisle, to figure out ways in which you could bring people together to find that art of the political compromise.

So his greatness, really, is one that reflects the true values of Americans. For all of us, I think he instilled the nature of—as we know in our country, historically, there is the politics of hope and there is the politics of hate. Many individuals have been successful at practicing both types of politics in their careers.

But Senator McCain's success was the politics of hope, the politics of love, love of country and love of his fellow Americans. It carried him through the trials and difficulties that life brings one's way, both in his service to

his country in the United States Navy and as a prisoner of war.

When he had the opportunity because of his status to leave the Hanoi Hilton early, he made it very clear he would not until every American prisoner of war left, and he suffered great torture as a result of that.

The lessons in life that Senator John McCain learned were lessons that he tried to teach to all of us in his conduct as a public servant, in which he put public service among the highest levels of contribution that one can make to their country.

So not only was he a role model for all of us, for Americans, but throughout the world. When we traveled in the Middle East, in Europe, my Congressman colleague, Congressman MARIO DIAZ-BALART, and I, who worked closely with our European colleagues, John McCain was sought after for advice, for understanding the body politic, what was happening in America, and how we could better work together with our European allies, and the values that we hold most dear, the values of human rights, the values of freedom of speech, the values of ensuring that we protect our democratic institutions.

Senator John McCain really reflected the best that America has to offer, which is why he was so well respected around the world. When you went to countries in which you had autocrats and dictators and you had issues of human rights, he was always sought after by those who were oppressed, because there was, clearly, a sense of empathy that they understood that he had for them.

So as I close, let me say that the tributes that we pay to him are small in comparison to what he gave to our country. The book that President John F. Kennedy wrote, "Profiles in Courage," if there were to be a second book in the 21st century, clearly, Senator John McCain would be one of those individuals who, throughout his career, exemplified what it means to have profiles in courage in his conduct, in his daily life, in the practice of the politics that he led through example, which are lessons for all of us to learn.

Senator John McCain, a grateful Nation can never, ever say thank you enough for all that you did and all that you gave. God bless you.

Mr. HILL. Mr. Speaker, I thank my friend from California for his personal memories and tribute to Senator McCain.

It is a pleasure now for me to yield to my friend from Florida (Mr. DIAZ-BALART).

Senator McCain, throughout his life, was such a great voice for our Bill of Rights, for liberty across the world, for the fight against communism during the Cold War, and for the fight for trade and leadership by the American people and our great country around the world.

I think the same of my friend, MARIO DIAZ-BALART from Florida, who with his friend JIM COSTA helps lead our par-

liamentary dialogue between the Transatlantic Economic Council in the EU and the United States.

I thank my friend, also a member of the Ways and Means Committee, for coming tonight and sharing his thoughts on Senator McCain.

Mr. DIAZ-BALART. Mr. Speaker, I thank Mr. HILL for allowing us, those of us who knew, worked with, admired John McCain, to have this moment, to have this time to honor and to remember and to, frankly, speak about someone who all of us admired so much.

Senator John McCain was, as you have heard from everyone and from all of us who knew him and who had contact with him, he was a patriot and he was a great American hero. I am profoundly blessed to count this man as both a trusted colleague and a loyal friend.

We have heard so many things about him today, tonight, because, again, of this wonderful moment that Mr. HILL has done for us here tonight, allowed us to do tonight.

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

Mr. SMITH of New Jersey. Mr. Speaker, Senator John McCain was an extraordinarily brave and noble man—a hero a dedicated husband, father, fighter pilot, and an amazing lawmaker. He endured and overcame unspeakable horrors as a POW, and as a lawmaker never ceased working for members of our armed forces and veterans. And on matters of principle and conviction, Senator McCain was fiercely independent, always willing—even eager—to bend into the wind and not with it.

John McCain and I were colleagues on the House Foreign Affairs Committee when he was in the House. In fact we sat next to each other, and so I got to know him, and valued his intelligence and expertise. Then-Congressman McCain and I were very much in sync on supporting the administration's vigorous opposition to communism, rebuilding of the U.S. military, and its robust internationalism, as well as the re-emergence of a principled commitment to human rights and defense of democracy as core principles of U.S. foreign policy.

He vigorously defended the downtrodden, the underdog, the forgotten and disenfranchised, including the unborn. Already in these years on our committee, his willingness to do the right thing regardless of partisanship was a blessing to this country.

My wife Marie and I will always cherish and deeply respect the incomparable Senator John McCain. Marie joined me and thousands of others at the National Cathedral last Saturday to say goodbye to this great patriot and American hero. All the tributes were extraordinarily moving, including those by Meghan McCain, and Presidents Bush and Obama.

Our nation is deeply grateful for the sacrifice and service of John McCain., and our hearts and prayers are with Cindy, and with his entire family.

#### HONORING JOHN MCCAIN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Florida (Mr. DIAZ-BALART) for 30 minutes.

Mr. DIAZ-BALART. Mr. Speaker, one thing that some of you may not know about John McCain's time at the Hanoi Hilton was that he spoke of a Castro regime thug and his Cuban underling. They were sent to Vietnam to torture American POWs, to torture John McCain's friends. He had hoped to one day identify those barbaric individuals and bring them to justice.

Sadly, John did not see that egregious injustice, along with so many perpetuated by the Castro regime, resolved in his lifetime.

John witnessed firsthand the evil of communism, along with the tyranny and the inhumanity that it breeds. A tyrant capable of such brutal oppression of his own people could also be responsible for unspeakable atrocities to those who would stand up to the tyranny.

Perhaps that experience, Mr. Speaker, personally motivated John McCain's passionate advocacy for freedom and human dignity, as well as his untiring outreach to those languishing under tyranny anywhere in the world, as Mr. COSTA mentioned just a little while ago.

He was a fitting chairman of the International Republican Institute's board since 1993, an organization whose mission is to promote freedom and civil society and democracy to some of the world's most repressive environments. That mission aligned perfectly with Senator McCain.

So, yes, although I am deeply saddened by a loss of such magnitude, I will tell you that I am encouraged by the knowledge that his example will continue to inspire and educate for many, many generations to come.

There will never be another one like John McCain and we are all fortunate to have had the benefit of his service to our Nation.

Mr. HILL. Will the gentleman yield?

Mr. DIAZ-BALART. I yield to the gentleman from Arkansas.

Mr. HILL. Mr. Speaker, I thank the gentleman for the time to thank my colleagues for coming to the House floor to this hallowed Chamber of the people's House and paying tribute to a distinguished Member of this House, a distinguished United States Senator, and someone who epitomizes the best of American character.

We were all inspired by the stories shared tonight, particularly I think by the touching tribute of a colleague in the Hanoi Hilton, SAM JOHNSON of Texas. I will remember that time for the rest of my days.

In conclusion, Mr. Speaker, let me just say that as John McCain communicated with SAM JOHNSON in the Hanoi Hilton, I say we salute this fine sailor and say God bless you.

Mr. DIAZ-BALART. Mr. Speaker, I, again, thank Mr. HILL for bringing us together and for allowing us to remember and to honor a great American hero.

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

## ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4318. An act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty.

H.R. 5385. An act 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.

H.R. 5772. An act to designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas, as the "J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse".

## ADJOURNMENT

Mr. DIAZ-BALART. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 1 minute p.m.), the House adjourned until tomorrow, Friday, September 7, 2018, at 9 a.m.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6153. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; KY; Redesignation of the Kentucky Portion of the Louisville Unclassifiable Area [EPA-R04-OAR-2017-0390; FRL-9982-70-Region 4] received August 23, 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.

6154. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Washington; Interstate Transport Requirements for the 2012 PM<sub>2.5</sub> NAAQS [EPA-R10-OAR-2018-0060; FRL-9982-46-Region 10] received August 23, 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.

6155. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; New York; Subpart 225-1, Fuel Composition and Use — Sulfur Limitations [EPA-R02-OAR-2016-0414; FRL-9982-80-Region 2] received August 23, 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.

6156. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — District of Columbia: Final Authorization of District Hazardous Waste Management Program Revisions [EPA-R03-RCRA-2017-0553; FRL-9982-19-Region 3] received August 23, 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.

6157. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; Na-

tional Priorities List: Deletion of the Ordinance Works Disposal Areas Superfund Site [EPA-HQ-SFUND-1986-0005; FRL-9982-57-Region 3] received August 23, 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.

6158. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements for Nitrogen Dioxide and Sulfur Dioxide [EPA-R09-OAR-2015-0472; FRL-9982-23-Region 9] received August 23, 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.

6159. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Rules and Regulations Under the Textile Fiber Products Identification Act (RIN: 3084-AB47) received August 23, 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.

6160. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Energy Labeling Rule (RIN: 3084-AB15) received August 23, 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.

6161. 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 Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 170817779-8161-02] (RIN: 0648-XG048) received August 23, 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.

6162. 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 Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF902) received August 23, 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.

6163. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG078) received August 23, 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.

6164. 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 Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; 2018 and 2019 Harvest Specifications for Groundfish; Correction [Docket No.: 170817779-8161-02] (RIN: 0648-XG158) received August 23, 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.

6165. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone

Off Alaska; Kamchatka Flounder in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG305) received August 23, 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.

6166. A letter from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Merchant Marine Act and Magnuson-Stevens Act Provisions; Fishing Vessel, Fishing Facility and Individual Fishing Quota and Harvesting Rights Lending Program Regulations [Docket No.: 170404355-8455-02] (RIN: 0648-BG80) received August 23, 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.

6167. 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 Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2018 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts [Docket No.: 160920866-7167-02] (RIN: 0648-XF867) received August 23, 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.

6168. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 161020985-7181-02] (RIN: 0648-XF889) received August 23, 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.

6169. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF894) received August 23, 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.

6170. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF907) received August 23, 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.

6171. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 161020985-7181-02] (RIN: 0648-XF908) received August 23, 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.

6172. 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 Exclusive Economic Zone Off Alaska; Pacific Cod by Non-

American Fisheries Act Crab Vessels Operating as Catcher Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF940) received August 23, 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.

6173. 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 Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG076) received August 23, 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.

6174. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Northwest Fisheries Science Center Fisheries Research [Docket No.: 151027994-6421-02] (RIN: 0648-BF47) received August 23, 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.

6175. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; New Castle, IN [Docket No.: FAA-2018-0290; Airspace Docket No.: 18-AGL-9] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6176. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Freeport, PA [Docket No.: FAA-2017-0426; Airspace Docket No.: 17-AEA-8] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6177. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Chicago Class B and Chicago Class C Airspace; Chicago, IL [Docket No.: FAA-2018-0632; Airspace Docket No.: 17-AWA-4] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6178. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Multiple Restricted Area Boundary Descriptions; Florida [Docket No.: FAA-2018-0728; Airspace Docket No.: 18-ASO-2] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6179. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lansing, MI [Docket No.: FAA-2018-0101; Airspace Docket No.: 18-AGL-4] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6180. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31206; Amdt. No.: 3811] received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6181. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31207; Amdt. No.: 3812] received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6182. A letter from the Chairman, Office of Proceedings and the Office of Economics, Surface Transportation Board, transmitting the Board's final rule — Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services — 2018 Update [Docket No.: EP 542 (Sub-No. 26)] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

#### 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. 6088. A bill to amend the Mineral Leasing Act to authorize notifications of permit to drill, and for other purposes; with an amendment (Rept. 115-921). Referred to the Committee of the Whole House on the state of the Union.

#### 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. COFFMAN (for himself and Mr. HIMES):

H.R. 6713. A bill to promote the creation of State anonymous school threat reporting programs, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLINS of Georgia:

H.R. 6714. A bill to direct the Director of the Administrative Office of the United States Courts to consolidate the Case Management/Electronic Case Files system, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself and Mr. CICILLINE):

H.R. 6715. A bill to designate the facility of the United States Postal Service located at 20 Ferry Road in Saunterstown, Rhode Island, as the "Captain Matthew J. August Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MCKINLEY (for himself and Mr. SCOTT of Virginia):

H.R. 6716. A bill to redesignate certain facilities of the National Aeronautics and Space Administration; to the Committee on Science, Space, and Technology.

By Mr. RUSH:

H.R. 6717. A bill to amend the Federal Food, Drug, and Cosmetic Act to require

that the label of drugs with an increased risk of suicide or depression present such increased risk prominently, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KELLY of Pennsylvania (for himself, Mr. THOMPSON of California, and Mrs. BLACK):

H.R. 6718. A bill to amend the Internal Revenue Code of 1986 to provide that health insurance coverage statements are required to be provided to individuals only upon request; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia (for himself and Mr. FERGUSON):

H.R. 6719. A bill to designate the facility of the United States Postal Service located at 120 12th Street Lobby in Columbus, Georgia, as the "Richard W. Williams Chapter of the Triple Nickles (555th P.I.A.) Post Office"; to the Committee on Oversight and Government Reform.

By Mr. BUCHANAN (for himself, Mr. HASTINGS, Mr. BRAT, Mr. FITZPATRICK, Ms. TITUS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TED LIEU of California, Mr. DONOVAN, and Mr. BLUMENAUER):

H.R. 6720. A bill to prohibit the slaughter of dogs and cats for human consumption, and for other purposes; to the Committee on Agriculture.

By Mr. BUDD (for himself and Mr. PEARCE):

H.R. 6721. A bill to amend title 31, United States Code, to modernize the research, development, information sharing, and acquisition process of the Financial Crimes Enforcement Network, and for other purposes; to the Committee on Financial Services.

By Ms. FUDGE (for herself and Mr. SCOTT of Virginia):

H.R. 6722. A bill to amend the Elementary and Secondary Education Act of 1965 to establish the Stronger Together Program; to the Committee on Education and the Workforce.

By Mr. GIBBS (for himself and Mr. WILSON of South Carolina):

H.R. 6723. A bill to amend the National Voter Registration Act of 1993 to prohibit a State from registering an individual to vote in elections for Federal office held in the State unless the individual provides documentary proof that the individual is a citizen of the United States; to the Committee on House Administration.

By Mr. GIBBS (for himself and Mr. WILSON of South Carolina):

H.R. 6724. A bill to limit the authority of a State to require remote sellers to collect taxes and fees owed by purchasers then located in such State incident to their purchases of goods and services from such sellers, and for other purposes; to the Committee on the Judiciary.

By Mr. TED LIEU of California (for himself and Ms. STEFANIK):

H.R. 6725. A bill to authorize the Secretary of Defense, upon request of the Ministry of Defense of Israel and with the concurrence of the Secretary of State, to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities that address threats to the United States, deployed forces of the United States, or Israel, and for other purposes; to the Committee on Armed 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 Mr. MARCHANT (for himself and Mr. CROWLEY):

H.R. 6726. A bill to amend the Internal Revenue Code of 1986 to repeal certain provisions

applicable to foreign investment in United States real property; to the Committee on Ways and Means.

By Ms. MOORE (for herself, Mr. THOMPSON of Mississippi, Mr. AL GREEN of Texas, and Mr. GALLEGOS):

H.R. 6727. A bill to establish an innovative water technology grant program and to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to encourage the use of emerging and innovative water technology, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, 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. O'HALLERAN (for himself and Mr. COLE):

H.R. 6728. A bill to protect Native children and promote public safety in Indian country; to the Committee on Natural Resources, and in addition to the Committees on Education and the Workforce, and 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 Mrs. WAGNER (for herself, Mrs. CAROLYN B. MALONEY of New York, and Mrs. LOVE):

H.R. 6729. A bill to allow nonprofit organizations to register with the Secretary of the Treasury and share information on activities that may involve human trafficking or money laundering with financial institutions and regulatory authorities, under a safe harbor that offers protections from liability, in order to better identify and report potential human trafficking or money laundering activities; to the Committee on Financial Services.

By Mr. PRICE of North Carolina (for himself and Ms. MATSUI):

H. Con. Res. 134. Concurrent resolution recognizing September 11, 2018, as a "National Day of Service and Remembrance"; to the Committee on Oversight and Government Reform.

By Mr. CASTRO of Texas (for himself, Ms. STEFANIK, Mr. COURTNEY, and Mr. GALLAGHER):

H. Res. 1052. A resolution affirming United States-Australia cooperation on space research, exploration, and utilization; to the Committee on Foreign Affairs.

By Mr. GALLAGHER (for himself, Mr. PANETTA, Mr. BACON, Mr. MOULTON, Ms. STEFANIK, Mr. COURTNEY, Mr. AUSTIN SCOTT of Georgia, Mrs. MURPHY of Florida, Mr. KINZINGER, and Ms. SINEMA):

H. Res. 1053. A resolution supporting renaming NATO Headquarters after the late United States Senator John Sidney McCain III; to the Committee on Foreign Affairs.

By Mr. McEACHIN (for himself and Mr. SCOTT of Virginia):

H. Res. 1054. A resolution commemorating Arthur Ashe, a native of Richmond, Virginia, on the 50th anniversary of his historic win at the 1968 United States Open Tennis Championship and honoring his humanitarian contributions to civil rights, education, the movement against apartheid in South Africa, and HIV/AIDS awareness; to the Committee on Oversight and Government Reform.

#### 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. COFFMAN:

H.R. 6713.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. COLLINS of Georgia:

H.R. 6714.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution of the United States of America

By Mr. LANGEVIN:

H.R. 6715.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MCKINLEY:

H.R. 6716.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RUSH:

H.R. 6717.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have power to . . . provide for the . . . general welfare of the United States . . . ."

Article I, Section 8, Clause 3: The Congress shall have power "To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;" and

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. KELLY of Pennsylvania:

H.R. 6718.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. BISHOP of Georgia:

H.R. 6719.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7, "The Congress shall have Power to . . . establish Post Offices and Post Roads . . ." In the Constitution, the power possessed by Congress embraces the regulation of the Postal System in the country. Therefore, the proposed legislation in naming a post office would fall under the powers granted to Congress in the Constitution.

By Mr. BUCHANAN:

H.R. 6720.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 provides Congress with the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. BUDD:

H.R. 6721.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18 of the United States Constitution.

By Mrs. FUDGE:

H.R. 6722.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3, the Commerce Clause.

By Mr. GIBBS:

H.R. 6723.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1: The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed by each state by the legislature thereof; but the Congress may at any time by Law make or such Regulations, except as to the Places of choosing Senators.

By Mr. GIBBS:

H.R. 6724.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 of the Constitution of the United States.

By Mr. TED LIEU of California:

H.R. 6725.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MARCHANT:

H.R. 6726.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the U.S. Constitution, which gives Congress the "power to lay and collect taxes, duties, imposts and excises."

By Ms. MOORE:

H.R. 6727.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. O'HALLERAN:

H.R. 6728.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mrs. WAGNER:

H.R. 6729.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general Welfare of the United States); Article I, section 8, clause 3 (relating to regulating Commerce with foreign Nations, and among the several States, and with the Indian Tribes); and Amendment XIII (relating to slavery and involuntary servitude, which authorizes Congress to make laws enforcing the extension of civil rights and universal freedom to victims of slavery)

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 242: Mr. RUIZ.  
 H.R. 354: Mr. COOK.  
 H.R. 466: Mr. COOK.  
 H.R. 559: Mr. GOWDY.  
 H.R. 592: Ms. SANCHEZ.  
 H.R. 644: Mr. GIANFORTE.  
 H.R. 930: Mr. MITCHELL.  
 H.R. 939: Mr. BOST.  
 H.R. 1017: Mr. DUNN.  
 H.R. 1048: Mr. ALLEN.  
 H.R. 1161: Mr. UPTON.  
 H.R. 1178: Mr. CLOUD.  
 H.R. 1251: Mr. FITZPATRICK.  
 H.R. 1275: Mr. CRAMER.  
 H.R. 1279: Mr. LAMB.  
 H.R. 1318: Mrs. MIMI WALTERS of California.  
 H.R. 1421: Mr. LYNCH and Ms. MATSUI.  
 H.R. 1552: Mr. WITTMAN.  
 H.R. 1605: Mr. MAST.  
 H.R. 1615: Mr. SERRANO and Mr. POLIS.  
 H.R. 1651: Mrs. TORRES.  
 H.R. 1683: Mr. MEADOWS, Mr. NORMAN, and Mr. ELLISON.  
 H.R. 1881: Mr. KUSTOFF of Tennessee.  
 H.R. 1902: Ms. BROWNLEY of California.  
 H.R. 1987: Mr. HASTINGS.  
 H.R. 2092: Mr. LARSEN of Washington and Mr. HOLDING.  
 H.R. 2248: Mr. LAMB.  
 H.R. 2310: Mr. BIGGS.

- H.R. 2327: Mr. GARAMENDI.  
H.R. 2328: Mrs. LAWRENCE.  
H.R. 2472: Mr. ESPAILLAT.  
H.R. 2476: Mr. POCAN.  
H.R. 2556: Ms. SINEMA.  
H.R. 2651: Mr. SCHNEIDER.  
H.R. 2814: Ms. GABBARD.  
H.R. 3081: Mr. MOULTON.  
H.R. 3160: Mrs. CAROLYN B. MALONEY of New York.  
H.R. 3395: Mr. GIANFORTE.  
H.R. 3402: Mr. CRAMER.  
H.R. 3513: Mr. MAST.  
H.R. 3558: Mr. MAST.  
H.R. 3635: Mr. RENACCI.  
H.R. 3687: Ms. KAPTUR.  
H.R. 3787: Mr. STIVERS.  
H.R. 3918: Mr. CICILLINE.  
H.R. 3919: Ms. STEFANIK and Mr. RENACCI.  
H.R. 4006: Mr. KNIGHT.  
H.R. 4099: Mr. EMMER.  
H.R. 4107: Mr. THOMPSON of California, Mr. CRAMER, Ms. JUDY CHU of California, and Mr. RENACCI.  
H.R. 4143: Mr. RUTHERFORD.  
H.R. 4256: Mr. ROGERS of Kentucky, Ms. MENG, Mr. BARR, Mr. MCGOVERN, and Mr. LUCAS.  
H.R. 4638: Mr. KILDEE and Mr. CLAY.  
H.R. 4647: Ms. KAPTUR, Mr. WELCH, Mr. GAETZ, Ms. JENKINS of Kansas, Mr. FASO, and Ms. BASS.  
H.R. 4691: Mr. BARLETTA and Mr. PETERS.  
H.R. 4693: Mr. MAST.  
H.R. 4912: Ms. MCCOLLUM, Ms. JAYAPAL, Ms. MOORE, Mr. COURTNEY, and Ms. KUSTER of New Hampshire.  
H.R. 4957: Mr. POCAN.  
H.R. 5003: Mr. ZELDIN.  
H.R. 5006: Mr. STIVERS and Mr. HULTGREN.  
H.R. 5060: Mrs. COMSTOCK.  
H.R. 5115: Mr. ROSKAM, Ms. ESTY of Connecticut, and Ms. BROWNLEY of California.  
H.R. 5161: Mrs. TORRES.  
H.R. 5191: Mr. COURTNEY.  
H.R. 5266: Mr. ROYCE of California, Mr. BARR, Mr. LUCAS, Mr. HULTGREN, and Mr. TIPTON.  
H.R. 5306: Mr. BARR and Mr. RODNEY DAVIS of Illinois.  
H.R. 5428: Ms. LOFGREN.  
H.R. 5429: Mr. COURTNEY.  
H.R. 5474: Mr. KENNEDY and Mr. LYNCH.  
H.R. 5671: Mr. SUOZZI and Mrs. COMSTOCK.  
H.R. 5760: Mr. PETERS.  
H.R. 5780: Mr. GENE GREEN of Texas, Mr. LAMB, Mr. MAST, Mr. LAWSON of Florida, and Ms. MATSUI.  
H.R. 5879: Mr. DUNCAN of South Carolina.  
H.R. 5899: Mr. VALADAO.  
H.R. 5924: Mr. DESANTIS.  
H.R. 5977: Ms. ROSEN and Ms. MCCOLLUM.  
H.R. 6043: Mr. COSTELLO of Pennsylvania and Ms. BONAMICI.  
H.R. 6048: Mr. GENE GREEN of Texas.  
H.R. 6086: Mr. MCNERNEY.  
H.R. 6108: Mr. KATKO and Ms. STEFANIK.  
H.R. 6114: Mr. WELCH, Mr. LAMALFA, and Mr. TONKO.  
H.R. 6137: Mr. PETERS.  
H.R. 6227: Mr. CARBAJAL.  
H.R. 6236: Mr. DESAULNIER.  
H.R. 6246: Mr. PRICE of North Carolina.  
H.R. 6251: Mr. HUFFMAN.  
H.R. 6275: Mr. WITTMAN.  
H.R. 6292: Mr. CRIST.  
H.R. 6315: Mr. BROWN of Maryland, Mr. WELCH, Mr. SIRES, and Mr. HASTINGS.  
H.R. 6337: Mr. MARSHALL.  
H.R. 6390: Ms. STEFANIK.  
H.R. 6417: Mrs. BLACKBURN, Mr. RUSSELL, Mr. POE of Texas, Mr. MESSER, Mr. BERGMAN, Mr. KUSTOFF of Tennessee, and Mr. WITTMAN.  
H.R. 6437: Mr. O'ROURKE.  
H.R. 6474: Mr. TAKANO.  
H.R. 6510: Mr. GOTTHEIMER, Mr. DONOVAN, Ms. ESHOO, Mr. SOTO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. POCAN, Mr. SEAN PATRICK MALONEY of New York, Mr. DELANEY, and Ms. LOFGREN.  
H.R. 6531: Ms. NORTON, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, Ms. JAYAPAL, and Ms. KAPTUR.  
H.R. 6544: Mr. BRAT.  
H.R. 6545: Mr. HIGGINS of New York, Mr. KRISHNAMOORTHY, Mr. GONZALEZ of Texas, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. MURPHY of Florida, Mr. DEFazio, Mr. AGUILAR, Mr. CARTWRIGHT, Mr. LOEBSACK, Mr. SCHIFF, Mr. GALLEG0, and Ms. MENG.  
H.R. 6559: Mr. RICE of South Carolina.  
H.R. 6562: Mr. LAMALFA, Mr. STEWART, and Mr. CALVERT.  
H.R. 6586: Ms. JAYAPAL.  
H.R. 6606: Mr. FITZPATRICK, Mr. COSTELLO of Pennsylvania, Mr. SHUSTER, Mr. KELLY of Pennsylvania, Mr. THOMPSON of Pennsylvania, and Mr. ROTHFUS.  
H.R. 6626: Mr. MACARTHUR.  
H.R. 6631: Ms. LOFGREN.  
H.R. 6649: Mr. SOTO, Mrs. DAVIS of California, Mr. KEATING, and Mr. PETERS.  
H.R. 6657: Mr. BUCK and Mr. SMITH of Texas.  
H.R. 6692: Mr. CAPUANO.  
H.R. 6695: Mr. FLORES.  
H.R. 6703: Mr. GOSAR.  
H.R. 6711: Mr. ELLISON, Ms. JAYAPAL, and Mr. HIMES.  
H.J. Res. 31: Mr. PRICE of North Carolina.  
H. Con. Res. 9: Mr. COHEN.  
H. Res. 342: Ms. MOORE, Mr. RUPPERS-BERGER, and Ms. FRANKEL of Florida.  
H. Res. 864: Mrs. LAWRENCE, Mr. KENNEDY, Mr. RUSH, Mrs. BUSTOS, and Ms. BARRAGAN.  
H. Res. 910: Mr. SCHWEIKERT, Mr. MAST, Mr. DESAULNIER, Mr. POCAN, and Mr. ELLISON.  
H. Res. 930: Mr. PETERS.  
H. Res. 931: Mrs. CAROLYN B. MALONEY of New York.  
H. Res. 991: Mr. MAST.  
H. Res. 1022: Mr. DENHAM, Mr. RENACCI, and Mr. RYAN of Ohio.  
H. Res. 1025: Ms. MOORE.  
H. Res. 1026: Mr. GROTHMAN, Mr. BLUM, Ms. STEFANIK, and Mr. BACON.  
H. Res. 1031: Mr. CUMMINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCOLLUM, Mr. LANGEVIN, Mr. SEAN PATRICK MALONEY of New York, and Ms. JUDY CHU of California.  
H. Res. 1034: Mr. GOHMERT, Mr. CURBELO of Florida, Mr. DONOVAN, Mr. LOUDERMILK, Mr. MARCHANT, Mr. GROTHMAN, Mr. BISHOP of Michigan, Ms. CHENEY, Mr. DAVID SCOTT of Georgia, Mr. CHABOT, Mr. PITTENGER, Mr. TIPTON, Mr. LATTA, Mrs. MIMI WALTERS of California, Mr. WENSTRUP, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MAST, Mr. PALLONE, and Mr. SAM JOHNSON of Texas.  
H. Res. 1036: Mr. SIRES.

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#### DELETIONS 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. 6417: Mr. BISHOP of Georgia.

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#### PETITIONS, ETC.

Under clause 3 of rule XII,  
121. The SPEAKER presented a petition of Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to cease the appropriation of United States Federal Government funds for financial aid to foreign nations; which was referred to the Committee on Foreign Affairs.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, THURSDAY, SEPTEMBER 6, 2018

No. 148

## Senate

The Senate met at 12 noon and was called to order by the Honorable DEB FISCHER, a Senator from the State of Nebraska.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, the Father of light, today give our Senators the light to guide them, the courage to sustain them, and the civility to unite them. Give our lawmakers humility in prosperity and patience in adversity. Provide them with a quiet awareness of Your presence, sustaining them with Your great power.

Lord, make us all grateful for the blessings You shower upon us each day. Increase our faith until we experience peace that flows like a river in our hearts.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,

Washington, DC, September 6, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEB FISCHER, a Senator from the State

of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,  
*President pro tempore.*

Mrs. FISCHER thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### NOMINATION OF BRETT KAVANAUGH

Mr. MCCONNELL. Madam President, day 2 of Brett Kavanaugh's confirmation hearings proved to be a marathon session. For 13 hours, Judge Kavanaugh was grilled by our colleagues on the Judiciary Committee. Through that testing, the Senate got to see exactly why the American Bar Association deemed this nominee to be unambiguously "well qualified," which is the highest possible rating, a distinction that many of our Democratic colleagues in the past called the gold standard.

We saw precisely why he has earned such praise from accomplished legal figures, like Lisa Blatt, a self-described liberal and a leading Supreme Court litigator who proudly introduced Judge Kavanaugh before the committee; and Neal Katyal, the Obama administration's Solicitor General who said: "It's very hard for anyone who's worked with Judge Kavanaugh, appeared before him, to frankly say a bad word about him."

Judge Kavanaugh was patient and professional. His answers showed total command of everything, from the fine details of case law to the principles upon which our Founders built the Constitution.

In July, one of Judge Kavanaugh's former Yale Law School professors ex-

plained that he is "an avid consumer of legal scholarship. He reads and learns."

It certainly shows. Judge Kavanaugh's widely acclaimed temperament was on full display. He gave thoughtful, expansive answers, while also respecting the independence of the judiciary. Even as some of our Democratic colleagues seemed to forget—seemed to forget—that we are examining a potential Supreme Court Justice and not interviewing a superlegislator who will be writing his own policy preferences into law, Judge Kavanaugh remained very gracious and spoke at length about his past jurisprudence and his understanding of the role judges play in our Republic.

It was striking to contrast Judge Kavanaugh's poise, on the one hand, and professionalism with the continued unhinged—literally, unhinged—antics of the far left, which once again resorted to yelling and screaming and interrupting the hearing with nonsensical protests. The Capitol Police deserves all of our gratitude for keeping order, as does Chairman GRASSLEY for keeping the proceedings moving smoothly.

Perhaps it is finally dawning on the far left that Judge Kavanaugh is an impressive, mainstream, and brilliant nominee who almost any objective observer would agree is more than qualified to serve on the Supreme Court. Maybe that is why they are resorting to futile attempts to disrupt the proceedings. Maybe that is why no fewer than 66 individuals were removed from the hearing room for interruptions.

I will be perfectly clear about this. Hysterical stunts are not going to stop the U.S. Senate from completing its business. There is no heckler's veto here. I look forward to more excellent testimony from Judge Kavanaugh today.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S6041

TRIBUTE TO DR. WALTER  
OLESZEK

Mr. McCONNELL. Madam President, I want to say a few words about a loyal and valuable public servant as he reaches a remarkable milestone. Over the past 50 years, Members of Congress have come and gone, but all the while, Dr. Walter Oleszek has been on hand at the Library of Congress to answer Members' and staff's toughest questions about the inner workings of American government.

Walter arrived in Washington in the summer of 1968 from Upstate New York. He signed on with the Legislative Reference Service, now the Congressional Research Service, and has been serving ever since.

Over five decades, Walter has grown into an institution unto himself. He is not only the longest serving CRS team member but also a dedicated and integral part of its operations, while also finding time to teach and lecture on the side.

Alan Frumin, the former Senate Parliamentarian, was actually one of Walter's students at Colgate University years ago. According to Alan, "If there's anything about Congress that Walter does not know, then that thing doesn't exist." In my experience around here, the Parliamentarian is usually the smartest one in the room. So that is especially high praise, and Walter has earned it.

Today, on behalf of the Senate, I want to thank this scholar, author, internationally sought adviser, and dedicated steward of the U.S. Congress. We congratulate him on his career thus far and look forward to continuing to work alongside him.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The majority leader.

ORDER OF PROCEDURE

Mr. McCONNELL. Madam President, pursuant to the order of August 28, at 1:45 p.m. today, the Senate will proceed to executive session to consider Calendar Nos. 693, 731, 778, 779, 782, 838, 839, and 893, as under the previous order.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY  
LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

NOMINATION OF BRETT  
KAVANAUGH

Mr. SCHUMER. Madam President, today the Senate Judiciary Committee continues its hearings on Judge Brett Kavanaugh's nomination to the Supreme Court. During yesterday's session, the American people got to see a nominee who refused to answer even the most basic, fundamental questions about his jurisprudence. They got to see a coverup of Judge Kavanaugh's records by himself and the Republican members of the committee.

When Judge Kavanaugh was asked specific questions about important issues that might someday come before a court, like women's reproductive freedom, he pleaded the need for independence and refused to answer. When Democratic Senators asked him hypothetical questions, instead, to avoid the possibility of the judge tipping his hand on a future case, then he said he wouldn't engage in hypotheticals—can't talk about specific cases, can't talk about general situations. He is ducking. He is hiding.

Judge Kavanaugh was asked how he might view the constitutionality of a Presidential subpoena arising from the Mueller probe. He said he could not tip his hand about a potential issue before the Court. Asked, then, about the constitutionality of a Presidential subpoena in general, he said he would not engage in a hypothetical. This is not a hypothetical issue; this is a fundamental constitutional issue.

There is no legal, ethical, or judicial reason for Judge Kavanaugh to avoid directly answering these questions unless he has something to hide. If the nominee can't answer questions about already decided cases, pending cases, or hypothetical cases, honestly, what is there left to talk about—charity work and basketball? Your favorite Federalist Paper?

How does the nominee expect the Senate and the public to evaluate him? He doesn't. He doesn't want it. His lifelong record as a hard-right warrior, if he talked about it and talked about his views, would rule him out, so he hides. That should not happen when it comes to nominating one of the most powerful positions in American society.

Let me just mention a few topics Judge Kavanaugh ducked.

Judge Kavanaugh would not expand or even revisit his views on Presidential power, where he already enumerated some in a Minnesota Law Review article. As Senator KLOBUCHAR pointed out, he has already talked

about them publicly. Why can't he elaborate? He has given his view on that one. Very bad view. Does he still hold it? Nobody knows.

Judge Kavanaugh could not assure the American people he would uphold the healthcare law, including protections for up to 130 million Americans with preexisting conditions, protections that are under threat right now by a lawsuit in Texas.

He could not assure the American people he would uphold the landmark decision in *Roe v. Wade*. He did repeat a view, which he reportedly shared with Senator COLLINS, that *Roe v. Wade* was settled precedent of the Court, but as Judge Kavanaugh himself points out in a 2003 email made public this morning, "I am not sure that all legal scholars refer to *Roe* as the settled law of the land at the Supreme Court level since [the] Court can always overrule its precedent, and three current Justices on the Court would do so." That is an email from Brett Kavanaugh explaining that *Roe vs. Wade* is only settled law until a majority of the Court decides it isn't.

Since the time he wrote that email, one more Justice has joined the Court likely to overturn *Roe*. Judge Kavanaugh could be the deciding vote, and he will not even talk about it. That is an issue that affects all Americans. It is an issue that is so important to our jurisprudence. It is an absolute disgrace that a nominee for the Supreme Court refuses to talk about such a fundamental issue at the core of one of the great debates of American society and hides behind legal subterfuge, chicanery, so he doesn't have to speak—verbal chicanery.

I wonder why the Republican majority labeled the email about *Roe v. Wade* "committee confidential" until this morning. Was that email withheld for privacy reasons? No. National security reasons? No. It is ridiculous. The only explanation is that Judge Kavanaugh's record was being withheld for political reasons. They don't want the American people to see his view. If the American people knew that Judge Kavanaugh would decide against *Roe v. Wade*, as it seems this email feels he thinks he can, not bound by legal precedent if he changes his mind, if the Court changes its mind, they would rise up and say: Don't put him on the bench. So, instead, they hide the records.

My Republican colleagues set up an entire process to go around the non-partisan National Archives, and it appears that the purpose was to hide documents that might shed real light on Judge Kavanaugh's actual record.

Now, finally, a little late in the game, the truth is coming out, but this is only the tip of the archives. These are the only documents that have slipped through the Republican filter. What else is hidden in Judge Kavanaugh's record? What else don't we know about the nominee? When did the Republican majority decide that

Supreme Court nominees should be like icebergs, only a small portion showing, while the real nominee lurks unseen underwater and potentially dangerous?

So I strongly support and commend the Democrats on the Judiciary Committee in their efforts to make these confidential documents public. I stand with them. They did the right thing. The American people desire to see these documents.

In this case, committee confidential is a complete fiction, a subterfuge to avoid the American people knowing the real Brett Kavanaugh. The members of the committee should be praised, not chastised, for making these documents available. They did the right thing, and they had an obligation to do it. The Republican members of the committee should be ashamed of themselves—ashamed of themselves—for participating in the administration and Judge Kavanaugh's coverup of his record. The Senate and the American people have a right to see the nominee's record, especially now, since the nominee appears unwilling to answer substantive questions about his views.

Whatever the rules may be of the Senate, they should not be twisted to ensure partisan advantage and prevent transparency and openness. They should not be twisted to cover up the truth rather than reveal it.

There is so much at stake in this Supreme Court nomination. Will Americans with preexisting conditions be able to get healthcare? Will women be able to make private personal choices about their medical care? Will LGBTQ Americans be able to marry whom they love? Will every American's constitutional right to vote be protected? Can the President of the United States be held accountable, especially at this time? We know how much we need that. Yet, at every turn, the Republican majority, the Trump administration, and Brett Kavanaugh have prevented the Senate and the American people from being truly able to vet a nominee who could affect the lives of Americans for a generation.

I yield the floor.

Mr. COTTON. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

#### NOMINATION OF DOMINIC W. LANZA

Mr. COTTON. Madam President, I speak in support of the nomination of Dominic Lanza to be a district judge for the District of Arizona.

Dominic is my old friend and law school classmate and, maybe most importantly, intramural basketball teammate, when he was known as "Dom" or perhaps "The Dominator."

Now, I can't claim the credit for Dominic's nomination. He has the highest qualifications, and his whole life has prepared him for this moment to be a U.S. district judge. Dom graduated with highest honors from Dart-

mouth in 1998, where he was also an All-Ivy League and Academic All-American offensive lineman on the Dartmouth football team. He received the Barrett Award for being the outstanding graduate of his class in achievement, character, and leadership.

In law school together, he excelled, graduating with honors, serving as a member of the law review.

He went on to clerk for Judge Pam Rymer on the Ninth Circuit Court of Appeals. For 5 years, he worked in private practice with Gibson Dunn & Crutcher in their constitutional and appellate law practice, and won awards for his pro bono work.

For the last 10 years, Dom has served the people of Arizona and the people of this country in the U.S. attorney's office from the District of Arizona. As an assistant U.S. attorney, from 2008 to 2012, he prosecuted over 300 defendants for a wide variety of crimes, including immigration offenses, drug trafficking, and public corruption.

He authored more than 20 appellate briefs and argued more than 11 cases in the Ninth Circuit Court of Appeals. From 2012 to 2015, he served as chief of the district's Financial Crimes and Public Integrity section, and he is now the chief and executive assistant U.S. attorney—the No. 2 position in the district—where he oversees the Phoenix office.

Dom said that the most important lesson he has learned in his time at the U.S. Attorney's Office is the need to represent the facts and the law fairly and accurately to the court and opposing counsel. He has also learned the necessity of treating everybody involved in the legal process—from judges to jurors, support staff, opposing counsel, and parties—with courtesy, dignity, patience, and respect.

Dom has volunteered in the Court Works Program, in which students from at-risk schools perform simulated trials. He participated in the Veterans Court Program, which provides increased support and guidance to Federal criminal defendants who are veterans.

Dom participated in, completed, and received the highest marks from Senator McCain and Senator FLAKE's judicial nomination panel. He now has the support, as well, of Senator JON KYL. I commend all three men for an outstanding selection.

As I said, I can't take credit for Dom's nomination, but I can perhaps add a little bit of perspective to the kind of judge he will be from the man I knew on the basketball courts.

Dom was tough. If you were driving to the basket or fighting for a rebound, you did not want him in your way.

Dom was fairminded. If he fouled an opposing player or knocked a ball out of bounds, you would get no argument from him. He would admit that he knocked the ball out of bounds or that he had committed the foul, and play would go on.

I would say Dominic was even-tempered, something of a gentle giant. When tempers flared on the basketball courts at Hemingway, as they, in retrospect, did too often—and over silly matters—Dom was a peacemaker, separating those who might otherwise be in an altercation.

Dom was a team player. When it was time for him to take the shot because that is what the team needed, that is what he would do, but he was just as happy to pass the ball off, to set a screen, to box-out for a rebound.

Dom was good-natured—competitive to be sure, but he understood that in the grand scheme of things, we were all just a bunch of washed-up high school and college athletes enjoying a few hours off from our studies.

These are all traits that are going to put him in the best position possible to deliver justice not only for the people of Arizona but for the people of the United States. Everyone who comes before him is fortunate that Dominic Lanza will soon be a district judge.

For 42 years, Dominic has been known as Dom or the Dominator, but in just a few hours, he will be known as Your Honor. Few men, by their character and by their lives, better deserve that title than the Dominator, Dominic Lanza.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### NOMINATION OF BRETT KAVANAUGH

Mr. BLUNT. Madam President, I want to speak for a few minutes about the hearings going on today with Judge Brett Kavanaugh. I had a chance, as you did, to meet him a little over a month ago. It was clear from that conversation that he is clearly the best person available, in my view, to fill the vacancy left by Justice Anthony Kennedy. I think his opening remarks this week gave great evidence to that. He said, as he described himself, that "a judge must be an umpire—a neutral and impartial arbiter who favors no litigant or policy. . . . I do not decide cases based on personal or policy preferences. I am not a pro-plaintiff or pro-defendant judge. I am not a pro-prosecution or pro-defense judge. I am a pro-law judge."

What does it mean to be a "pro-law" judge? It means that you see your job as a judge who will look at the law and determine what the law says, whether that is criminal law or civil law.

I am not an attorney, but if you hire an attorney to give you advice on civil law, the greatest benefit you can have

in making a decision based on that advice is that judges at all levels, up to the Supreme Court, will look at the law as hopefully your good attorney did and say: This is what this law means. If you make this decision based on what the law says, the courts in the United States of America will reach that same, likely, conclusion. Your attorney might say that the law is not clear on this issue, and that is a different scenario. But the judge's job is not to decide what is the right thing. The judge's job is not to decide what the law should say. The judge's job is not to decide what the people who wrote the Constitution should have written or should have meant if they had known everything we know today. The judge's job is to look at the law and look at the Constitution and decide that is what it said.

Nothing would be a better example of Judge Kavanaugh's philosophy than the 300 opinions he has issued as a judge. There is a lot of discussion: Well, there is not enough material out there. We haven't seen everything. We haven't seen everything that went through the White House when he was the Staff Secretary for President George W. Bush. We haven't seen all of that.

Of course, that is not the case. There is plenty to be seen. In fact, there is more paperwork available to look at from Judge Kavanaugh than from the last five Supreme Court Justices put together. I will state that if you are looking for paper, you have paper. If you are looking for the judge's position, you also have 300 cases, some of which were appealed to the Supreme Court. Thirteen of his opinions—and I think some of them were when he was in the minority on the circuit court bench—became the opinions that the Supreme Court essentially adopted almost exactly as Judge Kavanaugh had written them.

What we are trying to do is put somebody on the Supreme Court for a lifetime appointment. This individual happens to be somebody who for 12 years has been on what is often described as the second most important court in the country.

Why would the DC Circuit—that is the court of appeals for the DC area—be the second most important court in the country? The reason is that most of the cases that involve new Federal law, that involve expansive Federal law, wind up right here. For 12 years, Judge Kavanaugh has been one of those judges.

Believe me, if the Supreme Court had said over and over again, when there was an appeal from the DC Circuit, that Judge Kavanaugh's opinion really makes no sense or that Judge Kavanaugh's opinion wasn't based on the law, the facts, and the Constitution, we would have heard about that. In 300 opinions, we would have heard about that if that had been the case, and we have not heard that. In fact, what we have heard over and over

again is about the job this judge has done and the skill he brings to the court.

Going back to the idea that a judge's goal is not to decide what the judge would like the outcome to be but what the law says, Justice Scalia, who was replaced last year by Judge Gorsuch, said that "the judge who always likes the results he reaches is a bad judge." Why would you be a bad judge if you always liked the decisions you reached? The reason is that you couldn't have always been looking at the law. The judge doesn't write the law. The judge doesn't come up with the law. The judge doesn't even have to agree with the law. The judge's job is to decide what the law says. If you look at every case before you and evaluate it based on the facts and apply the rule of law, you are going to come up with a conclusion you won't always like, but you will come up with a conclusion that the people who are in the case will understand as far as how you came up with it because you came up with it based on the law and the facts.

Judge Kavanaugh's credentials have been discussed before. Frankly, they are not being very widely discussed this week because the hearing—at least half the time—appears not to have much to do with Judge Kavanaugh at all but whether there is enough paperwork to look at or whether a judge would have reached a different conclusion than he reached. But his qualifications are pretty significant. He is a graduate of Yale Law School. He clerked for three Federal judges, including the Justice he is about to replace. Of course, being a clerk for a judge means that you have graduated from law school. Someone has looked at all the applicants to be their clerk, and—it is almost like graduate work after you have graduated from law school—you are chosen to be that clerk. So that happened three times with Judge Kavanaugh, including for Justice Kennedy. He clerked for Justice Kennedy alongside Justice Gorsuch.

In 2006, President Bush nominated him to serve on the DC Circuit Court of Appeals. In addition to that, since 2009, he has been the Samuel Williston Lecturer on Law at Harvard Law School. He was hired by Justice Kagan before she was nominated to the Court by President Obama and who was then dean of Harvard Law School. He has the interesting opportunity to be confirmed to the Court—and I believe he will be—and to be sitting on the Court with a Justice nominated by President Obama who hired him to be a lecturer at Harvard Law School.

In addition to his legal career, he has devoted himself to his community. He coaches his daughter's basketball team with some pride, Coach K—not always the Coach K I would think of but the Coach K the girls on that team think of when they think of Coach K. He is a church volunteer. He has mentored

people at schools. He has been widely supported by those who have dealt with him—his classmates, colleagues, clerks, and legal scholars.

This week, he received a unanimously "well qualified" rating from the American Bar Association. That is the very highest rating they can give, and it was unanimous. That is a pretty good signal that he must have been well prepared as a lawyer to be a judge.

The Judiciary Committee has received letters from more than 140 law professors, more than 40 members of the Supreme Court Bar, 34 of his former law clerks, 80 former Harvard Law students, 31 Governors, and many more.

His nomination isn't just widely supported, it is thoroughly vetted. There are 480,000 pages of documents and, in 300 cases, the opinions he has written.

I continue to believe that the Supreme Court is one of the longlasting and most important legacies of a President, but it is also one of the important legacies of the Senate. The Constitution says the President nominates but the Senate advises and consents. This is not just about advice, it is about becoming a partner in that process of becoming a member of the Supreme Court for as long as you live, unless you decide to leave earlier than that.

I am disappointed that almost half of this Senate announced they wouldn't be for Judge Kavanaugh before his confirmation hearings. At least one-fourth of the Senate announced they wouldn't be for Judge Kavanaugh before he was nominated. No matter who was going to be nominated, one-fourth of the Senate was not going to be there.

I think we will find that a majority of the Senate will be there later this month. I think we will find the majority of the Senate will be there before the first Monday in October, which is the day the Court starts to hear cases for the coming year.

I think Judge Kavanaugh is going to serve our country well and, I hope, long. I look forward to his confirmation later this month.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

#### APPROPRIATIONS PROCESS

Mrs. MURRAY. Madam President, I come to the floor today to join the vice chairman of the Appropriations Committee, who will be joining me shortly, in urging our colleagues to avoid a completely unnecessary crisis and work together with us to get out our spending bills and get all of our spending bills signed into law.

We should be able to do this. I am very proud of the work we have done so far. Under the leadership of the chairman and vice chairman of the Appropriations Committee, we have been able to negotiate and pass bills under regular order in a way we have been unable to do for years.

We did this by rejecting the awful and counterproductive budget ideas from President Trump and his administration and by pushing aside poison pill riders that would derail this process—such as attacks on healthcare, higher education, public schools, patient protections, workers' rights, and more.

I am particularly proud that we were able to work together and negotiate and pass our LHHS bill through the full Senate, something that has not been done in over a decade.

Our bill makes strong investments in families, patients, students, workers, and the middle class, and it rejects poison pill riders. It builds on the strong work we have done to increase access to childcare and early learning and includes targeted funding to address the opioid epidemic, especially in our underserved areas. It includes significant new resources to address the truly alarming issues of maternal mortality, to help us understand why so many women in our country are dying as a result of childbirth and pregnancy and prevent this from happening. The list goes on and on.

We still have some work to do, but we should be able to get this done in the coming days. I am going to keep working until we do. However, I am very concerned that President Trump continues to threaten to refuse to sign these bills and shut down the government.

Just this week, we saw new reports that he is talking, once again, about shutting down the government to try to get the money for his ill-advised and wasteful border wall. President Trump told his voters that Mexico was going to pay for his wall, so maybe he is talking about shutting down the Mexican Government so that he can get money in Mexican spending bills. But if he is talking about trying to get American taxpayers to foot the bill, that is not going to happen.

I hope Republicans in Congress will continue to stand with us to stay the course on these bipartisan bills. We have come far in this process by putting families first and rejecting attempts to insert partisanship and poison pill riders in all of our spending bills. We need to get this done.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Madam President, in the last few months, the Senate has achieved record progress in going through our appropriations bills. As we return from the Labor Day weekend, the Senate has already passed 9 of the 12 Appropriations bills by over-

whelming bipartisan margins. The Appropriations Committee has reported the remaining three bills, again, with bipartisan support. The end of the fiscal year is only a few short weeks away, but looking at the record pace of our work here in the Senate, there is no reason we can't conference all of these bills with the House and send all nine to the President's desk before October 1.

It would be quite an accomplishment. It would show the American people that when it matters, Congress can come together and do the job we were sent here to do. That includes passing responsible, thoughtful, and well-considered appropriations bills on time and on budget.

When I became vice chairman of Appropriations, with Senator SHELBY as chairman of Appropriations, we pledged to each other and the Senate that we would move these bills in a way they had not been moved in years and that we would do it in a bipartisan way.

It is important that we conference all of the bills we have passed in the Senate so far and then send them to the President's desk. We cannot just pick and choose and say: We will do this one based on political expediency but not this one. That would put us right back in the trap in which we had been in past years. We have to show the American people that the Senate actually knows how to do its work. The hard work has been done. We know the issues we need to resolve, so now we ought to take these bills across the finish line.

It may sound archaic, but let me talk about minibus No. 1, which contains the Energy and Water Development appropriations bill, the Military Construction and Veterans Affairs and Related Agencies appropriations bill, and the Legislative Branch appropriations bill. It provides much needed resources for the support and care of our Nation's veterans and their family members, and it makes critical investments in our country's water infrastructure and energy programs. Yesterday, we held a public conference with the House of Representatives on the first minibus, and I am pleased to report that we have made some significant progress.

One of the reasons we are successful in moving bills in the Senate is that we advance appropriations bills that are free of poison pill policy riders from either the left or the right. In fact, my experience and the experience of many others tell us that is the only path to success in the Senate, where we rightfully need 60 votes to advance legislation, and it is the only path to success for conferring the three minibus bills. I challenge the House Republicans to come to terms with that reality. No one should mistake—and I want to emphasize this—Democratic cooperation in the Senate for a sign that we will support a conference report that contains poison pills. We will not.

Minibus No. 2 contains four appropriations bills—the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill; the Interior, Environment, and Related Agencies appropriations bill; the Financial Services and General Government appropriations bill; and the Transportation, Housing and Urban Development appropriations bill. The House plans to appoint conferees to this minibus later this afternoon, and I encourage the Senate to follow soon thereafter. Let me take these one by one.

The Agriculture appropriations bill is a win for farmers, families, and rural communities. Every State in this Nation has rural communities—the Presiding Officer does; I do; every State does—and farm economies that benefit from these important programs. From clean water programs to investments in rural broadband and from rural housing assistance to agricultural research, this bill touches millions of Americans all across the country. In the wake of the uncertainty and chaos that has been caused by trade wars and unnecessary tariffs, our farmers and rural communities deserve better than inaction on appropriations. Both the House and the Senate have passed their versions of the bill. So let's just get to work and send the conference bill to the President.

The same goes for the Transportation, Housing and Urban Development appropriations bill, which makes critical infrastructure investments across the Nation, and we desperately need them. Improving the Nation's infrastructure was one of President Trump's key campaign promises, but instead of proposing realistic solutions, he has criticized the very budget deal that has made increases in infrastructure possible. Instead of improving our infrastructure, he has proposed cutting—not increasing—funding in his budget for infrastructure programs. Here we have an opportunity to invest in our country and to start addressing our crumbling bridges and roads. We cannot and should not kick the can down the road. There is not a single Senator here who cannot point to the needs of the bridges and roads in his or her State.

Then we have the Interior bill that makes critical investments in programs that help to ensure we have clean water to drink and clean air to breathe and that funds our national parks and other public lands. The Financial Services bill funds regulatory agencies that U.S. citizens rely on to protect them from unfair, unsafe, or fraudulent business practices, like the Consumer Product Safety Commission and the Federal Trade Commission.

Congress now stands poised to deliver to the American people, but we have to get moving. Leaving these important agencies to limp along in a continuing resolution is unwise and unnecessary. We have laid the groundwork to finish these bills. Now we just need the will to do it.

This brings me to minibus No. 3, which contains the Defense appropriations bill and the Labor, Health and Human Services, and Education appropriations bill. It funds our national security and many of our domestic priorities, and it demonstrates the importance of the bipartisan budget agreement that was reached earlier this year. In this combination of bills, we see the priorities that are outlined in that agreement made into real policy to improve the lives of the American people. It is not empty rhetoric but real policy, and that is why so many Republicans and so many Democrats voted for it.

As a result of the bipartisan budget deal, the Senate's Defense appropriations bill provides the men and women of our Armed Forces with the resources they need to carry out their missions effectively and safely. This is a goal that Republicans and Democrats share as Americans, and I know that in working with our House counterparts, we can produce a good bill for our troops and our Nation.

Then there is the Senate's Labor, HHS, and Education appropriations bill. I think of the way Senator PATTY MURRAY has worked so hard with Republicans and Democrats—with all of us—to put together a bill that reflects the interests of all of the country.

Look at the investments in healthcare and education. It increases funding for the National Institutes of Health by \$5 billion over fiscal year 2017. The NIH, the National Institutes of Health, is one of the treasures of America. It backs our commitment to increase access to higher education by increasing college affordability spending by \$2.3 billion over fiscal year 2017. My family came to Vermont in the mid-1800s. I was the first Leahy to get a college degree—my sister, the second. Then, when our children came along and our grandchildren, we never doubted it; of course, they would go to college. Yet that is not the same for an awful lot of people in this country, so we need this bill. It also increases access to childcare by \$3.2 billion over fiscal year 2017, and it invests nearly \$3 billion to combat the opioid crisis that has plagued communities across this country.

The House did not follow the Senate's bipartisan efforts. The House produced a partisan Labor-HHS bill that shortchanged programs for working Americans and was loaded with poison pill riders that could never pass in this body—from attacks on the Affordable Care Act to restrictions on family planning.

My staff and Senator SHELBY's staff—several of us—have been working days and weeks and weekends, and we will continue to do that in order to work out these differences. The differences are challenging but are not insurmountable. The reason we have to have a compromise is we have to get 60 votes in the Senate, and with this hodgepodge of poison pills that the House has passed there are not 60 votes.

I have said many times that if we are to have a strong national defense, we need to have a strong economy, an educated and healthy citizenry, and an able workforce. The programs that are funded in the Labor, HHS, and Education appropriations bill are critical to doing that. The deep ties that run between defense and nondefense priorities make it fitting that we have packaged these two bills together, but they have to stay together if we are going to get them across the finish line by October 1. If they are decoupled, it will destroy the bipartisan process we have worked so hard to establish, and it will not go through. It is possible that the CR will be included in this bill, so it is essential that it be bipartisan and free of any controversial matter.

Again, the reason we have been so successful in this Senate in moving appropriations bills is that we have worked together. Chairman SHELBY as chairman and I as vice chairman have worked together. Republicans and Democrats alike who are on the Appropriations Committee have worked together. We have cooperated with each other. We have met over and over again. Each side has shown restraint in pursuing issues we have felt strongly about because to have done so would have imperiled the whole process. There are certain things that I would have liked in this bill, and there are certain things my Republican counterparts might have liked in the bill, but we all know that the bill would not have gone anywhere if we had done that. Instead, we have come together on those things that can pass. Both sides have had to trust the other, as we have done, so we could reach agreement to move these bills forward.

Let's finish what we have started in the way we started it—through bipartisanship and cooperation. That means the Defense and Labor-HHS bills must remain together in one package. We cannot drop one and finish the other. That is a nonstarter. Everybody knows that. It also means the Senate must stand together if the House insists on producing partisan conference reports that contain poison pill riders. They cannot pass. Finally, it means we have to remain committed to finishing all three packages of bills and sending them to the President.

If House Republicans decide to delay minibus No. 2 until after the election and drop the Labor, HHS, and Education bill from minibus No. 3, it will mean the \$18 billion increase for Defense that is assumed in the bipartisan budget agreement will be enacted while the \$18 billion increase of nondefense programs could be left in the dust—a clear violation of the bipartisan budget agreement that was based on parity between defense and nondefense programs agreed to by both Republicans and Democrats. I predict it could not pass.

Funding the government is one of our most basic constitutional responsibilities. Americans expect us to work together, as the U.S. Senate did, and

across the aisle to reach agreement on these bills. The programs funded in these bills make a real difference in people's lives, and they should not be held up due to partisan differences. Let's do what we were sent here to do and pass these bills before the start of the new fiscal year. We can do it, and we have shown how to do it.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Oregon.

#### NOMINATION OF BRETT KAVANAUGH

Mr. MERKLEY. Mr. President, the most important words of our Constitution are the first three—"We the People." It is the mission statement of our Nation—a nation of the people, by the people, for the people, as President Lincoln so eloquently stated, not a nation of, by, and for the powerful and the privileged.

Yet the powerful and the privileged are working overtime to undermine our Constitution. Ironically, they are using the courts to do it. We have seen it happening all week long as the Judiciary Committee has barreled ahead with hearings on Judge Brett Kavanaugh's nomination to the U.S. Supreme Court. This is the same Judge Kavanaugh whose record from 5 years of serving in a Presidential administration is still being hidden from the Senate and from the people of the United States of America.

For 5 years, Brett Kavanaugh had the ear of the President on a number of critical issues—on how we treat enemy combatants, conduct wars in Iraq and Afghanistan, use and expand Executive power through signing statements, or how the authorization for the use of military force is utilized. For 5 years, in the inner circle of America, he had been engaged in policy after policy after policy. Yet Chairman GRASSLEY and the committee Republicans are unwilling to allow that record of insights on his views to be shared with Senators under advice and consent responsibility.

Then there is this parallel process in which the documents that are being made available are first being vetted by Bill Burck. Who is Bill Burck? He is a partisan Republican lawyer who used to work for the nominee. He is the one who has the final say over what the Senate sees. He is the one who has the final say over what documents are released, not just to the Senate but to the American people.

He is the one who decided to release 42,000 pages of documents—not the ones from those 5 years we are talking about—just hours before the hearing began. Who could possibly review 42,000 pages the evening or the night before the hearing occurs? It is humanly impossible. There we are with a process normally headed by the nonpartisan National Archives, which is still trying to do its work but can't do its work until the end of October to vet these

documents. So instead of nonpartisan public servants vetting the documents, we have a partisan Republican lawyer, who worked for the nominee, deciding what we are going to see in the U.S. Senate, what the public and the United States is going to see. This is not transparency. This is censorship, and censorship is absolutely wrong in numerous contexts but particularly in interfering with the responsibility of the Senate.

Instead of integrity, we have deceit. Instead of honoring advice and consent responsibility, we are dishonoring that fundamental constitutional role. This is a rigged system, completely and absolutely rigged through the censorship of the documents we see and the blockade for the documents we need.

As Kristine Lucius, who is a former Judiciary Committee staff director who worked on half a dozen Supreme Court nominees, said, this process is “not just breaking the norms. It, frankly, is bordering on absurdity.” Absurdity, censorship, a complete failure of integrity, that is what is happening right this moment during the U.S. Senate’s deliberation of the Supreme Court nominee.

Not long ago, there was a time when my Republican colleagues argued for a full, transparent examination of a nominee’s record before the Senate could consider the nomination. When Justice Kagan was nominated 8 years ago by President Obama, Members of this body, my Republican colleagues, said: We stand for the principle of transparency. They said: We need the full record of the nominee’s White House service.

Chairman GRASSLEY said on the Senate floor: “In order for the Senate to fulfill its constitutional responsibility of advice and consent, we must get all of her documents from the Clinton Library and have enough time to analyze them so we can determine whether she should be a Justice.”

That was the Kagan standard articulated by my Republican colleagues and shared by my Democratic colleagues, a standard that was nonpartisan, a standard that was bipartisan, and a standard that was supported by Republicans and Democrats for the nomination process for a Supreme Court Justice.

The Kagan standard is one Democrats supported under a Democratic President and a Republican President. That is called integrity. That is called principle. What we have today is my Republican colleagues saying: We supported transparency under a Democratic President, but we support censorship and the blockade of documents under a Republican President. That is the opposite of principle. That is the opposite of integrity. The Kagan standard, supported by both sides just a couple of years ago, should be the standard we all support today.

We can’t fully evaluate Kavanaugh’s record if we don’t have the full record of his involvement on so many issues

during his time working in the executive branch.

Hearings are supposed to give us a chance to get at some of those issues, but what have we heard? Well, we heard the same, tired, obligatory responses, such as: I will be a judge who calls balls and strikes. We have heard that before, and then we have seen the rightwing judicial activists legislating from the bench on issue after issue after issue—on workers’ rights, on environmental rights, on consumer rights, on reproductive rights. We know it is “umpire” before you get there, and then suddenly it is a desire to implement a far-right, anti-American, anti-Constitution philosophy of control by the powerful and privileged, undermining the core principle of the Constitution of the United States of America.

What else have we heard from Judge Kavanaugh? We have heard: Well, that is settled law. That is, perhaps, the most artificial, phony response we can possibly hear. Why is it artificial and phony? Because when you are on the Supreme Court, the decisions you make become the interpretation. You either reinforce or you unsettle, but you have no obligation to follow what the courts have done before.

The Roberts Court has overturned “settled precedents” time after time after time, and for a nominee of the Supreme Court to pretend that isn’t the case, it means either he is ignorant or deliberately deceptive. I don’t think Judge Kavanaugh is ignorant. He knows the record. He knows the Supreme Court changes prior precedents. He knows they change “settled law,” and so to evade an issue saying, well, that is settled, is simply to be deceptive.

Sometimes, in addition to the hearings, we learn some information through a nominee’s meetings with Senators, but Judge Kavanaugh has refused to answer even the most basic questions about his jurisprudence, said Senator SCHUMER, following his own meeting with the nominee.

Senator SCHUMER went on to say that Mr. Kavanaugh refused to say if *Roe v. Wade* or *Casey v. Planned Parenthood* were correctly decided because that would actually be to indicate some sense of one’s judicial view, and we are getting nothing.

As Senator SCHUMER said, he couldn’t “recall his level of involvement in a number of controversies during his time in the Bush White House.” Here is a thought: If we get the records on his involvement in the Bush White House, we will actually know what his thoughts were, and maybe we can jog his memory that he so carefully and conveniently lost somewhere along the way. The American people deserve integrity in this process, and we are not getting it.

We do know a fair amount from his previous public decisions. We know he likes to legislate from the bench against workers, against consumers,

against clean air, and against clean water. We know he doesn’t believe healthcare is a fundamental right in the United States. We know he wants to strike down *Roe v. Wade*. We know he has a view of the Presidency that is appropriate for a King and a kingdom but not for a President and a republic.

He has this extraordinary view of Presidential power. He doesn’t believe a President can be indicted. He doesn’t believe a President can even be investigated. He believes a sitting President can choose to ignore laws passed by Congress if the President says they are unconstitutional, even if the court has said they are constitutional.

Think about that for a moment. Here is a judge saying he believes the President can ignore what the courts say is constitutional and unconstitutional. You can’t get more expansive Presidential power than that.

So why was Judge Kavanaugh chosen off of this list of 25 individuals? The answer is pretty clear. It is because he is the one who can write a “get out of jail free” card for the President of the United States—our President, who is under investigation. He is under investigation for colluding with foreign powers and flaunting our laws to win a national election. His former campaign chairman has been found guilty on eight different criminal charges. His former lawyer and fixer pled guilty to eight criminal charges and testified, as directed, to make illegal campaign payments at the direction of—drumroll, please—a candidate for Federal office. Who is this candidate for Federal office? None other than President Donald Trump—President Donald Trump, directing a felony crime.

When one hasn’t been indicted in that situation, it is referred to as an unindicted coconspirator. The Watergate grand jury used that term, “unindicted coconspirator,” to describe the role President Nixon played in that national scandal, and it fits perfectly with the role President Trump is playing today.

To say that a dark cloud of corruption hangs over this administration and hangs over this nomination would be a massive understatement. Until that cloud is lifted and until this President is cleared, this nomination should not be considered by this body.

We have already seen that my colleagues have flipped their position from having a Democratic President to a Republican President. They have turned transparency into censorship. They have taken the Kagan standard and trashed it. We cannot act as if all is well in the Republic. We cannot act as if everything is normal. We cannot act as if this is any other nomination put forward by any other President because it is not.

It should be clear to all of us that this nomination should not go forward until the Mueller investigation is concluded. I know my colleagues are not prepared to take that stand, but surely we can agree that the Senate cannot

perform its advice and consent while our hands are tied by a partisan vetting process, hiding hundreds of thousand documents from the Senate and from we the people.

I call upon my colleagues to rise from this low point of censorship and the trashing of the responsibility of advice and consent. Stand up for the same principles you stood up for just a couple of years ago, when you demanded the full record for the Senate to undertake its investigation into a nominee. Bring courage and integrity into this process. Publicly refuse to proceed until we the Senate and we the people have the full set of documents about this individual's records. To do any less is to bring shame and injustice upon this body that I believe in so strongly, a responsibility of advice and consent that I believe in so strongly, and a responsibility that my colleagues believed in so strongly just a couple of years ago.

Let's stand together, as we stood together just a couple of years ago, Democrats and Republicans, demanding transparency and integrity. Let this not be the moment when my colleagues fail to uphold their constitutional responsibilities.

Thank you.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, first, I would like to comment briefly on the last two speeches. The first was from Senator LEAHY. He talked about the appropriations process. I commend him, as I did on the floor today in person, for the work he has done with Senator SHELBY and others to actually move these appropriations bills, these spending bills, through the process. For the first time in a couple of decades, we have the opportunity to actually get our work done. It is incredibly important for all the right reasons, including having proper oversight of the Federal agencies and departments. He deserves credit for that.

My colleague from Oregon just talked for a moment about the Kavanaugh hearings. He talked about the fact that he believes there is not enough information out about Brett Kavanaugh. Let me just say this. There has never been more information about any nominee to the Supreme Court, ever, in the history of our country. In fact, there are more pages of documents that have been provided on Brett Kavanaugh than for the past five Supreme Court confirmations combined—over 450,000 pages.

Maybe my colleagues who raised these concerns decided a long time ago they were going to vote no and said they are and that is fine, but I don't think you can blame it on the fact that there isn't enough documentation.

I know what they went, and I understand why they would want it. What they want is the documents that went through his office when he was Staff Secretary, which is a job at the White House where you are kind of like the

traffic cop, where everything that goes into the Oval Office and everything that comes out is coordinated and disseminated properly. But those weren't his documents. Yes, it is not appropriate to see all of those documents. That would be, by the way, millions of additional pages—millions. But the 488,000 pages that have been provided—including all of the documents from his legal positions where he was a judge, where he was an associate counsel in the White House—those have all been provided. That is good, and we should look at them and look at them carefully.

It is not about the documents. It is about some fundamental differences about philosophy. I like his philosophy. He says that you shouldn't legislate from the bench and that you should be independent as a judge and be fair.

He is totally qualified. The American Bar Association is sometimes criticized by Republicans as being too far to the left. It just said that he is "eminently qualified." In fact, they gave him their highest rating, and they gave it unanimously. This just happened last Friday. Not everybody knows this. This person is not just qualified. I believe he is as qualified as anybody in the country to be on the U.S. Supreme Court. I am looking forward to having the opportunity to have this vote here on the floor. I hope it can be bipartisan, as it has been for the nominees that President Obama brought forward, including then-Solicitor General Kagan and Judge Sotomayor. They were big bipartisan votes. Let's get back to that when somebody is as qualified as this candidate clearly is.

#### OPIOID EPIDEMIC

Mr. PORTMAN. Mr. President, I wish to speak about this issue of opioids and the crisis our country faces.

Just in the last couple of weeks we have gotten reports from the Centers for Disease Control from last year's data on overdoses and deaths: 72,000 Americans lost their lives to overdoses last year from drugs. Most of those were from opioids. This is heroin, prescription drugs, and, now, these synthetic opioids—72,000 Americans.

In the wake of that, it is encouraging to me to hear the Senate talking about the possibility of bringing a package of legislation to the floor that will help to push back against this crisis and begin to turn the tide. We have to do it—not just talk about it. We have to act because this crisis is upon us and is very real.

These new efforts that we should move forward on would build on what this Senate has already done with regard to the Comprehensive Addiction and Recovery Act, or the CARA legislation, which is now being implemented in my State of Ohio and around the country. There is also the Cures legislation, or the 21st Century Cures Act. It has some additional provisions that allow States to take funding and use it

to fight this opioid addiction. That is smart. There are smart ways for us to fight this opioid epidemic. We know that, and we are beginning to do that.

At the Federal level we can play a role in this, among other things, by taking better practices from around the country and ensuring they are being used back home in our States. I have seen this firsthand because I have been around the State of Ohio a lot since this legislation actually passed. I have actually visited more than a dozen grant recipients of CARA and Cures grants to see what they are doing and then spreading that around to other communities—maybe communities that haven't been able to get the grants but want to see something innovative to be able to push back.

Last Friday I visited Hope Village Recovery Center in Portage County, OH. They received more than \$500,000 in CARA funding to expand a badly needed medication-assisted treatment program. They decided to look at this in a very comprehensive way, and it is working. They are getting people who normally wouldn't step up for treatment to come for treatment, and their success rate for getting people through treatment and not relapsing is relatively high. That is so important right now, because if you don't get people into treatment with an addiction, which is a disease, you are not going to be able to solve this problem.

The comprehensive approach includes treatment, counseling, outpatient treatment, aftercare services, peer support—and these are coaches who are in recovery themselves, and that is very effective—and transportation services to get people back and forth. This holistic approach is what we need to help people begin to heal, get over their addiction, get back to their families, back to work, and back to achieving their God-given purpose in life, which is not to be an addict using these drugs.

Last week I also visited CommQuest Recovery Services in Stark County, OH, to see their new program, an innovative program called the "mom and me program." These are moms who want to help to get over their addiction. They are struggling. This program allows them to come on board to this facility that I got to see, to be able to have some of the loving support and care from people around them, but also to have their kids come with them. This is very unusual. Very few treatment centers in the country allow children to come into the treatment program. We have found through evidence-based programs looking at this that, in fact, if you allow the kids in there and there is proper supervision, it helps. It helps the mothers heal. It helps the kids to be able to heal.

So this is an innovative program that I think is going to end up with great results. They are just getting started on it, but it is going to foster the kind of success that we want to see.

Programs like these are working. Yet the epidemic seems to be getting

worse. Why is that? Well, because we need to do more of this evidence-based stuff. We need to be sure that every community has the opportunity to provide treatment because a lot of people still can't get treatment. We need to encourage people not to go down this funnel of addiction by much more effective and stronger prevention and education programs. There are things we have to do.

CARA 2.0, or the Comprehensive Addiction and Recovery Act 2.0, is how it was introduced. That legislation that I have introduced will ensure that those programs that are working get additional help so that the States can do even more by leveraging some of these Federal dollars to be able to do more with the private sector and with the States to be able to turn this tide of addiction.

I talked about the 72,000 lives lost last year. That was a record number. Here is a map of the States. This is a map of the changes in overdose deaths from last year. If it is a purple or blue State, that means they are doing a little better. Look at this map. Almost every State, unfortunately, is not purple or blue. These States that are tan and brown, like my home State of Ohio, indicate an actual increase in opioid deaths last year.

Why is this? I think one of the main reasons for this is because there is a new danger afoot. There is a new surge in drugs. It is very powerful. It is 50 times more powerful than heroin. It is very inexpensive. It is coming primarily from China and coming primarily through our U.S. Postal Service, if you can believe it. It is called synthetic opioids. Fentanyl is the name that most of it is called. Some of it is called Carfentanil and other derivatives, but this fentanyl—this synthetic opioid—is now the biggest problem we have in our States. This is the growing crisis.

Here is a chart that shows what has happened just since 2015 until now. It shows that, in fact, methamphetamines, other opioids, heroin, cocaine are all relatively flat. But look at this big increase. The big increase is with synthetic opioids. When you look at those 72,000 deaths from last year, the majority of them were from opioids. Again, increasingly, it is from these synthetic opioids.

What I hear on the frontlines in Ohio—whether it was at this Hope Village Recovery Center that I talked about or the CommQuest facility—is that unless we combat that influx of fentanyl, we are not going to be able to turn the tide, because despite some of the good programs and the good work that is being done with these programs, we are being overrun with fentanyl.

Over the past week alone, in the Columbus, OH, area, the Franklin County coroner has handled 18 overdose deaths, and 5 were within 24 hours. There were 18 deaths, and 5 were within 24 hours. Imagine that. The cause, the coroner suspects, is fentanyl. If you look at

some of these deaths that we talked about, the 72,000—or even deaths that occurred to people who thought they were taking cocaine or methamphetamine or something else—often it is because the fentanyl has been sprinkled into these drugs and the fentanyl is what is causing the overdoses and the deaths. It is 50 times more powerful, as I said, and that is the new scourge of the opioid epidemic.

From 2013 to 2017, fentanyl overdose deaths have increased nationally by 850 percent.

As coroners' reports for 2017 continue to come in throughout my home State of Ohio, fentanyl now appears to be involved in two-thirds of the deaths in Ohio. So those are record numbers, and two-thirds are from fentanyl. That is consistent with what I am hearing on the frontlines.

Unbelievably, we know where it is coming from, and we are not doing enough to stop it. It is being made in laboratories in China, primarily, and in other countries and shipped into the United States through our own U.S. Postal Service, a government agency. We conducted an 18-month investigation into this issue in the subcommittee that I chair called the Permanent Subcommittee on Investigations. We did a thorough study. We had undercover people working with us. We went on the websites to find out what is happening. We found out how easy it is to purchase fentanyl online and have it shipped to the United States.

Based on our undercover investigation, these drugs can be found through a simple Google search, and overseas sellers we accessed through an undercover investigator essentially told us they will guarantee the delivery if this poison is sent through the U.S. Postal Service. They will not guarantee it if it goes through a private carrier like UPS, FedEx, or DHL.

Why is that? It is because the private carriers are required to provide law enforcement with big data, or electronic data, in advance as to what the packages are, where they are coming from, where they are going, and what is in them. Law enforcement can then use big data, use their algorithms, figure out which packages are suspect, and get them off the line. I have seen it. I have been in those facilities. I have seen big packages being taken off and, therefore, lives being saved. At a minimum, this will increase the cost on the street.

What is the ultimate answer to this? It is prevention, education, a change in our hearts and in our families, better treatment so that people who have this disease can get the treatment just like another illness they might have, and dealing with this issue of longer term recovery, which leads to more success in treatment.

Those are all essential, but right now we have to put a tourniquet on this, folks. We have to stop the fentanyl from flooding into our country. Look at what it is doing. There is an 850-percent increase.

The information tells law enforcement what they need to be able to pull these packages off if it is provided. Yet, unbelievably, all of the private carriers are required to do it and have been since 9/11.

The post office has been spared. The thought was that the post office should study the issue. Well, I am waiting for the report.

Meanwhile, because of pressure from the Congress, the U.S. Postal Service is starting to look at some of these packages. Last year, they now testified before us in the subcommittee, they did receive data on about 36 percent of the international packages—not 100 percent as these other carriers have to do, but 36 percent. But that means that more than 318 million packages—318 million packages—are coming in with little or no screening at all and without this data.

Even when the post office conducted a pilot program to screen for these drugs, by the way, 80 percent of the time, they testified, these packages that were targeted by Customs and Border Protection were able to be pulled off, but 20 percent of the time they did not get the information to law enforcement. Also, in many cases, the information provided was not useful to law enforcement.

So we need to ensure it is 100 percent of these packages. We need to ensure that all of this information is getting to law enforcement, and we need to be sure that the information is useful and legible.

The bipartisan STOP Act is actually an answer to this. The STOP Act is very simple. My coauthor of the STOP Act is Senator AMY KLOBUCHAR from Minnesota. As we have both said, this is a simple, commonsense, and, quite frankly, long overdue reform. It simply says: Let's hold the post office to the same standard to which we hold these private carriers. Let's say they have to provide this data to law enforcement so that we can begin to address this issue and push back to keep this poison out of our communities.

This bill has been approved for a floor vote on the Republican side. I think it is very close to being approved for a floor vote on the Democratic side. We are very close to a consent agreement to get this broader opioids package I talked about to the floor as well.

I am very pleased that we are taking up that package this month. We need to ensure that whatever concerns people have, they are very frank about it. We have to get the politics out of this, folks. We have to be sure that we are moving forward, as we have been able to do on the CARA legislation and the CURES legislation, not just on a bipartisan basis but on a nonpartisan basis, because this scourge is affecting all of our constituents and it is one that we have to address here at the Federal level to help our States, to help our communities, and to help our families to be able to respond.

The broader opioid package we talked about would include the STOP

Act, but it also would include some other important legislation. It will include a number of provisions from CARA 2.0, such as national recovery housing standards and recovery support programs for high school and college students struggling with addiction, which have worked really well in Ohio. It will include \$60 million for a plan of safe care for babies who are born dependent on substances. These babies are born with what is called neonatal abstinence syndrome. These are innocent, small babies who are often born premature.

I have been in neonatal units around our hospitals in Ohio, and I have seen these babies. It is so sad. They have to be taken through withdrawal as tiny babies. We need to ensure that we do a better job of preventing this by working with the moms as they become pregnant and by ensuring that these kids get the help they need.

It also includes the CRIB Act, bipartisan legislation that would help newborns suffering from addiction recover in the best care setting and provide support for their families.

Again, this has been bipartisan. I have worked with Members on both sides of the aisle on the CRIB Act. It helps to ensure that these babies, when they are born with this neonatal abstinence syndrome, can get the care they need. It is working for these organizations that are doing it, but they need help—specifically, Medicaid reimbursement that they cannot get currently.

The bill also reauthorizes a number of other important programs that have a proven record of success, like the Office of National Drug Control Policy, drug courts, drug-free communities prevention grants, and the high-intensity drug trafficking areas grants, where law enforcement is focusing on drug interdiction in some of the worst areas of our country for drug use and drug addiction.

The STOP Act must be part of that Senate bill, as well, because, again, anything we offer to help deal with this issue of opioids has to include stopping the fentanyl from coming in.

It is time for Congress to move. This should be noncontroversial. It is common sense. We know where these drugs are coming from, we know they are devastating our communities, and we know how we can stop this deadly trend. Let's pass the STOP Act. Let's pass this broader opioid package as soon as possible.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PORTMAN. Let's give Americans who are fighting addiction a chance to live up to their God-given potential.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider

the following nomination which the clerk will report.

The legislative clerk read the nomination of Marilyn Jean Horan, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Horan nomination?

The nomination was confirmed.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of William F. Jung, of Florida, to be United States District Judge for the Middle District of Florida.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Jung nomination?

The nomination was confirmed.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Kari A. Dooley, of Connecticut, to be United States District Judge for the District of Connecticut.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Dooley nomination?

The nomination was confirmed.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Dominic W. Lanza, of Arizona, to be United States District Judge for the District of Arizona.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Lanza nomination?

Mr. WHITEHOUSE. 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 bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Kansas (Mr. MORAN), and the Senator from Georgia (Mr. PERDUE).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) and the Senator from Florida (Mr. NELSON) are necessarily absent.

The PRESIDING OFFICER. (Mr. HELLER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 35, as follows:

[Rollcall Vote No. 203 Ex.]

#### YEAS—60

Alexander	Flake	McCaskill
Barrasso	Gardner	McConnell
Blunt	Graham	Murkowski
Boozman	Grassley	Paul
Capito	Hatch	Portman
Cassidy	Heitkamp	Reed
Collins	Heller	Risch
Coons	Hoeben	Roberts
Corker	Hyde-Smith	Rounds
Cornyn	Inhofe	Rubio
Cotton	Isakson	Sasse
Crapo	Johnson	Scott
Cruz	Jones	Shelby
Daines	Kennedy	Sullivan
Donnelly	King	Tester
Duckworth	Kyl	Thune
Durbin	Lankford	Tillis
Enzi	Leahy	Toomey
Ernst	Lee	Wicker
Fischer	Manchin	Young

#### NAYS—35

Baldwin	Hassan	Schatz
Bennet	Heinrich	Schumer
Blumenthal	Hirono	Shaheen
Booker	Kaine	Smith
Brown	Klobuchar	Stabenow
Cantwell	Markey	Udall
Cardin	Menendez	Van Hollen
Carper	Merkley	Warner
Casey	Murphy	Warren
Cortez Masto	Murray	Whitehouse
Feinstein	Peters	Wyden
Gillibrand	Sanders	

#### NOT VOTING—5

Burr	Moran	Perdue
Harris	Nelson	

The nomination was confirmed.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Charles J. Williams, of Iowa, to be United States District Judge for the Northern District of Iowa.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Williams nomination?

Mr. MENENDEZ. 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 senior assistant 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 Texas (Mr. CRUZ), the Senator from Montana (Mr. DAINES), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), and the Senator from Georgia (Mr. PERDUE).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 12, as follows:

[Rollcall Vote No. 204 Ex.]

## YEAS—79

Alexander	Flake	Murphy
Baldwin	Gardner	Murray
Barrasso	Graham	Paul
Bennet	Grassley	Portman
Blumenthal	Hassan	Reed
Blunt	Hatch	Risch
Boozman	Heinrich	Roberts
Brown	Heitkamp	Rounds
Cantwell	Heller	Rubio
Capito	Hirono	Sasse
Cardin	Hoeben	Schumer
Carper	Hyde-Smith	Scott
Casey	Isakson	Shelby
Cassidy	Johnson	Smith
Collins	Jones	Sullivan
Coons	Kaine	Tester
Cornyn	Kennedy	Tester
Cortez Masto	King	Thune
Cotton	Klobuchar	Tillis
Crapo	Kyl	Toomey
Donnelly	Lankford	Udall
Duckworth	Leahy	Van Hollen
Durbin	Lee	Warner
Enzi	Manchin	Whitehouse
Ernst	McCaskill	Wicker
Feinstein	McConnell	Young
Fischer	Murkowski	

## NAYS—12

Booker	Menendez	Schatz
Gillibrand	Merkley	Stabenow
Harris	Peters	Warren
Markey	Sanders	Wyden

## NOT VOTING—9

Burr	Daines	Nelson
Corker	Inhofe	Perdue
Cruz	Moran	Shaheen

The nomination was confirmed.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Robert R. Summerhays, of Louisiana, to be United States District Judge for the Western District of Louisiana.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Summerhays nomination?

The nomination was confirmed.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Eric C. Tostrud, of Minnesota, to be United States District Judge for the District of Minnesota.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Tostrud nomination?

The nomination was agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant legislative clerk read the nomination of Alan D. Albright, of Texas, to be United States District Judge for the Western District of Texas.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Albright nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table.

The President shall be immediately notified of the Senate's actions.

The majority leader.

## LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. McCONNELL. I move to proceed to executive session to consider Calendar No. 1013.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Charles P. Rettig, of California, to be Commissioner of Internal Revenue for the term expiring November 12, 2022.

## CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Charles P. Rettig, of California, to be Commissioner of Internal Revenue for the term expiring November 12, 2022.

Mitch McConnell, Joni Ernst, John Boozman, Shelley Moore Capito, Johnny Isakson, David Perdue, Roger F. Wicker, John Hoeven, John Cornyn, Mike Rounds, Orrin G. Hatch, Roy Blunt, John Barrasso, Deb Fischer, Rob Portman, Thom Tillis, Tom Cotton.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

## GUATEMALA

Mr. LEAHY. Mr. President, the decision, announced last Friday, by Guatemalan President Jimmy Morales to not renew the International Commission Against Impunity in Guatemala, CICIG, after its current term expires next September, was a profound mistake.

That mistake was further compounded on Tuesday when the government announced that the CICIG Commissioner, Ivan Velasquez, a respected Colombian jurist, had been summarily declared a "national security threat" and barred from reentering the country. That is the kind of fear-provoking mischaracterization one might expect from an authoritarian government that will use any outlandish justification to silence its critics but not from a democracy.

I urge President Morales to reconsider and to reverse these actions for the benefit of the Guatemalan people, in the interests of justice and on behalf of Guatemala's relations with the United States and its international reputation. There may still be time to turn this political and judicial crisis into a positive outcome for the country.

At the time of his public announcement to not renew CICIG, President Morales was joined on the podium by dozens of uniformed military and police officers. At the same time, military vehicles carrying officers armed with heavy weapons—vehicles provided by the United States for legitimate law enforcement purposes—lined the street in front of CICIG's office. They also drove past the Constitutional Court and the U.S. Embassy. It was an intimidating display reminiscent of the 1970s and 1980s, and the intended message was clear: The commanders of Guatemala's security forces—which in recent years have been reliable partners with the United States—have sided with those in power to shut down the only credible mechanism for combating the corruption and impunity that plague that country.

Not yet determined is the fate of CICIG's 45 or so international lawyers and investigators, whose work permits have expired. If Commissioner Velasquez is not allowed to return and CICIG's other employees are forced to leave the country, CICIG will, for all practical purposes, cease to exist.

President Morales's decision to do away with CICIG in a manner that the U.N. Secretary General says "does not appear to be consistent with the Agreement on the establishment of CICIG" was reportedly precipitated by a decision of the Supreme Court, days earlier, to refer to Congress a petition by the Attorney General and CICIG to lift President Morales's immunity for violating campaign financing laws. It appears that President Morales is more

concerned with his own legal vulnerability and that of his supporters than upholding the institutions of justice.

It is also increasingly apparent that this attack on CICIG is only part of a broader attempt that has been gaining steam over the better part of a year to destroy the independence of the constitutional court, weaken civil society, intimidate human rights defenders and journalists, and undermine the rule of law. It is an existential confrontation between the forces of corruption and impunity and Guatemala's fledgling judicial institutions.

Ever since CICIG was established 11 years ago to help combat the pervasive corruption, infiltration by organized crime, and near total impunity in Guatemala, the State Department and the U.S. Embassy have consistently supported CICIG, as have Republicans and Democrats in Congress. We are all familiar with the historical links between organized crime, drug traffickers, Guatemala's security forces, and public officials. It has been widely recognized by the Guatemalan people that, because of CICIG and Guatemala's Public Ministry, working together, the cause of justice—including convictions of corrupt senior government officials—has been significantly enhanced. Without CICIG, these achievements would not have been possible.

On Saturday, September 1, Secretary Pompeo responded to President Morales's announcement with a bizarre tweet that did not even mention CICIG. Instead, the Secretary expressed appreciation for Guatemala's "efforts in counternarcotics and security." That is a bit like being told that the courthouse is on fire and responding that the stock market is up. The State Department should condemn what is occurring in Guatemala, reaffirm its support for CICIG and Commissioner Velasquez, and make clear that corrupt Guatemalan officials will be sanctioned under U.S. law. Otherwise, it will share complicity in the unraveling of years of U.S. investment in CICIG and in judicial and law enforcement reform in Guatemala.

Perhaps the State Department is worried that, if President Morales is prosecuted and convicted of campaign financing violations and removed from office the way his predecessor was, U.S. security cooperation with Guatemala might suffer. What it really should be worried about is what will happen to the fight against corruption and organized crime if President Morales succeeds in dismantling CICIG. If the country loses its most effective anticorruption institution, the progress that has been made in recent years in strengthening the rule of law is likely to be reversed, allowing drug cartels and other criminal organizations to grow unchecked. This is particularly alarming with national elections in Guatemala scheduled for next year. The integrity of Guatemala's democratic process—not simply the

survival of CICIG—is threatened by the corrupt influences of organized crime.

Like any institution, CICIG is not without imperfections. Several constructive reforms have been proposed, and I have encouraged CICIG, the United Nations, and the Guatemalan Government to find a way forward that strengthens oversight and transparency while preserving CICIG's mandate and protecting the Commissioner from political interference. While that process has been eclipsed by recent events, there is still time to resurrect it. The United Nations, the United States, other governments that have supported CICIG, and the Guatemalan Government should urgently resume discussions to achieve such a solution.

Ultimately, if other attempts fail, the future of CICIG, of its Commissioner and employees, and of the rule of law in Guatemala—not just under President Morales who has just over a year left to serve but also in the years ahead—will be in the hands of the Guatemalan people, the judiciary, and the Congress. As a former prosecutor and the senior member of our Judiciary Committee, I have long recognized that an independent judiciary is a cornerstone of democratic government. It is what gives practical meaning to the phrase "rule of law," which is fundamental to strengthening democracy. To its credit, Guatemala's constitutional court has displayed that independence in the past. That independence is needed today.

As a result of President Morales's actions, security cooperation with Guatemala and loans from international financial institutions are now in jeopardy. That is not in the interests of Guatemala or the United States. Recognizing what is at stake and in support of the courageous Guatemalans who are defending the Constitution and the rule of law, I will not support the expenditure of U.S. funds for assistance to the Guatemalan Government under the Alliance for Prosperity, including for the military and police forces, until the fate of CICIG and Commissioner Velasquez is satisfactorily resolved.

#### TRIBUTE TO KATHERINE JOHNSON

Mr. MANCHIN. Mr. President, Today I wish to honor a White Sulphur Springs native who not only completed groundbreaking work at NASA during the space race, but who also broke the barriers of race and gender during a critical time in our Nation.

Katherine Coleman Goble Johnson was blessed with a natural talent for mathematics which far exceeded that of her peers. By the age of 13, Katherine was already attending high school on West Virginia State College's campus where, in 1937, she received a B.S. in both mathematics and French.

In 1939, when West Virginia began to integrate its graduate schools, West Virginia State's president, Dr. John Davis, personally selected Katherine and two male students as the first Afri-

can-American students to attend West Virginia University.

After starting a family, Katherine found work at the West Area Computing section of the National Advisory Committee for Aeronautics' Langley laboratory, headed by fellow West Virginian Dorothy Vaughan. The 1957 launch of the Soviet satellite, Sputnik, changed history—and Katherine's life. Her work on the equations to describe an orbital spaceflight in which the landing position of the spacecraft is specified led to Katherine being the first woman recognized as an author of a report from the flight research division.

As NASA prepared for the orbital mission with John Glenn in 1962, Katherine was famously asked to run the orbital equations controlling the Friendship 7 trajectory by hand in case of a mechanical computing error. Katherine has recalled John Glenn saying that, if she said the numbers were good, then he was good to go. The mission was a success and marked a tremendous turning point in the competition between the United States and the Soviet Union in space.

Katherine's story inspired the book, "Hidden Figures," by Margot Lee Shetterly and also the Oscar-nominated film of the same name.

Recently, 46 of my colleagues and I introduced the Hidden Figures Congressional Gold Medal Act, which would award Congressional Gold Medals to Katherine, Dorothy Vaughan, Mary Jackson, and Dr. Christine Darden in recognition for their contributions to NASA's success during the space race. In 2015, President Obama awarded her the Presidential Medal of Freedom, America's highest civilian honor.

A bronze statue in Katherine's honor now stands on the campus of West Virginia State University. It is my hope that the students who pass it every day will be reminded of Katherine's legacy and will be inspired to keep their passion for knowledge alive.

Every one of our female leaders in West Virginia are the epitome of strength, leadership, and advancement in their fields. They serve as inspiring role models for the next generation, and that is due in great part to the women who broke ground in generations past. Because of the accomplishments of intellectual leaders such as Katherine, more young women have and will blaze their own trails in the fields of science, math, engineering, and technology and will continue to make our State and entire Nation proud.

It is an honor to recognize Katherine's legacy and to wish her the very best as we celebrate her 100th birthday.

#### TRIBUTE TO ANNE HOUSER

Mrs. MURRAY. Mr. President, as ranking member on the Senate Appropriations Subcommittee on Labor,

Health and Human Services, Education, and Related Agencies, I would like to recognize a public servant deeply committed to protecting and improving the health of the American people, Ms. Anne Houser. Anne will retire in January, after a distinguished 48-year career at the National Institutes of Health, where she has for many years been the principal liaison with the Appropriations Committees.

Over the course of her career, Anne has worked for eight NIH Directors, performing the essential but often overlooked role of helping the committees understand the agency's research and funding needs. It is the kind of low-key work that takes place behind the scenes, but has been essential to building the case in Congress for sustained increased investment in medical research. No matter the issue, or the time of the day or night that it might arise, Anne has always been there, supporting the case for research that will help lead to cures. Her honest, thoughtful, and helpful advice has been valuable to me and to everyone with whom she worked. In short, Anne has set the gold standard for how agencies can most effectively work with the committees that oversee them.

Both within NIH and in Congress, Anne is recognized as a consummate professional and an independent thinker who understands the issues, gets to the bottom of problems, and communicates those issues clearly to Members of Congress, our staff, and to the researchers she works with. Thanks to the dedication of Anne, not only is the NIH working better, but Americans are better off as well. Her absence will be a loss for everyone who depends upon her, but I am glad that she will have more time to spend with her friends and family, and especially her grandson, Alex, of whom she is so proud.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO VETERANS OF THE 116TH COMBAT ENGINEER BATTALION

• Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in paying tribute to the veterans of the 116th Combat Engineer Battalion in recognition of the battalion's 50-year grand reunion.

In 1968, the 116th Combat Engineer Battalion deployed to Vietnam. The battalion was made up of approximately 800 Idaho National Guard soldiers from National Guard companies based in Idaho. The soldiers' tasks included clearing and repairing roads.

The soldiers who served in the 116th Battalion were an integral part of the war effort. They have been credited with swiftly and effectively reconstructing airfields, building bases, clearing thousands of acres of minefields and jungle, constructing thousands of square feet of buildings and bridges, moving critical supplies and

equipment, providing access to water, and more. Their legacy of outstanding, dedicated service remains a hallmark of the battalion.

Veterans who served in the battalion are gathering in Idaho Falls on September 14–15, 2018. As they join with their fellow veterans and family and share memories and life experiences, we thank them for their service to our Nation. We wish veterans of the 116th Combat Engineer Battalion, your families, and loved ones all the best for an enjoyable reunion and honor you for your remarkable service to our country.●

##### TRIBUTE TO CHARLES GARLAND SCHWAB

• Mr. DAINES. Mr. President, I have the honor of recognizing Charles Garland Schwab, a World War II Veteran, and a man who is ever grateful to celebrate his 100th birthday on October 6, 2018. Charles Garland Schwab was born to homesteaders in the Big Snowy Mountains, southeast of Lewistown, MT. He grew up on that homestead, and in 1940, he married his wife Thelma.

Charles was drafted into the U.S. Army in January of 1944. After basic training and a bout with pneumonia, he joined his fellow soldiers in France on the front lines during World War II. He was awarded the Bronze Medal, the American Theater Service Medal, the European, Africa, Middle East Theater Medal, a Good Conduct Medal, as well as several ribbons, including the Army Occupation Ribbon.

Upon returning to the United States, Charles was honorably discharged from the Army on May 2, 1946. Following his discharge from the Army, Charles and his wife purchased and operated the Lake View Cabins near St. Mary. During the off season, Schwab practiced his trade as an oil field pipefitter throughout Montana. He and his wife moved to Missoula in 1950, where they raised two daughters. He continued his pipefitter career and was instrumental in the process of bringing natural gas to the homes of the citizens of Missoula.

Charles' wife Thelma passed away after 55 years of marriage in 1995. Although Charles sold the Lake View Cabins after 20 years and is now a retired pipefitter, he continues to enjoy the company of his daughters, children, grandchildren, and friends and remains active in the community.

One of Charles' most treasured memories is that of the honor flight he took to Washington, DC, during the government shutdown in 2013. He will forever treasure the memories of that trip, his time as a private first class in the U.S. Army, and the opportunity to defend our great Nation during World War II.●

##### RECOGNIZING THE WINNETT LION'S CLUB

• Mr. DAINES. Mr. President, this week I have the honor of recognizing the Winnett Lion's Club for their impact on Petroleum County and surrounding communities.

Over the past 3 years, the Winnett Lion's Club has serviced rural communities through free visionary health screenings. This preventative care aids in catching Amblyopia, an easily treatable disease during childhood.

I just 3 years, the Winnett Lion's Club has served over 3,000 children and has traveled over 2,500 miles to help rural communities. The Winnett Lion's Club has served children from Headstart, Child Find programs, local public schools, colony-based schools, and business fairs. They have gone above and beyond to support the children in their surrounding communities.

I congratulate the Winnett Lion's Club for their dedication in serving their community and for leaving a positive impact on Petroleum County.●

##### REMEMBERING SHELDON S. COHEN

• Mr. VAN HOLLEN. Mr. President, I wish to pay tribute to my constituent and dear friend, Sheldon S. Cohen, who passed away earlier this week. Sheldon Cohen left an extraordinary legacy of accomplishment and service to our country.

A proud native Washingtonian and graduate of DC public schools, Sheldon was a World War II Navy veteran. One of the world's leading tax attorneys, he served as chief counsel and then Commissioner of the IRS under President Lyndon B. Johnson, becoming the youngest person to hold that position. Among his countless other accomplishments was his creation of the first Presidential blind trust. Significantly, the 1978 Ethics in Government Act made blind trusts the preferred vehicle for public officials who do not want to dispose of holdings that raise potential conflicts. In addition, he was instrumental in helping to computerize the IRS and in drafting an overhaul of the Federal income Tax Code. Following his government service, he had an extensive career in private practice, including founding the law firm of Cohen & Uretz. He served as general counsel to the Democratic National Committee and helped settle a civil case stemming from the break-in of DNC offices at the Watergate office complex by Nixon campaign operatives.

Sheldon Cohen's work was influential internationally as well. He advised many countries on their tax systems, was a founder of the Inter-American Center of Tax Administrations, and was a senior fellow of the National Academy of Public Administration. He participated on UN Special Missions to advise developing countries on tax systems, including meeting with Nelson Mandela. He vetted the tax returns of numerous Democratic Presidential and

Vice Presidential candidates, set up the Presidential Commission on Debates as a nonprofit organization, was a frequent author and speaker on tax policy and ethics, and often testified on Capitol Hill. He taught at his alma mater, George Washington University Law School, from which he had graduated first in his class, and at Howard and Miami law schools.

Sheldon Cohen was deeply involved in the community and held numerous leadership roles. These included serving as president of the Jewish Social Service Agency, president of the Order of the Leaf of Camp Airy, chair of the American Jewish Historical Society, trustee and chair of the GW board of trustees, founder and trustee of the United Jewish Endowment Fund, founding member and treasurer of the Supreme Court Historical Society, and trustee of the Jewish Theological Seminary and Adas Israel Congregation.

Sheldon Cohen was a decent, compassionate man, known for his high standards of integrity, his brilliant mind, his concern for those in need, and his devotion to his family and friends. I knew Sheldon Cohen well and will miss his friendship and wise counsel, as I do that of his wonderful and beloved wife Faye, who left us earlier this year. Their partnership and warm hospitality were known throughout our community and will always be remembered by the many friends and activists with whom they teamed up in support of important civic causes.

I ask my colleagues to join me in paying tribute to this fine man and in sending condolences to his family, including his children Melinda and her husband Alberto Goetzl, Laura and her husband Perry Apelbaum, Jonathan and his wife Joanne, and Sharon and her husband Michael Liebman; his 10 grandchildren; his brother Gerald Cohen and his wife Joanne; and his sister Barbara and her husband Dick Wolf.●

#### TRIBUTE TO THE FOGARTY FAMILY

● Mr. WHITEHOUSE. Mr. President, the swearing in of the Rhode Island Legislature early next year will close a remarkable story of a great Rhode Island family. State Senator Paul Fogarty is retiring after 20 years in office. The Fogarty family of northern Rhode Island will have represented nearly 80 years of public service.

Paul was elected in 1998 to fill the State senate seat that was previously held by his brother, Charles Fogarty, Jr. A master plumber by trade, Paul rose to become the chairman of the senate labor committee. Like his brother Charlie, Paul had served on the Glocester, RI, town council before serving in the legislature.

Charlie Fogarty got his start in State government working as an aide to Governor Joe Garrahy in the late 1970s. While a State senator, he served as both majority whip and senate presi-

dent pro tempore. He was elected Lieutenant Governor twice, in 1998 and in 2002. He is remembered for starting a Christmastime tradition, Operation Holiday Cheer, which delivers care packages of Rhode Island mementos to servicemembers deployed overseas.

In 2006, Charlie won the Democratic nomination for Governor, narrowly losing to the incumbent. He returned to government a few years later to run the State department of labor and training, where he cracked down on unemployment fraud. In 2015, Governor Gina Raimondo appointed Charlie director of the Rhode Island Department of Elderly Affairs. Under his leadership, the State expanded support for Meals on Wheels, and he played an important role in the State's successful repeal of the tax that seniors paid on their Social Security benefits.

Charlie retired earlier this year, after four decades of service to the people of Rhode Island.

Paul and Charlie's cousins shared the public service gene. Ray Fogarty was a State representative from Glocester for 10 years. He would go on to find and lead the Rhode Island Export Assistance Center at Bryant University's John H. Chafee Center for International Business.

Ray's brother Edward Fogarty was an accomplished lawyer, with whom I worked in the State house. He worked as an arbitrator in the Rhode Island Superior Court and clerked in the U.S. District Court for the District of Rhode Island. However, Ed will best be remembered for his work serving as legal counsel to the speaker of the Rhode Island House of Representatives, to the senate majority leader, and later to the senate president. Ed retired in 2013 and sadly passed away in 2017.

Charlie Fogarty credited his parents with teaching him that "public service was a public trust." Indeed, he and brother Paul followed in their father's footsteps. Charles Fogarty, Sr., had been a State senator from Glocester before them and served for a time as director of the Rhode Island Small Business Administration.

Paul and Charlie's uncle was Congressman John Fogarty, who represented Rhode Island in the U.S. House of Representatives for more than a quarter century. John was a bricklayer and president of Rhode Island's International Bricklayers Union local No. 1 before being elected to Congress at age 27. From his post on the Appropriations Subcommittee for Labor and Health, Education, and Welfare, Mr. Public Health, as he became known, championed the expansion of health research in the United States. During his tenure, the National Institutes of Health grew from a small agency with only three named institutes—for cancer, heart, and dental research—to a larger and more sophisticated operation with institutes devoted to research on mental health, allergy and infectious disease, neurological disease, arthritis and metabolic disease,

child health and development, and general medical sciences. As subcommittee chairman during the passage of the Social Security amendments of 1965, John Fogarty was one of the key supporters of the legislation that created the Medicare and Medicaid Programs.

John served until his death in 1967. Dr. Howard Rusk wrote in the *New York Times*, "No one in the history of this country has done more to promote more and better health services, more and better health facilities, and more and better health research than Representative Fogarty." In Rhode Island, no fewer than five health and educational facilities have been dedicated in John Fogarty's name.

The deep commitment of the Fogarty family to the public welfare, instilled across generations, has been borne out in countless ways. Paul's son Brendan Fogarty even worked as a State senate page during high school and college. For now, there will be no Fogartys in State government. Our State and our Nation are all the richer for their passion and dedication to public life. Rhode Islanders are grateful for the lasting legacy of the Fogartys of Glocester.●

#### 75TH ANNIVERSARY OF STAR FINANCIAL BANK

● Mr. YOUNG. Mr. President, as a member of the Committee on Small Business and Entrepreneurship, I am proud to recognize the Marcuccilli family for the 75th anniversary of an Indiana-based community bank, STAR Financial Bank. Since its founding, STAR Financial has become an essential business in northeast and central Indiana. The bank has continuously prioritized putting their customers and local businesses first, while providing decades of dependable services and accountable staff.

Established by a group of trucking partners from the Marion Trucking Company in 1943, STAR Financial Bank was formed to build financial security for the Fort Wayne community. For that reason, the bank has tailored its practices to support the community and local families. Generally, STAR Financial focuses on three key areas involving arts, education, and economic development. In 2017, the company donated more than \$635,000 to Indiana nonprofits, as well as volunteered 3,600 hours of community service valuing over \$97,128. Some of the nonprofits include the Fort Wayne Museum of Art, the Fort Wayne Children's Choir, The Children's Museum of Indianapolis, PBS 39, Big Brothers Big Sisters Northeast Indiana, Brightpoint, and many United Way chapters.

It is my privilege to honor STAR Financial Bank for 75 years serving the Fort Wayne community. I look forward to STAR Financial Bank's future endeavors, and I congratulate the Marcuccilli family on this significant milestone.●

## 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 which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

## MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1635. An act to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes.

H.R. 4969. An act to improve the design and construction of diplomatic posts, and for other purposes.

H.R. 5274. An act to promote international exchanges on best election practices, cultivate more secure democratic institutions around the world, and for other purposes.

H.R. 5576. An act to address state-sponsored cyber activities against the United States, and for other purposes.

## ENROLLED BILLS SIGNED

At 12:52 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 5385. An act 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.

H.R. 5772. An act to designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas, as the "J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse".

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

## ENROLLED BILL SIGNED

At 1:48 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4318. An act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 4:48 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate 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, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and that the following Members be the managers of the conference on the part of the House: Messrs. FRELINGHUYSEN, ADERHOLT, SIMPSON, CALVERT, COLE, DIAZ-BALART, GRAVES of Georgia, YOUNG of Iowa, RUTHERFORD, Mrs. LOWEY, Messrs. PRICE of North Carolina, BISHOP of Georgia, Ms. MCCOLLUM, Mr. QUIGLEY, and Ms. PINGREE.

At 5:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4606. An act to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay.

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1635. An act to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4606. An act to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay; to the Committee on Energy and Natural Resources.

H.R. 4969. An act to improve the design and construction of diplomatic posts, and for other purposes; to the Committee on Foreign Relations.

H.R. 5274. An act to promote international exchanges on best election practices, cultivate more secure democratic institutions around the world, and for other purposes; to the Committee on Foreign Relations.

H.R. 5576. An act to address state-sponsored cyber activities against the United States, and for other purposes; to the Committee on Foreign Relations.

## 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-6366. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Sequestration Update Report to the President and Congress for Fiscal Year 2019"; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC-6367. A communication from the Administrator of the Cotton and Tobacco Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports (2018 Amendments)" ((7 CFR Part 1205) (Docket No. AMS-CN-18-0013)) received in the Office of the President of the Senate on August 28, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6368. A communication from the Deputy Secretary of Agriculture, transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that occurred in the Department of Agriculture's Office of the Secretary Treasury Symbol Accounts; to the Committee on Appropriations.

EC-6369. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Support of Special Events" (RIN0790-AK05) received in the Office of the President of the Senate on August 28, 2018; to the Committee on Armed Services.

EC-6370. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report relative to additional fiscal year 2019 funding for the Department of Treasury; to the Committee on Banking, Housing, and Urban Affairs.

EC-6371. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Annual Privacy Notice Requirement Under the Gramm-Leach-Bliley Act (Regulation P)" (RIN3170-AA60) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6372. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rule to amend the Small Bank Holding Company and Savings and Loan Holding Company Policy Statement and related regulations; Changes to Reporting Requirements" (RIN7100-AF13) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6373. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Single-Counterparty Credit Limits for Bank Holding Companies and Foreign Banking Organizations" (RIN7100-AE48) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6374. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC-6375. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Cyber Security Incident Reporting Reliability Standards" ((18 CFR Part 40) (Docket No. RM18-2-000)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Energy and Natural Resources.

EC-6376. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; District of Columbia; State Implementation Plan for the

Interstate Transport Requirements for the 2008 Ozone Standard" (FRL No. 9983-11-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2018; to the Committee on Environment and Public Works.

EC-6377. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Michigan; Minor New Source Review" (FRL No. 9982-97-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2018; to the Committee on Environment and Public Works.

EC-6378. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Cleveland, PM2.5 Attainment Plan" (FRL No. 9982-96-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2018; to the Committee on Environment and Public Works.

EC-6379. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Wisconsin; 2017 Revisions to NR 400 and 406" (FRL No. 9982-60-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2018; to the Committee on Environment and Public Works.

EC-6380. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Infrastructure Requirements for the 2012 Fine Particulate Matter National Ambient Air Quality Standard" (FRL No. 9983-07-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2018; to the Committee on Environment and Public Works.

EC-6381. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Oklahoma; General SIP Updates" (FRL No. 9982-47-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2018; to the Committee on Environment and Public Works.

EC-6382. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interstate Transport Prongs 1 and 2 for the 2010 Sulfur Dioxide (SO2) Standard for Colorado, Montana, North Dakota, South Dakota and Wyoming" (FRL No. 9982-81-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2018; to the Committee on Environment and Public Works.

EC-6383. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2018-19 Season" (RIN1018-BB73) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Environment and Public Works.

EC-6384. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Seasons and Bag

Possession Limits for Certain Migratory Game Birds" (RIN1018-BB73) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Environment and Public Works.

EC-6385. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; Removal of Depredation Orders for Double-crested Cormorants to Protect Aquaculture Facilities and Public Resources" (RIN1018-BC12) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Environment and Public Works.

EC-6386. A communication from the Chief of the Branch of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Endangered Species Status for Five Poecilothea Tarantula Species from Sri Lanka" (RIN1018-BC82) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Environment and Public Works.

EC-6387. A communication from the Chief of the Branch of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Listing the Hyacinth Macaw" (RIN1018-BC79) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Environment and Public Works.

EC-6388. A communication from the President of the United States, transmitting, pursuant to law, notice of the intent to enter into a trade agreement with the Government of Mexico and potentially the Government of Canada; to the Committee on Finance.

EC-6389. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled "The Year in Trade 2017"; to the Committee on Finance.

EC-6390. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the designation of a group as a Foreign Terrorist Organization by the Secretary of State (OSS-2018-0840); to the Committee on Foreign Relations.

EC-6391. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2018-0147 - 2018-0156); to the Committee on Foreign Relations.

EC-6392. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of technical data and defense services to the UAE for infantry-related military training and other advisory assistance for the Presidential Guard Command in the amount of \$50,000,000 or more (Transmittal No. DDTC 17-139); to the Committee on Foreign Relations.

EC-6393. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Continued Temporary Modification of Category XI of the United States Munitions List" (RIN1400-AE70) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2018; to the Committee on Foreign Relations.

EC-6394. A communication from the Ombudsman, Energy Employees Occupational

Illness Compensation Program, Department of Labor, transmitting, pursuant to law, a report entitled "2016 Annual Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-6395. A communication from the President of the United States, transmitting, pursuant to law, the report of an alternate plan for pay adjustments for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-6396. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-413, "Golden Triangle Business Improvement District Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-6397. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-424, "Community Violence Intervention Fund Temporary Amendment Act"; to the Committee on Homeland Security and Governmental Affairs.

EC-6398. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-436, "Initiative Measure No. 77, Minimum Wage Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-6399. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the report entitled "2017 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005"; to the Committee on the Judiciary.

EC-6400. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Public Integrity Section, Criminal Division for 2017, and the nationwide federal law enforcement effort against public corruption; to the Committee on the Judiciary.

EC-6401. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "LPTV, TV Translator, and FM Broadcast Station Reimbursement, Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions" (MB Docket No. 18-214 and GN Docket No. 12-268) (FCC 18-113) received in the Office of the President of the Senate on August 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6402. A communication from the Associate Chief of the Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Auctions of Upper Microwave Flexible Licenses for Next-Generation Wireless Services" ((AU Docket No. 18-85) (FCC 18-109)) received in the Office of the President of the Senate on August 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6403. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System" (PS Docket Nos. 15-94 and 15-91) (FCC 18-94) received in the Office of the President of the Senate on August 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6404. A communication from the Chief, Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to

law, the report of a rule entitled “Amendment of Procedural Rules Governing Formal Complaint Proceedings Delegated to the Enforcement Bureau” ((EB Docket No. 17-245) (FCC 18-96)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6405. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0709)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6406. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0277)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6407. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2017-1022)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6408. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc., Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0072)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6409. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc., Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0028)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6410. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Various Model 234 and Model CH-47D Helicopters” ((RIN2120-AA64) (Docket No. FAA-2015-4007)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6411. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Fokker Services B.V. Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0303)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6412. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0168)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6413. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes” ((RIN2120-AA64) (Docket No. FAA-2018-0712)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6414. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; B/E Aerospace Fischer GmbH Attendant Seats and Pilot Seats” ((RIN2120-AA64) (Docket No. FAA-2017-0937)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6415. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bell Helicopter Textron, Inc. (Bell) Helicopters” ((RIN2120-AA64) (Docket No. FAA-2018-0738)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6416. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Rolls-Royce Corporation Engines” ((RIN2120-AA64) (Docket No. FAA-2018-0259)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6417. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Rolls-Royce pic Turbojet Engines” ((RIN2120-AA64) (Docket No. FAA-2017-1108)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6418. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; New Castle, IN” ((RIN2120-AA66) (Docket No. FAA-2018-0290)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6419. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D Airspace and Class E Airspace; Wrightstown, NJ” ((RIN2120-AA66) (Docket No. FAA-2017-1188)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6420. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D Airspace and Class E Airspace; Jacksonville, NC and Establishment of Class D Airspace; Jacksonville, NC” ((RIN2120-AA66) (Docket No. FAA-2017-1159)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6421. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D Airspace and Class E Airspace and Revocation of Class E Airspace; Smyrna Beach, FL” ((RIN2120-AA66) (Docket No. FAA-2018-0328)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6422. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; St. Marys, GA” ((RIN2120-AA66) (Docket No. FAA-2018-0255)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6423. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace; Biloxi, MS, and Gulfport, MS” ((RIN2120-AA66) (Docket No. FAA-2017-0865)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6424. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Lansing, MI” ((RIN2120-AA66) (Docket No. FAA-2018-0101)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6425. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Freeport, PA” ((RIN2120-AA66) (Docket No. FAA-2017-0426)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6426. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Multiple Restricted Area Boundary Descriptions; Florida” ((RIN2120-AA66) (Docket No. FAA-2018-0728)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6427. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Chicago Class B Airspace and Chicago Class C Airspace; Chicago, IL” ((RIN2120-AA66) (Docket No. FAA-2018-0632)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6428. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Creswell, OR" ((RIN2120-AA66) (Docket No. FAA-2018-0044)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6429. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (76)" ((RIN2120-AA65) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6430. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (82)" ((RIN2120-AA65) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6431. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Delaware River Fireworks Display, Delaware River, Philadelphia, PA" ((RIN1625-AA00) (Docket No. USCG-2018-0810)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6432. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River, Mile Markers 751.2 to 751.8, Alma, WI" ((RIN1625-AA00) (Docket No. USCG-2018-0742)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6433. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake Michigan, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2018-0707)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6434. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lower Mississippi River, Mile Markers 230.4 to 215, Baton Rouge, LA" ((RIN1625-AA00) (Docket No. USCG-2018-0744)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6435. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Ohio River, Olmstead, IL" ((RIN1625-AA00) (Docket No. USCG-2018-07000)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6436. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant

to law, the report of a rule entitled "Safety Zone; Lower Mississippi River, New Orleans, LA" ((RIN1625-AA00) (Docket No. USCG-2018-0348)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6437. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Allegheny River Miles 0.7 to 1.0, Pittsburgh, PA" ((RIN1625-AA00) (Docket No. USCG-2018-0810)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6438. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ohio River Miles 0.0 to 0.5, Pittsburgh, PA" ((RIN1625-AA00) (Docket No. USCG-2018-0743)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6439. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sandusky Bicentennial Fireworks, Sandusky Bay, Sandusky, OH" ((RIN1625-AA00) (Docket No. USCG-2018-0777)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6440. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Great Lakes Offshore Grand Prix, Lake Erie, Dunkirk, NY" ((RIN1625-AA00) (Docket No. USCG-2018-0683)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6441. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Roanoke River, Plymouth, NC" ((RIN1625-AA08) (Docket No. USCG-2018-0771)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6442. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Michigan Championships; Detroit River; Detroit, MI" ((RIN1625-AA08) (Docket No. USCG-2018-0732)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6443. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Battle of the Bridges, Intracoastal Waterway; Venice, FL" ((RIN1625-AA08) (Docket No. USCG-2018-0608)) received in the Office of the President of the Senate on September 4, 2018; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1768. A bill to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes (Rept. No. 115-336).

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

\*Rick A. Dearborn, of Oklahoma, to be a Director of the Amtrak Board of Directors for a term of five years.

\*James Morhard, of Virginia, to be Deputy Administrator of the National Aeronautics and Space Administration.

\*Kelvin Droegemeier, of Oklahoma, to be Director of the Office of Science and Technology Policy.

\*Joel Szabat, of Maryland, to be an Assistant Secretary of Transportation.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### 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 Mrs. FISCHER (for herself, Mr. KING, and Mr. HELLER):

S. 3412. A bill to amend the Internal Revenue Code of 1986 to extend the employer credit for paid family and medical leave, and for other purposes; to the Committee on Finance.

By Mr. MURPHY (for himself, Mr. BLUMENTHAL, Ms. WARREN, and Mr. SANDERS):

S. 3413. A bill to amend the Elementary and Secondary Education Act of 1965 to establish the Strength in Diversity Program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 3414. A bill to designate the facility of the United States Postal Service located at 20 Ferry Road in Saunderstown, Rhode Island, as the "Captain Matthew J. August Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HIRONO:

S. 3415. A bill to extend, for a period of two years, the authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. COONS, and Mr. HATCH):

S. 3416. A bill to amend the Leahy-Smith America Invents Act to extend the period during which the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office may set or adjust certain fees; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. TILLIS, Mr. WYDEN, Mr. WARNER, Mr. BROWN, and Mrs. SHAHEEN):

S. 3417. A bill to require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing

separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 3418. A bill to amend title 49, United States Code, to ensure that revenues collected from passengers as aviation security fees are used to help finance the costs of aviation security screening by repealing a requirement that a portion of such fees be credited as offsetting receipts and deposited in the general fund of the Treasury; to the Committee on Commerce, Science, and Transportation.

By Ms. HIRONO (for herself and Mr. BOOZMAN):

S. 3419. A bill to amend title 38, United States Code, to extend authorities relating to homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HARRIS (for herself and Mr. GARDNER):

S. 3420. A bill to require the Food and Drug Administration to prioritize the promotional materials for drugs for serious, life-threatening diseases or conditions or substance use disorders, especially opioid drugs and drugs for medication-assisted treatment, in considering whether promotional materials are false or misleading; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PERDUE:

S. 3421. A bill to provide for exclusive Federal jurisdiction over certain civil securities fraud actions, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Mr. BOOKER, Mr. RISC, Mr. CRAPO, Mrs. CAPITO, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MANCHIN, and Mr. COONS):

S. 3422. A bill to direct the Secretary of Energy to establish advanced nuclear goals, provide for a versatile, reactor-based fast neutron source, make available high-assay, low-enriched uranium for research, development, and demonstration of advanced nuclear reactor concepts, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCOTT (for himself and Mr. CASSIDY):

S. 3423. A bill to revise the amounts for discretionary Federal Pell Grant funding, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY:

S. 3424. A bill to amend title 5, United States Code, to provide for an investment option under the Thrift Savings Plan that does not include investment in any fossil fuel companies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD:

S. 3425. A bill to redirect United States funding from the United Nations Relief and Works Agency for Palestine Refugees in the Near East to other entities providing assistance to Palestinians living in the West Bank, the Gaza Strip, Jordan, Syria, and Lebanon; to the Committee on Foreign Relations.

By Mr. SCHATZ (for himself and Ms. MURKOWSKI):

S. 3426. A bill to require the Secretary of Defense to establish an initiative on improving the capacity of military criminal investigative organizations to prevent child sexual exploitation, and for other purposes; to the Committee on Armed Services.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. RUBIO (for himself, Mr. CARDIN, Mr. FLAKE, Mrs. SHAHEEN, Mr. YOUNG, Mr. MERKLEY, Mr. KENNEDY, Mrs. GILLIBRAND, Ms. COLLINS, Mr. MARKEY, Mr. JOHNSON, Mr. VAN HOLLEN, Mr. COONS, and Mr. BOOKER):

S. Res. 622. A resolution supporting renaming NATO Headquarters after the late United States Senator John Sidney McCain, III; to the Committee on Foreign Relations.

By Mr. MCCONNELL:

S. Res. 623. A resolution to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. KAINE (for himself, Mr. WARNER, Mrs. CAPITO, and Mr. BOOKER):

S. Res. 624. A resolution commemorating Arthur Ashe, a native of Richmond, Virginia, on the 50th anniversary of his historic win at the 1968 U.S. Open Tennis Championship and honoring his humanitarian contributions to civil rights, education, the movement against apartheid in South Africa, and HIV/AIDS awareness; considered and agreed to.

By Mr. COONS (for himself, Mr. CASSIDY, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. BOOKER, Mr. MENENDEZ, Mr. TOOMEY, Mr. JONES, Mr. BLUMENTHAL, Mr. MARKEY, Ms. HARRIS, Ms. HASSAN, Mr. REED, Mr. WHITEHOUSE, Ms. WARREN, Mr. MURPHY, Mr. KAINE, Mrs. MURRAY, Mr. BROWN, Mr. VAN HOLLEN, Mrs. SHAHEEN, and Mr. DONNELLY):

S. Con. Res. 45. A concurrent resolution recognizing September 11, 2018, as a "National Day of Service and Remembrance"; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 319

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 319, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits.

S. 352

At the request of Mr. CORKER, the names of the Senator from Delaware (Mr. COONS) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 352, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick "Roddie" Edmonds in recognition of his heroic actions during World War II.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 497, a bill to amend title

XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 515

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 515, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 548

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 548, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 689

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 689, a bill to provide women with increased access to preventive and life-saving cancer screening.

S. 796

At the request of Mr. WARNER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 796, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 817

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 817, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 998

At the request of Mr. DAINES, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 998, a bill to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes.

S. 1503

At the request of Ms. WARREN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor 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. 1730

At the request of Ms. COLLINS, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Michigan (Mr. PETERS), the Senator from Washington (Ms. CANTWELL), the Senator from Colorado (Mr. BENNET), the Senator from Montana (Mr. TESTER), the

Senator from Maryland (Mr. VAN HOLLEN), the Senator from Florida (Mr. NELSON), the Senator from Rhode Island (Mr. REED), the Senator from Massachusetts (Mr. MARKEY), the Senator from Indiana (Mr. DONNELLY), the Senator from Maryland (Mr. CARDIN), the Senator from Alabama (Mr. JONES) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1730, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 1942

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1942, a bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

S. 2233

At the request of Mr. UDALL, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2233, a bill to protect Native children and promote public safety in Indian country.

S. 2423

At the request of Mr. SCHATZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2423, a bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes.

S. 2535

At the request of Mr. DURBIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2535, a bill to amend the Controlled Substances Act to strengthen Drug Enforcement Administration discretion in setting opioid quotas.

S. 2554

At the request of Ms. COLLINS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2554, a bill to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

S. 2593

At the request of Mr. LANKFORD, the names of the Senator from Utah (Mr. HATCH) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2593, a bill to protect the administration of Federal elections against cybersecurity threats.

S. 2845

At the request of Ms. BALDWIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2845, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2996

At the request of Ms. WARREN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S.

2996, a bill to make available necessary disaster assistance for families affected by major disasters, and for other purposes.

S. 3247

At the request of Mr. BOOZMAN, the name of the Senator from South Carolina (Mr. GRAHAM) 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. 3260

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3260, a bill to amend the Internal Revenue Code of 1986 to include individuals receiving Social Security Disability Insurance benefits under the work opportunity credit, increase the work opportunity credit for vocational rehabilitation referrals, qualified SSI recipients, and qualified SSDI recipients, expand the disabled access credit, and enhance the deduction for expenditures to remove architectural and transportation barriers to the handicapped and elderly.

S. 3271

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3271, a bill to prohibit the use of payment of money as a condition of pretrial release in Federal criminal cases, and for other purposes.

S. 3283

At the request of Mr. ROUNDS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3283, a bill to require the appropriate Federal banking agencies to increase the risk-sensitivity of the capital treatment of certain centrally cleared exchange-listed options and derivatives, and for other purposes.

S. 3290

At the request of Mr. COTTON, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3290, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Tomb of the Unknown Soldier.

S. 3298

At the request of Mr. DAINES, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3298, a bill to extend the authority of the Vietnam Veterans Memorial Fund, Inc., to establish a visitor center for the Vietnam Veterans Memorial.

S.J. RES. 63

At the request of Ms. BALDWIN, the names of the Senator from Colorado (Mr. BENNET), the Senator from Massachusetts (Mr. MARKEY), the Senator from Massachusetts (Ms. WARREN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vir-

ginia (Mr. WARNER), the Senator from Washington (Ms. CANTWELL), the Senator from Minnesota (Ms. SMITH), the Senator from New Mexico (Mr. UDALL), the Senator from California (Mrs. FEINSTEIN), the Senator from Vermont (Mr. SANDERS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Illinois (Mr. DURBIN), the Senator from Maryland (Mr. CARDIN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S.J. Res. 63, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury, Secretary of Labor, and Secretary of Health and Human Services relating to "Short-Term, Limited Duration Insurance".

S. RES. 61

At the request of Ms. STABENOW, her name was added as a cosponsor of S. Res. 61, a resolution calling on the Department of Defense, other elements of the Federal Government, and foreign governments to intensify efforts to investigate, recover, and identify all missing and unaccounted-for personnel of the United States.

S. RES. 481

At the request of Mr. HATCH, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. Res. 481, a resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, and for other purposes.

S. RES. 525

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. Res. 525, a resolution designating September 2018 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 622—SUPPORTING RENAMING NATO HEADQUARTERS AFTER THE LATE UNITED STATES SENATOR JOHN SIDNEY MCCAIN, III

Mr. RUBIO (for himself, Mr. CARDIN, Mr. FLAKE, Mrs. SHAHEEN, Mr. YOUNG, Mr. MERKLEY, Mr. KENNEDY, Mrs. GILLIBRAND, Ms. COLLINS, Mr. MARKEY, Mr. JOHNSON, Mr. VAN HOLLEN, Mr. COONS, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 622

Whereas the late United States Senator John Sidney McCain, III, wrote on February 4, 2006, "We in the transatlantic community should dare to dream today of the future we might help build in Europe's borderlands, in Central Asia, and throughout the Broader Middle East. As partners in a shared and historic endeavor that has already transformed

the lives of millions, we should discount neither the power of our ideals nor the capacity of our democracies. In turning back the forces of tyranny and terror, and in helping to secure the blessings of liberty everywhere, we will embark on a project worthy of this grand alliance. And in doing so, we will prevail, as we have prevailed before—together.”;

Whereas Senator McCain, as Chairman of the Committee on Armed Services of the Senate, said during his opening statement on March 23, 2017, “The price our NATO allies paid in blood fighting alongside us should never be diminished. And we must never forget that America is safer and more secure because it has allies that are willing to step up and share the burden of collective security.”;

Whereas Senator McCain stated on July 10, 2018, “As we face the most complex and dangerous security environment since the end of the Cold War, we must not forget that America is safer and more secure because we work with and through our allies. Throughout the past seven decades, the United States and its NATO allies have served together, fought together, and sacrificed together for a vision of the world based on freedom, democracy, human rights and rule of law. Our enduring alliance stands as an important safeguard in preserving this world order—and it is essential to securing our national interests.”;

Whereas Member of Parliament of the United Kingdom Tom Tugendhat, Chair of the Foreign Affairs Committee in the House of Commons, has advocated for NATO to rename its headquarters after Senator McCain, saying that “[f]ew argued more passionately for a shared commitment to each other’s security or understood better that we are all part of one great experiment in freedom”;

Whereas NATO has already stated that it would “carefully consider” renaming its headquarters building after Senator McCain;

Whereas NATO’s new headquarters building was inaugurated on May 25, 2017, is the political and administrative center for NATO activities, is home to the North Atlantic Council and NATO’s international staff and international military staff, and hosts approximately 6,000 meetings a year;

Whereas former NATO Secretaries General Anders Fogh Rasmussen, Lord George Robertson, and Javier Solana have urged NATO to rename its new headquarters after Senator McCain, writing that “few things symbolise this alliance, and the enduring benefits of American global leadership, more vividly than the life and work of John McCain” and that “[w]hether advancing the cause of freedom across the former Soviet states of eastern Europe or defending the multilateral international order at a time of skepticism, his work was a beacon for all of us who believe that transatlantic unity is the only means for ensuring peace”;

Whereas current NATO Secretary General Jans Stoltenberg wrote that Senator McCain “will be remembered both in Europe and North America for his courage and character, and as a strong supporter of NATO”;

Whereas renaming NATO headquarters after Senator McCain would need the unanimous approval of all 29 members of NATO: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes, as the late United States Senator John Sidney McCain, III, did, the immense benefits to the United States and the world of the NATO alliance;

(2) strongly supports the renaming of NATO headquarters in Brussels, Belgium, after Senator McCain;

(3) calls on all NATO members to support renaming NATO headquarters after Senator McCain, in recognition of his long and iron-clad support for NATO; and

(4) urges the President to support renaming NATO headquarters after Senator McCain and to direct appropriate officials at the Department of State and the Department of Defense to advocate for their counterparts in NATO member states to support renaming NATO headquarters after Senator McCain.

**SENATE RESOLUTION 623—TO CONSTITUTE THE MAJORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED FIFTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN**

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 623

*Resolved*, That the following shall constitute the majority party’s membership on the following committees for the One Hundred Fifteenth Congress, or until their successors are chosen:

COMMITTEE ON ARMED SERVICES: Mr. Inhofe (Chairman), Mr. Wicker, Mrs. Fischer, Mr. Cotton, Mr. Rounds, Mrs. Ernst, Mr. Tillis, Mr. Sullivan, Mr. Perdue, Mr. Cruz, Mr. Graham, Mr. Sasse, Mr. Scott, Mr. Kyl.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Johnson (Chairman), Mr. Portman, Mr. Paul, Mr. Lankford, Mr. Enzi, Mr. Hoeven, Mr. Daines, Mr. Kyl.

COMMITTEE ON INDIAN AFFAIRS: Mr. Hoeven (Chairman), Mr. Barrasso, Mrs. Murkowski, Mr. Lankford, Mr. Daines, Mr. Crapo, Mr. Moran, Mr. Kyl.

**SENATE RESOLUTION 624—COMMEMORATING ARTHUR ASHE, A NATIVE OF RICHMOND, VIRGINIA, ON THE 50TH ANNIVERSARY OF HIS HISTORIC WIN AT THE 1968 U.S. OPEN TENNIS CHAMPIONSHIP AND HONORING HIS HUMANITARIAN CONTRIBUTIONS TO CIVIL RIGHTS, EDUCATION, THE MOVEMENT AGAINST APARTHEID IN SOUTH AFRICA, AND HIV/AIDS AWARENESS**

Mr. KAINE (for himself, Mr. WARNER, Mrs. CAPITO, and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

S. RES. 624

Whereas Arthur Ashe won the U.S. Open Tennis Championship on September 9, 1968, in the first year the tournament was open to professionals, while he was on active duty based at the United States Military Academy, also known as West Point;

Whereas Arthur Ashe’s victory, following his amateur U.S. National Championship title two weeks earlier, marked the first time an African-American man won a major title;

Whereas Arthur Ashe was born in Richmond, Virginia, on July 10, 1943, and raised by his widowed father in a house on the grounds of Brook Field, the largest playground for blacks in Richmond, the segregated capital of the former Confederacy;

Whereas Arthur Ashe first learned to play tennis at 7 years old and showed enough talent to later receive coaching and guidance from Dr. Robert Walter Johnson, a pioneer for black tennis players;

Whereas, although prohibited in Richmond from competing in tournaments and prac-

ticing at municipal indoor courts because of segregation, Arthur Ashe won the National Junior Indoor tennis title, becoming the first African-American male to do so and earning a scholarship in 1963 to play tennis at the University of California, Los Angeles (UCLA), where he joined the Reserve Officer Training Corps;

Whereas Arthur Ashe graduated from UCLA with a bachelor’s degree in Business Administration and was assigned to West Point by the United States Army, where he earned promotions to first lieutenant and also led the tennis program;

Whereas the amateur and professional tennis accomplishments of Arthur Ashe included National Collegiate Athletic Association singles and doubles titles, the Australian Open title in 1970, and the Wimbledon title in 1975;

Whereas Arthur Ashe became the first black player selected to the Davis Cup team for the United States, which he later coached;

Whereas Arthur Ashe’s accomplishments on the tennis court gave him a platform to pursue social justice during a turbulent time in the civil rights era;

Whereas Arthur Ashe’s activism included efforts to end apartheid in South Africa;

Whereas Arthur Ashe pushed for, and eventually earned, a visa to play in the National Championships in South Africa in 1973;

Whereas Arthur Ashe was arrested twice, first for protesting outside the Embassy of South Africa in Washington, D.C., and later for protesting the repatriation of Haitian refugees by the United States Government;

Whereas Arthur Ashe researched the history of African-American athletics and published a groundbreaking book, “Hard Road to Glory: A History of the African-American Athlete”, celebrating the accomplishments of heroes known and unknown;

Whereas after suffering a heart attack in 1979 and contracting HIV/AIDS as a result of a blood transfusion, Arthur Ashe resolved to educate the people of the United States and the world about the disease and advocated for more resources to end an epidemic that disproportionately affected marginalized communities, including communities of color;

Whereas Arthur Ashe succumbed to complications from HIV/AIDS and died on February 6, 1993, and became the first African American to lie in state at the Governor’s Mansion in Richmond; and

Whereas President Bill Clinton posthumously awarded Arthur Ashe the Presidential Medal of Freedom on June 20, 1993, and the Richmond City Council voted unanimously to erect a statue on historic Monument Avenue to honor his achievements: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors Arthur Ashe, a native of Richmond, Virginia, on the 50th anniversary of his historic win at the U.S. Open Tennis Championship; and

(2) celebrates his contributions to education, scholarship, the anti-apartheid movement, and HIV/AIDS awareness.

**SENATE CONCURRENT RESOLUTION 45—RECOGNIZING SEPTEMBER 11, 2018, AS A “NATIONAL DAY OF SERVICE AND REMEMBRANCE”**

Mr. COONS (for himself, Mr. CASSIDY, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. BOOKER, Mr. MENENDEZ, Mr. TOOMEY, Mr. JONES, Mr. BLUMENTHAL, Mr. MARKEY, Ms. HARRIS, Ms. HASSAN, Mr. REED, Mr. WHITEHOUSE, Ms. WARREN,

Mr. MURPHY, Mr. KAINE, Mrs. MURRAY, Mr. BROWN, Mr. VAN HOLLEN, Mrs. SHAHEEN, and Mr. DONNELLY) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON RES. 45

Whereas, on September 11, 2001, the United States of America endured a violent terrorist attack leading to the tragic deaths and injuries of thousands of innocent United States citizens and other citizens from more than 90 different nations and territories;

Whereas, in response to the attacks in New York City, Washington, D.C., and Shanksville, Pennsylvania, firefighters, uniformed officers, emergency medical technicians, physicians, nurses, military personnel, and other first responders immediately rose to service in the heroic attempt to save the lives of those in danger;

Whereas, in the immediate aftermath of the attacks, thousands of recovery workers, including trades personnel, iron workers, equipment operators, and many others, joined with uniformed officers and military personnel to help search for and recover victims lost in the attacks;

Whereas, in the days, weeks, and months following the attacks, thousands of people in the United States and others spontaneously volunteered to help support the rescue and recovery efforts, braving both physical and emotional hardship;

Whereas many first responders, rescue and recovery workers, volunteers, and survivors of the attacks continue to suffer from serious medical illnesses and emotional distress related to the physical and mental trauma of the tragedy;

Whereas hundreds of thousands of brave men and women continue to serve every day, having answered the call to duty as members of the Armed Forces of the United States, with some having given their lives or suffered injury to defend our Nation's security and prevent further terrorist attacks;

Whereas the entire Nation witnessed and endured the tragedy of September 11, 2001, and, in the immediate aftermath of the attacks, became unified under a remarkable spirit of service and compassion that inspired the Nation;

Whereas, in the years immediately following the attacks of September 11, 2001, the Bureau of Labor Statistics documented a marked increase in volunteerism among citizens in the United States;

Whereas, on March 31, 2009, Congress adopted the bipartisan Edward M. Kennedy Serve America Act, which, signed into law on April 21, 2009, by President Barack Obama authorized, at the request of the 9/11 community, for the first time Federal recognition of September 11 as a "National Day of Service and Remembrance"; and

Whereas, since Congress and the President provided for Federal recognition of September 11 as a "National Day of Service and Remembrance", commonly referred to today as "9/11 Day", more than 30,000,000 people in the United States now observe the anniversary by engaging in a wide range of charitable service activities and private forms of prayer and remembrance: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) calls upon its Members and all people of the United States to observe September 11, 2018, as a "National Day of Service and Remembrance", with appropriate and personal expressions of reflection, which can include performing good deeds, displaying the United States flag, attending memorial and remembrance services, and voluntarily engaging in

community service or other charitable activities of their own choosing in honor of those who lost their lives or were injured in the attacks of September 11, 2001, and in tribute to those who rose to service to come to the aid of those in need, and in defense of our Nation; and

(2) urges all people of the United States to continue to live their lives throughout the year with the same spirit of unity, service, and compassion that was exhibited throughout the Nation following the terrorist attacks of September 11, 2001.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4011. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2554, to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees; which was ordered to lie on the table.

SA 4012. Mr. MCCONNELL (for Mr. HATCH (for himself and Mr. HEINRICH)) proposed an amendment to the bill S. 1417, to require the Secretary of the Interior to develop a categorical exclusion for covered vegetative management activities carried out to establish or improve habitat for greater sage-grouse and mule deer, and for other purposes.

SA 4013. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill H.R. 6, to provide for opioid use disorder prevention, recovery, and treatment, and for other purposes; which was ordered to lie on the table.

SA 4014. Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

#### TEXT OF AMENDMENTS

SA 4011. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2554, to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees; which was ordered to lie on the table; as follows:

On page 4, strike line 2 and all that follows through line 6 on page 5 and insert the following:

“(a) IN GENERAL.—A self-insured group health plan shall—

“(1) not restrict, directly or indirectly, any pharmacy that dispenses a prescription drug to an enrollee in the plan from informing (or penalize such pharmacy for informing) an enrollee of any differential between the enrollee's out-of-pocket cost under the plan with respect to acquisition of the drug and the amount an individual would pay for acquisition of the drug without using the plan; and

“(2) ensure that any entity that provides pharmacy benefits management services under a contract with any such health plan does not, with respect to such plan, restrict, directly or indirectly, a pharmacy that dispenses a prescription drug from informing (or penalize such pharmacy for informing) an enrollee of any differential between the enrollee's out-of-pocket cost under the plan with respect to acquisition of the drug and the amount an individual would pay for acquisition of the drug without using the plan.

“(b) DEFINITION.—For purposes of this section, the term ‘out-of-pocket cost’, with re-

spect to acquisition of a drug, means the amount to be paid by the enrollee under the health plan, including any cost-sharing (including any deductible, copayment, or coinsurance) and, as determined by the Secretary, any other expenditure.”.

SA 4012. Mr. MCCONNELL (for Mr. HATCH (for himself and Mr. HEINRICH)) proposed an amendment to the bill S. 1417, to require the Secretary of the Interior to develop a categorical exclusion for covered vegetative management activities carried out to establish or improve habitat for greater sage-grouse and mule deer, and for other purposes; as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sage-Grouse and Mule Deer Habitat Conservation and Restoration Act of 2018”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) COVERED VEGETATION MANAGEMENT ACTIVITY.—

(A) IN GENERAL.—The term “covered vegetation management activity” means any activity described in subparagraph (B) that—

(i) is carried out on public land administered by the Bureau of Land Management;

(ii) meets the objectives of the order of the Secretary numbered 3336 and dated January 5, 2015;

(iii) conforms to an applicable land use plan;

(iv) protects, restores, or improves greater sage-grouse or mule deer habitat in a sagebrush steppe ecosystem as described in—

(I) Circular 1416 of the United States Geological Survey entitled “Restoration Handbook for Sagebrush Steppe Ecosystems with Emphasis on Greater Sage-Grouse Habitat—Part 1. Concepts for Understanding and Applying Restoration” (2015); or

(II) the habitat guidelines for mule deer published by the Mule Deer Working Group of the Western Association of Fish and Wildlife Agencies;

(v) will not permanently impair—

(I) the natural state of the treated area;

(II) outstanding opportunities for solitude;

(III) outstanding opportunities for primitive, unconfined recreation;

(IV) economic opportunities consistent with multiple-use management; or

(V) the identified values of a unit of the National Landscape Conservation System; and

(vi)(I) restores native vegetation following a natural disturbance;

(II) prevents the expansion into greater sage-grouse or mule deer habitat of—

(aa) juniper, pinyon pine, or other associated conifers; or

(bb) nonnative or invasive vegetation;

(III) reduces the risk of loss of greater sage-grouse or mule deer habitat from wildfire or any other natural disturbance; or

(IV) provides emergency stabilization of soil resources after a natural disturbance.

(B) DESCRIPTION OF ACTIVITIES.—An activity referred to in subparagraph (A) is—

(i) manual cutting and removal of juniper trees, pinyon pine trees, other associated conifers, or other nonnative or invasive vegetation;

(ii) mechanical mastication, cutting, or mowing, mechanical piling and burning, chaining, broadcast burning, or yarding;

(iii) removal of cheat grass, medusa head rye, or other nonnative, invasive vegetation;

(iv) collection and seeding or planting of native vegetation using a manual, mechanical, or aerial method;

(v) seeding of nonnative, noninvasive, ruderal vegetation only for the purpose of emergency stabilization;

(vi) targeted use of an herbicide, subject to the condition that the use shall be in accordance with applicable legal requirements, Federal agency procedures, and land use plans;

(vii) targeted livestock grazing to mitigate hazardous fuels and control noxious and invasive weeds;

(viii) temporary removal of wild horses or burros in the area in which the activity is being carried out to ensure treatment objectives are met;

(ix) in coordination with the affected permit holder, modification or adjustment of permissible usage under an annual plan of use of a grazing permit issued by the Secretary to achieve restoration treatment objectives;

(x) installation of new, or modification of existing, fencing or water sources intended to control use or improve wildlife habitat; or

(xi) necessary maintenance of, repairs to, rehabilitation of, or reconstruction of an existing permanent road or construction of temporary roads to accomplish the activities described in this subparagraph.

(C) EXCLUSIONS.—The term “covered vegetation management activity” does not include—

(i) any activity conducted in a wilderness area or wilderness study area; or

(ii) any activity for the construction of a permanent road or permanent trail.

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

(3) TEMPORARY ROAD.—The term “temporary road” means a road that is—

(A) authorized—

(i) by a contract, permit, lease, other written authorization; or

(ii) pursuant to an emergency operation;

(B) not intended to be part of the permanent transportation system of a Federal department or agency;

(C) not necessary for long-term resource management;

(D) designed in accordance with standards appropriate for the intended use of the road, taking into consideration—

(i) safety;

(ii) the cost of transportation; and

(iii) impacts to land and resources; and

(E) managed to minimize—

(i) erosion; and

(ii) the introduction or spread of invasive species.

### SEC. 3. IMPROVEMENT OF HABITAT FOR GREATER SAGE-GROUSE AND MULE DEER.

(a) CATEGORICAL EXCLUSION.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall develop 1 or more categorical exclusions (as defined in section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation)) for covered vegetation management activities carried out to protect, restore, or improve habitat for greater sage-grouse or mule deer.

(2) ADMINISTRATION.—In developing and administering a categorical exclusion under paragraph (1), the Secretary shall—

(A) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) apply the extraordinary circumstances procedures under section 220.6 of title 36, Code of Federal Regulations (or successor regulations), in determining whether to use the categorical exclusion; and

(C) consider—

(i) the relative efficacy of landscape-scale habitat projects;

(ii) the likelihood of continued declines in the populations of greater sage-grouse and

mule deer in the absence of landscape-scale vegetation management; and

(iii) the need for habitat restoration activities after wildfire or other natural disturbances.

(b) IMPLEMENTATION OF COVERED VEGETATIVE MANAGEMENT ACTIVITIES WITHIN THE RANGE OF GREATER SAGE-GROUSE AND MULE DEER.—If a categorical exclusion developed under subsection (a) is used to implement a covered vegetative management activity in an area within the range of both greater sage-grouse and mule deer, the covered vegetative management activity shall protect, restore, or improve habitat concurrently for both greater sage-grouse and mule deer.

(c) LONG-TERM MONITORING AND MAINTENANCE.—Before commencing any covered vegetation management activity that is covered by a categorical exclusion under subsection (a), the Secretary shall develop a long-term monitoring and maintenance plan, covering at least the 20 year-period beginning on the date of commencement, to ensure that management of the treated area does not degrade the habitat gains secured by the covered vegetation management activity.

(d) DISPOSAL OF VEGETATIVE MATERIAL.—Subject to applicable local restrictions, any vegetative material resulting from a covered vegetation management activity that is covered by a categorical exclusion under subsection (a) may be—

(1) used for—

(A) fuel wood; or

(B) other products; or

(2) piled or burned, or both.

(e) TREATMENT FOR TEMPORARY ROADS.—

(1) IN GENERAL.—Notwithstanding section 2(1)(B)(xi), any temporary road constructed in carrying out a covered vegetation management activity that is covered by a categorical exclusion under subsection (a)—

(A) shall be used by the Secretary for the covered vegetation management activity for not more than 2 years; and

(B) shall be decommissioned by the Secretary not later than 3 years after the earlier of the date on which—

(i) the temporary road is no longer needed; and

(ii) the project is completed.

(2) REQUIREMENT.—A treatment under paragraph (1) shall include reestablishing native vegetative cover—

(A) as soon as practicable; but

(B) not later than 10 years after the date of completion of the applicable covered vegetation management activity.

**SA 4013.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill H.R. 6, to provide for opioid use disorder prevention, recovery, and treatment, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Opioid Crisis Response Act of 2018”.

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

Sec. 1. Short title; table of contents.

#### TITLE I—OPIOID CRISIS RESPONSE ACT

Sec. 1001. Definitions.

##### Subtitle A—Reauthorization of Cures Funding

Sec. 1101. State response to the opioid abuse crisis.

##### Subtitle B—Research and Innovation

Sec. 1201. Advancing cutting-edge research.

Sec. 1202. Pain research.

Sec. 1203. Report on synthetic drug use.

##### Subtitle C—Medical Products and Controlled Substances Safety

Sec. 1301. Clarifying FDA regulation of non-addictive pain products.

Sec. 1302. Clarifying FDA packaging authorities.

Sec. 1303. Strengthening FDA and CBP coordination and capacity.

Sec. 1304. Clarifying FDA post-market authorities.

Sec. 1305. Restricting entrance of illicit drugs.

Sec. 1306. First responder training.

Sec. 1307. Disposal of controlled substances of hospice patients.

Sec. 1308. GAO study and report on hospice safe drug management.

Sec. 1309. Delivery of a controlled substance by a pharmacy to be administered by injection or implantation.

##### Subtitle D—Treatment and Recovery

Sec. 1401. Comprehensive opioid recovery centers.

Sec. 1402. Program to support coordination and continuation of care for drug overdose patients.

Sec. 1403. Alternatives to opioids.

Sec. 1404. Building communities of recovery.

Sec. 1405. Peer support technical assistance center.

Sec. 1406. Medication-assisted treatment for recovery from addiction.

Sec. 1407. Grant program.

Sec. 1408. Allowing for more flexibility with respect to medication-assisted treatment for opioid use disorders.

Sec. 1409. National recovery housing best practices.

Sec. 1410. Addressing economic and workforce impacts of the opioid crisis.

Sec. 1411. Career Act.

Sec. 1412. Pilot program to help individuals in recovery from a substance use disorder become stably housed.

Sec. 1413. Youth prevention and recovery.

Sec. 1414. Plans of safe care.

Sec. 1415. Regulations relating to special registration for telemedicine.

Sec. 1416. National Health Service Corps behavioral and mental health professionals providing obligated service in schools and other community-based settings.

Sec. 1417. Loan repayment for substance use disorder treatment providers.

Sec. 1418. Protecting moms and infants.

Sec. 1419. Early interventions for pregnant women and infants.

Sec. 1420. Report on investigations regarding parity in mental health and substance use disorder benefits.

##### Subtitle E—Prevention

Sec. 1501. Study on prescribing limits.

Sec. 1502. Programs for health care workforce.

Sec. 1503. Education and awareness campaigns.

Sec. 1504. Enhanced controlled substance overdoses data collection, analysis, and dissemination.

Sec. 1505. Preventing overdoses of controlled substances.

Sec. 1506. CDC surveillance and data collection for child, youth, and adult trauma.

Sec. 1507. Reauthorization of NASPER.

Sec. 1508. Jessie’s law.

Sec. 1509. Development and dissemination of model training programs for substance use disorder patient records.

Sec. 1510. Communication with families during emergencies.

- Sec. 1511. Prenatal and postnatal health.  
 Sec. 1512. Surveillance and education regarding infections associated with illicit drug use and other risk factors.  
 Sec. 1513. Task force to develop best practices for trauma-informed identification, referral, and support.  
 Sec. 1514. Grants to improve trauma support services and mental health care for children and youth in educational settings.  
 Sec. 1515. National Child Traumatic Stress Initiative.  
 Sec. 1516. National milestones to measure success in curtailing the opioid crisis.

## TITLE II—FINANCE

- Sec. 2001. Short title.  
 Subtitle A—Medicare  
 Sec. 2101. Medicare opioid safety education.  
 Sec. 2102. Expanding the use of telehealth services for the treatment of opioid use disorder and other substance use disorders.  
 Sec. 2103. Comprehensive screenings for seniors.  
 Sec. 2104. Every prescription conveyed securely.  
 Sec. 2105. Standardizing electronic prior authorization for safe prescribing.  
 Sec. 2106. Strengthening partnerships to prevent opioid abuse.  
 Sec. 2107. Commit to opioid medical prescriber accountability and safety for seniors.  
 Sec. 2108. Fighting the opioid epidemic with sunshine.  
 Sec. 2109. Demonstration testing coverage of certain services furnished by opioid treatment programs.  
 Sec. 2110. Encouraging appropriate prescribing under Medicare for victims of opioid overdose.  
 Sec. 2111. Automatic escalation to external review under a Medicare part D drug management program for at-risk beneficiaries.  
 Sec. 2112. Testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.  
 Sec. 2113. Medicare Improvement Fund.

## Subtitle B—Medicaid

- Sec. 2201. Caring recovery for infants and babies.  
 Sec. 2202. Peer support enhancement and evaluation review.  
 Sec. 2203. Medicaid substance use disorder treatment via telehealth.  
 Sec. 2204. Enhancing patient access to non-opioid treatment options.  
 Sec. 2205. Assessing barriers to opioid use disorder treatment.  
 Sec. 2206. Help for moms and babies.  
 Sec. 2207. Securing flexibility to treat substance use disorders.  
 Sec. 2208. MACPAC study and report on MAT utilization controls under State Medicaid programs.  
 Sec. 2209. Opioid addiction treatment programs enhancement.  
 Sec. 2210. Better data sharing to combat the opioid crisis.  
 Sec. 2211. Mandatory reporting with respect to adult behavioral health measures.  
 Sec. 2212. Report on innovative State initiatives and strategies to provide housing-related services and supports to individuals struggling with substance use disorders under Medicaid.  
 Sec. 2213. Technical assistance and support for innovative State strategies to provide housing-related supports under Medicaid.

## Subtitle C—Human Services

- Sec. 2301. Supporting family-focused residential treatment.  
 Sec. 2302. Improving recovery and reunifying families.  
 Sec. 2303. Building capacity for family-focused residential treatment.

## Subtitle D—Synthetics Trafficking and Overdose Prevention

- Sec. 2401. Short title.  
 Sec. 2402. Customs fees.  
 Sec. 2403. Mandatory advance electronic information for postal shipments.  
 Sec. 2404. International postal agreements.  
 Sec. 2405. Cost recoupment.  
 Sec. 2406. Development of technology to detect illicit narcotics.  
 Sec. 2407. Civil penalties for postal shipments.  
 Sec. 2408. Report on violations of arrival, reporting, entry, and clearance requirements and falsity or lack of manifest.  
 Sec. 2409. Effective date; regulations.

## TITLE III—JUDICIARY

## Subtitle A—Access to Increased Drug Disposal

- Sec. 3101. Short title.  
 Sec. 3102. Definitions.  
 Sec. 3103. Authority to make grants.  
 Sec. 3104. Application.  
 Sec. 3105. Use of grant funds.  
 Sec. 3106. Eligibility for grant.  
 Sec. 3107. Duration of grants.  
 Sec. 3108. Accountability and oversight.  
 Sec. 3109. Duration of program.  
 Sec. 3110. Authorization of appropriations.

## Subtitle B—Using Data To Prevent Opioid Diversion

- Sec. 3201. Short title.  
 Sec. 3202. Purpose.  
 Sec. 3203. Amendments.  
 Sec. 3204. Report.

## Subtitle C—Substance Abuse Prevention

- Sec. 3301. Short title.  
 Sec. 3302. Reauthorization of the Office of National Drug Control Policy.  
 Sec. 3303. Reauthorization of the Drug-Free Communities Program.  
 Sec. 3304. Reauthorization of the National Community Anti-Drug Coalition Institute.  
 Sec. 3305. Reauthorization of the High-Intensity Drug Trafficking Area Program.  
 Sec. 3306. Reauthorization of drug court program.  
 Sec. 3307. Drug court training and technical assistance.  
 Sec. 3308. Drug overdose response strategy.  
 Sec. 3309. Protecting law enforcement officers from accidental exposure.  
 Sec. 3310. COPS Anti-Meth Program.  
 Sec. 3311. COPS anti-heroin task force program.  
 Sec. 3312. Comprehensive Addiction and Recovery Act education and awareness.  
 Sec. 3313. Protecting children with addicted parents.  
 Sec. 3314. Reimbursement of substance use disorder treatment professionals.  
 Sec. 3315. Sobriety Treatment and Recovery Teams (START).  
 Sec. 3316. Provider education.  
 Sec. 3317. Demand reduction.  
 Sec. 3318. Anti-drug media campaign.  
 Sec. 3319. Technical corrections to the office of national drug control policy reauthorization act of 1998.

## Subtitle D—Synthetic Abuse and Labeling of Toxic Substances

- Sec. 3401. Short title.  
 Sec. 3402. Controlled substance analogues.

## Subtitle E—Opioid Quota Reform

- Sec. 3501. Short title.  
 Sec. 3502. Strengthening considerations for DEA opioid quotas.

## Subtitle F—Preventing Drug Diversion

- Sec. 3601. Short title.  
 Sec. 3602. Improvements to prevent drug diversion.

## Subtitle G—Sense of Congress

- Sec. 3701. Sense of Congress.

## TITLE IV—COMMERCE

## Subtitle A—Fighting Opioid Abuse in Transportation

- Sec. 4101. Short title.  
 Sec. 4102. Rail mechanical employee controlled substances and alcohol testing.  
 Sec. 4103. Rail yardmaster controlled substances and alcohol testing.  
 Sec. 4104. Department of Transportation public drug and alcohol testing database.  
 Sec. 4105. GAO report on Department of Transportation's collection and use of drug and alcohol testing data.  
 Sec. 4106. Transportation Workplace Drug and Alcohol Testing Program; addition of fentanyl.  
 Sec. 4107. Status reports on hair testing guidelines.  
 Sec. 4108. Mandatory Guidelines for Federal Workplace Drug Testing Programs Using Oral Fluid.  
 Sec. 4109. Electronic recordkeeping.  
 Sec. 4110. Status reports on Commercial Driver's License Drug and Alcohol Clearinghouse.

## Subtitle B—Opioid Addiction Recovery Fraud Prevention

- Sec. 4201. Short title.  
 Sec. 4202. Definitions.  
 Sec. 4203. False or misleading representations with respect to opioid treatment programs and products.

## TITLE I—OPIOID CRISIS RESPONSE ACT

## SEC. 1001. DEFINITIONS.

In this title—

- (1) the terms “Indian Tribe” and “tribal organization” have the meanings given the terms “Indian tribe” and “tribal organization” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); and  
 (2) the term “Secretary” means the Secretary of Health and Human Services, unless otherwise specified.

## Subtitle A—Reauthorization of Cures Funding

## SEC. 1101. STATE RESPONSE TO THE OPIOID ABUSE CRISIS.

(a) IN GENERAL.—Section 1003 of the 21st Century Cures Act (Public Law 114-255) is amended—

(1) in subsection (a)—

(A) by striking “the authorization of appropriations under subsection (b) to carry out the grant program described in subsection (c)” and inserting “subsection (h) to carry out the grant program described in subsection (b)”; and

(B) by inserting “and Indian Tribes” after “States”;

(2) by striking subsection (b);

(3) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively;

(4) by redesignating subsection (f) as subsection (j);

(5) in subsection (b), as so redesignated—

(A) in paragraph (1)—

(i) in the paragraph heading, by inserting “AND INDIAN TRIBE” after “STATE”;

(ii) by striking “States for the purpose of addressing the opioid abuse crisis within such States” and inserting “States and Indian Tribes for the purpose of addressing the opioid abuse crisis within such States and Indian Tribes”;

(iii) by inserting “or Indian Tribes” after “preference to States”; and

(iv) by inserting before the period of the second sentence “or other Indian Tribes, as applicable”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “to a State”;

(ii) in subparagraph (A), by striking “State”;

(iii) in subparagraph (C), by inserting “preventing diversion of controlled substances,” after “treatment programs,”; and

(iv) in subparagraph (E), by striking “as the State determines appropriate, related to addressing the opioid abuse crisis within the State” and inserting “as the State or Indian Tribe determines appropriate, related to addressing the opioid abuse crisis within the State, including directing resources in accordance with local needs related to substance use disorders”;

(6) in subsection (c), as so redesignated, by striking “subsection (c)” and inserting “subsection (b)”;

(7) in subsection (d), as so redesignated—

(A) in the matter preceding paragraph (1), by striking “the authorization of appropriations under subsection (b)” and inserting “subsection (h)”;

(B) in paragraph (1), by striking “subsection (c)” and inserting “subsection (b)”;

(8) by inserting after subsection (d), as so redesignated, the following:

“(e) INDIAN TRIBES.—

“(1) DEFINITION.—For purposes of this section, the term ‘Indian Tribe’ has the meaning given the term ‘Indian tribe’ in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(2) APPROPRIATE MECHANISMS.—The Secretary, in consultation with Indian Tribes, shall identify and establish appropriate mechanisms for Tribes to demonstrate or report the information as required under subsections (b), (c), and (d).

“(f) REPORT TO CONGRESS.—Not later than 1 year after the date on which amounts are first awarded after the date of enactment of the Opioid Crisis Response Act of 2018, pursuant to subsection (b), and annually thereafter, 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 summarizing the information provided to the Secretary in reports made pursuant to subsection (c), including the purposes for which grant funds are awarded under this section and the activities of such grant recipients.

“(g) TECHNICAL ASSISTANCE.—The Secretary, including through the Tribal Training and Technical Assistance Center of the Substance Abuse and Mental Health Services Administration, shall provide State agencies and Indian Tribes, as applicable, with technical assistance concerning grant application and submission procedures under this section, award management activities, and enhancing outreach and direct support to rural and underserved communities and providers in addressing the opioid crisis.

“(h) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out the grant program under subsection (b), there is authorized to be appropriated \$500,000,000 for each of fiscal years 2019 through 2021, to remain available until expended.

“(i) SET ASIDE.—Of the amounts made available for each fiscal year to award grants

under subsection (b) for a fiscal year, 5 percent of such amount for such fiscal year shall be made available to Indian Tribes, and up to 15 percent of such amount for such fiscal year may be set aside for States with the highest age-adjusted rate of drug overdose death based on the ordinal ranking of States according to the Director of the Centers for Disease Control and Prevention.”

(b) CONFORMING AMENDMENT.—Section 1004(c) of the 21st Century Cures Act (Public Law 114-255) is amended by striking “, the FDA Innovation Account, or the Account For the State Response to the Opioid Abuse Crisis” and inserting “or the FDA Innovation Account”.

#### Subtitle B—Research and Innovation

##### SEC. 1201. ADVANCING CUTTING-EDGE RESEARCH.

Section 402(n)(1) of the Public Health Service Act (42 U.S.C. 282(n)(1)) is amended—

(1) in subparagraph (A), by striking “or”;

(2) in subparagraph (B), by striking the period and inserting “; or”;

(3) by adding at the end the following:

“(C) high impact cutting-edge research that fosters scientific creativity and increases fundamental biological understanding leading to the prevention, diagnosis, or treatment of diseases and disorders, or research urgently required to respond to a public health threat.”

##### SEC. 1202. PAIN RESEARCH.

Section 409J(b) of the Public Health Service Act (42 U.S.C. 284g(b)) is amended—

(1) in paragraph (5)—

(A) in subparagraph (A), by striking “and treatment of pain and diseases and disorders associated with pain” and inserting “treatment, and management of pain and diseases and disorders associated with pain, including information on best practices for utilization of non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration”;

(B) in subparagraph (B), by striking “on the symptoms and causes of pain;” and inserting the following: “on—

“(i) the symptoms and causes of pain, including the identification of relevant biomarkers and screening models and the epidemiology of acute and chronic pain;

“(ii) the diagnosis, prevention, treatment, and management of acute or chronic pain, including with respect to non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration; and

“(iii) risk factors for, and early warning signs of, substance use disorders; and”;

(C) by striking subparagraphs (C) through (E) and inserting the following:

“(C) make recommendations to the Director of NIH—

“(i) to ensure that the activities of the National Institutes of Health and other Federal agencies are free of unnecessary duplication of effort;

“(ii) on how best to disseminate information on pain care and epidemiological data related to acute and chronic pain; and

“(iii) on how to expand partnerships between public entities and private entities to expand collaborative, cross-cutting research.”;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

“(6) REPORT.—The Director of NIH shall ensure that recommendations and actions taken by the Director with respect to the topics discussed at the meetings described in paragraph (4) are included in appropriate reports to Congress.”

##### SEC. 1203. REPORT ON SYNTHETIC DRUG USE.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, 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 on the health effects of new psychoactive substances, including synthetic drugs, by adolescents and young adults.

(b) NEW PSYCHOACTIVE SUBSTANCE DEFINED.—For purposes of subsection (a), the term “new psychoactive substance” means a controlled substance analogue (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32))).

#### Subtitle C—Medical Products and Controlled Substances Safety

##### SEC. 1301. CLARIFYING FDA REGULATION OF NON-ADDICTIVE PAIN PRODUCTS.

(a) PUBLIC MEETINGS.—Not later than one year after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, shall hold not less than one public meeting to address the challenges and barriers of developing non-addictive medical products intended to treat pain or addiction, which may include—

(1) the manner by which the Secretary may incorporate the risks of misuse and abuse of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) into the risk benefit assessments under subsections (d) and (e) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), section 510(k) of such Act (21 U.S.C. 360(k)), or section 515(c) of such Act (21 U.S.C. 360e(c)), as applicable;

(2) the application of novel clinical trial designs (consistent with section 3021 of the 21st Century Cures Act (Public Law 114-255)), use of real world evidence (consistent with section 505F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g)), and use of patient experience data (consistent with section 569C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-8c)) for the development of non-addictive medical products intended to treat pain or addiction;

(3) the evidentiary standards and the development of opioid sparing data for inclusion in the labeling of medical products; and

(4) the application of eligibility criteria under sections 506 and 515B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356, 360e-3) for non-addictive medical products intended to treat pain or addiction.

(b) GUIDANCE.—Not less than one year after the public meetings are conducted under subsection (a) the Secretary shall issue one or more final guidance documents, or update existing guidance documents, to help address challenges to developing non-addictive medical products to treat pain or addiction. Such guidance documents shall include information regarding—

(1) how the Food and Drug Administration may apply sections 506 and 515B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356, 360e-3) to non-addictive medical products intended to treat pain or addiction, including the circumstances under which the Secretary—

(A) may apply the eligibility criteria under such sections 506 and 515B to non-addictive medical products intended to treat pain or addiction;

(B) considers the risk of addiction of controlled substances approved to treat pain when establishing unmet medical need; and

(C) considers pain, pain control, or pain management in assessing whether a disease or condition is a serious or life-threatening disease or condition;

(2) the methods by which sponsors may evaluate acute and chronic pain, endpoints for non-addictive medical products intended

to treat pain, the manner in which endpoints and evaluations of efficacy will be applied across and within review divisions, taking into consideration the etiology of the underlying disease, and the manner in which sponsors may use surrogate endpoints, intermediate endpoints, and real world evidence;

(3) the manner in which the Food and Drug Administration will assess evidence to support the inclusion of opioid sparing data in the labeling of non-addictive medical products intended to treat pain, including—

(A) data collection methodologies, including the use of novel clinical trial designs (consistent with section 3021 of the 21st Century Cures Act (Public Law 114-255)) and real world evidence (consistent with section 505F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g)), as appropriate, to support product labeling;

(B) ethical considerations of exposing subjects to controlled substances in clinical trials to develop opioid sparing data and considerations on data collection methods that reduce harm, which may include the reduction of opioid use as a clinical benefit;

(C) endpoints, including primary, secondary, and surrogate endpoints, to evaluate the reduction of opioid use;

(D) best practices for communication between sponsors and the agency on the development of data collection methods, including the initiation of data collection; and

(E) the appropriate format in which to submit such data results to the Secretary; and

(4) the circumstances under which the Food and Drug Administration considers misuse and abuse of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) in making the risk benefit assessment under paragraphs (2) and (4) of subsection (d) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and in finding that a drug is unsafe under paragraph (1) or (2) of subsection (e) of such section.

(c) DEFINITIONS.—In this section—

(1) the term “medical product” means a drug (as defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1))), biological product (as defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i))), or device (as defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h))); and

(2) the term “opioid sparing” means reducing, replacing, or avoiding the use of opioids or other controlled substances.

**SEC. 1302. CLARIFYING FDA PACKAGING AUTHORITIES.**

(a) ADDITIONAL POTENTIAL ELEMENTS OF STRATEGY.—Section 505-1(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(e)) is amended by adding at the end the following:

“(4) PACKAGING AND DISPOSAL.—The Secretary may require a risk evaluation mitigation strategy for a drug for which there is a serious risk of an adverse drug experience described in subparagraph (B) or (C) of subsection (b)(1), taking into consideration the factors described in subparagraphs (C) and (D) of subsection (f)(2) and in consultation with other relevant Federal agencies with authorities over drug packaging, which may include requiring that—

“(A) the drug be made available for dispensing to certain patients in unit dose packaging, packaging that provides a set duration, or another packaging system that the Secretary determines may mitigate such serious risk; or

“(B) the drug be dispensed to certain patients with a safe disposal packaging or safe disposal system for purposes of rendering drugs non-retrievable (as defined in section 1300.05 of title 21, Code of Federal Regula-

tions (or any successor regulation)) if the Secretary has determined that such safe disposal packaging or system may mitigate such serious risk and exists in sufficient quantities.”.

(b) ASSURING ACCESS AND MINIMIZING BURDEN.—Section 505-1(f)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(f)(2)(C)) is amended—

(1) in clause (i) by striking “and” at the end; and

(2) by adding at the end the following:

“(iii) patients with functional needs; and”.

(c) APPLICATION TO ABBREVIATED NEW DRUG APPLICATIONS.—Section 505-1(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(i)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) inserting after subparagraph (A) the following:

“(B) A packaging or disposal requirement, if required under subsection (e)(4) for the applicable listed drug.”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “and” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

“(B) shall permit packaging systems and safe disposal packaging or safe disposal systems that are different from those required for the applicable listed drug under subsection (e)(4); and”.

**SEC. 1303. STRENGTHENING FDA AND CBP COORDINATION AND CAPACITY.**

(a) IN GENERAL.—The Secretary, acting through the Commissioner of Food and Drugs, shall coordinate with the Secretary of Homeland Security to carry out activities related to customs and border protection and response to illegal controlled substances and drug imports, including at sites of import (such as international mail facilities). Such Secretaries may carry out such activities through a memorandum of understanding between the Food and Drug Administration and the U.S. Customs and Border Protection.

(b) FDA IMPORT FACILITIES AND INSPECTION CAPACITY.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall, in collaboration with the Secretary of Homeland Security and the Postmaster General of the United States Postal Service, provide that import facilities in which the Food and Drug Administration operates or carries out activities related to drug imports within the international mail facilities include—

(A) facility upgrades and improved capacity in order to increase and improve inspection and detection capabilities, which may include, as the Secretary determines appropriate—

(i) improvements to facilities, such as upgrades or renovations, and support for the maintenance of existing import facilities and sites to improve coordination between Federal agencies;

(ii) the construction of, or upgrades to, laboratory capacity for purposes of detection and testing of imported goods;

(iii) upgrades to the security of import facilities; and

(iv) innovative technology and equipment to facilitate improved and near-real-time information sharing between the Food and Drug Administration, the Department of Homeland Security, and the United States Postal Service; and

(B) innovative technology, including controlled substance detection and testing equipment and other applicable technology, in order to collaborate with the U.S. Customs and Border Protection to share near-

real-time information, including information about test results, as appropriate.

(2) INNOVATIVE TECHNOLOGY.—Any technology used in accordance with paragraph (1)(B) shall be interoperable with technology used by other relevant Federal agencies, including the U.S. Customs and Border Protection, as the Secretary determines appropriate.

(c) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security and the Postmaster General of the United States Postal Service, shall report to the relevant committees of Congress on the implementation of this section, including a summary of progress made towards near-real-time information sharing and the interoperability of such technologies.

(d) AUTHORIZATION OF APPROPRIATIONS.—Out of amounts otherwise available to the Secretary, the Secretary may allocate such sums as may be necessary for purposes of carrying out this section.

**SEC. 1304. CLARIFYING FDA POST-MARKET AUTHORITIES.**

Section 505-1(b)(1)(E) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(b)(1)(E)) is amended by striking “of the drug” and inserting “of the drug, which may include reduced effectiveness under the conditions of use prescribed in the labeling of such drug, but which may not include reduced effectiveness that is in accordance with such labeling”.

**SEC. 1305. RESTRICTING ENTRANCE OF ILLICIT DRUGS.**

(a) IN GENERAL.—The Secretary, acting through the Commissioner of Food and Drugs, upon discovering or receiving, in a package being offered for import, a controlled substance that is offered for import in violation of any requirement of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), or any other applicable law, shall transfer such package to the U.S. Customs and Border Protection. If the Secretary identifies additional packages that appear to be the same as such package containing a controlled substance, such additional packages may also be transferred to U.S. Customs and Border Protection. The U.S. Customs and Border Protection shall receive such packages consistent with the requirements of the Controlled Substances Act (21 U.S.C. 801 et seq.).

(b) DEBARMENT, TEMPORARY DENIAL OF APPROVAL, AND SUSPENSION.—

(1) IN GENERAL.—Section 306(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 335a(b)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “or (3)” after “paragraph (2)”;

(ii) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(iii) in subparagraph (B), by striking “, or” and inserting a semicolon;

(iv) in subparagraph (C), by striking the period and inserting “; or”; and

(v) by adding at the end the following:

“(D) a person from importing or offering for import into the United States a drug.”; and

(B) in paragraph (3)—

(i) in the heading, by striking “FOOD”;

(ii) in subparagraph (A), by striking “; or” and inserting a semicolon;

(iii) in subparagraph (B), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

“(C) the person has been convicted of a felony for conduct relating to the importation

into the United States of any drug or controlled substance (as defined in section 102 of the Controlled Substances Act);

“(D) the person has engaged in a pattern of importing or offering for import—

“(i) controlled substances that are prohibited from importation under section 401(m) of the Tariff Act of 1930 (19 U.S.C. 1401(m)); or

“(ii) adulterated or misbranded drugs that are—

“(I) not designated in an authorized electronic data interchange system as a product that is regulated by the Secretary; or

“(II) knowingly or intentionally falsely designated in an authorized electronic data interchange system as a product that is regulated by the Secretary.”

(2) PROHIBITED ACT.—Section 301(cc) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(cc)) is amended by inserting “or a drug” after “food”.

(c) IMPORTS AND EXPORTS.—Section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)) is amended—

(1) by striking the second sentence;

(2) by striking “If it appears” and inserting “Subject to subsection (b), if it appears”;

(3) by striking “regarding such article, then such article shall be refused” and inserting the following: “regarding such article, or (5) such article is being imported or offered for import in violation of section 301(cc), then any such article described in any of clauses (1) through (5) may be refused admission. If it appears from the examination of such samples or otherwise that the article is a counterfeit drug, such article shall be refused admission.”;

(4) by striking “this Act, then such article shall be refused admission” and inserting “this Act, then such article may be refused admission”; and

(5) by striking “Clause (2) of the third sentence” and all that follows through the period at the end and inserting the following: “Neither clause (2) nor clause (5) of the second sentence of this subsection shall be construed to prohibit the admission of narcotic drugs, the importation of which is permitted under the Controlled Substances Import and Export Act.”

(d) CERTAIN ILLICIT ARTICLES.—Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381) is amended by adding at the end the following—

“(t) ILLICIT ARTICLES CONTAINING ACTIVE PHARMACEUTICAL INGREDIENTS.—

“(1) IN GENERAL.—For purposes of this section, an article that is being imported or offered for import into the United States may be treated by the Secretary as a drug if the article—

“(A) is not—

“(i) accompanied by an electronic import entry for such article submitted using an authorized electronic data interchange system; and

“(ii) designated in such a system as an article regulated by the Secretary (which may include regulation as a drug, a device, or a dietary supplement); and

“(B) is an ingredient that presents significant public health concern and is, or contains—

“(i) an active ingredient in a drug—

“(I) that is approved under section 505 or licensed under section 351 of the Public Health Service Act; or

“(II) for which—

“(aa) an investigational use exemption is in effect under section 505(i) of this Act or section 351(a) of the Public Health Service Act; and

“(bb) a substantial clinical investigation has been instituted, and such investigation has been made public; or

“(ii) a substance that has a chemical structure that is substantially similar to the chemical structure of an active ingredient in a drug or biological product described in subclause (I) or (II) of clause (i).

“(2) EFFECT.—This subsection shall not be construed to bear upon any determination of whether an article is a drug within the meaning of section 201(g), other than for the purposes described in paragraph (1).”

#### SEC. 1306. FIRST RESPONDER TRAINING.

Section 546 of the Public Health Service Act (42 U.S.C. 290ee-1) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) train and provide resources for first responders and members of other key community sectors on safety around fentanyl, carfentanil, and other dangerous licit and illicit drugs to protect themselves from exposure to such drugs and respond appropriately when exposure occurs.”;

(2) in subsection (d), by striking “and mechanisms for referral to appropriate treatment for an entity receiving a grant under this section” and inserting “mechanisms for referral to appropriate treatment, and safety around fentanyl, carfentanil, and other dangerous licit and illicit drugs”;

(3) in subsection (f)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(5) the number of first responders and members of other key community sectors trained on safety around fentanyl, carfentanil, and other dangerous licit and illicit drugs.”;

(4) by redesignating subsection (g) as subsection (h);

(5) by inserting after subsection (f) the following:

“(g) OTHER KEY COMMUNITY SECTORS.—In this section, the term ‘other key community sectors’ includes substance abuse treatment providers, emergency medical services agencies, agencies and organizations working with prison and jail populations and offender reentry programs, health care providers, harm reduction groups, pharmacies, community health centers, tribal health facilities, and mental health providers.”; and

(6) in subsection (h), as so redesignated, by striking “\$12,000,000 for each of fiscal years 2017 through 2021” and inserting “\$36,000,000 for each of fiscal years 2019 through 2023”.

#### SEC. 1307. DISPOSAL OF CONTROLLED SUBSTANCES OF HOSPICE PATIENTS.

(a) IN GENERAL.—Section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)) is amended by adding at the end the following:

“(5)(A) An employee of a qualified hospice program acting within the scope of employment may handle, in the place of residence of a hospice patient, any controlled substance that was lawfully dispensed to the hospice patient, for the purpose of assisting in the disposal of the controlled substance—

“(i) after the hospice patient’s death;

“(ii) if the controlled substance is expired;

or

“(iii) if—

“(I) the employee is—

“(aa) the physician of the hospice patient; and

“(bb) registered under section 303(f); and

“(II) the hospice patient no longer requires the controlled substance because the plan of care of the hospice patient has been modified.

“(B) In this paragraph:

“(i) The term ‘employee of a qualified hospice program’ means a physician, physician assistant, registered nurse, or nurse practitioner who—

“(I) is employed by, or is acting pursuant to arrangements made with, a qualified hospice program; and

“(II) is licensed or certified to perform such employment, or such activities arranged by the qualified hospice program, in accordance with applicable State law.

“(ii) The terms ‘hospice care’ and ‘hospice program’ have the meanings given those terms in section 1861(dd) of the Social Security Act (42 U.S.C. 1395x(dd)).

“(iii) The term ‘hospice patient’ means an individual receiving hospice care.

“(iv) The term ‘qualified hospice program’ means a hospice program that—

“(I) has written policies and procedures for employees of the hospice program to use when assisting in the disposal of the controlled substances of a hospice patient in a circumstance described in clause (i), (ii), or (iii) of subparagraph (A);

“(II) at the time when the controlled substances are first ordered—

“(aa) provides a copy of the written policies and procedures to the hospice patient or hospice patient representative and the family of the hospice patient;

“(bb) discusses the policies and procedures with the hospice patient or hospice patient’s representative and the hospice patient’s family in a language and manner that such individuals understand to ensure that such individuals are informed regarding the safe disposal of controlled substances; and

“(cc) documents in the clinical record of the hospice patient that the written policies and procedures were provided and discussed with the hospice patient or hospice patient’s representative; and

“(III) at the time when an employee of the hospice program assists in the disposal of controlled substances of a hospice patient, documents in the clinical record of the hospice patient a list of all controlled substances disposed of.

“(C) The Attorney General may, by regulation, include additional types of licensed medical professionals in the definition of the term ‘employee of a qualified hospice program’ under subparagraph (B).”

(b) NO REGISTRATION REQUIRED.—Section 302(c) of the Controlled Substances Act (21 U.S.C. 822(c)) is amended by adding at the end the following:

“(4) An employee of a qualified hospice program for the purpose of assisting in the disposal of a controlled substance in accordance with subsection (g)(5), except as provided in subparagraph (A)(iii) of that subsection.”

(c) GUIDANCE.—The Attorney General may issue guidance to qualified hospice programs to assist the programs in satisfying the requirements under paragraph (5) of section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)), as added by subsection (a).

(d) STATE AND LOCAL AUTHORITY.—Nothing in this section or the amendments made by this section shall be construed to prevent a State or local government from imposing additional controls or restrictions relating to the regulation of the disposal of controlled substances in hospice care or hospice programs.

#### SEC. 1308. GAO STUDY AND REPORT ON HOSPICE SAFE DRUG MANAGEMENT.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study on the requirements applicable to and challenges of hospice programs with regard to the management and disposal of

controlled substances in the home of an individual.

(2) CONTENTS.—In conducting the study under paragraph (1), the Comptroller General shall include—

(A) an overview of challenges encountered by hospice programs regarding the disposal of controlled substances, such as opioids, in a home setting, including any key changes in policies, procedures, or best practices for the disposal of controlled substances over time; and

(B) a description of Federal requirements, including requirements under the Medicare program, for hospice programs regarding the disposal of controlled substances in a home setting, and oversight of compliance with those requirements.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations, if any, for such legislation and administrative action as the Comptroller General determines appropriate.

**SEC. 1309. DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO BE ADMINISTERED BY INJECTION OR IMPLANTATION.**

(a) IN GENERAL.—The Controlled Substances Act is amended by inserting after section 309 (21 U.S.C. 829) the following:

“DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO AN ADMINISTERING PRACTITIONER

“SEC. 309A. (a) IN GENERAL.—Notwithstanding section 102(10), a pharmacy may deliver a controlled substance to a practitioner in accordance with a prescription that meets the requirements of this title and the regulations issued by the Attorney General under this title, for the purpose of administering the controlled substance by the practitioner if—

“(1) the controlled substance is delivered by the pharmacy to the prescribing practitioner or the practitioner administering the controlled substance, as applicable, at the location listed on the practitioner’s certificate of registration issued under this title;

“(2) in the case of administering of the controlled substance for the purpose of maintenance or detoxification treatment under section 303(g)(2)—

“(A) the practitioner who issued the prescription is a qualifying practitioner authorized under, and acting within the scope of that section; and

“(B) the controlled substance is to be administered by injection or implantation;

“(3) the pharmacy and the practitioner are authorized to conduct the activities specified in this section under the law of the State in which such activities take place;

“(4) the prescription is not issued to supply any practitioner with a stock of controlled substances for the purpose of general dispensing to patients;

“(5) except as provided in subsection (b), the controlled substance is to be administered only to the patient named on the prescription not later than 14 days after the date of receipt of the controlled substance by the practitioner; and

“(6) notwithstanding any exceptions under section 307, the prescribing practitioner, and the practitioner administering the controlled substance, as applicable, maintain complete and accurate records of all controlled substances delivered, received, administered, or otherwise disposed of under this section, including the persons to whom controlled substances were delivered and such other information as may be required by regulations of the Attorney General.

“(b) MODIFICATION OF NUMBER OF DAYS BEFORE WHICH CONTROLLED SUBSTANCE SHALL BE ADMINISTERED.—

“(1) INITIAL 2-YEAR PERIOD.—During the 2-year period beginning on the date of enactment of this section, the Attorney General, in coordination with the Secretary, may reduce the number of days described in subsection (a)(5) if the Attorney General determines that such reduction will—

“(A) reduce the risk of diversion; or

“(B) protect the public health.

“(2) MODIFICATIONS AFTER SUBMISSION OF REPORT.—After the date on which the report described in subsection (c) is submitted, the Attorney General, in coordination with the Secretary, may modify the number of days described in subsection (a)(5).

“(3) MINIMUM NUMBER OF DAYS.—Any modification under this subsection shall be for a period of not less than 7 days.”.

(b) STUDY AND REPORT.—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall conduct a study and submit to Congress a report on access to and potential diversion of controlled substances administered by injection or implantation.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the item relating to section 309 the following:

“Sec. 309A. Delivery of a controlled substance by a pharmacy to an administering practitioner.”.

**Subtitle D—Treatment and Recovery**

**SEC. 1401. COMPREHENSIVE OPIOID RECOVERY CENTERS.**

(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible entities to establish or operate a comprehensive opioid recovery center (referred to in this section as a “Center”). A Center may be a single entity or an integrated delivery network.

(b) GRANT PERIOD.—

(1) IN GENERAL.—A grant awarded under subsection (a) shall be for a period not more than 5 years.

(2) RENEWAL.—A grant awarded under subsection (a) may be renewed, on a competitive basis, for additional periods of time, as determined by the Secretary. In determining whether to renew a grant under this paragraph, the Secretary shall consider the data submitted under subsection (h).

(c) MINIMUM NUMBER OF GRANTS.—The Secretary shall allocate the amounts made available under subsection (j) such that not fewer than 10 grants may be awarded. Not more than one grant shall be made to entities in a single State for any one period.

(d) APPLICATION.—

(1) ELIGIBLE ENTITY.—An entity is eligible for a grant under this section if the entity offers treatment and other services for individuals with a substance use disorder.

(2) SUBMISSION OF APPLICATION.—In order to be eligible for a grant under subsection (a), an entity shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Such application shall include—

(A) evidence that such entity carries out, or is capable of coordinating with other entities to carry out, the activities described in subsection (g); and

(B) such other information as the Secretary may require.

(e) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to eligible entities located in a State or Indian Tribe with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as deter-

mined by the Director of the Centers for Disease Control and Prevention.

(f) PREFERENCE.—In awarding grants under subsection (a), the Secretary may give preference to eligible entities utilizing technology-enabled collaborative learning and capacity building models, including such models as defined in section 2 of the Expanding Capacity for Health Outcomes Act (Public Law 114-270; 130 Stat. 1395), to conduct the activities described in this section.

(g) CENTER ACTIVITIES.—Each Center shall, at a minimum, carry out the following activities directly, through referral, or through contractual arrangements, which may include carrying out such activities through technology-enabled collaborative learning and capacity building models described in subsection (f):

(1) TREATMENT AND RECOVERY SERVICES.—Each Center shall—

(A) ensure that intake and evaluations meet the individualized clinical needs of patients, including by offering assessments for services and care recommendations through independent, evidence-based verification processes for reviewing patient placement in treatment settings;

(B) provide the full continuum of treatment services, including—

(i) all drugs approved by the Food and Drug Administration to treat substance use disorders, pursuant to Federal and State law;

(ii) medically supervised withdrawal management that includes patient evaluation, stabilization, and readiness for and entry into treatment;

(iii) counseling provided by a program counselor or other certified professional who is licensed and qualified by education, training, or experience to assess the psychological and sociological background of patients, to contribute to the appropriate treatment plan for the patient, and to monitor patient progress;

(iv) treatment, as appropriate, for patients with co-occurring substance use and mental disorders;

(v) testing, as appropriate, for infections commonly associated with illicit drug use;

(vi) residential rehabilitation, and outpatient and intensive outpatient programs;

(vii) recovery housing;

(viii) community-based and peer recovery support services;

(ix) job training, job placement assistance, and continuing education assistance to support reintegration into the workforce; and

(x) other best practices to provide the full continuum of treatment and services, as determined by the Secretary;

(C) ensure that all programs covered by the Center include medication-assisted treatment, as appropriate, and do not exclude individuals receiving medication-assisted treatment from any service;

(D) periodically conduct patient assessments to support sustained and clinically significant recovery, as defined by the Assistant Secretary for Mental Health and Substance Use;

(E) administer an onsite pharmacy and provide toxicology services, for purposes of carrying out this section; and

(F) operate a secure, confidential, and interoperable electronic health information system.

(2) OUTREACH.—Each Center shall carry out outreach activities to publicize the services offered through the Centers, which may include—

(A) training and supervising outreach staff, as appropriate, to work with State and local health departments, health care providers, the Indian Health Service, State and local educational agencies, schools funded by the Indian Bureau of Education, institutions of higher education, State and local workforce

development boards, State and local community action agencies, public safety officials, first responders, Indian Tribes, child welfare agencies, as appropriate, and other community partners and the public, including patients, to identify and respond to community needs;

(B) ensuring that the entities described in subparagraph (A) are aware of the services of the Center; and

(C) disseminating and making publicly available, including through the internet, evidence-based resources that educate professionals and the public on opioid use disorder and other substance use disorders, including co-occurring substance use and mental disorders.

(h) DATA REPORTING AND PROGRAM OVERSIGHT.—With respect to a grant awarded under subsection (a), not later than 90 days after the end of the first year of the grant period, and annually thereafter for the duration of the grant period (including the duration of any renewal period for such grant), the entity shall submit data, as appropriate, to the Secretary regarding—

(1) the programs and activities funded by the grant;

(2) health outcomes of the population of individuals with a substance use disorder who received services from the Center, evaluated by an independent program evaluator through the use of outcomes measures, as determined by the Secretary;

(3) the retention rate of program participants; and

(4) any other information that the Secretary may require for the purpose of ensuring that the Center is complying with all the requirements of the grant, including providing the full continuum of services described in subsection (g)(1)(B).

(i) PRIVACY.—The provisions of this section, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$10,000,000 for each of fiscal years 2019 through 2023 for purposes of carrying out this section.

(k) REPORTS TO CONGRESS.—

(1) PRELIMINARY REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall submit to Congress a preliminary report that analyzes data submitted under subsection (h).

(2) FINAL REPORT.—Not later than 2 years after submitting the preliminary report required under paragraph (1), the Secretary shall submit to Congress a final report that includes—

(A) an evaluation of the effectiveness of the comprehensive services provided by the Centers established or operated pursuant to this section with respect to health outcomes of the population of individuals with substance use disorder who receive services from the Center, which shall include an evaluation of the effectiveness of services for treatment and recovery support and to reduce relapse, recidivism, and overdose; and

(B) recommendations, as appropriate, regarding ways to improve Federal programs related to substance use disorders, which may include dissemination of best practices for the treatment of substance use disorders to health care professionals.

**SEC. 1402. PROGRAM TO SUPPORT COORDINATION AND CONTINUATION OF CARE FOR DRUG OVERDOSE PATIENTS.**

(a) IN GENERAL.—The Secretary shall identify or facilitate the development of best practices for—

(1) emergency treatment of known or suspected drug overdose;

(2) the use of recovery coaches, as appropriate, to encourage individuals who experi-

ence a non-fatal overdose to seek treatment for substance use disorder and to support coordination and continuation of care;

(3) coordination and continuation of care and treatment, including, as appropriate, through referrals, of individuals after an opioid overdose; and

(4) the provision of overdose reversal medication, as appropriate.

(b) GRANT ESTABLISHMENT AND PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible entities to support implementation of voluntary programs for care and treatment of individuals after an opioid overdose, as appropriate, which may include implementation of the best practices described in subsection (a).

(2) ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(A) a State alcohol or drug agency;

(B) an Indian Tribe or tribal organization; or

(C) an entity that offers treatment or other services for individuals in response to, or following, drug overdoses or a drug overdose, in consultation with a State alcohol and drug agency.

(3) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Secretary, at such time and in such manner as the Secretary may require, that includes—

(A) evidence that such eligible entity carries out, or is capable of contracting and coordinating with other community entities to carry out, the activities described in paragraph (4);

(B) evidence that such eligible entity will work with a recovery community organization to recruit, train, hire, mentor, and supervise recovery coaches and fulfill the requirements described in paragraph (4)(A); and

(C) such additional information as the Secretary may require.

(4) USE OF GRANT FUNDS.—An eligible entity awarded a grant under this section shall use such grant funds to—

(A) hire or utilize recovery coaches to help support recovery, including by—

(i) connecting patients to a continuum of care services, such as—

(I) treatment and recovery support programs;

(II) programs that provide non-clinical recovery support services;

(III) peer support networks;

(IV) recovery community organizations;

(V) health care providers, including physicians and other providers of behavioral health and primary care;

(VI) education and training providers;

(VII) employers;

(VIII) housing services; and

(IX) child welfare agencies;

(ii) providing education on overdose prevention and overdose reversal to patients and families, as appropriate;

(iii) providing follow-up services for patients after an overdose to ensure continued recovery and connection to support services;

(iv) collecting and evaluating outcome data for patients receiving recovery coaching services; and

(v) providing other services the Secretary determines necessary to help ensure continued connection with recovery support services, including culturally appropriate services, as applicable;

(B) establish policies and procedures, pursuant to Federal and State law, that address the provision of overdose reversal medication, the administration of all drugs approved by the Food and Drug Administration to treat substance use disorder, and subsequent continuation of, or referral to, evi-

dence-based treatment for patients with a substance use disorder who have experienced a non-fatal drug overdose, in order to support long-term treatment, prevent relapse, and reduce recidivism and future overdose; and

(C) establish integrated models of care for individuals who have experienced a non-fatal drug overdose which may include patient assessment, follow up, and transportation to and from treatment facilities.

(5) ADDITIONAL PERMISSIBLE USES.—In addition to the uses described in paragraph (4), a grant awarded under this section may be used, directly or through contractual arrangements, to provide—

(A) all drugs approved by the Food and Drug Administration to treat substance use disorders, pursuant to Federal and State law;

(B) withdrawal and detoxification services that include patient evaluation, stabilization, and preparation for treatment of substance use disorder, including treatment described in subparagraph (A), as appropriate; or

(C) mental health services provided by a program counselor, social worker, therapist, or other certified professional who is licensed and qualified by education, training, or experience to assess the psychosocial background of patients, to contribute to the appropriate treatment plan for patients with substance use disorder, and to monitor patient progress.

(6) PREFERENCE.—In awarding grants under this section, the Secretary shall give preference to eligible entities that meet any or all of the following criteria:

(A) The eligible entity is a critical access hospital (as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1))), a low volume hospital (as defined in section 1886(d)(12)(C)(i) of such Act (42 U.S.C. 1395ww(d)(12)(C)(i))), or a sole community hospital (as defined in section 1886(d)(5)(D)(iii) of such Act (42 U.S.C. 1395ww(d)(5)(D)(iii))).

(B) The eligible entity is located in a State, or under the jurisdiction of an Indian Tribe, with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as determined by the Director of the Centers for Disease Control and Prevention.

(C) The eligible entity demonstrates that recovery coaches will be placed in both health care settings and community settings.

(7) PERIOD OF GRANT.—A grant awarded to an eligible entity under this section shall be for a period of not more than 5 years.

(c) DEFINITIONS.—In this section:

(1) RECOVERY COACH.—the term “recovery coach” means an individual—

(A) with knowledge of, or experience with, recovery from a substance use disorder; and

(B) who has completed training from, and is determined to be in good standing by, a recovery services organization capable of conducting such training and making such determination.

(2) RECOVERY COMMUNITY ORGANIZATION.—The term “recovery community organization” has the meaning given such term in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(3) STATE ALCOHOL AND DRUG AGENCY.—The term “State alcohol and drug agency” means the principal agency of a State that is responsible for carrying out the block grant for prevention and treatment of substance abuse under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.)

(d) REPORTING REQUIREMENTS.—

(1) REPORTS BY GRANTEEES.—Each eligible entity awarded a grant under this section

shall submit to the Secretary an annual report for each year for which the entity has received such grant that includes information on—

(A) the number of individuals treated by the entity for non-fatal overdoses, including the number of non-fatal overdoses where overdose reversal medication was administered;

(B) the number of individuals administered medication-assisted treatment by the entity;

(C) the number of individuals referred by the entity to other treatment facilities after a non-fatal overdose, the types of such other facilities, and the number of such individuals admitted to such other facilities pursuant to such referrals; and

(D) the frequency and number of patients with recurrences, including readmissions for non-fatal overdoses and evidence of relapse related to substance use disorder.

(2) REPORT BY SECRETARY.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes an evaluation of the effectiveness of the grant program carried out under this section with respect to long term health outcomes of the population of individuals who have experienced a drug overdose, the percentage of patients treated or referred to treatment by grantees, and the frequency and number of patients who experienced relapse, were readmitted for treatment, or experienced another overdose.

(e) PRIVACY.—The requirements of this section, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2019 through 2023.

#### SEC. 1403. ALTERNATIVES TO OPIOIDS.

(a) IN GENERAL.—The Secretary shall, directly or through grants to, or contracts with, public and private entities, provide technical assistance to hospitals and other acute care settings on alternatives to opioids for pain management. The technical assistance provided shall be for the purpose of—

(1) utilizing information from acute care providers including emergency departments and other providers that have successfully implemented alternatives to opioids programs, promoting non-addictive protocols and medications while appropriately limiting the use of opioids;

(2) identifying or facilitating the development of best practices on the use of alternatives to opioids, which may include pain-management strategies that involve non-addictive medical products, non-pharmacologic treatments, and technologies or techniques to identify patients at risk for opioid use disorder;

(3) identifying or facilitating the development of best practices on the use of alternatives to opioids that target common painful conditions and include certain patient populations, such as geriatric patients, pregnant women, and children;

(4) disseminating information on the use of alternatives to opioids to providers in acute care settings, which may include emergency departments, outpatient clinics, critical access hospitals, Federally qualified health centers, Indian Health Service health facilities, and tribal hospitals; and

(5) collecting data and reporting on health outcomes associated with the use of alternatives to opioids.

(b) PAIN MANAGEMENT AND FUNDING.—

(1) IN GENERAL.—The Secretary shall award grants to hospitals and other acute care settings relating to alternatives to opioids for pain management.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$5,000,000 for each of fiscal years 2019 through 2023 for purposes of carrying out this section.

#### SEC. 1404. BUILDING COMMUNITIES OF RECOVERY.

Section 547 of the Public Health Service Act (42 U.S.C. 290ee-2) is amended to read as follows:

##### “SEC. 547. BUILDING COMMUNITIES OF RECOVERY.

“(a) DEFINITION.—In this section, the term ‘recovery community organization’ means an independent nonprofit organization that—

“(1) mobilizes resources within and outside of the recovery community, which may include through a peer support network, to increase the prevalence and quality of long-term recovery from substance use disorders; and

“(2) is wholly or principally governed by people in recovery for substance use disorders who reflect the community served.

“(b) GRANTS AUTHORIZED.—The Secretary shall award grants to recovery community organizations to enable such organizations to develop, expand, and enhance recovery services.

“(c) FEDERAL SHARE.—The Federal share of the costs of a program funded by a grant under this section may not exceed 85 percent.

“(d) USE OF FUNDS.—Grants awarded under subsection (b)—

“(1) shall be used to develop, expand, and enhance community and statewide recovery support services; and

“(2) may be used to—

“(A) build connections between recovery networks, including between recovery community organizations and peer support networks, and with other recovery support services, including—

“(i) behavioral health providers;

“(ii) primary care providers and physicians;

“(iii) educational and vocational schools;

“(iv) employers;

“(v) housing services;

“(vi) child welfare agencies; and

“(vii) other recovery support services that facilitate recovery from substance use disorders, including non-clinical community services;

“(B) reduce the stigma associated with substance use disorders; and

“(C) conduct outreach on issues relating to substance use disorders and recovery, including—

“(i) identifying the signs of substance use disorder;

“(ii) the resources available to individuals with substance use disorder and to families of an individual with a substance use disorder, including programs that mentor and provide support services to children;

“(iii) the resources available to help support individuals in recovery; and

“(iv) related medical outcomes of substance use disorders, the potential of acquiring an infection commonly associated with illicit drug use, and neonatal abstinence syndrome among infants exposed to opioids during pregnancy.

“(e) SPECIAL CONSIDERATION.—In carrying out this section, the Secretary shall give special consideration to the unique needs of rural areas, including areas with an age-adjusted rate of drug overdose deaths that is above the national average and areas with a shortage of prevention and treatment services.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2019 through 2023.”

#### SEC. 1405. PEER SUPPORT TECHNICAL ASSISTANCE CENTER.

(a) ESTABLISHMENT.—The Secretary, acting through the Assistant Secretary for Mental Health and Substance Abuse, shall establish or operate a National Peer-Run Training and Technical Assistance Center for Addiction Recovery Support (referred to in this subsection as the “Center”).

(b) FUNCTIONS.—The Center established under subsection (a) shall provide technical assistance and support to recovery community organizations and peer support networks, including such assistance and support related to—

(1) training on identifying—

(A) signs of substance use disorder;

(B) resources to assist individuals with a substance use disorder, or resources for families of an individual with a substance use disorder; and

(C) best practices for the delivery of recovery support services;

(2) the provision of translation services, interpretation, or other such services for clients with limited English speaking proficiency;

(3) data collection to support research, including for translational research;

(4) capacity building; and

(5) evaluation and improvement, as necessary, of the effectiveness of such services provided by recovery community organizations (as defined in section 547 of the Public Health Service Act).

(c) BEST PRACTICES.—The Center established under subsection (a) shall periodically issue best practices for use by recovery community organizations and peer support networks.

(d) RECOVERY COMMUNITY ORGANIZATION.—In this section, the term “recovery community organization” has the meaning given such term in section 547 of the Public Health Service Act.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2019 through 2023.

#### SEC. 1406. MEDICATION-ASSISTED TREATMENT FOR RECOVERY FROM ADDICTION.

(a) WAIVERS FOR MAINTENANCE TREATMENT OR DETOXIFICATION.—Section 303(g)(2)(G)(ii) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(ii)) is amended by adding at the end the following:

“(VIII) The physician graduated in good standing from an accredited school of allopathic medicine or osteopathic medicine in the United States during the 5-year period immediately preceding the date on which the physician submits to the Secretary a written notification under subparagraph (B) and successfully completed a comprehensive allopathic or osteopathic medicine curriculum or accredited medical residency that—

“(aa) included not less than 24 hours of training on treating and managing opioid-dependent patients; and

“(bb) included, at a minimum—

“(AA) the training described in items (aa) through (gg) of subclause (IV); and

“(BB) training with respect to any other best practice the Secretary determines should be included in the curriculum, which may include training on pain management, including assessment and appropriate use of opioid and non-opioid alternatives.”

(b) TREATMENT FOR CHILDREN.—The Secretary shall consider ways to ensure that an adequate number of physicians who meet the requirements under the amendment made by subsection (a) and have a specialty in pediatrics, or the treatment of children or of adolescents, are granted a waiver under section 303(g)(2) of the Controlled Substances Act (21

U.S.C. 823(g)(2) to treat children and adolescents with substance use disorders.

(c) TECHNICAL AMENDMENT.—Section 102(24) of the Controlled Substances Act (21 U.S.C. 802(24)) is amended by striking “Health, Education, and Welfare” and inserting “Health and Human Services”.

**SEC. 1407. GRANT PROGRAM.**

(a) IN GENERAL.—The Secretary shall establish a grant program under which the Secretary may make grants to accredited schools of allopathic medicine or osteopathic medicine and teaching hospitals located in the United States to support the development of curricula that meet the requirements under subclause (VIII) of section 303(g)(2)(G)(ii) of the Controlled Substances Act, as added by section 1406(a) of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under subsection (a), \$4,000,000 for each of fiscal years 2019 through 2023.

**SEC. 1408. ALLOWING FOR MORE FLEXIBILITY WITH RESPECT TO MEDICATION-ASSISTED TREATMENT FOR OPIOID USE DISORDERS.**

Subclause (II) of section 303(g)(2)(B)(iii) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(B)(iii)) is amended to read as follows:

“(II) The applicable number is—

“(aa) 100 if, not sooner than 1 year after the date on which the practitioner submitted the initial notification, the practitioner submits a second notification to the Secretary of the need and intent of the practitioner to treat up to 100 patients; or

“(bb) 275 if the practitioner meets the requirements specified in section 8.610 of title 42, Code of Federal Regulations (or successor regulations).”.

**SEC. 1409. NATIONAL RECOVERY HOUSING BEST PRACTICES.**

(a) BEST PRACTICES FOR OPERATING RECOVERY HOUSING.—

(1) IN GENERAL.—The Secretary, in consultation with the individuals and entities described in paragraph (2), shall identify or facilitate the development of best practices, which may include model laws for implementing suggested minimum standards, for operating recovery housing.

(2) CONSULTATION.—In carrying out the activities described in paragraph (1) the Secretary shall consult with, as appropriate—

(A) relevant divisions of the Department of Health and Human Services, including the Substance Abuse and Mental Health Services Administration, the Office of Inspector General, the Indian Health Service, and the Centers for Medicare & Medicaid Services;

(B) the Secretary of Housing and Urban Development;

(C) directors or commissioners, as applicable, of State health departments, tribal health departments, State Medicaid programs, and State insurance agencies;

(D) representatives of health insurance issuers;

(E) national accrediting entities and reputable providers of, and analysts of, recovery housing services, including Indian Tribes, tribal organizations, and tribally designated housing entities that provide recovery housing services, as applicable;

(F) individuals with a history of substance use disorder; and

(G) other stakeholders identified by the Secretary.

(b) IDENTIFICATION OF FRAUDULENT RECOVERY HOUSING OPERATORS.—

(1) IN GENERAL.—The Secretary, in consultation with the individuals and entities described in paragraph (2), shall identify or facilitate the development of common indicators that could be used to identify potentially fraudulent recovery housing operators.

(2) CONSULTATION.—In carrying out the activities described in paragraph (1), the Secretary shall consult with, as appropriate—

(A) relevant divisions of the Department of Health and Human Services, including the Substance Abuse and Mental Health Services Administration, the Office of Inspector General, the Indian Health Service, and the Centers for Medicare & Medicaid Services;

(B) the Attorney General;

(C) the Secretary of Housing and Urban Development;

(D) directors or commissioners, as applicable, of State health departments, tribal health departments, State Medicaid programs, and State insurance agencies;

(E) representatives of health insurance issuers;

(F) national accrediting entities and reputable providers of, and analysts of, recovery housing services, including Indian Tribes, tribal organizations, and tribally designated housing entities that provide recovery housing services, as applicable;

(G) individuals with a history of substance use disorder; and

(H) other stakeholders identified by the Secretary.

(3) REQUIREMENTS.—

(A) PRACTICES FOR IDENTIFICATION AND REPORTING.—In carrying out the activities described in this subsection, the Secretary shall consider how law enforcement, public and private payers, and the public can best identify and report fraudulent recovery housing operators.

(B) FACTORS TO BE CONSIDERED.—In carrying out the activities described in this subsection, the Secretary shall consider identifying or developing indicators regarding—

(i) unusual billing practices;

(ii) average lengths of stays;

(iii) excessive levels of drug testing (in terms of cost or frequency);

(iv) unusually high levels of recidivism; and

(v) any other factors identified by the Secretary.

(c) DISSEMINATION.—The Secretary shall, as appropriate, disseminate the best practices identified or developed under subsection (a), and the common indicators identified or developed under subsection (b), to—

(1) State agencies, which may include the provision of technical assistance to State agencies seeking to adopt or implement such best practices;

(2) Indian Tribes, tribal organizations, and tribally designated housing entities;

(3) the Attorney General;

(4) the Secretary of Labor;

(5) the Secretary of Housing and Urban Development;

(6) State and local law enforcement agencies;

(7) health insurance issuers;

(8) recovery housing entities; and

(9) the public.

(d) REQUIREMENTS.—In carrying out the activities under subsections (a) and (b), the Secretary, in consultation with appropriate stakeholders as described in each such subsection, shall consider how recovery housing is able to support recovery and prevent relapse, recidivism, or overdose (including overdose death), including by improving access and adherence to treatment, including medication-assisted treatment.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide the Secretary with the authority to require States to adhere to minimum standards in the State oversight of recovery housing.

(f) DEFINITIONS.—In this section—

(1) the term “recovery housing” means a shared living environment free from alcohol and illicit drug use and centered on peer support and connection to services that promote

sustained recovery from substance use disorders; and

(2) the term “tribally designated housing entity” has the meaning given such term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

**SEC. 1410. ADDRESSING ECONOMIC AND WORKFORCE IMPACTS OF THE OPIOID CRISIS.**

(a) DEFINITIONS.—Except as otherwise expressly provided, in this section:

(1) WIOA DEFINITIONS.—The terms “core program”, “individual with a barrier to employment”, “local area”, “local board”, “one-stop operator”, “outlying area”, “State”, “State board”, and “supportive services” have the meanings given the terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(2) EDUCATION PROVIDER.—The term “education provider” means—

(A) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

(B) a postsecondary vocational institution, as defined in section 102(c) of such Act (20 U.S.C. 1002(c)).

(3) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State workforce agency;

(B) an outlying area; or

(C) a Tribal entity.

(4) PARTICIPATING PARTNERSHIP.—The term “participating partnership” means a partnership—

(A) evidenced by a written contract or agreement; and

(B) including, as members of the partnership, a local board receiving a subgrant under subsection (d) and 1 or more of the following:

(i) The eligible entity.

(ii) A treatment provider.

(iii) An employer or industry organization.

(iv) An education provider.

(v) A legal service or law enforcement organization.

(vi) A faith-based or community-based organization.

(vii) Other State or local agencies, including counties or local governments.

(viii) Other organizations, as determined to be necessary by the local board.

(ix) Indian Tribes or tribal organizations.

(5) PROGRAM PARTICIPANT.—The term “program participant” means an individual who—

(A) is a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and

(B) enrolls with the applicable participating partnership to receive any of the services described in subsection (e)(3).

(6) PROVIDER OF PEER RECOVERY SUPPORT SERVICES.—The term “provider of peer recovery support services” means a provider that delivers peer recovery support services through an organization described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(7) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(8) STATE WORKFORCE AGENCY.—The term “State workforce agency” means the lead State agency with responsibility for the administration of a program under chapter 2 or 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3161 et seq., 3171 et seq.).

(9) SUBSTANCE USE DISORDER.—The term “substance use disorder” has the meaning given such term by the Assistant Secretary for Mental Health and Substance Use.

(10) TREATMENT PROVIDER.—The term “treatment provider”—

(A) means a health care provider that—

(i) offers services for treating substance use disorders and is licensed in accordance with applicable State law to provide such services; and

(ii) accepts health insurance for such services, including coverage under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(B) may include—

(i) a nonprofit provider of peer recovery support services;

(ii) a community health care provider;

(iii) a Federally qualified health center (as defined in section 1861(aa) of the Social Security Act (42 U.S.C. 1395x));

(iv) an Indian health program (as defined in section 3 of the Indian Health Care Improvement Act (25 U.S.C. 1603)), including an Indian health program that serves an urban center (as defined in such section); and

(v) a Native Hawaiian health center (as defined in section 12 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11711)).

(11) TRIBAL ENTITY.—The term “Tribal entity” includes any Indian Tribe, tribal organization, Indian-controlled organization serving Indians, Native Hawaiian organization, or Alaska Native entity, as such terms are defined or used in section 166 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221).

(b) PILOT PROGRAM AND GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Health and Human Services, shall carry out a pilot program to address economic and workforce impacts associated with a high rate of a substance use disorder. In carrying out the pilot program, the Secretary shall make grants, on a competitive basis, to eligible entities to enable such entities to make subgrants to local boards to address the economic and workforce impacts associated with a high rate of a substance use disorder.

(2) GRANT AMOUNTS.—The Secretary shall make each such grant in an amount that is not less than \$500,000, and not more than \$5,000,000, for a fiscal year.

(c) GRANT APPLICATIONS.—

(1) IN GENERAL.—An eligible entity applying for a grant under this section shall submit an application to the Secretary at such time and in such form and manner as the Secretary may reasonably require, including the information described in this subsection.

(2) SIGNIFICANT IMPACT ON COMMUNITY BY OPIOID AND SUBSTANCE USE DISORDER-RELATED PROBLEMS.—

(A) DEMONSTRATION.—An eligible entity shall include in the application—

(i) information that demonstrates significant impact on the community by problems related to opioid abuse or another substance use disorder, by—

(I) identifying the counties, communities, regions, or local areas that have been significantly impacted and will be served through the grant (each referred to in this section as a “service area”); and

(II) demonstrating for each such service area, an increase equal to or greater than the national increase in such problems, between—

(aa) 1999; and

(bb) 2016 or the latest year for which data are available; and

(ii) a description of how the eligible entity will prioritize support for significantly impacted service areas described in clause (i)(I).

(B) INFORMATION.—To meet the requirements described in subparagraph (A)(i)(II), the eligible entity may use information including data on—

(i) the incidence or prevalence of opioid abuse and other substance use disorders;

(ii) the age-adjusted rate of drug overdose deaths, as determined by the Director of the Centers for Disease Control and Prevention;

(iii) the rate of non-fatal hospitalizations related to opioid abuse or other substance use disorders;

(iv) the number of arrests or convictions, or a relevant law enforcement statistic, that reasonably shows an increase in opioid abuse or another substance use disorder; or

(v) in the case of an eligible entity described in subsection (a)(3)(C), other alternative relevant data as determined appropriate by the Secretary.

(C) SUPPORT FOR STATE STRATEGY.—The eligible entity may include in the application information describing how the proposed services and activities are aligned with the State, outlying area, or Tribal strategy, as applicable, for addressing problems described in subparagraph (A) in specific service areas or across the State, outlying area, or Tribal land.

(3) ECONOMIC AND EMPLOYMENT CONDITIONS DEMONSTRATE ADDITIONAL FEDERAL SUPPORT NEEDED.—

(A) DEMONSTRATION.—An eligible entity shall include in the application information that demonstrates that a high rate of a substance use disorder has caused, or is coincident to—

(i) an economic or employment downturn in the service area; or

(ii) persistent economically depressed conditions in such service area.

(B) INFORMATION.—To meet the requirements of subparagraph (A), an eligible entity may use information including—

(i) documentation of any layoff, announced future layoff, legacy industry decline, decrease in an employment or labor market participation rate, or economic impact, whether or not the result described in this clause is overtly related to a high rate of a substance use disorder;

(ii) documentation showing decreased economic activity related to, caused by, or contributing to a high rate of a substance use disorder, including a description of how the service area has been impacted, or will be impacted, by such a decrease;

(iii) information on economic indicators, labor market analyses, information from public announcements, and demographic and industry data;

(iv) information on rapid response activities (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)) that have been or will be conducted, including demographic data gathered by employer or worker surveys or through other methods;

(v) data or documentation, beyond anecdotal evidence, showing that employers face challenges filling job vacancies due to a lack of skilled workers able to pass a drug test; or

(vi) any additional relevant data or information on the economy, workforce, or another aspect of the service area to support the application.

(d) SUBGRANT AUTHORIZATION AND APPLICATION PROCESS.—

(1) SUBGRANTS AUTHORIZED.—

(A) IN GENERAL.—An eligible entity receiving a grant under subsection (b)—

(i) may use not more than 5 percent of the grant funds for the administrative costs of carrying out the grant;

(ii) in the case of an eligible entity described in subparagraph (A) or (B) of subsection (a)(3), shall use the remaining grant funds to make subgrants to local entities in the service area to carry out the services and activities described in subsection (e); and

(iii) in the case of an eligible entity described in subsection (a)(3)(C), shall use the remaining grant funds to carry out the serv-

ices and activities described in subsection (e).

(B) EQUITABLE DISTRIBUTION.—In making subgrants under this subsection, an eligible entity shall ensure, to the extent practicable, the equitable distribution of subgrants, based on—

(i) geography (such as urban and rural distribution); and

(ii) significantly impacted service areas as described in subsection (c)(2).

(C) TIMING OF SUBGRANT FUNDS DISTRIBUTION.—An eligible entity making subgrants under this subsection shall disburse subgrant funds to a local board receiving a subgrant from the eligible entity by the later of—

(i) the date that is 90 days after the date on which the Secretary makes the funds available to the eligible entity; or

(ii) the date that is 15 days after the date that the eligible entity makes the subgrant under subparagraph (A)(ii).

(2) SUBGRANT APPLICATION.—

(A) IN GENERAL.—A local board desiring to receive a subgrant under this subsection from an eligible entity shall submit an application at such time and in such manner as the eligible entity may reasonably require, including the information described in this paragraph.

(B) CONTENTS.—Each application described in subparagraph (A) shall include—

(i) an analysis of the estimated performance of the local board in carrying out the proposed services and activities under the subgrant—

(I) based on—

(aa) primary indicators of performance described in section 116(c)(1)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(c)(1)(A)(i)), to assess estimated effectiveness of the proposed services and activities, including the estimated number of individuals with a substance use disorder who may be served by the proposed services and activities;

(bb) the record of the local board in serving individuals with a barrier to employment; and

(cc) the ability of the local board to establish a participating partnership; and

(II) which may include or utilize—

(aa) data from the National Center for Health Statistics of the Centers for Disease Control and Prevention;

(bb) data from the Center for Behavioral Health Statistics and Quality of the Substance Abuse and Mental Health Services Administration;

(cc) State vital statistics;

(dd) municipal police department records;

(ee) reports from local coroners; or

(ff) other relevant data; and

(ii) in the case of a local board proposing to serve a population described in subsection (e)(2)(B), a demonstration of the workforce shortage in the professional area to be addressed under the subgrant (which may include substance use disorder treatment and related services, non-addictive pain therapy and pain management services, mental health care treatment services, emergency response services, or mental health care), which shall include information that can demonstrate such a shortage, such as—

(I) the distance between—

(aa) communities affected by opioid abuse or another substance use disorder; and

(bb) facilities or professionals offering services in the professional area; or

(II) the maximum capacity of facilities or professionals to serve individuals in an affected community, or increases in arrests related to opioid or another substance use disorder, overdose deaths, or nonfatal overdose emergencies in the community.

(e) SUBGRANT SERVICES AND ACTIVITIES.—

(1) IN GENERAL.—Each local board that receives a subgrant under subsection (d) shall carry out the services and activities described in this subsection through a participating partnership.

(2) SELECTION OF POPULATION TO BE SERVED.—A participating partnership shall elect to provide services and activities under the subgrant to one or both of the following populations of workers:

(A) Workers, including dislocated workers, individuals with barriers to employment, new entrants in the workforce, or incumbent workers (employed or underemployed), each of whom—

(i) is directly or indirectly affected by a high rate of a substance use disorder; and

(ii) voluntarily confirms that the worker, or a friend or family member of the worker, has a history of opioid abuse or another substance use disorder.

(B) Workers, including dislocated workers, individuals with barriers to employment, new entrants in the workforce, or incumbent workers (employed or underemployed), who—

(i) seek to transition to professions that support individuals with a substance use disorder or at risk for developing such disorder, such as professions that provide—

(I) substance use disorder treatment and related services;

(II) services offered through providers of peer recovery support services;

(III) non-addictive pain therapy and pain management services;

(IV) emergency response services; or

(V) mental health care; and

(ii) need new or upgraded skills to better serve such a population of struggling or at-risk individuals.

(3) SERVICES AND ACTIVITIES.—Each participating partnership shall use funds available through a subgrant under this subsection to carry out 1 or more of the following:

(A) ENGAGING EMPLOYERS.—Engaging with employers to—

(i) learn about the skill and hiring requirements of employers;

(ii) learn about the support needed by employers to hire and retain program participants, and other individuals with a substance use disorder, and the support needed by such employers to obtain their commitment to testing creative solutions to employing program participants and such individuals;

(iii) connect employers and workers to on-the-job or customized training programs before or after layoff to help facilitate reemployment;

(iv) connect employers with an education provider to develop classroom instruction to complement on-the-job learning for program participants and such individuals;

(v) help employers develop the curriculum design of a work-based learning program for program participants and such individuals;

(vi) help employers employ program participants or such individuals engaging in a work-based learning program for a transitional period before hiring such a program participant or individual for full-time employment of not less than 30 hours a week; or

(vii) connect employers to program participants receiving concurrent outpatient treatment and job training services.

(B) SCREENING SERVICES.—Providing screening services, which may include—

(i) using an evidence-based screening method to screen each individual seeking participation in the pilot program to determine whether the individual has a substance use disorder;

(ii) conducting an assessment of each such individual to determine the services needed for such individual to obtain or retain em-

ployment, including an assessment of strengths and general work readiness; or

(iii) accepting walk-ins or referrals from employers, labor organizations, or other entities recommending individuals to participate in such program.

(C) INDIVIDUAL TREATMENT AND EMPLOYMENT PLAN.—Developing an individual treatment and employment plan for each program participant—

(i) in coordination, as appropriate, with other programs serving the participant such as the core programs within the workforce development system under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

(ii) which shall include providing a case manager to work with each participant to develop the plan, which may include—

(I) identifying employment and career goals;

(II) exploring career pathways that lead to in-demand industries and sectors, as determined by the State board and the head of the State workforce agency or, as applicable, the Tribal entity;

(III) setting appropriate achievement objectives to attain the employment and career goals identified under subclause (I); or

(IV) developing the appropriate combination of services to enable the participant to achieve the employment and career goals identified under subclause (I).

(D) OUTPATIENT TREATMENT AND RECOVERY CARE.—In the case of a participating partnership serving program participants described in paragraph (2)(A) with a substance use disorder, providing individualized and group outpatient treatment and recovery services for such program participants that are offered during the day and evening, and on weekends. Such treatment and recovery services—

(i) shall be based on a model that utilizes combined behavioral interventions and other evidence-based or evidence-informed interventions; and

(ii) may include additional services such as—

(I) health, mental health, addiction, or other forms of outpatient treatment that may impact a substance use disorder and co-occurring conditions;

(II) drug testing for a current substance use disorder prior to enrollment in career or training services or prior to employment;

(III) linkages to community services, including services offered by partner organizations designed to support program participants; or

(IV) referrals to health care, including referrals to substance use disorder treatment and mental health services.

(E) SUPPORTIVE SERVICES.—Providing supportive services, which shall include services such as—

(i) coordinated wraparound services to provide maximum support for program participants to assist the program participants in maintaining employment and recovery for not less than 12 months, as appropriate;

(ii) assistance in establishing eligibility for assistance under Federal, State, Tribal, and local programs providing health services, mental health services, vocational services, housing services, transportation services, social services, or services through early childhood education programs (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003));

(iii) services offered through providers of peer recovery support services;

(iv) networking and mentorship opportunities; or

(v) any supportive services determined necessary by the local board.

(F) CAREER AND JOB TRAINING SERVICES.—Offering career services and training serv-

ices, and related services, concurrently or sequentially than the services provided under subparagraphs (B) through (E). Such services shall include the following:

(i) Services provided to program participants who are in a pre-employment stage of the program, which may include—

(I) initial education and skills assessments;

(II) traditional classroom training funded through individual training accounts under chapter 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3171 et seq.);

(III) services to promote employability skills such as punctuality, personal maintenance skills, and professional conduct;

(IV) in-depth interviewing and evaluation to identify employment barriers and to develop individual employment plans;

(V) career planning that includes—

(aa) career pathways leading to in-demand, high-wage jobs; and

(bb) job coaching, job matching, and job placement services;

(VI) provision of payments and fees for employment and training-related applications, tests, and certifications; or

(VII) any other appropriate career service or training service described in section 134(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)).

(ii) Services provided to program participants during their first 6 months of employment to ensure job retention, which may include—

(I) case management and support services, including a continuation of the services described in clause (i);

(II) a continuation of skills training, and career and technical education, described in clause (i) that is conducted in collaboration with the employers of such participants;

(III) mentorship services and job retention support for such participants; or

(IV) targeted training for managers and workers working with such participants (such as mentors), and human resource representatives in the business in which such participants are employed.

(iii) Services to assist program participants in maintaining employment for not less than 12 months, as appropriate.

(G) PROVEN AND PROMISING PRACTICES.—Leading efforts in the service area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers and program participants.

(4) LIMITATIONS.—A participating partnership may not use—

(A) more than 10 percent of the funds received under a subgrant under subsection (d) for the administrative costs of the partnership;

(B) more than 10 percent of the funds received under such subgrant for the provision of treatment and recovery services, as described in paragraph (3)(D); and

(C) more than 10 percent of the funds received under such subgrant for the provision of supportive services described in paragraph (3)(E) to program participants.

(f) PERFORMANCE ACCOUNTABILITY.—

(1) REPORTS.—The Secretary shall establish quarterly reporting requirements for recipients of grants and subgrants under this section that, to the extent practicable, are based on the performance accountability system under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141) and, in the case of a grant awarded to an eligible entity described in subsection (a)(3)(C), section 166(h) of such Act (29 U.S.C. 3221(h)), including the indicators described in subsection (c)(1)(A)(i) of such section 116 and the

requirements for local area performance reports under subsection (d) of such section 116.

(2) EVALUATIONS.—

(A) AUTHORITY TO ENTER INTO AGREEMENTS.—The Secretary shall ensure that an independent evaluation is conducted on the pilot program carried out under this section to determine the impact of the program on employment of individuals with substance use disorders. The Secretary shall enter into an agreement with eligible entities receiving grants under this section to pay for all or part of such evaluation.

(B) METHODOLOGIES TO BE USED.—The independent evaluation required under this paragraph shall use experimental designs using random assignment or, when random assignment is not feasible, other reliable, evidence-based research methodologies that allow for the strongest possible causal inferences.

(g) FUNDING.—

(1) COVERED FISCAL YEAR.—In this subsection, the term “covered fiscal year” means any of fiscal years 2018 through 2023.

(2) USING FUNDING FOR NATIONAL DISLOCATED WORKER GRANTS.—Subject to paragraph (4) and notwithstanding section 132(a)(2)(A) and subtitle D of the Workforce Innovation and Opportunity Act (29 U.S.C. 3172(a)(2)(A), 3221 et seq.), the Secretary may use, to carry out the pilot program under this section for a covered fiscal year—

(A) funds made available to carry out section 170 of such Act (29 U.S.C. 3225) for that fiscal year;

(B) funds made available to carry out section 170 of such Act that remain available for that fiscal year; and

(C) funds that remain available under section 172(f) of such Act (29 U.S.C. 3227(f)).

(3) AVAILABILITY OF FUNDS.—Funds appropriated under section 136(c) of such Act (29 U.S.C. 3181(c)) and made available to carry out section 170 of such Act for a fiscal year shall remain available for use under paragraph (2) for a subsequent fiscal year until expended.

(4) LIMITATION.—The Secretary may not use more than \$100,000,000 of the funds described in paragraph (2) for any covered fiscal year under this section.

**SEC. 1411. CAREER ACT.**

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, shall continue or establish a program to support individuals in recovery from a substance use disorder transition to independent living and the workforce.

(b) GRANTS AUTHORIZED.—In carrying out the activities under this section, the Secretary shall, on a competitive basis, award grants for a period of not more than 5 years to entities to enable such entities to carry out evidence-based programs to help individuals in recovery from a substance use disorder transition from treatment to independent living and the workforce. Such entities shall coordinate, as applicable, with Indian tribes or tribal organizations (as applicable), State boards and local boards (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102), lead State agencies with responsibility for a workforce investment activity (as defined in such section 3), and State agencies responsible for carrying out substance use disorder prevention and treatment programs.

(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to entities located in a State with—

(1) an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as determined by the Director of the Centers for Disease Control and Prevention;

(2) a rate of unemployment, based on data provided by the Bureau of Labor Statistics

for calendar years 2013 through 2017, that is above the national average; and

(3) a rate of labor force participation, based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017, that is below the national average.

(d) PREFERENCE.—In awarding grants under this section, the Secretary shall, as appropriate, give preference to entities located in an area with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate.

(e) APPLICATIONS.—An eligible entity shall submit an application at such time and in such manner as the Secretary may require. In submitting an application, the entity shall demonstrate the ability to partner with local stakeholders, which may include local employers, community stakeholders, the local workforce development board, and local and State governments, to—

(1) identify gaps in the workforce due to the prevalence of substance use disorders;

(2) in coordination with statewide employment and training activities, including coordination and alignment of activities carried out by entities provided grant funds under section 1410, help individuals in recovery from a substance use disorder transition into the workforce, including by providing career services, training services as described in paragraph (2) of section 134(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)), and related services described in section 134(a)(3) of such Act (42 U.S.C. 3174(a)); and

(3) assist employers with informing their employees of the resources, such as resources related to substance use disorders that are available to their employees.

(f) USE OF FUNDS.—An entity receiving a grant under this section shall use the funds to conduct one or more of the following activities:

(1) Hire case managers, care coordinators, providers of peer recovery support services, as described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)), or other professionals, as appropriate, to provide services that support treatment, recovery, and rehabilitation, and prevent relapse, recidivism, and overdose, including by encouraging—

(A) the development of daily living skills; and

(B) the use of counseling, care coordination, and other services, as appropriate, to support recovery from substance use disorders.

(2) Implement or utilize innovative technologies, which may include the use of telemedicine.

(3) In coordination with the lead State agency with responsibility for a workforce investment activity or local board described in subsection (b), provide—

(A) short-term prevocational training services; and

(B) training services that are directly linked to the employment opportunities in the local area or the planning region.

(g) SUPPORT FOR STATE STRATEGY.—An eligible entity shall include in its application under subsection (e) information describing how the services and activities proposed in such application are aligned with the State, outlying area, or Tribal strategy, as applicable, for addressing issues described in such application and how such entity will coordinate with existing systems to deliver services as described in such application.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary for each of fiscal years 2019 through 2023 for purposes of carrying out this section.

**SEC. 1412. PILOT PROGRAM TO HELP INDIVIDUALS IN RECOVERY FROM A SUBSTANCE USE DISORDER BECOME STABLY HOUSED.**

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated under this section such sums as may be necessary for each of fiscal years 2019 through 2023 for assistance to States to provide individuals in recovery from a substance use disorder stable, temporary housing for a period of not more than 2 years or until the individual secures permanent housing, whichever is earlier.

(b) ALLOCATION OF APPROPRIATED AMOUNTS.—

(1) IN GENERAL.—The amounts appropriated or otherwise made available to States under this section shall be allocated based on a funding formula established by the Secretary of Housing and Urban Development (referred to in this section as the “Secretary”) not later than 60 days after the date of enactment of this Act.

(2) CRITERIA.—The funding formula required under paragraph (1) shall ensure that any amounts appropriated or otherwise made available under this section are allocated to States with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, according to the Centers for Disease Control and Prevention. Among such States, priority shall be given to States with the greatest need, as such need is determined by the Secretary based on—

(A) the highest average rates of unemployment based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017;

(B) the lowest average labor force participation rates based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017; and

(C) the highest prevalence of opioid use disorder based on data provided by the Substance Abuse and Mental Health Services Administration for calendar years 2013 through 2017.

(3) DISTRIBUTION.—Amounts appropriated or otherwise made available under this section shall be distributed according to the funding formula established by the Secretary under paragraph (1) not later than 30 days after the establishment of such formula.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Any State that receives amounts pursuant to this section shall expend at least 30 percent of such funds within one year of the date funds become available to the grantee for obligation.

(2) PRIORITY.—Any State that receives amounts pursuant to this section shall distribute such amounts giving priority to entities with the greatest need and ability to deliver effective assistance in a timely manner.

(3) ADMINISTRATIVE COSTS.—Any State that receives amounts pursuant to this section may use up to 5 percent of any grant for administrative costs.

(d) RULES OF CONSTRUCTION.—

(1) IN GENERAL.—Except as otherwise provided by this section, amounts appropriated, or amounts otherwise made available to States under this section shall be treated as though such funds were community development block grant funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

(2) NO MATCH.—No matching funds shall be required in order for a State to receive any amounts under this section.

(e) AUTHORITY TO WAIVE OR SPECIFY ALTERNATIVE REQUIREMENTS.—

(1) IN GENERAL.—In administering any amounts appropriated or otherwise made available under this section, the Secretary may waive or specify alternative requirements for any provision of any statute or

regulation in connection with the obligation by the Secretary or the use of funds except for requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that such a waiver is necessary to expedite or facilitate the use of such funds.

(2) NOTICE.—The Secretary shall provide written notice of its intent to exercise the authority to specify alternative requirements under paragraph (1) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives not later than 5 business days before such exercise of authority occurs.

(f) TECHNICAL ASSISTANCE.—For the 2-year period following the date of enactment of this Act, the Secretary may use not more than 2 percent of the funds made available under this section for technical assistance to grantees.

(g) STATE.—For purposes of this section the term “State” includes any State as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) and the District of Columbia.

#### SEC. 1413. YOUTH PREVENTION AND RECOVERY.

(a) SUBSTANCE ABUSE TREATMENT SERVICES FOR CHILDREN, ADOLESCENTS, AND YOUNG ADULTS.—Section 514 of the Public Health Service Act (42 U.S.C. 290bb-7) is amended—

(1) in the section heading, by striking “CHILDREN AND ADOLESCENTS” and inserting “CHILDREN, ADOLESCENTS, AND YOUNG ADULTS”;

(2) in subsection (a)(2), by striking “children, including” and inserting “children, adolescents, and young adults, including”;

(3) by striking “children and adolescents” each place it appears and inserting “children, adolescents, and young adults”.

(b) RESOURCE CENTER.—The Secretary, acting through the Assistant Secretary for Mental Health and Substance Use and, as appropriate, in consultation with the Secretary of Education and other agencies, shall establish a resource center to provide technical support to recipients of grants under subsection (c).

(c) YOUTH PREVENTION AND RECOVERY INITIATIVE.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Education, shall administer a program to provide support for communities to support the prevention of, treatment of, and recovery from, substance use disorders for children, adolescents, and young adults.

(2) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ENTITY.—The term “eligible entity” means—

(i) a local educational agency that is seeking to establish or expand substance use prevention or recovery support services at one or more high schools;

(ii) a State educational agency;

(iii) an institution of higher education (or consortia of such institutions), which may include a recovery program at an institution of higher education;

(iv) a local board or one-stop operator;

(v) a nonprofit organization with appropriate expertise in providing services or programs for children, adolescents, or young adults, excluding a school;

(vi) a State, political subdivision of a State, Indian Tribe, or tribal organization; or

(vii) a high school or dormitory serving high school students that receives funding from the Bureau of Indian Education.

(B) EVIDENCE-BASED.—The term “evidence-based” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act (20 U.S.C. 7801).

(C) FOSTER CARE.—The term “foster care” has the meaning given such term in section

1355.20(a) of title 45, Code of Federal Regulations (or any successor regulations).

(D) HIGH SCHOOL.—The term “high school” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(E) HOMELESS YOUTH.—The term “homeless youth” has the meaning given the term “homeless children or youths” in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(F) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) and includes a “postsecondary vocational institution” as defined in section 102(c) of such Act (20 U.S.C. 1002(c)).

(G) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(H) LOCAL BOARD; ONE-STOP OPERATOR.—The terms “local board” and “one-stop operator” have the meanings given such terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(I) OUT OF SCHOOL YOUTH.—The term “out-of-school youth” has the meaning given such term in section 129(a)(1)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)(1)(B)).

(J) RECOVERY PROGRAM.—The term “recovery program” means a program—

(i) to help children, adolescents, or young adults who are recovering from substance use disorders to initiate, stabilize, and maintain healthy and productive lives in the community; and

(ii) that includes peer-to-peer support delivered by individuals with lived experience in recovery, and communal activities to build recovery skills and supportive social networks.

(K) STATE EDUCATIONAL AGENCY.—The term “State educational agency” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act (20 U.S.C. 7801).

(3) BEST PRACTICES.—The Secretary, in consultation with the Secretary of Education, shall—

(A) identify or facilitate the development of evidence-based best practices for prevention of substance misuse and abuse by children, adolescents, and young adults, including for specific populations such as youth in foster care, homeless youth, out-of-school youth, and youth who are at risk of or have experienced trafficking that address—

(i) primary prevention;

(ii) appropriate recovery support services;

(iii) appropriate use of medication-assisted treatment for such individuals, if applicable, and ways of overcoming barriers to the use of medication-assisted treatment in such population; and

(iv) efficient and effective communication, which may include the use of social media, to maximize outreach efforts;

(B) disseminate such best practices to State educational agencies, local educational agencies, schools and dormitories funded by the Bureau of Indian Education, institutions of higher education, recovery programs at institutions of higher education, local boards, one-stop operators, family and youth homeless providers, and nonprofit organizations, as appropriate;

(C) conduct a rigorous evaluation of each grant funded under this subsection, particularly its impact on the indicators described in paragraph (8)(B); and

(D) provide technical assistance for grantees under this subsection.

(4) GRANTS AUTHORIZED.—The Secretary, in consultation with the Secretary of Edu-

cation, shall award 3-year grants, on a competitive basis, to eligible entities to enable such entities, in coordination with Indian Tribes, if applicable, and State agencies responsible for carrying out substance use disorder prevention and treatment programs, to carry out evidence-based programs for—

(A) prevention of substance misuse and abuse by children, adolescents, and young adults, which may include primary prevention;

(B) recovery support services for children, adolescents, and young adults, which may include counseling, job training, linkages to community-based services, family support groups, peer mentoring, and recovery coaching; or

(C) treatment or referrals for treatment of substance use disorders, which may include the use of medication-assisted treatment, as appropriate.

(5) SPECIAL CONSIDERATION.—In awarding grants under this subsection, the Secretary shall give special consideration to the unique needs of tribal, urban, suburban, and rural populations.

(6) APPLICATION.—To be eligible for a grant under this subsection, an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require. Such application shall include—

(A) a description of—

(i) the impact of substance use disorders in the population that will be served by the grant program;

(ii) how the eligible entity has solicited input from relevant stakeholders, which may include faculty, teachers, staff, families, students, and experts in substance use prevention and treatment in developing such application;

(iii) the goals of the proposed project, including the intended outcomes;

(iv) how the eligible entity plans to use grant funds for evidence-based activities, in accordance with this subsection to prevent, provide recovery support for, or treat substance use disorders amongst such individuals, or a combination of such activities; and

(v) how the eligible entity will collaborate with relevant partners, which may include State educational agencies, local educational agencies, institutions of higher education, juvenile justice agencies, prevention and recovery support providers, local service providers, including substance use disorder treatment programs, providers of mental health services, youth serving organizations, family and youth homeless providers, child welfare agencies, and primary care providers, in carrying out the grant program; and

(B) an assurance that the eligible entity will participate in the evaluation described in paragraph (3)(C).

(7) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to eligible entities that propose to use grant funds for activities that meet the criteria described in subclauses (I) and (II) of section 8101(21)(A)(i) of the Elementary and Secondary Education Act (20 U.S.C. 7801(21)(A)(i)).

(8) REPORTS TO THE SECRETARY.—Each eligible entity awarded a grant under this subsection shall submit to the Secretary a report at such time and in such manner as the Secretary may require. Such report shall include—

(A) a description of how the eligible entity used grant funds, in accordance with this subsection, including the number of children, adolescents, and young adults reached through programming; and

(B) a description, including relevant data, of how the grant program has made an impact on the intended outcomes described in paragraph (6)(A)(iii), including—

(i) indicators of student success, which, if the eligible entity is an educational institution, shall include student well-being and academic achievement;

(ii) substance use disorders amongst children, adolescents, and young adults, including the number of overdoses and deaths amongst children, adolescents, and young adults during the grant period; and

(iii) other indicators, as the Secretary determines appropriate.

(9) REPORT TO CONGRESS.—The Secretary shall, not later than October 1, 2022, submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce and the Committee on Education and the Workforce of the House of Representatives, a report summarizing the effectiveness of the grant program under this subsection, based on the information submitted in reports required under paragraph (8).

(10) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this subsection for each of fiscal years 2019 through 2023.

#### SEC. 1414. PLANS OF SAFE CARE.

Section 105(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(a)) is amended by adding at the end the following:

“(7) GRANTS TO STATES TO IMPROVE AND COORDINATE THEIR RESPONSE TO ENSURE THE SAFETY, PERMANENCY, AND WELL-BEING OF INFANTS AFFECTED BY SUBSTANCE USE.—

“(A) PROGRAM AUTHORIZED.—The Secretary shall make grants to States for the purpose of assisting child welfare agencies, social services agencies, substance use disorder treatment agencies, hospitals with labor and delivery units, medical staff, public health and mental health agencies, and maternal and child health agencies to facilitate collaboration in developing, updating, implementing, and monitoring plans of safe care described in section 106(b)(2)(B)(iii).

“(B) DISTRIBUTION OF FUNDS.—

“(i) RESERVATIONS.—Of the amounts appropriated under subparagraph (H), the Secretary shall reserve—

“(I) no more than 3 percent for the purposes described in subparagraph (G); and

“(II) up to 3 percent for grants to Indian Tribes and tribal organizations to address the needs of infants born with, and identified as being affected by, substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder and their families or caregivers, which to the extent practicable, shall be consistent with the uses of funds described under subparagraph (D).

“(ii) ALLOTMENTS TO STATES AND TERRITORIES.—The Secretary shall allot the amount appropriated under subparagraph (H) that remains after application of clause (i) to each State that applies for such a grant, in an amount equal to the sum of—

“(I) \$500,000; and

“(II) an amount that bears the same relationship to any funds appropriated under subparagraph (H) and remaining after application of clause (i), as the number of live births in the State in the previous calendar year bears to the number of live births in all States in such year.

“(iii) RATABLE REDUCTION.—If the amount appropriated under subparagraph (H) is insufficient to satisfy the requirements of clause (ii), the Secretary shall ratably reduce each allotment to a State.

“(C) APPLICATION.—A State desiring a grant under this paragraph shall submit an

application to the Secretary at such time and in such manner as the Secretary may require. Such application shall include—

“(i) a description of—

“(I) the impact of substance use disorder in such State, including with respect to the substance or class of substances with the highest incidence of abuse in the previous year in such State, including—

“(aa) the prevalence of substance use disorder in such State;

“(bb) the aggregate rate of births in the State of infants affected by substance abuse or withdrawal symptoms or a fetal alcohol spectrum disorder (as determined by hospitals, insurance claims, claims submitted to the State Medicaid program, or other records), if available and to the extent practicable; and

“(cc) the number of infants identified, for whom a plan of safe care was developed, and for whom a referral was made for appropriate services, as reported under section 106(d)(18);

“(II) the challenges the State faces in developing, implementing, and monitoring plans of safe care in accordance with section 106(b)(2)(B)(iii);

“(III) the State’s lead agency for the grant program and how that agency will coordinate with relevant State entities and programs, including the child welfare agency, the substance use disorder treatment agency, hospitals with labor and delivery units, health care providers, the public health and mental health agencies, programs funded by the Substance Abuse and Mental Health Services Administration that provide substance use disorder treatment for women, the State Medicaid program, the State agency administering the block grant program under title V of the Social Security Act (42 U.S.C. 701 et seq.), the State agency administering the programs funded under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), the maternal, infant, and early childhood home visiting program under section 511 of the Social Security Act (42 U.S.C. 711), the State judicial system, and other agencies, as determined by the Secretary, and Indian Tribes and tribal organizations, as appropriate;

“(IV) how the State will monitor local development and implementation of plans of safe care, in accordance with section 106(b)(2)(B)(iii)(II), including how the State will monitor to ensure plans of safe care address differences between substance use disorder and medically supervised substance use, including for the treatment of a substance use disorder;

“(V) how the State meets the requirements of section 1927 of the Public Health Service Act (42 U.S.C. 300x-27);

“(VI) how the State plans to utilize funding authorized under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.) to assist in carrying out any plan of safe care, including such funding authorized under section 471(e) of such Act (as in effect on October 1, 2018) for mental health and substance abuse prevention and treatment services and in-home parent skill-based programs and funding authorized under such section 472(j) (as in effect on October 1, 2018) for children with a parent in a licensed residential family-based treatment facility for substance abuse; and

“(VII) an assessment of the treatment and other services and programs available in the State, to effectively carry out any plan of safe care developed, including identification of needed treatment, and other services and programs to ensure the well-being of young children and their families affected by substance use disorder, such as programs carried out under part C of the Individuals with Disabilities Education Act and comprehensive

early childhood development services and programs such as Head Start programs;

“(ii) a description of how the State plans to use funds for activities described in subparagraph (D) for the purposes of ensuring State compliance with requirements under clauses (ii) and (iii) of section 106(b)(2)(B); and

“(iii) an assurance that the State will—

“(I) comply with this Act and parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq., 670 et seq.); and

“(II) comply with requirements to refer a child identified as substance-exposed to early intervention services as required pursuant to a grant under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.).

“(D) USES OF FUNDS.—Funds awarded to a State under this paragraph may be used for the following activities, which may be carried out by the State directly, or through grants or subgrants, contracts, or cooperative agreements:

“(i) Improving State and local systems with respect to the development and implementation of plans of safe care, which—

“(I) shall include parent and caregiver engagement, as required under section 106(b)(2)(B)(iii)(I), regarding available treatment and service options, which may include resources available for pregnant, perinatal, and postnatal women; and

“(II) may include activities such as—

“(aa) developing policies, procedures, or protocols for the administration or development of evidence-based and validated screening tools for infants who may be affected by substance use withdrawal symptoms or a fetal alcohol spectrum disorder and pregnant, perinatal, and postnatal women whose infants may be affected by substance use withdrawal symptoms or a fetal alcohol spectrum disorder;

“(bb) improving assessments used to determine the needs of the infant and family;

“(cc) improving ongoing case management services; and

“(dd) improving access to treatment services, which may be prior to the pregnant woman’s delivery date.

“(ii) Developing policies, procedures, or protocols in consultation and coordination with health professionals, public and private health facilities, and substance use disorder treatment agencies to ensure that—

“(I) appropriate notification to child protective services is made in a timely manner;

“(II) a plan of safe care is in place, in accordance with section 106(b)(2)(B)(iii), before the infant is discharged from the birth or health care facility; and

“(III) such health and related agency professionals are trained on how to follow such protocols and are aware of the supports that may be provided under a plan of safe care.

“(iii) Training health professionals and health system leaders, child welfare workers, substance use disorder treatment agencies, and other related professionals such as home visiting agency staff and law enforcement in relevant topics including—

“(I) State mandatory reporting laws and the referral and process requirements for notification to child protective services when child abuse or neglect reporting is not mandated;

“(II) the co-occurrence of pregnancy and substance use disorder, and implications of prenatal exposure;

“(III) the clinical guidance about treating substance use disorder in pregnant and postpartum women;

“(IV) appropriate screening and interventions for infants affected by substance use disorder, withdrawal symptoms, or a fetal alcohol spectrum disorder and the requirements under section 106(b)(2)(B)(iii); and

“(V) appropriate multigenerational strategies to address the mental health needs of the parent and child together.

“(iv) Establishing partnerships, agreements, or memoranda of understanding between the lead agency and health professionals, health facilities, child welfare professionals, juvenile and family court judges, substance use and mental disorder treatment programs, early childhood education programs, and maternal and child health and early intervention professionals, including home visiting providers, peer-to-peer recovery programs such as parent mentoring programs, and housing agencies to facilitate the implementation of, and compliance with section 106(b)(2) and clause (ii) of this subparagraph, in areas which may include—

“(I) developing a comprehensive, multi-disciplinary assessment and intervention process for infants, pregnant women, and their families who are affected by substance use disorder, withdrawal symptoms, or a fetal alcohol spectrum disorder, that includes meaningful engagement with and takes into account the unique needs of each family and addresses differences between medically supervised substance use, including for the treatment of substance use disorder, and substance use disorder;

“(II) ensuring that treatment approaches for serving infants, pregnant women, and perinatal and postnatal women whose infants may be affected by substance use, withdrawal symptoms, or a fetal alcohol spectrum disorder, are designed to, where appropriate, keep infants with their mothers during both inpatient and outpatient treatment; and

“(III) increasing access to all evidence-based medication-assisted treatment approved by the Food and Drug Administration, behavioral therapy, and counseling services for the treatment of substance use disorders, as appropriate.

“(v) Developing and updating systems of technology for improved data collection and monitoring under section 106(b)(2)(B)(iii), including existing electronic medical records, to measure the outcomes achieved through the plans of safe care, including monitoring systems to meet the requirements of this Act and submission of performance measures.

“(E) REPORTING.—Each State that receives funds under this paragraph, for each year such funds are received, shall submit a report to the Secretary, disaggregated by geographic location, economic status, and major racial and ethnic groups, except that such disaggregation shall not be required if the results would reveal personally identifiable information on, with respect to infants identified under section 106(b)(2)(B)(ii)—

“(i) the number who experienced removal associated with parental substance use;

“(ii) the number who experienced removal and subsequently are reunified with parents, and the length of time between such removal and reunification;

“(iii) the number who are referred to community providers without a child protection case;

“(iv) the number who receive services while in the care of their birth parents;

“(v) the number who receive post-reunification services within 1 year after a reunification has occurred; and

“(vi) the number who experienced a return to out-of-home care within 1 year after reunification.

“(F) SECRETARY’S REPORT TO CONGRESS.—The Secretary shall submit an annual report to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Education and the Workforce and the Committee on Appropriations of the

House of Representatives that includes the information described in subparagraph (E) and recommendations or observations on the challenges, successes, and lessons derived from implementation of the grant program.

“(G) RESERVATION OF FUNDS.—The Secretary shall use the amount reserved under subparagraph (B)(i)(I) for the purposes of—

“(i) providing technical assistance, including programs of in-depth technical assistance, to additional States, territories, and Indian Tribes and tribal organizations in accordance with the substance-exposed infant initiative developed by the National Center on Substance Abuse and Child Welfare;

“(ii) issuing guidance on the requirements of this Act with respect to infants born with and identified as being affected by substance use or withdrawal symptoms or fetal alcohol spectrum disorder, as described in clauses (i) and (iii) of section 106(b)(2)(B), including by—

“(I) clarifying key terms; and

“(II) disseminating best practices on implementation of plans of safe care, on such topics as differential response, collaboration and coordination, and identification and delivery of services for different populations;

“(iii) supporting State efforts to develop information technology systems to manage plans of safe care; and

“(iv) preparing the Secretary’s report to Congress described in subparagraph (F).

“(H) AUTHORIZATION OF APPROPRIATIONS.—To carry out the program under this paragraph, there is authorized to be appropriated \$60,000,000 for each of fiscal years 2019 through 2023.”

**SEC. 1415. REGULATIONS RELATING TO SPECIAL REGISTRATION FOR TELEMEDICINE.**

Section 311(h) of the Controlled Substances Act (21 U.S.C. 831(h)) is amended by striking paragraph (2) and inserting the following:

“(2) REGULATIONS.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Opioid Crisis Response Act of 2018, in consultation with the Secretary, and in accordance with the procedure described in subparagraph (B), the Attorney General shall promulgate final regulations specifying—

“(i) the limited circumstances in which a special registration under this subsection may be issued; and

“(ii) the procedure for obtaining a special registration under this subsection.

“(B) PROCEDURE.—In promulgating final regulations under subparagraph (A), the Attorney General shall—

“(i) issue a notice of proposed rulemaking that includes a copy of the proposed regulations;

“(ii) provide a period of not less than 60 days for comments on the proposed regulations;

“(iii) finalize the proposed regulation not later than 6 months after the close of the comment period; and

“(iv) publish the final regulations not later than 30 days before the effective date of the final regulations.”

**SEC. 1416. NATIONAL HEALTH SERVICE CORPS BEHAVIORAL AND MENTAL HEALTH PROFESSIONALS PROVIDING OBLIGATED SERVICE IN SCHOOLS AND OTHER COMMUNITY-BASED SETTINGS.**

Subpart III of part D of title III of the Public Health Service Act (42 U.S.C. 254f et seq.) is amended by adding at the end the following:

“(a) SCHOOLS AND COMMUNITY-BASED SETTINGS.—An entity to which a participant in

the Scholarship Program or the Loan Repayment Program (referred to in this section as a ‘participant’) is assigned under section 333 may direct such participant to provide service as a behavioral or mental health professional at a school or other community-based setting located in a health professional shortage area.

“(b) OBLIGATED SERVICE.—

“(1) IN GENERAL.—Any service described in subsection (a) that a participant provides may count towards such participant’s completion of any obligated service requirements under the Scholarship Program or the Loan Repayment Program, subject to any limitation imposed under paragraph (2).

“(2) LIMITATION.—The Secretary may impose a limitation on the number of hours of service described in subsection (a) that a participant may credit towards completing obligated service requirements, provided that the limitation allows a member to credit service described in subsection (a) for not less than 50 percent of the total hours required to complete such obligated service requirements.

“(c) RULE OF CONSTRUCTION.—The authorization under subsection (a) shall be notwithstanding any other provision of this subpart or subpart II.”

**SEC. 1417. LOAN REPAYMENT FOR SUBSTANCE USE DISORDER TREATMENT PROVIDERS.**

(a) LOAN REPAYMENT FOR SUBSTANCE USE TREATMENT PROVIDERS.—The Secretary shall enter into contracts under section 338B of the Public Health Service Act (42 U.S.C. 254i-1) with eligible health professionals providing substance use disorder treatment services in substance use disorder treatment facilities, as defined by the Secretary.

(b) PROVISION OF SUBSTANCE USE DISORDER TREATMENT.—In carrying out the activities described in subsection (a)—

(1) each such facility shall be located in or serving a mental health professional shortage area designated under section 332 of the Public Health Service Act (42 U.S.C. 254e), or, as the Secretary determines appropriate, an area with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate;

(2) section 331(a)(3)(D) of such Act (42 U.S.C. 254d(a)(3)(D)) shall be applied as if the term “primary health services” includes health services regarding substance use disorder treatment and infections associated with illicit drug use;

(3) section 331(a)(3)(E)(i) of such Act (42 U.S.C. 254d(a)(3)(E)(i)) shall be applied as if the term “behavioral and mental health professionals” includes master’s level, licensed substance use disorder treatment counselors, and other relevant professionals or paraprofessionals, as the Secretary determines appropriate; and

(4) such professionals and facilities shall provide—

(A) directly, or through the use of telehealth technology, and pursuant to Federal and State law, counseling by a program counselor or other certified professional who is licensed and qualified by education, training, or experience to assess the psychological and sociological background of patients, to contribute to the appropriate treatment plan for the patient, and to monitor progress; and

(B) medication-assisted treatment, including, to the extent practicable, all drugs approved by the Food and Drug Administration to treat substance use disorders, pursuant to Federal and State law.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2019 through 2023.

**SEC. 1418. PROTECTING MOMS AND INFANTS.**

(a) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress and make available to the public on the internet website of the Department of Health and Human Services a report regarding the implementation of the recommendations in the strategy relating to prenatal opioid use, including neonatal abstinence syndrome, developed pursuant to section 2 of the Protecting Our Infants Act of 2015 (Public Law 114-91). Such report shall include—

(A) an update on the implementation of the recommendations in the strategy, including information regarding the agencies involved in the implementation; and

(B) information on additional funding or authority the Secretary requires, if any, to implement the strategy, which may include authorities needed to coordinate implementation of such strategy across the Department of Health and Human Services.

(2) PERIODIC UPDATES.—The Secretary shall periodically update the report under paragraph (1).

(b) RESIDENTIAL TREATMENT PROGRAMS FOR PREGNANT AND POSTPARTUM WOMEN.—Section 508(s) of the Public Health Service Act (42 U.S.C. 290bb-1(s)) is amended by striking “\$16,900,000 for each of fiscal years 2017 through 2021” and inserting “\$29,931,000 for each of fiscal years 2019 through 2023”.

**SEC. 1419. EARLY INTERVENTIONS FOR PREGNANT WOMEN AND INFANTS.**

(a) DEVELOPMENT OF EDUCATIONAL MATERIALS BY CENTER FOR SUBSTANCE ABUSE PREVENTION.—Section 515(b) of the Public Health Service Act (42 U.S.C. 290bb-21(b)) is amended—

(1) in paragraph (13), by striking “and” at the end;

(2) in paragraph (14), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(15) in cooperation with relevant stakeholders and the Director of the Centers for Disease Control and Prevention, develop educational materials for clinicians to use with pregnant women for shared decisionmaking regarding pain management during pregnancy.”.

(b) GUIDELINES AND RECOMMENDATIONS BY CENTER FOR SUBSTANCE ABUSE TREATMENT.—Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb(b)) is amended—

(1) in paragraph (13), by striking “and” at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(15) in cooperation with the Secretary, implement and disseminate, as appropriate, the recommendations in the report entitled ‘Protecting Our Infants Act: Final Strategy’ issued by the Department of Health and Human Services in 2017; and”.

(c) SUPPORT OF PARTNERSHIPS BY CENTER FOR SUBSTANCE ABUSE TREATMENT.—Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb(b)), as amended by subsection (b), is further amended by adding at the end the following:

“(16) in cooperation with relevant stakeholders, support public-private partnerships to assist with education about, and support with respect to, substance use disorder for pregnant women and health care providers who treat pregnant women and babies.”.

**SEC. 1420. REPORT ON INVESTIGATIONS REGARDING PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS.**

(a) IN GENERAL.—Section 13003 of the 21st Century Cures Act (Public Law 114-255) is amended—

(1) in subsection (a), by striking “with findings of any serious violation regarding” and inserting “concerning”; and

(2) in subsection (b)(1)—

(A) by inserting “complaints received and number of” before “closed”; and

(B) by inserting before the period “, and, for each such investigation closed, which agency conducted the investigation, whether the health plan that is the subject of the investigation is fully insured or not fully insured and a summary of any coordination between the applicable State regulators and the Department of Labor, the Department of Health and Human Services, or the Department of the Treasury, and references to any guidance provided by the agencies addressing the category of violation committed”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to the second annual report required under such section 13003 and each such annual report thereafter.

**Subtitle E—Prevention**

**SEC. 1501. STUDY ON PRESCRIBING LIMITS.**

Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Attorney General, 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 on the impact of Federal and State laws and regulations that limit the length, quantity, or dosage of opioid prescriptions. Such report shall address—

(1) the impact of such limits on—

(A) the incidence and prevalence of overdose related to prescription opioids;

(B) the incidence and prevalence of overdose related to illicit opioids;

(C) the prevalence of opioid use disorders;

(D) medically appropriate use of, and access to, opioids, including any impact on travel expenses and pain management outcomes for patients, whether such limits are associated with significantly higher rates of negative health outcomes, including suicide, and whether the impact of such limits differs based on the clinical indication for which opioids are prescribed;

(2) whether such limits lead to a significant increase in burden for prescribers of opioids or prescribers of treatments for opioid use disorder, including any impact on patient access to treatment, and whether any such burden is mitigated by any factors such as electronic prescribing or telemedicine; and

(3) the impact of such limits on diversion or misuse of any controlled substance in schedule II, III, or IV of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

**SEC. 1502. PROGRAMS FOR HEALTH CARE WORKFORCE.**

(a) PROGRAM FOR EDUCATION AND TRAINING IN PAIN CARE.—Section 759 of the Public Health Service Act (42 U.S.C. 294i) is amended—

(1) in subsection (a), by striking “hospices, and other public and private entities” and inserting “hospices, tribal health programs (as defined in section 4 of the Indian Health Care Improvement Act), and other public and nonprofit private entities”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “award may be made under subsection (a) only if the applicant for the award agrees that the program carried out with the award will include” and inserting “entity receiving an award under this section shall develop a comprehensive education and training plan that includes”; and

(B) in paragraph (1)—

(i) by inserting “preventing,” after “diagnosing,”; and

(ii) by inserting “non-addictive medical products and non-pharmacologic treatments and” after “including”;

(C) in paragraph (2)—

(i) by inserting “Federal, State, and local” after “applicable”; and

(ii) by striking “the degree to which” and all that follows through “effective pain care” and inserting “opioids”;

(D) in paragraph (3), by inserting “, integrated, evidence-based pain management, and, as appropriate, non-pharmacotherapy” before the semicolon;

(E) in paragraph (4), by striking “; and” and inserting “;”; and

(F) by striking paragraph (5) and inserting the following:

“(5) recent findings, developments, and advancements in pain care research and the provision of pain care, which may include non-addictive medical products and non-pharmacologic treatments intended to treat pain; and

“(6) the dangers of opioid abuse and misuse, detection of early warning signs of opioid use disorders (which may include best practices related to screening for opioid use disorders, training on screening, brief intervention, and referral to treatment), and safe disposal options for prescription medications (including such options provided by law enforcement or other innovative deactivation mechanisms).”;

(3) in subsection (d), by inserting “prevention,” after “diagnosis,”; and

(4) in subsection (e), by striking “2010 through 2012” and inserting “2019 through 2023”.

(b) MENTAL AND BEHAVIORAL HEALTH EDUCATION AND TRAINING PROGRAM.—Section 756(a) of the Public Health Service Act (42 U.S.C. 294e-1(a)) is amended—

(1) in paragraph (1), by inserting “, trauma,” after “focus on child and adolescent mental health”; and

(2) in paragraphs (2) and (3), by inserting “trauma-informed care and” before “substance use disorder prevention and treatment services”.

**SEC. 1503. EDUCATION AND AWARENESS CAMPAIGNS.**

Section 102 of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114-198) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention and in coordination with the heads of other departments and agencies, shall advance education and awareness regarding the risks related to misuse and abuse of opioids, as appropriate, which may include developing or improving existing programs, conducting activities, and awarding grants that advance the education and awareness of—

“(1) the public, including patients and consumers;

“(2) patients, consumers, and other appropriate members of the public, regarding such risks related to unused opioids and the dispensing options under section 309(f) of the Controlled Substances Act, as applicable;

“(3) providers, which may include—

“(A) providing for continuing education on appropriate prescribing practices;

“(B) education related to applicable State or local prescriber limit laws, information on the use of non-addictive alternatives for pain management, and the use of overdose reversal drugs, as appropriate;

“(C) disseminating and improving the use of evidence-based opioid prescribing guidelines across relevant health care settings, as appropriate, and updating guidelines as necessary;

“(D) implementing strategies, such as best practices, to encourage and facilitate the use

of prescriber guidelines, in accordance with State and local law;

“(E) disseminating information to providers about prescribing options for controlled substances, including such options under section 309(f) of the Controlled Substances Act, as applicable; and

“(F) disseminating information, as appropriate, on the National Pain Strategy developed by or in consultation with the Assistant Secretary for Health; and

“(4) other appropriate entities.”; and

(2) in subsection (b)—

(A) by striking “opioid abuse” each place such term appears and inserting “opioid misuse and abuse”; and

(B) in paragraph (2), by striking “safe disposal of prescription medications and other” and inserting “non-addictive treatment options, safe disposal options for prescription medications, and other applicable”.

**SEC. 1504. ENHANCED CONTROLLED SUBSTANCE OVERDOSES DATA COLLECTION, ANALYSIS, AND DISSEMINATION.**

Part J of title III of the Public Health Service Act is amended by inserting after section 392 (42 U.S.C. 280b-1) the following:

**“SEC. 392A. ENHANCED CONTROLLED SUBSTANCE OVERDOSES DATA COLLECTION, ANALYSIS, AND DISSEMINATION.**

“(a) IN GENERAL.—The Director of the Centers for Disease Control and Prevention, using the authority provided to the Director under section 392, may—

“(1) to the extent practicable, carry out and expand any controlled substance overdose data collection, analysis, and dissemination activity described in subsection (b);

“(2) provide training and technical assistance to States, localities, and Indian Tribes for the purpose of carrying out any such activity; and

“(3) award grants to States, localities, and Indian Tribes for the purpose of carrying out any such activity.

“(b) CONTROLLED SUBSTANCE OVERDOSE DATA COLLECTION AND ANALYSIS ACTIVITIES.—A controlled substance overdose data collection, analysis, and dissemination activity described in this subsection is any of the following activities:

“(1) Improving the timeliness of reporting aggregate data to the public, including data on fatal and nonfatal controlled substance overdoses.

“(2) Enhancing the comprehensiveness of controlled substance overdose data by collecting information on such overdoses from appropriate sources such as toxicology reports, autopsy reports, death scene investigations, and emergency department services.

“(3) Modernizing the system for coding causes of death related to controlled substance overdoses to use an electronic-based system.

“(4) Using data to help identify risk factors associated with controlled substance overdoses, including the delivery of certain health care services.

“(5) Supporting entities involved in reporting information on controlled substance overdoses, such as coroners and medical examiners, to improve accurate testing and standardized reporting of causes and contributing factors of such overdoses, and analysis of various opioid analogues to controlled substance overdoses.

“(6) Working to enable and encourage the access, exchange, and use of data regarding controlled substance overdoses among data sources and entities.

“(c) DEFINITIONS.—In this section—

“(1) the term ‘controlled substance’ has the meaning given that term in section 102 of the Controlled Substances Act; and

“(2) the term ‘Indian Tribe’ has the meaning given the term ‘Indian tribe’ in section 4

of the Indian Self-Determination and Education Assistance Act.”.

**SEC. 1505. PREVENTING OVERDOSES OF CONTROLLED SUBSTANCES.**

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.), as amended by section 504, is further amended by inserting after section 392A the following:

**“SEC. 392B. PREVENTING OVERDOSES OF CONTROLLED SUBSTANCES.**

“(a) PREVENTION ACTIVITIES.—

“(1) IN GENERAL.—The Director of the Centers for Disease Control and Prevention (referred to in this section as the ‘Director’), using the authority provided to the Director under section 392, may—

“(A) to the extent practicable, carry out and expand any prevention activity described in paragraph (2);

“(B) provide training and technical assistance to States, localities, and Indian Tribes to carry out any such activity; and

“(C) award grants to States, localities, and Indian Tribes for the purpose of carrying out any such activity.

“(2) PREVENTION ACTIVITIES.—A prevention activity described in this paragraph is an activity to improve the efficiency and use of a new or currently operating prescription drug monitoring program, such as—

“(A) encouraging all authorized users (as specified by the State or other entity) to register with and use the program;

“(B) enabling such users to access any data updates in as close to real-time as practicable;

“(C) providing for a mechanism for the program to notify authorized users of any potential misuse or abuse of controlled substances and any detection of inappropriate prescribing or dispensing practices relating to such substances;

“(D) encouraging the analysis of prescription drug monitoring data for purposes of providing de-identified, aggregate reports based on such analysis to State public health agencies, State alcohol and drug agencies, State licensing boards, and other appropriate State agencies, as permitted under applicable Federal and State law and the policies of the prescription drug monitoring program and not containing any protected health information, to prevent inappropriate prescribing, drug diversion, or abuse and misuse of controlled substances, and to facilitate better coordination among agencies;

“(E) enhancing interoperability between the program and any health information technology (including certified health information technology), including by integrating program data into such technology;

“(F) updating program capabilities to respond to technological innovation for purposes of appropriately addressing the occurrence and evolution of controlled substance overdoses;

“(G) developing or enhancing data exchange with other sources such as the Medicaid agency, the Medicare program, pharmacy benefit managers, coroners’ reports, and workers’ compensation data;

“(H) facilitating and encouraging data exchange between the program and the prescription drug monitoring programs of other States;

“(I) enhancing data collection and quality, including improving patient matching and proactively monitoring data quality; and

“(J) providing prescriber and dispenser practice tools, including prescriber practice insight reports for practitioners to review their prescribing patterns in comparison to such patterns of other practitioners in the specialty.

“(b) ADDITIONAL GRANTS.—The Director may award grants to States, localities, and Indian Tribes—

“(1) to carry out innovative projects for grantees to rapidly respond to controlled substance misuse, abuse, and overdoses, including changes in patterns of controlled substance use; and

“(2) for any other evidence-based activity for preventing controlled substance misuse, abuse, and overdoses as the Director determines appropriate.

“(c) RESEARCH.—The Director, in coordination with the Assistant Secretary for Mental Health and Substance Use and the National Mental Health and Substance Use Policy Laboratory established under section 501A, as appropriate and applicable, may conduct studies and evaluations to address substance use disorders, including preventing substance use disorders or other related topics the Director determines appropriate.

“(d) PUBLIC AND PRESCRIBER EDUCATION.—Pursuant to section 102 of the Comprehensive Addiction and Recovery Act of 2016, the Director may advance the education and awareness of prescribers and the public regarding the risk of abuse and misuse of prescription opioids.

“(e) DEFINITIONS.—In this section—

“(1) the term ‘controlled substance’ has the meaning given that term in section 102 of the Controlled Substances Act; and

“(2) the term ‘Indian Tribe’ has the meaning given the term ‘Indian tribe’ in section 4 of the Indian Self-Determination and Education Assistance Act.

“(f) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, section 392A of this Act, and section 102 of the Comprehensive Addiction and Recovery Act of 2016, there is authorized to be appropriated \$486,000,000 for each of fiscal years 2019 through 2024.”.

**SEC. 1506. CDC SURVEILLANCE AND DATA COLLECTION FOR CHILD, YOUTH, AND ADULT TRAUMA.**

(a) DATA COLLECTION.—The Director of the Centers for Disease Control and Prevention (referred to in this section as the “Director”) may, in cooperation with the States, collect and report data on adverse childhood experiences through the Behavioral Risk Factor Surveillance System, the Youth Risk Behavior Surveillance System, and other relevant public health surveys or questionnaires.

(b) TIMING.—The collection of data under subsection (a) may occur in fiscal year 2019 and every 2 years thereafter.

(c) DATA FROM RURAL AREAS.—The Director shall encourage each State that participates in collecting and reporting data under subsection (a) to collect and report data from tribal and rural areas within such State, in order to generate a statistically reliable representation of such areas.

(d) DATA FROM TRIBAL AREAS.—The Director may, in cooperation with Indian Tribes and pursuant to a written request from an Indian Tribe, provide technical assistance to such Indian Tribe to collect and report data on adverse childhood experiences through the Behavioral Risk Factor Surveillance System, the Youth Risk Behavior Surveillance System, or another relevant public health survey or questionnaire.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated such sums as may be necessary for the period of fiscal years 2019 through 2021.

**SEC. 1507. REAUTHORIZATION OF NASPER.**

Section 3990 of the Public Health Service Act (42 U.S.C. 280g-3) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “in consultation with the Administrator of the Substance Abuse and Mental Health Services Administration and Director of the Centers

for Disease Control and Prevention” and inserting “in coordination with the Director of the Centers for Disease Control and the heads of other departments and agencies as appropriate”; and

(B) by adding at the end the following:

“(4) STATES AND LOCAL GOVERNMENTS.—

“(A) IN GENERAL.—In the case of a State that does not have a prescription drug monitoring program, a county or other unit of local government within the State that has a prescription drug monitoring program shall be treated as a State for purposes of this section, including for purposes of eligibility for grants under paragraph (1).

“(B) PLAN FOR INTEROPERABILITY.—For purposes of meeting the interoperability requirements under subsection (c)(3), a county or other unit of local government shall submit a plan outlining the methods such county or unit of local government will use to ensure the capability of data sharing with other counties and units of local government within the State and with other States, as applicable.”;

(2) in subsection (c)—

(A) in paragraph (1)(A)(iii)—

(i) by inserting “as such standards become available,” after “interoperability standards,”; and

(ii) by striking “generated or identified by the Secretary or his or her designee” and inserting “recognized by the Office of the National Coordinator for Health Information Technology”; and

(B) in paragraph (3)(A), by inserting “including electronic health records,” after “technology systems,”;

(3) in subsection (d)(1), by striking “not later than 1 week after the date of such dispensing” and inserting “in as close to real time as practicable”;

(4) in subsection (f)—

(A) in paragraph (1)(D), by striking “Medicaid” and inserting “Medicaid”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “and” at the end;

(ii) in subparagraph (B), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

“(C) may conduct analyses of controlled substance program data for purposes of providing appropriate State agencies with aggregate reports based on such analyses in as close to real-time as practicable, regarding prescription patterns flagged as potentially presenting a risk of misuse, abuse, addiction, overdose, and other aggregate information, as appropriate and in compliance with applicable Federal and State laws and provided that such reports shall not include protected health information; and

“(D) may access information about prescriptions, such as claims data, to ensure that such prescribing and dispensing history is updated in as close to real-time as practicable, in compliance with applicable Federal and State laws and provided that such information shall not include protected health information.”;

(5) in subsection (i), by inserting “, in collaboration with the National Coordinator for Health Information Technology and the Director of the National Institute of Standards and Technology,” after “The Secretary”; and

(6) in subsection (n), by striking “2021” and inserting “2026”.

#### SEC. 1508. JESSIE'S LAW.

(a) BEST PRACTICES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with appropriate stakeholders, including a patient with a history of opioid use disorder, an expert in electronic health records, an expert in the con-

fidentiality of patient health information and records, and a health care provider, shall identify or facilitate the development of best practices regarding—

(A) the circumstances under which information that a patient has provided to a health care provider regarding such patient's history of opioid use disorder should, only at the patient's request, be prominently displayed in the medical records (including electronic health records) of such patient;

(B) what constitutes the patient's request for the purpose described in subparagraph (A); and

(C) the process and methods by which the information should be so displayed.

(2) DISSEMINATION.—The Secretary shall disseminate the best practices developed under paragraph (1) to health care providers and State agencies.

(b) REQUIREMENTS.—In identifying or facilitating the development of best practices under subsection (a), as applicable, the Secretary, in consultation with appropriate stakeholders, shall consider the following:

(1) The potential for addiction relapse or overdose, including overdose death, when opioid medications are prescribed to a patient recovering from opioid use disorder.

(2) The benefits of displaying information about a patient's opioid use disorder history in a manner similar to other potentially lethal medical concerns, including drug allergies and contraindications.

(3) The importance of prominently displaying information about a patient's opioid use disorder when a physician or medical professional is prescribing medication, including methods for avoiding alert fatigue in providers.

(4) The importance of a variety of appropriate medical professionals, including physicians, nurses, and pharmacists, having access to information described in this section when prescribing or dispensing opioid medication, consistent with Federal and State laws and regulations.

(5) The importance of protecting patient privacy, including the requirements related to consent for disclosure of substance use disorder information under all applicable laws and regulations.

(6) All applicable Federal and State laws and regulations.

#### SEC. 1509. DEVELOPMENT AND DISSEMINATION OF MODEL TRAINING PROGRAMS FOR SUBSTANCE USE DISORDER PATIENT RECORDS.

(a) INITIAL PROGRAMS AND MATERIALS.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with appropriate experts, shall identify the following model programs and materials (or if no such programs or materials exist, recognize private or public entities to develop and disseminate such programs and materials):

(1) Model programs and materials for training health care providers (including physicians, emergency medical personnel, psychiatrists, psychologists, counselors, therapists, nurse practitioners, physician assistants, behavioral health facilities and clinics, care managers, and hospitals, including individuals such as general counsels or regulatory compliance staff who are responsible for establishing provider privacy policies) concerning the permitted uses and disclosures, consistent with the standards and regulations governing the privacy and security of substance use disorder patient records promulgated by the Secretary under section 543 of the Public Health Service Act (42 U.S.C. 290dd-2) for the confidentiality of patient records.

(2) Model programs and materials for training patients and their families regarding their rights to protect and obtain informa-

tion under the standards and regulations described in paragraph (1).

(b) REQUIREMENTS.—The model programs and materials described in paragraphs (1) and (2) of subsection (a) shall address circumstances under which disclosure of substance use disorder patient records is needed to—

(1) facilitate communication between substance use disorder treatment providers and other health care providers to promote and provide the best possible integrated care;

(2) avoid inappropriate prescribing that can lead to dangerous drug interactions, overdose, or relapse; and

(3) notify and involve families and caregivers when individuals experience an overdose.

(c) PERIODIC UPDATES.—The Secretary shall—

(1) periodically review and update the model program and materials identified or developed under subsection (a); and

(2) disseminate such updated programs and materials to the individuals described in subsection (a)(1).

(d) INPUT OF CERTAIN ENTITIES.—In identifying, reviewing, or updating the model programs and materials under this section, the Secretary shall solicit the input of relevant stakeholders.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2019 through 2023.

#### SEC. 1510. COMMUNICATION WITH FAMILIES DURING EMERGENCIES.

(a) PROMOTING AWARENESS OF AUTHORIZED DISCLOSURES DURING EMERGENCIES.—The Secretary shall annually notify health care providers regarding permitted disclosures during emergencies, including overdoses, of certain health information to families and caregivers under Federal health care privacy laws and regulations.

(b) USE OF MATERIAL.—For the purposes of carrying out subsection (a), the Secretary may use material produced under section 1509 of this Act or under section 11004 of the 21st Century Cures Act (42 U.S.C. 1320d-2 note).

#### SEC. 1511. PRENATAL AND POSTNATAL HEALTH.

Section 317L of the Public Health Service Act (42 U.S.C. 247b-13) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

“(1) to collect, analyze, and make available data on prenatal smoking and alcohol and substance abuse and misuse, including—

“(A) data on—

“(i) the incidence, prevalence, and implications of such activities; and

“(ii) the incidence and prevalence of implications and outcomes, including neonatal abstinence syndrome and other maternal and child health outcomes associated with such activities; and

“(B) to inform such analysis, additional information or data on family health history, medication exposures during pregnancy, demographic information, such as race, ethnicity, geographic location, and family history, and other relevant information, as appropriate.”;

(B) in paragraph (2)—

(i) by striking “prevention of” and inserting “prevention and long-term outcomes associated with”; and

(ii) by striking “illegal drug use” and inserting “substance abuse and misuse”;

(C) in paragraph (3), by striking “and cessation programs; and” and inserting “, treatment, and cessation programs.”;

(D) in paragraph (4), by striking “illegal drug use.” and inserting “substance abuse and misuse; and”;

(E) by adding at the end the following:

“(5) to issue public reports on the analysis of data described in paragraph (1), including analysis of—

“(A) long-term outcomes of children affected by neonatal abstinence syndrome;

“(B) health outcomes associated with prenatal smoking, alcohol, and substance abuse and misuse; and

“(C) relevant studies, evaluations, or information the Secretary determines to be appropriate.”;

(2) in subsection (b), by inserting “tribal entities,” after “local governments.”;

(3) by redesignating subsection (c) as subsection (d);

(4) by inserting after subsection (b) the following:

“(c) **COORDINATING ACTIVITIES.**—To carry out this section, the Secretary may—

“(1) provide technical and consultative assistance to entities receiving grants under subsection (b);

“(2) ensure a pathway for data sharing between States, tribal entities, and the Centers for Disease Control and Prevention;

“(3) ensure data collection under this section is consistent with applicable State, Federal, and Tribal privacy laws; and

“(4) coordinate with the National Coordinator for Health Information Technology, as appropriate, to assist States and Tribes in implementing systems that use standards recognized by such National Coordinator, as such recognized standards are available, in order to facilitate interoperability between such systems and health information technology systems, including certified health information technology.”; and

(5) in subsection (d), as so redesignated, by striking “2001 through 2005” and inserting “2019 through 2023”.

**SEC. 1512. SURVEILLANCE AND EDUCATION REGARDING INFECTIONS ASSOCIATED WITH ILLICIT DRUG USE AND OTHER RISK FACTORS.**

Section 317N of the Public Health Service Act (42 U.S.C. 247b-15) is amended—

(1) by amending the section heading to read as follows: “**SURVEILLANCE AND EDUCATION REGARDING INFECTIONS ASSOCIATED WITH ILLICIT DRUG USE AND OTHER RISK FACTORS**”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting “activities” before the colon;

(B) in paragraph (1)—

(i) by inserting “or maintaining” after “implementing”;

(ii) by striking “hepatitis C virus infection (in this section referred to as ‘HCV infection’)” and inserting “infections commonly associated with illicit drug use, which may include viral hepatitis, human immunodeficiency virus, and infective endocarditis.”; and

(iii) by striking “such infection” and all that follows through the period at the end and inserting “such infections, which may include the reporting of cases of such infections.”;

(C) in paragraph (2), by striking “HCV infection” and all that follows through the period at the end and inserting “infections as a result of illicit drug use, receiving blood transfusions prior to July 1992, or other risk factors.”;

(D) in paragraphs (4) and (5), by striking “HCV infection” each place such term appears and inserting “infections described in paragraph (1)”;

(E) in paragraph (5), by striking “pediatricians and other primary care physicians, and obstetricians and gynecologists” and inserting “substance use disorder treatment providers, pediatricians, other primary care providers, and obstetrician-gynecologists”;

(3) in subsection (b)—

(A) by striking “directly and” and inserting “directly or”; and

(B) by striking “hepatitis C,” and all that follows through the period at the end and inserting “infections described in subsection (a)(1).”; and

(4) in subsection (c), by striking “such sums as may be necessary for each of the fiscal years 2001 through 2005” and inserting “\$40,000,000 for each of fiscal years 2019 through 2023”.

**SEC. 1513. TASK FORCE TO DEVELOP BEST PRACTICES FOR TRAUMA-INFORMED IDENTIFICATION, REFERRAL, AND SUPPORT.**

(a) **ESTABLISHMENT.**—There is established a task force, to be known as the Interagency Task Force on Trauma-Informed Care (in this section referred to as the “task force”) that shall identify, evaluate, and make recommendations regarding best practices with respect to children and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma.

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The task force shall be composed of the heads of the following Federal departments and agencies, or their designees:

(A) The Centers for Medicare & Medicaid Services.

(B) The Substance Abuse and Mental Health Services Administration.

(C) The Agency for Healthcare Research and Quality.

(D) The Centers for Disease Control and Prevention.

(E) The Indian Health Service.

(F) The Department of Veterans Affairs.

(G) The National Institutes of Health.

(H) The Food and Drug Administration.

(I) The Health Resources and Services Administration.

(J) The Department of Defense.

(K) The Office of Minority Health.

(L) The Administration for Children and Families.

(M) The Office of the Assistant Secretary for Planning and Evaluation.

(N) The Office for Civil Rights of the Department of Health and Human Services.

(O) The Office of Juvenile Justice and Delinquency Prevention of the Department of Justice.

(P) The Office of Community Oriented Policing Services of the Department of Justice.

(Q) The Office on Violence Against Women of the Department of Justice.

(R) The National Center for Education Evaluation and Regional Assistance of the Department of Education.

(S) The National Center for Special Education Research of the Institute of Education Science.

(T) The Office of Elementary and Secondary Education of the Department of Education.

(U) The Office for Civil Rights of the Department of Education.

(V) The Office of Special Education and Rehabilitative Services of the Department of Education.

(W) The Bureau of Indian Affairs of the Department of the Interior.

(X) The Veterans Health Administration of the Department of Veterans Affairs.

(Y) The Office of Special Needs Assistance Programs of the Department of Housing and Urban Development.

(Z) The Office of Head Start of the Administration for Children and Families.

(AA) The Children’s Bureau of the Administration for Children and Families.

(BB) The Bureau of Indian Education of the Department of the Interior.

(CC) Such other Federal agencies as the Secretaries determine to be appropriate.

(2) **DATE OF APPOINTMENTS.**—The heads of Federal departments and agencies shall appoint the corresponding members of the task force not later than 6 months after the date of enactment of this Act.

(3) **CHAIRPERSON.**—The task force shall be chaired by the Assistant Secretary for Mental Health and Substance Use.

(c) **TASK FORCE DUTIES.**—The task force shall—

(1) solicit input from stakeholders, including frontline service providers, educators, mental health professionals, researchers, experts in infant, child, and youth trauma, child welfare professionals, and the public, in order to inform the activities under paragraph (2); and

(2) identify, evaluate, make recommendations, and update such recommendations not less than annually, to the general public, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Attorney General, and other relevant cabinet Secretaries, and Congress regarding—

(A) a set of evidence-based, evidence-informed, and promising best practices with respect to—

(i) the identification of infants, children and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma; and

(ii) the expeditious referral to and implementation of trauma-informed practices and supports that prevent and mitigate the effects of trauma;

(B) a national strategy on how the task force and member agencies will collaborate, prioritize options for, and implement a coordinated approach which may include data sharing and the awarding of grants that support infants, children, and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma; and

(C) existing Federal authorities at the Department of Education, Department of Health and Human Services, Department of Justice, Department of Labor, Department of the Interior, and other relevant agencies, and specific Federal grant programs to disseminate best practices on, provide training in, or deliver services through, trauma-informed practices, and disseminate such information—

(i) in writing to relevant program offices at such agencies to encourage grant applicants in writing to use such funds, where appropriate, for trauma-informed practices; and

(ii) to the general public through the internet website of the task force.

(d) **BEST PRACTICES.**—In identifying, evaluating, and recommending the set of best practices under subsection (c), the task force shall—

(1) include guidelines for providing professional development for front-line services providers, including school personnel, early childhood education program providers, providers from child- or youth-serving organizations, housing and homeless providers, primary and behavioral health care providers, child welfare and social services providers, juvenile and family court personnel, health care providers, individuals who are mandatory reporters of child abuse or neglect, trained nonclinical providers (including peer mentors and clergy), and first responders, in—

(A) understanding and identifying early signs and risk factors of trauma in infants, children, and youth, and their families as appropriate, including through screening processes;

(B) providing practices to prevent and mitigate the impact of trauma, including by fostering safe and stable environments and relationships; and

(C) developing and implementing policies, procedures, or systems that—

(i) are designed to quickly refer infants, children, youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma to the appropriate trauma-informed screening and support, including age-appropriate treatment, and to ensure such infants, children, youth, and family members receive such support;

(ii) utilize and develop partnerships with early childhood education programs, local social services organizations, such as organizations serving youth, and clinical mental health or health care service providers with expertise in providing support services (including age-appropriate trauma-informed and evidence-based treatment) aimed at preventing or mitigating the effects of trauma;

(iii) educate children and youth to—

(I) understand and identify the signs, effects, or symptoms of trauma; and

(II) build the resilience and coping skills to mitigate the effects of experiencing trauma;

(iv) promote and support multi-generational practices that assist parents, foster parents, and kinship and other caregivers in accessing resources related to, and developing environments conducive to, the prevention and mitigation of trauma; and

(v) collect and utilize data from screenings, referrals, or the provision of services and supports to evaluate and improve processes for trauma-informed support and outcomes that are culturally sensitive, linguistically appropriate, and specific to age ranges and sex, as applicable; and

(2) recommend best practices that are designed to avoid unwarranted custody loss or criminal penalties for parents or guardians in connection with infants, children, and youth who have experienced or are at risk of experiencing trauma.

(e) **OPERATING PLAN.**—Not later than 1 year after the date of enactment of this Act, the task force shall hold the first meeting. Not later than 2 years after such date of enactment, the task force shall submit to the Secretary of Education, Secretary of Health and Human Services, Secretary of Labor, Secretary of the Interior, the Attorney General, and Congress an operating plan for carrying out the activities of the task force described in subsection (c)(2). Such operating plan shall include—

(1) a list of specific activities that the task force plans to carry out for purposes of carrying out duties described in subsection (c)(2), which may include public engagement;

(2) a plan for carrying out the activities under subsection (c)(2);

(3) a list of members of the task force and other individuals who are not members of the task force that may be consulted to carry out such activities;

(4) an explanation of Federal agency involvement and coordination needed to carry out such activities, including any statutory or regulatory barriers to such coordination;

(5) a budget for carrying out such activities; and

(6) other information that the task force determines appropriate.

(f) **FINAL REPORT.**—Not later than 3 years after the date of the first meeting of the task force, the task force shall submit to the general public, Secretary of Education, Secretary of Health and Human Services, Secretary of Labor, Secretary of the Interior, the Attorney General, and other relevant cabinet Secretaries, and Congress, a final report containing all of the findings and recommendations required under this section.

(g) **DEFINITION.**—In this section, the term “early childhood education program” has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(h) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there is authorized to be appropriated such sums as may be necessary for each of fiscal years 2019 through 2022.

(i) **SUNSET.**—The task force shall on the date that is 60 days after the submission of the final report under subsection (f), but not later than September 30, 2022.

**SEC. 1514. GRANTS TO IMPROVE TRAUMA SUPPORT SERVICES AND MENTAL HEALTH CARE FOR CHILDREN AND YOUTH IN EDUCATIONAL SETTINGS.**

(a) **GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.**—The Secretary, in coordination with the Assistant Secretary for Mental Health and Substance Use, is authorized to award grants to, or enter into contracts or cooperative agreements with, State educational agencies, local educational agencies, Head Start agencies (including Early Head Start agencies), State or local agencies that administer public preschool programs, Indian Tribes or their tribal educational agencies, a school operated by the Bureau of Indian Education, a Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)), or a Native Hawaiian educational organization (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)), for the purpose of increasing student access to evidence-based trauma support services and mental health care by developing innovative initiatives, activities, or programs to link local school systems with local trauma-informed support and mental health systems, including those under the Indian Health Service.

(b) **DURATION.**—With respect to a grant, contract, or cooperative agreement awarded or entered into under this section, the period during which payments under such grant, contract or agreement are made to the recipient may not exceed 4 years.

(c) **USE OF FUNDS.**—An entity that receives a grant, contract, or cooperative agreement under this section shall use amounts made available through such grant, contract, or cooperative agreement for evidence-based activities, which shall include any of the following:

(1) Collaborative efforts between school-based service systems and trauma-informed support and mental health service systems to provide, develop, or improve prevention, screening, referral, and treatment and support services to students, such as by providing universal trauma screenings to identify students in need of specialized support.

(2) To implement schoolwide multi-tiered positive behavioral interventions and supports, or other trauma-informed models of support.

(3) To provide professional development to teachers, teacher assistants, school leaders, specialized instructional support personnel, and mental health professionals that—

(A) fosters safe and stable learning environments that prevent and mitigate the effects of trauma, including through social and emotional learning;

(B) improves school capacity to identify, refer, and provide services to students in need of trauma support or behavioral health services; or

(C) reflects the best practices developed by the Interagency Task Force on Trauma-Informed Care established under section 513.

(4) To create or enhance services at a full-service community school that focuses on trauma-informed supports, which may include establishing a school-site advisory team, managing, coordinating, or delivering pipeline services, hiring a full-time site coordinator, or other activities consistent with section 4625 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7275).

(5) Engaging families and communities in efforts to increase awareness of child and youth trauma, which may include sharing best practices with law enforcement regarding trauma-informed care and working with mental health professionals to provide interventions, as well as longer term coordinated care within the community for children and youth who have experienced trauma and their families.

(6) To provide technical assistance to school systems and mental health agencies.

(7) To evaluate the effectiveness of the program carried out under this section in increasing student access to evidence-based trauma support services and mental health care.

(d) **APPLICATIONS.**—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity described in 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, which shall include the following:

(1) A description of the innovative initiatives, activities, or programs to be funded under the grant, contract, or cooperative agreement, including how such program will increase access to evidence-based trauma support services and mental health care for students, and, as applicable, the families of such students.

(2) A description of how the program will provide linguistically appropriate and culturally competent services.

(3) A description of how the program will support students and the school in improving the school climate in order to support an environment conducive to learning.

(4) An assurance that—

(A) persons providing services under the grant, contract, or cooperative agreement are adequately trained to provide such services; and

(B) teachers, school leaders, administrators, specialized instructional support personnel, representatives of local Indian Tribes or tribal organizations as appropriate, other school personnel, and parents or guardians of students participating in services under this section will be engaged and involved in the design and implementation of the services.

(5) A description of how the applicant will support and integrate existing school-based services with the program in order to provide mental health services for students, as appropriate.

(e) **INTERAGENCY AGREEMENTS.**—

(1) **DESIGNATION OF LEAD AGENCY.**—A recipient of a grant, contract, or cooperative agreement under this section shall designate a lead agency to direct the establishment of an interagency agreement among local educational agencies, agencies responsible for early childhood education programs, juvenile justice authorities, mental health agencies, child welfare agencies, and other relevant entities in the State or Indian Tribe, in collaboration with local entities.

(2) **CONTENTS.**—The interagency agreement shall ensure the provision of the services described in subsection (c), specifying with respect to each agency, authority, or entity—

(A) the financial responsibility for the services;

(B) the conditions and terms of responsibility for the services, including quality, accountability, and coordination of the services; and

(C) the conditions and terms of reimbursement among the agencies, authorities, or entities that are parties to the interagency agreement, including procedures for dispute resolution.

(f) **EVALUATION.**—The Secretary shall reserve not to exceed 3 percent of the funds

made available under subsection (1) for each fiscal year to—

(1) conduct a rigorous, independent evaluation of the activities funded under this section; and

(2) disseminate and promote the utilization of evidence-based practices regarding trauma support services and mental health care.

(g) **DISTRIBUTION OF AWARDS.**—The Secretary shall ensure that grants, contracts, and cooperative agreements awarded or entered into under this section are equitably distributed among the geographical regions of the United States and among tribal, urban, suburban, and rural populations.

(h) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed—

(1) to prohibit an entity involved with a program carried out under this section from reporting a crime that is committed by a student to appropriate authorities; or

(2) to prevent Federal, State, and tribal law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal, tribal, and State law to crimes committed by a student.

(i) **SUPPLEMENT, NOT SUPPLANT.**—Any services provided through programs carried out under this section shall supplement, and not supplant, existing mental health services, including any special education and related services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(j) **CONSULTATION WITH INDIAN TRIBES.**—In carrying out subsection (a), the Secretary shall, in a timely manner, meaningfully consult, engage, and cooperate with Indian Tribes and their representatives to ensure notice of eligibility.

(k) **DEFINITIONS.**—In this section:

(1) **ELEMENTARY OR SECONDARY SCHOOL.**—The term “elementary or secondary school” means a public elementary and secondary school as such term is defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) **EVIDENCE-BASED.**—The term “evidence-based” has the meaning given such term in section 8101(21)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21)(A)(i)).

(3) **NATIVE HAWAIIAN EDUCATIONAL ORGANIZATION.**—The term “Native Hawaiian educational organization” has the meaning given such term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(4) **PIPELINE SERVICES.**—The term “pipeline services” has the meaning given such term in section 4622 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(5) **SCHOOL LEADER.**—The term “school leader” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

(7) **SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.**—The term “specialized instructional support personnel” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2019 through 2023.

**SEC. 1515. NATIONAL CHILD TRAUMATIC STRESS INITIATIVE.**

Section 582(j) of the Public Health Service Act (42 U.S.C. 290hh-1(j)) (relating to grants to address the problems of persons who experience violence-related stress) is amended by striking “\$46,887,000 for each of fiscal years 2018 through 2022” and inserting “\$53,887,000 for each of fiscal years 2019 through 2023”.

**SEC. 1516. NATIONAL MILESTONES TO MEASURE SUCCESS IN CURTAILING THE OPIOID CRISIS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Administrator of the Drug Enforcement Administration and the Director of the Office of National Drug Control Policy, shall develop or identify existing national indicators (referred to in this section as the “national milestones”) to measure success in curtailing the opioid crisis, with the goal of significantly reversing the incidence and prevalence of opioid misuse and abuse, and opioid-related morbidity and mortality in the United States within 5 years of such date of enactment.

(b) **NATIONAL MILESTONES TO END THE OPIOID CRISIS.**—The national milestones under subsection (a) shall include the following:

(1) Not fewer than 10 indicators or metrics to accurately and expediently measure progress in meeting the goal described in subsection (a), which shall, as appropriate, include, indicators or metrics related to—

(A) the number of fatal and non-fatal opioid overdoses;

(B) the number of emergency room visits related to opioid misuse and abuse;

(C) the number of individuals in sustained recovery from opioid use disorder;

(D) the number of infections associated with illicit drug use, such as HIV, viral hepatitis, and infective endocarditis, and available capacity for treating such infections;

(E) the number of providers prescribing medication assisted treatment for opioid use disorders, including in primary care settings, community health centers, jails, and prisons;

(F) the number of individuals receiving treatment for opioid use disorder; and

(G) additional indicators or metrics, as appropriate, such as metrics pertaining to specific populations, including women and children, American Indians and Alaskan Natives, individuals living in rural and non-urban areas, and justice-involved populations, that would further clarify the progress made in addressing the opioid misuse and abuse crisis.

(2) A reasonable goal, such as a percentage decrease or other specified metric, that signifies progress in meeting the goal described in subsection (a), and annual targets to help achieve that goal.

(c) **CONSIDERATION OF OTHER SUBSTANCE USE DISORDERS.**—In developing the national milestones under subsection (b), the Secretary shall, as appropriate, consider other substance use disorders in addition to opioid use disorder.

(d) **EXTENSION OF PERIOD.**—If the Secretary determines that the goal described in subsection (a) will not be achieved with respect to any indicator or metric established under subsection (b)(2) within 5 years of the date of enactment of this Act, the Secretary may extend the timeline for meeting such goal with respect to that indicator or metric. The Secretary shall include with any such extension a rationale for why additional time is needed and information on whether significant changes are needed in order to achieve such goal with respect to the indicator or metric.

(e) **ANNUAL STATUS UPDATE.**—Not later than one year after the enactment of this Act, the Secretary shall make available on the internet website of the Department of Health and Human Services, and 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, an update on the progress, including expected progress in the subsequent year, in achieving the goals de-

tailed in the national milestones. Each such update shall include the progress made in the first year or since the previous report, as applicable, in meeting each indicator or metric in the national milestones.

**TITLE II—FINANCE**

**SEC. 2001. SHORT TITLE.**

This title may be cited as the “Helping to End Addiction and Lessen Substance Use Disorders Act of 2018” or the “HEAL Act of 2018”.

**Subtitle A—Medicare**

**SEC. 2101. MEDICARE OPIOID SAFETY EDUCATION.**

(a) **IN GENERAL.**—Section 1804 of the Social Security Act (42 U.S.C. 1395b-2) is amended by adding at the end the following new subsection:

“(d) The notice provided under subsection (a) shall include—

“(1) references to educational resources regarding opioid use and pain management;

“(2) a description of categories of alternative, non-opioid pain management treatments covered under this title; and

“(3) a suggestion for the beneficiary to talk to a physician regarding opioid use and pain management.”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to notices distributed prior to each Medicare open enrollment period beginning after January 1, 2019.

**SEC. 2102. EXPANDING THE USE OF TELEHEALTH SERVICES FOR THE TREATMENT OF OPIOID USE DISORDER AND OTHER SUBSTANCE USE DISORDERS.**

(a) **IN GENERAL.**—Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(1) in paragraph (2)(B)—

(A) in clause (i), in the matter preceding subclause (I), by striking “clause (ii)” and inserting “clause (ii) and paragraph (6)(C)”;

(B) in clause (ii), in the heading, by striking “FOR HOME DIALYSIS THERAPY”;

(2) in paragraph (4)(C)—

(A) in clause (i), by striking “paragraph (6)” and inserting “paragraphs (5), (6), and (7)”;

(B) in clause (ii)(X), by inserting “or telehealth services described in paragraph (7)” before the period at the end; and

(3) by adding at the end the following new paragraph:

“(7) **TREATMENT OF SUBSTANCE USE DISORDER SERVICES FURNISHED THROUGH TELEHEALTH.**—The geographic requirements described in paragraph (4)(C)(i) shall not apply with respect to telehealth services furnished on or after January 1, 2019, to an eligible telehealth individual with a substance use disorder diagnosis for purposes of treatment of such disorder, as determined by the Secretary, at an originating site described in paragraph (4)(C)(ii) (other than an originating site described in subclause (IX) of such paragraph).”

(b) **IMPLEMENTATION.**—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) may implement the amendments made by this section by interim final rule.

(c) **REPORT.**—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the impact of the implementation of the amendments made by this section with respect to telehealth services under section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) on—

(1) the utilization of health care items and services under title XVIII of such Act (42 U.S.C. 1395 et seq.) related to substance use disorders, including emergency department visits; and

(2) health outcomes related to substance use disorders, such as opioid overdose deaths.

**SEC. 2103. COMPREHENSIVE SCREENINGS FOR SENIORS.**

(a) INITIAL PREVENTIVE PHYSICAL EXAMINATION.—Section 1861(w) of the Social Security Act (42 U.S.C. 1395x(w)) is amended—

(1) in paragraph (1)—

(A) by striking “paragraph (2) and” and inserting “paragraph (2),”; and

(B) by inserting “and the furnishing of a review of any current opioid prescriptions (as defined in paragraph (4)),” after “upon the agreement with the individual,”; and

(2) in paragraph (2)—

(A) by redesignating subparagraph (N) as subparagraph (O); and

(B) by inserting after subparagraph (M) the following new subparagraph:

“(N) Screening for potential substance use disorders.”; and

(3) by adding at the end the following new paragraph:

“(4) For purposes of paragraph (1), the term ‘a review of any current opioid prescriptions’ means, with respect to an individual determined to have a current prescription for opioids—

“(A) a review of the potential risk factors to the individual for opioid use disorder;

“(B) an evaluation of the individual’s severity of pain and current treatment plan;

“(C) the provision of information on non-opioid treatment options; and

“(D) a referral to a pain management specialist, as appropriate.”.

(b) ANNUAL WELLNESS VISIT.—Section 1861(h)(2) of the Social Security Act (42 U.S.C. 1395x(h)(2)) is amended—

(1) by redesignating subparagraph (G) as subparagraph (I); and

(2) by inserting after subparagraph (F) the following new subparagraphs:

“(G) Screening for potential substance use disorders and referral for treatment as appropriate.

“(H) The furnishing of a review of any current opioid prescriptions (as defined in subsection (w)(4)).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to examinations and visits furnished on or after January 1, 2019.

**SEC. 2104. EVERY PRESCRIPTION CONVEYED SECURELY.**

(a) IN GENERAL.—Section 1860D-4(e) of the Social Security Act (42 U.S.C. 1395w-104(e)) is amended by adding at the end the following:

“(7) REQUIREMENT OF E-PRESCRIBING FOR CONTROLLED SUBSTANCES.—

“(A) IN GENERAL.—Subject to subparagraph (B), a prescription for a covered part D drug under a prescription drug plan (or under an MA-PD plan) for a schedule II, III, IV, or V controlled substance shall be transmitted by a health care practitioner electronically in accordance with an electronic prescription drug program that meets the requirements of paragraph (2).

“(B) EXCEPTION FOR CERTAIN CIRCUMSTANCES.—The Secretary shall, through rulemaking, specify circumstances and processes by which the Secretary may waive the requirement under subparagraph (A), with respect to a covered part D drug, including in the case of—

“(i) a prescription issued when the practitioner and dispensing pharmacy are the same entity;

“(ii) a prescription issued that cannot be transmitted electronically under the most recently implemented version of the National Council for Prescription Drug Programs SCRIPT Standard;

“(iii) a prescription issued by a practitioner who received a waiver or a renewal thereof for a period of time as determined by

the Secretary, not to exceed one year, from the requirement to use electronic prescribing due to demonstrated economic hardship, technological limitations that are not reasonably within the control of the practitioner, or other exceptional circumstance demonstrated by the practitioner;

“(iv) a prescription issued by a practitioner under circumstances in which, notwithstanding the practitioner’s ability to submit a prescription electronically as required by this subsection, such practitioner reasonably determines that it would be impractical for the individual involved to obtain substances prescribed by electronic prescription in a timely manner, and such delay would adversely impact the individual’s medical condition involved;

“(v) a prescription issued by a practitioner prescribing a drug under a research protocol;

“(vi) a prescription issued by a practitioner for a drug for which the Food and Drug Administration requires a prescription to contain elements that are not able to be included in electronic prescribing such as, a drug with risk evaluation and mitigation strategies that include elements to assure safe use;

“(vii) a prescription issued by a practitioner—

“(I) for an individual who receives hospice care under this title; and

“(II) that is not covered under the hospice benefit under this title; and

“(viii) a prescription issued by a practitioner for an individual who is—

“(I) a resident of a nursing facility (as defined in section 1919(a)); and

“(II) dually eligible for benefits under this title and title XIX.

“(C) DISPENSING.—(i) Nothing in this paragraph shall be construed as requiring a sponsor of a prescription drug plan under this part, MA organization offering an MA-PD plan under part C, or a pharmacist to verify that a practitioner, with respect to a prescription for a covered part D drug, has a waiver (or is otherwise exempt) under subparagraph (B) from the requirement under subparagraph (A).

“(ii) Nothing in this paragraph shall be construed as affecting the ability of the plan to cover or the pharmacists’ ability to continue to dispense covered part D drugs from otherwise valid written, oral or fax prescriptions that are consistent with laws and regulations.

“(iii) Nothing in this paragraph shall be construed as affecting the ability of an individual who is being prescribed a covered part D drug to designate a particular pharmacy to dispense the covered part D drug to the extent consistent with the requirements under subsection (b)(1) and under this paragraph.

“(D) ENFORCEMENT.—The Secretary shall, through rulemaking, have authority to enforce and specify appropriate penalties for non-compliance with the requirement under subparagraph (A).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to coverage of drugs prescribed on or after January 1, 2021.

**SEC. 2105. STANDARDIZING ELECTRONIC PRIOR AUTHORIZATION FOR SAFE PRESCRIBING.**

Section 1860D-4(e)(2) of the Social Security Act (42 U.S.C. 1395w-104(e)(2)) is amended by adding at the end the following new subparagraph:

“(E) ELECTRONIC PRIOR AUTHORIZATION.—

“(i) IN GENERAL.—Not later than January 1, 2021, the program shall provide for the secure electronic transmittal of—

“(I) a prior authorization request from the prescribing health care professional for coverage of a covered part D drug for a part D

eligible individual enrolled in a part D plan (as defined in section 1860D-23(a)(5)) to the PDP sponsor or Medicare Advantage organization offering such plan; and

“(II) a response, in accordance with this subparagraph, from such PDP sponsor or Medicare Advantage organization, respectively, to such professional.

“(ii) ELECTRONIC TRANSMISSION.—

“(I) EXCLUSIONS.—For purposes of this subparagraph, a facsimile, a proprietary payer portal that does not meet standards specified by the Secretary, or an electronic form shall not be treated as an electronic transmission described in clause (i).

“(II) STANDARDS.—In order to be treated, for purposes of this subparagraph, as an electronic transmission described in clause (i), such transmission shall comply with technical standards adopted by the Secretary in consultation with the National Council for Prescription Drug Programs, other standard setting organizations determined appropriate by the Secretary, and stakeholders including PDP sponsors, Medicare Advantage organizations, health care professionals, and health information technology software vendors.

“(III) APPLICATION.—Notwithstanding any other provision of law, for purposes of this subparagraph, the Secretary may require the use of such standards adopted under subclause (II) in lieu of any other applicable standards for an electronic transmission described in clause (i) for a covered part D drug for a part D eligible individual.”.

**SEC. 2106. STRENGTHENING PARTNERSHIPS TO PREVENT OPIOID ABUSE.**

(a) IN GENERAL.—Section 1859 of the Social Security Act (42 U.S.C. 1395w-28) is amended by adding at the end the following new subsection:

“(i) PROGRAM INTEGRITY TRANSPARENCY MEASURES.—

“(1) PROGRAM INTEGRITY PORTAL.—

“(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall, after consultation with stakeholders, establish a secure Internet website portal that would allow a secure path for communication between the Secretary, MA plans under this part, prescription drug plans under part D, and an eligible entity with a contract under section 1893 (such as a Medicare drug integrity contractor or any successor entity to a Medicare drug integrity contractor), in accordance with subsection (j)(3) of such section, for the purpose of enabling through such portal—

“(i) the referral by such plans of suspicious activities of a provider of services (including a prescriber) or supplier related to fraud, waste, and abuse for initiating or assisting investigations conducted by the eligible entity; and

“(ii) data sharing among such MA plans, prescription drug plans, and the Secretary.

“(B) REQUIRED USES OF PORTAL.—The Secretary shall disseminate the following information to MA plans under this part and prescription drug plans under part D through the secure Internet website portal established under subparagraph (A):

“(i) Providers of services and suppliers that have been referred pursuant to subparagraph (A)(i) during the previous 12-month period.

“(ii) Providers of services and suppliers who are the subject of an active exclusion under section 1128 or who are subject to a suspension of payment under this title pursuant to section 1862(o) or otherwise.

“(iii) Providers of services and suppliers who are the subject of an active revocation of participation under this title, including for not satisfying conditions of participation.

“(iv) In the case of such a plan that makes a referral under subparagraph (A)(1) through the portal with respect to suspicious activities of a provider of services (including a prescriber) or supplier, if such provider (or prescriber) or supplier has been the subject of an administrative action under this title or title XI with respect to similar activities, a notification to such plan of such action so taken.

“(C) RULEMAKING.—For purposes of this paragraph, the Secretary shall, through rulemaking, specify what constitutes suspicious activities related to fraud, waste, and abuse, using guidance such as what is provided in the Medicare Program Integrity Manual 4.7.1.

“(2) QUARTERLY REPORTS.—Beginning not later than 2 years after the date of the enactment of this subsection, the Secretary shall make available to MA plans under this part and prescription drug plans under part D in a timely manner (but no less frequently than quarterly) and using information submitted to an entity described in paragraph (1) through the portal described in such paragraph or pursuant to section 1893, information on fraud, waste, and abuse schemes and trends in identifying suspicious activity. Information included in each such report shall—

“(A) include administrative actions, pertinent information related to opioid overprescribing, and other data determined appropriate by the Secretary in consultation with stakeholders; and

“(B) be anonymized information submitted by plans without identifying the source of such information.

“(3) CLARIFICATION.—Nothing in this subsection shall preclude or otherwise affect referrals to the Inspector General of the Department of Health and Human Services or other law enforcement entities.”.

(b) CONTRACT REQUIREMENT TO COMMUNICATE PLAN CORRECTIVE ACTIONS AGAINST OPIOIDS OVER-PRESCRIBERS.—Section 1857(e)(4)(C) of the Social Security Act (42 U.S.C. 1395w-27(e)(4)(C)) is amended by adding at the end the following new paragraph:

“(5) COMMUNICATING PLAN CORRECTIVE ACTIONS AGAINST OPIOIDS OVER-PRESCRIBERS.—

“(A) IN GENERAL.—Beginning with plan years beginning on or after January 1, 2021, a contract under this section with an MA organization shall require the organization to submit to the Secretary, through the process established under subparagraph (B), information on credible evidence of suspicious activities of a provider of services (including a prescriber) or supplier related to fraud and other actions taken by such plans related to inappropriate prescribing of opioids.

“(B) PROCESS.—Not later than January 1, 2021, the Secretary shall, in consultation with stakeholders, establish a process under which MA plans and prescription drug plans shall submit to the Secretary information described in subparagraph (A).

“(C) REGULATIONS.—For purposes of this paragraph, including as applied under section 1860D-12(b)(3)(D), the Secretary shall, pursuant to rulemaking—

“(i) specify a definition for the term ‘inappropriate prescribing of opioids’ and a method for determining if a provider of services prescribes such a high volume; and

“(ii) establish the process described in subparagraph (B) and the types of information that may be submitted through such process.”.

(c) REFERENCE UNDER PART D TO PROGRAM INTEGRITY TRANSPARENCY MEASURES.—Section 1860D-4 of the Social Security Act (42 U.S.C. 1395w-104) is amended by adding at the end the following new subsection:

“(m) PROGRAM INTEGRITY TRANSPARENCY MEASURES.—For program integrity trans-

parency measures applied with respect to prescription drug plan and MA plans, see section 1859(i).”.

**SEC. 2107. COMMIT TO OPIOID MEDICAL PRESCRIBER ACCOUNTABILITY AND SAFETY FOR SENIORS.**

Section 1860D-4(c)(4) of the Social Security Act (42 U.S.C. 1395w-104(c)(4)) is amended by adding at the end the following new subparagraph:

“(D) NOTIFICATION AND ADDITIONAL REQUIREMENTS WITH RESPECT TO STATISTICAL OUTLIER PRESCRIBERS OF OPIOIDS.—

“(i) NOTIFICATION.—Not later than January 1, 2021, the Secretary shall, in the case of a prescriber identified by the Secretary under clause (ii) to be a statistical outlier prescriber of opioids, provide, subject to clause (iv), an annual notification to such prescriber that such prescriber has been so identified that includes resources on proper prescribing methods and other information as specified in accordance with clause (iii).

“(ii) IDENTIFICATION OF STATISTICAL OUTLIER PRESCRIBERS OF OPIOIDS.—

“(I) IN GENERAL.—The Secretary shall, subject to subclause (III), using the valid prescriber National Provider Identifiers included pursuant to subparagraph (A) on claims for covered part D drugs for part D eligible individuals enrolled in prescription drug plans under this part or MA-PD plans under part C and based on the thresholds established under subclause (II), identify prescribers that are statistical outlier opioids prescribers for a period of time specified by the Secretary.

“(II) ESTABLISHMENT OF THRESHOLDS.—For purposes of subclause (I) and subject to subclause (III), the Secretary shall, after consultation with stakeholders, establish thresholds, based on prescriber specialty and, as determined appropriate by the Secretary, geographic area, for identifying whether a prescriber in a specialty and geographic area is a statistical outlier prescriber of opioids as compared to other prescribers of opioids within such specialty and area.

“(III) EXCLUSIONS.—The following shall not be included in the analysis for identifying statistical outlier prescribers of opioids under this clause:

“(aa) Claims for covered part D drugs for part D eligible individuals who are receiving hospice care under this title.

“(bb) Claims for covered part D drugs for part D eligible individuals who are receiving oncology services under this title.

“(cc) Prescribers who are the subject of an investigation by the Centers for Medicare & Medicaid Services or the Inspector General of the Department of Health and Human Services.

“(iii) CONTENTS OF NOTIFICATION.—The Secretary shall include the following information in the notifications provided under clause (i):

“(I) Information on how such prescriber compares to other prescribers within the same specialty and, if determined appropriate by the Secretary, geographic area.

“(II) Information on opioid prescribing guidelines, based on input from stakeholders, that may include the Centers for Disease Control and Prevention guidelines for prescribing opioids for chronic pain and guidelines developed by physician organizations.

“(III) Other information determined appropriate by the Secretary.

“(iv) MODIFICATIONS AND EXPANSIONS.—

“(I) FREQUENCY.—Beginning 5 years after the date of the enactment of this subparagraph, the Secretary may change the frequency of the notifications described in clause (i) based on stakeholder input and changes in opioid prescribing utilization and trends.

“(II) EXPANSION TO OTHER PRESCRIPTIONS.—The Secretary may expand notifications under this subparagraph to include identifications and notifications with respect to concurrent prescriptions of covered Part D drugs used in combination with opioids that are considered to have adverse side effects when so used in such combination, as determined by the Secretary.

“(v) ADDITIONAL REQUIREMENTS FOR PERSISTENT STATISTICAL OUTLIER PRESCRIBERS.—In the case of a prescriber who the Secretary determines is persistently identified under clause (ii) as a statistical outlier prescriber of opioids, the following shall apply:

“(I) The Secretary shall provide an opportunity for such prescriber to receive technical assistance or educational resources on opioid prescribing guidelines (such as the guidelines described in clause (iii)(II)) from an entity that furnishes such assistance or resources, which may include a quality improvement organization under part B of title XI, as available and appropriate.

“(II) Such prescriber may be required to enroll in the program under this title under section 1866(j) if such prescriber is not otherwise required to enroll. The Secretary shall determine the length of the period for which such prescriber is required to maintain such enrollment.

“(III) Not less frequently than annually (and in a form and manner determined appropriate by the Secretary), the Secretary shall communicate information on such prescribers to sponsors of a prescription drug plan and Medicare Advantage organizations offering an MA-PD plan.

“(vi) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary shall make aggregate information under this subparagraph available on the Internet website of the Centers for Medicare & Medicaid Services. Such information shall be in a form and manner determined appropriate by the Secretary and shall not identify any specific prescriber. In carrying out this clause, the Secretary shall consult with interested stakeholders.

“(vii) OPIOIDS DEFINED.—For purposes of this subparagraph, the term ‘opioids’ has such meaning as specified by the Secretary.

“(viii) OTHER ACTIVITIES.—Nothing in this subparagraph shall preclude the Secretary from conducting activities that provide prescribers with information as to how they compare to other prescribers that are in addition to the activities under this subparagraph, including activities that were being conducted as of the date of the enactment of this subparagraph.”.

**SEC. 2108. FIGHTING THE OPIOID EPIDEMIC WITH SUNSHINE.**

(a) INCLUSION OF INFORMATION REGARDING PAYMENTS TO ADVANCE PRACTICE NURSES.—

(1) IN GENERAL.—Section 1128G(e)(6) of the Social Security Act (42 U.S.C. 1320a-7h(e)(6)) is amended—

(A) in subparagraph (A), by adding at the end the following new clauses:

“(iii) A physician assistant, nurse practitioner, or clinical nurse specialist (as such terms are defined in section 1861(aa)(5)).

“(iv) A certified registered nurse anesthetist (as defined in section 1861(bb)(2)).

“(v) A certified nurse-midwife (as defined in section 1861(gg)(2)).”; and

(B) in subparagraph (B), by inserting “, physician assistant, nurse practitioner, clinical nurse specialist, certified nurse anesthetist, or certified nurse-midwife” after “physician”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to information required to be submitted under section 1128G of the Social Security Act (42 U.S.C. 1320a-7h) on or after January 1, 2022.

(b) SUNSET OF EXCLUSION OF NATIONAL PROVIDER IDENTIFIER OF COVERED RECIPIENT IN INFORMATION MADE PUBLICLY AVAILABLE.—Section 1128G(c)(1)(C)(viii) of the Social Security Act (42 U.S.C. 1320a-7h(c)(1)(C)(viii)) is amended by striking “does not contain” and inserting “in the case of information made available under this subparagraph prior to January 1, 2022, does not contain”.

(c) ADMINISTRATION.—Chapter 35 of title 44, United States Code, shall not apply to this section or the amendments made by this section.

**SEC. 2109. DEMONSTRATION TESTING COVERAGE OF CERTAIN SERVICES FURNISHED BY OPIOID TREATMENT PROGRAMS.**

Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended by inserting after section 1866E the following:

“DEMONSTRATION TESTING COVERAGE OF CERTAIN SERVICES FURNISHED BY OPIOID TREATMENT PROGRAMS

“SEC. 1866F. (a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall conduct a demonstration (in this section referred to as the ‘demonstration’) to test coverage of and payment for opioid use disorder treatment services (as defined in paragraph (2)(B)) furnished by opioid treatment programs (as defined in paragraph (2)(A)) to individuals under part B using a bundled payment as described in paragraph (3).

“(2) DEFINITIONS.—In this section:

“(A) OPIOID TREATMENT PROGRAM.—The term ‘opioid treatment program’ means an entity that is an opioid treatment program (as defined in section 8.2 of title 42 of the Code of Federal Regulations, or any successor regulation) that—

“(i) is selected for participation in the demonstration;

“(ii) has in effect a certification by the Substance Abuse and Mental Health Services Administration for such a program;

“(iii) is accredited by an accrediting body approved by the Substance Abuse and Mental Health Services Administration;

“(iv) submits to the Secretary data and information needed to monitor the quality of services furnished and conduct the evaluation described in subsection (c); and

“(v) meets such additional requirements as the Secretary may find necessary.

“(B) OPIOID USE DISORDER TREATMENT SERVICES.—The term ‘opioid use disorder treatment services’ means items and services that are furnished by an opioid treatment program for the treatment of opioid use disorder, including—

“(i) opioid agonist and antagonist treatment medications (including oral, injected, or implanted versions) that are approved by the Food and Drug Administration under section 505 of the Federal Food, Drug and Cosmetic Act for use in the treatment of opioid use disorder;

“(ii) dispensing and administration of such medications, if applicable;

“(iii) substance use counseling by a professional to the extent authorized under State law to furnish such services;

“(iv) individual and group therapy with a physician or psychologist (or other mental health professional to the extent authorized under State law);

“(v) toxicology testing; and

“(vi) other items and services that the Secretary determines are appropriate (but in no case to include meals or transportation).

“(3) BUNDLED PAYMENT UNDER PART B.—

“(A) IN GENERAL.—The Secretary shall pay, from the Federal Supplementary Medical Insurance Trust Fund under section 1841, to an opioid treatment program participating in the demonstration a bundled payment as determined by the Secretary for opioid use disorder treatment services that are furnished

by such treatment program to an individual under part B during an episode of care (as defined by the Secretary).

“(B) CONSIDERATIONS.—The Secretary may implement this paragraph through one or more bundles based on the type of medication provided (such as buprenorphine, methadone, naltrexone, or a new innovative drug), the frequency of services furnished, the scope of services furnished, characteristics of the individuals furnished such services, or other factors as the Secretary determines appropriate. In developing such bundles, the Secretary may consider payment rates paid to opioid treatment programs for comparable services under State plans under title XIX or under the TRICARE program under chapter 55 of title 10 of the United States Code.

“(b) IMPLEMENTATION.—

“(1) DURATION.—The demonstration shall be conducted for a period of 5 years, beginning not later than January 1, 2021.

“(2) SCOPE.—In carrying out the demonstration, the Secretary shall limit the number of beneficiaries that may participate at any one time in the demonstration to 2,000.

“(3) WAIVER.—The Secretary may waive such provisions of this title and title XI as the Secretary determines necessary in order to implement the demonstration.

“(4) ADMINISTRATION.—Chapter 35 of title 44, United States Code, shall not apply to this section.

“(c) EVALUATION AND REPORT.—

“(1) EVALUATION.—The Secretary shall conduct an evaluation of the demonstration. Such evaluation shall include analyses of—

“(A) the impact of the demonstration on—

“(i) utilization of health care items and services related to opioid use disorder, including hospitalizations and emergency department visits;

“(ii) beneficiary health outcomes related to opioid use disorder, including opioid overdose deaths; and

“(iii) overall expenditures under this title; and

“(B) the performance of opioid treatment programs participating in the demonstration with respect to applicable quality and cost metrics, including whether any additional quality measures related to opioid use disorder treatment are needed with respect to such programs under this title.

“(2) REPORT.—Not later than 2 years after the completion of the demonstration, the Secretary shall submit to Congress a report containing the results of the evaluation conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

“(d) FUNDING.—For purposes of administering and carrying out the demonstration, in addition to funds otherwise appropriated, there shall be transferred to the Secretary for the Center for Medicare & Medicaid Services Program Management Account from the Federal Supplementary Medical Insurance Trust Fund under section 1841 \$5,000,000, to remain available until expended.”

**SEC. 2110. ENCOURAGING APPROPRIATE PRESCRIBING UNDER MEDICARE FOR VICTIMS OF OPIOID OVERDOSE.**

Section 1860D-4(c)(5)(C) of the Social Security Act (42 U.S.C. 1395w-104(c)(5)(C)) is amended—

(1) in clause (i), in the matter preceding subclause (I), by striking “For purposes” and inserting “Except as provided in clause (v), for purposes”; and

(2) by adding at the end the following new clause:

“(v) TREATMENT OF ENROLLEES WITH A HISTORY OF OPIOID-RELATED OVERDOSE.—

“(I) IN GENERAL.—For plan years beginning not later than January 1, 2021, a part D eligi-

ble individual who is not an exempted individual described in clause (ii) and who is identified under this clause as a part D eligible individual with a history of opioid-related overdose (as defined by the Secretary) shall be included as a potentially at-risk beneficiary for prescription drug abuse under the drug management program under this paragraph.

“(II) IDENTIFICATION AND NOTICE.—For purposes of this clause, the Secretary shall—

“(aa) identify part D eligible individuals with a history of opioid-related overdose (as so defined); and

“(bb) notify the PDP sponsor of the prescription drug plan in which such an individual is enrolled of such identification.”

**SEC. 2111. AUTOMATIC ESCALATION TO EXTERNAL REVIEW UNDER A MEDICARE PART D DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.**

(a) IN GENERAL.—Section 1860D-4(c)(5) of the Social Security Act (42 U.S.C. 1395w-10(c)(5)) is amended—

(1) in subparagraph (B), in each of clauses (ii)(III) and (ii)(IV), by striking “and the option of an automatic escalation to external review” and inserting “, including notice that if on reconsideration a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution”; and

(2) in subparagraph (E), by striking “and the option” and all that follows and inserting the following: “and if on reconsideration a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply beginning not later than January 1, 2021.

**SEC. 2112. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.**

Section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)) is amended by adding at the end the following new clause:

“(xxv) Providing incentive payments to behavioral health providers for the adoption and use of certified electronic health record technology (as defined in section 1848(o)(4)) to improve the quality and coordination of care through the electronic documentation and exchange of health information. Behavioral health providers may include—

“(I) psychiatric hospitals (as defined in section 1861(f));

“(II) community mental health centers (as defined in section 1861(ff)(3)(B));

“(III) clinical psychologists (as defined in section 1861(ii));

“(IV) clinical social workers (as defined in section 1861(hh)(1)); and

“(V) hospitals, treatment facilities, and mental health or substance use disorder providers that participate in a State plan under title XIX or a waiver of such plan.”

**SEC. 2113. MEDICARE IMPROVEMENT FUND.**

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “fiscal year 2021, \$0” and inserting “fiscal year 2024, \$65,000,000”.

**Subtitle B—Medicaid**

**SEC. 2201. CARING RECOVERY FOR INFANTS AND BABIES.**

(a) STATE PLAN AMENDMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(1) in paragraph (82), by striking “and” after the semicolon;

(2) in paragraph (83), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (83), the following new paragraph:

“(84) provide, at the option of the State, for making medical assistance available on an inpatient or outpatient basis at a residential pediatric recovery center (as defined in subsection (nn)) to infants with neonatal abstinence syndrome.”.

(b) RESIDENTIAL PEDIATRIC RECOVERY CENTER DEFINED.—Section 1902 of such Act (42 U.S.C. 1396a) is amended by adding at the end the following new subsection:

“(nn) RESIDENTIAL PEDIATRIC RECOVERY CENTER DEFINED.—

“(1) IN GENERAL.—For purposes of section 1902(a)(84), the term ‘residential pediatric recovery center’ means a center or facility that furnishes items and services for which medical assistance is available under the State plan to infants with the diagnosis of neonatal abstinence syndrome without any other significant medical risk factors.

“(2) COUNSELING AND SERVICES.—A residential pediatric recovery center may offer counseling and other services to mothers (and other appropriate family members and caretakers) of infants receiving treatment at such centers if such services are otherwise covered under the State plan under this title or under a waiver of such plan. Such other services may include the following:

“(A) Counseling or referrals for services.  
“(B) Activities to encourage caregiver-infant bonding.

“(C) Training on caring for such infants.”.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act and shall apply to medical assistance furnished on or after that date, without regard to final regulations to carry out such amendments being promulgated as of such date.

**SEC. 2202. PEER SUPPORT ENHANCEMENT AND EVALUATION REVIEW.**

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the provision of peer support services under the Medicaid program.

(b) CONTENT OF REPORT.—

(1) IN GENERAL.—The report required under subsection (a) shall include the following information:

(A) Information on State coverage of peer support services under Medicaid, including—

(i) the mechanisms through which States may provide such coverage, including through existing statutory authority or through waivers;

(ii) the populations to which States have provided such coverage;

(iii) the payment models, including any alternative payment models, used by States to pay providers of such services; and

(iv) where available, information on Federal and State spending under Medicaid for peer support services.

(B) Information on selected State experiences in providing medical assistance for peer support services under State Medicaid plans and whether States measure the effects of providing such assistance with respect to—

(i) improving access to behavioral health services;

(ii) improving early detection, and preventing worsening, of behavioral health disorders;

(iii) reducing chronic and comorbid conditions; and

(iv) reducing overall health costs.

(2) RECOMMENDATIONS.—The report required under subsection (a) shall include recommendations, including recommendations for such legislative and administrative actions related to improving services, including peer support services, and access to peer support services under Medicaid as the Comptroller General of the United States determines appropriate.

**SEC. 2203. MEDICAID SUBSTANCE USE DISORDER TREATMENT VIA TELEHEALTH.**

(a) DEFINITIONS.—In this section:

(1) COMPTROLLER GENERAL.—The term “Comptroller General” means the Comptroller General of the United States.

(2) SCHOOL-BASED HEALTH CENTER.—The term “school-based health center” has the meaning given that term in section 2110(c)(9) of the Social Security Act (42 U.S.C. 1397jj(c)(9)).

(3) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(4) TELEHEALTH SERVICES.—The term “telehealth services” includes remote patient monitoring and other key modalities such as live video or synchronous telehealth, store-and-forward or asynchronous telehealth, mobile health, telephonic consultation, and electronic consult including provider-to-provider e-consults.

(5) UNDERSERVED AREA.—The term “underserved area” means a health professional shortage area (as defined in section 332(a)(1)(A) of the Public Health Service Act (42 U.S.C. 254e(a)(1)(A))) and a medically underserved area (according to a designation under section 330(b)(3)(A) of the Public Health Service Act (42 U.S.C. 254b(b)(3)(A))).

(b) GUIDANCE TO STATES REGARDING FEDERAL REIMBURSEMENT FOR FURNISHING SERVICES AND TREATMENT FOR SUBSTANCE USE DISORDERS UNDER MEDICAID USING TELEHEALTH SERVICES, INCLUDING IN SCHOOL-BASED HEALTH CENTERS.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue guidance to States on the following:

(1) State options for Federal reimbursement of expenditures under Medicaid for furnishing services and treatment for substance use disorders, including assessment, medication-assisted treatment, counseling, and medication management, using telehealth services. Such guidance shall also include guidance on furnishing services and treatments that address the needs of high risk individuals, including at least the following groups:

(A) American Indians and Alaska Natives.  
(B) Adults under the age of 40.

(C) Individuals with a history of nonfatal overdose.

(2) State options for Federal reimbursement of expenditures under Medicaid for education directed to providers serving Medicaid beneficiaries with substance use disorders using the hub and spoke model, through contracts with managed care entities, through administrative claiming for disease management activities, and under Delivery System Reform Incentive Payment (“DSRIP”) programs.

(3) State options for Federal reimbursement of expenditures under Medicaid for furnishing services and treatment for substance use disorders for individuals enrolled in Medicaid in a school-based health center using telehealth services.

(c) GAO EVALUATION OF CHILDREN’S ACCESS TO SERVICES AND TREATMENT FOR SUBSTANCE USE DISORDERS UNDER MEDICAID.—

(1) STUDY.—The Comptroller General shall evaluate children’s access to services and treatment for substance use disorders under Medicaid. The evaluation shall include an

analysis of State options for improving children’s access to such services and treatment and for improving outcomes, including by increasing the number of Medicaid providers who offer services or treatment for substance use disorders in a school-based health center using telehealth services, particularly in rural and underserved areas. The evaluation shall include an analysis of Medicaid provider reimbursement rates for services and treatment for substance use disorders.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the evaluation conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

(d) REPORT ON REDUCING BARRIERS TO USING TELEHEALTH SERVICES AND REMOTE PATIENT MONITORING FOR PEDIATRIC POPULATIONS UNDER MEDICAID.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue a report to the Committee on Finance of the Senate and the Committee on Energy and Commerce of the House of Representatives identifying best practices and potential solutions for reducing barriers to using telehealth services to furnish services and treatment for substance use disorders among pediatric populations under Medicaid. The report shall include—

(A) analyses of the best practices, barriers, and potential solutions for using telehealth services to diagnose and provide services and treatment for children with substance use disorders, including opioid use disorder; and

(B) identification and analysis of the differences, if any, in furnishing services and treatment for children with substance use disorders using telehealth services and using services delivered in person, such as, and to the extent feasible, with respect to—

(i) utilization rates;  
(ii) costs;  
(iii) avoidable inpatient admissions and readmissions;  
(iv) quality of care; and  
(v) patient, family, and provider satisfaction.

(2) PUBLICATION.—The Secretary shall publish the report required under paragraph (1) on a public Internet website of the Department of Health and Human Services.

**SEC. 2204. ENHANCING PATIENT ACCESS TO NON-OPIOID TREATMENT OPTIONS.**

Not later than January 1, 2019, the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue 1 or more final guidance documents, or update existing guidance documents, to States regarding mandatory and optional items and services that may be provided under a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or under a waiver of such a plan, for non-opioid treatment and management of pain, including, but not limited to, evidence-based non-opioid pharmacological therapies and non-pharmacological therapies.

**SEC. 2205. ASSESSING BARRIERS TO OPIOID USE DISORDER TREATMENT.**

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study regarding the barriers to providing medication used in the treatment of substance use disorders under Medicaid distribution models such as the “buy-and-bill” model, and options for State Medicaid programs to remove or reduce such barriers.

The study shall include analyses of each of the following models of distribution of substance use disorder treatment medications, particularly buprenorphine, naltrexone, and buprenorphine-naloxone combinations:

(A) The purchasing, storage, and administration of substance use disorder treatment medications by providers.

(B) The dispensing of substance use disorder treatment medications by pharmacists.

(C) The ordering, prescribing, and obtaining substance use disorder treatment medications on demand from specialty pharmacies by providers.

(2) REQUIREMENTS.—For each model of distribution specified in paragraph (1), the Comptroller General shall evaluate how each model presents barriers or could be used by selected State Medicaid programs to reduce the barriers related to the provision of substance use disorder treatment by examining what is known about the effects of the model of distribution on—

(A) Medicaid beneficiaries' access to substance use disorder treatment medications;

(B) the differential cost to the program between each distribution model for medication assisted treatment; and

(C) provider willingness to provide or prescribe substance use disorder treatment medications.

(b) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

**SEC. 2206. HELP FOR MOMS AND BABIES.**

(a) MEDICAID STATE PLAN.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended by adding at the end the following new sentence: “In the case of a woman who is eligible for medical assistance on the basis of being pregnant (including through the end of the month in which the 60-day period beginning on the last day of her pregnancy ends), who is a patient in an institution for mental diseases for purposes of receiving treatment for a substance use disorder, and who was enrolled for medical assistance under the State plan immediately before becoming a patient in an institution for mental diseases or who becomes eligible to enroll for such medical assistance while such a patient, the exclusion from the definition of ‘medical assistance’ set forth in the subdivision (B) following paragraph (29) of the first sentence of this subsection shall not be construed as prohibiting Federal financial participation for medical assistance for items or services that are provided to the woman outside of the institution.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by subsection (a) shall take effect on the date of enactment of this Act.

(2) RULE FOR CHANGES REQUIRING STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendment made by subsection (a), the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the

previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

**SEC. 2207. SECURING FLEXIBILITY TO TREAT SUBSTANCE USE DISORDERS.**

Section 1903(m) of the Social Security Act (42 U.S.C. 1396b(m)) is amended by adding at the end the following new paragraph:

“(7) Payment shall be made under this title to a State for expenditures for capitation payments described in section 438.6(e) of title 42, Code of Federal Regulations (or any successor regulation).”.

**SEC. 2208. MACPAC STUDY AND REPORT ON MAT UTILIZATION CONTROLS UNDER STATE MEDICAID PROGRAMS.**

(a) STUDY.—The Medicaid and CHIP Payment and Access Commission shall conduct a study and analysis of utilization control policies applied to medication-assisted treatment for substance use disorders under State Medicaid programs, including policies and procedures applied both in fee-for-service Medicaid and in risk-based managed care Medicaid, which shall—

(1) include an inventory of such utilization control policies and related protocols for ensuring access to medically necessary treatment;

(2) determine whether managed care utilization control policies and procedures for medication assisted treatment for substance use disorders are consistent with section 438.210(a)(4)(ii) of title 42, Code of Federal Regulations; and

(3) identify policies that—

(A) limit an individual's access to medication-assisted treatment for a substance use disorder by limiting the quantity of medication-assisted treatment prescriptions, or the number of refills for such prescriptions, available to the individual as part of a prior authorization process or similar utilization protocols; and

(B) apply without evaluating individual instances of fraud, waste, or abuse.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Medicaid and CHIP Payment and Access Commission shall make publicly available a report containing the results of the study conducted under subsection (a).

**SEC. 2209. OPIOID ADDICTION TREATMENT PROGRAMS ENHANCEMENT.**

(a) T-MSIS SUBSTANCE USE DISORDER DATA BOOK.—

(1) IN GENERAL.—Not later than the date that is 12 months after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall publish on the public website of the Centers for Medicare & Medicaid Services a report with comprehensive data on the prevalence of substance use disorders in the Medicaid beneficiary population and services provided for the treatment of substance use disorders under Medicaid.

(2) CONTENT OF REPORT.—The report required under paragraph (1) shall include, at a minimum, the following data for each State (including, to the extent available, for the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa):

(A) The number and percentage of individuals enrolled in the State Medicaid plan or waiver of such plan in each of the major enrollment categories (as defined in a public letter from the Medicaid and CHIP Payment and Access Commission to the Secretary) who have been diagnosed with a substance use disorder and whether such individuals are enrolled under the State Medicaid plan or a waiver of such plan, including the specific waiver authority under which they are enrolled, to the extent available.

(B) A list of the substance use disorder treatment services by each major type of service, such as counseling, medication assisted treatment, peer support, residential treatment, and inpatient care, for which beneficiaries in each State received at least 1 service under the State Medicaid plan or a waiver of such plan.

(C) The number and percentage of individuals with a substance use disorder diagnosis enrolled in the State Medicaid plan or waiver of such plan who received substance use disorder treatment services under such plan or waiver by each major type of service under subparagraph (B) within each major setting type, such as outpatient, inpatient, residential, and other home and community-based settings.

(D) The number of services provided under the State Medicaid plan or waiver of such plan per individual with a substance use disorder diagnosis enrolled in such plan or waiver for each major type of service under subparagraph (B).

(E) The number and percentage of individuals enrolled in the State Medicaid plan or waiver, by major enrollment category, who received substance use disorder treatment through—

(i) a Medicaid managed care entity (as defined in section 1932(a)(1)(B) of the Social Security Act (42 U.S.C. 1396u–2(a)(1)(B))), including the number of such individuals who received such assistance through a prepaid inpatient health plan or a prepaid ambulatory health plan;

(ii) a fee-for-service payment model; or

(iii) an alternative payment model, to the extent available.

(F) The number and percentage of individuals with a substance use disorder who receive substance use disorder treatment services in an outpatient or home and community-based setting after receiving treatment in an inpatient or residential setting, and the number of services received by such individuals in the outpatient or home and community-based setting.

(3) ANNUAL UPDATES.—The Secretary shall issue an updated version of the report required under paragraph (1) not later than January 1 of each calendar year through 2024.

(4) USE OF T-MSIS DATA.—The report required under paragraph (1) and updates required under paragraph (3) shall—

(A) use data and definitions from the Transformed Medicaid Statistical Information System (“T-MSIS”) data set that is no more than 12 months old on the date that the report or update is published; and

(B) as appropriate, include a description with respect to each State of the quality and completeness of the data and caveats describing the limitations of the data reported to the Secretary by the State that is sufficient to communicate the appropriate uses for the information.

(b) MAKING T-MSIS DATA ON SUBSTANCE USE DISORDERS AVAILABLE TO RESEARCHERS.—

(1) IN GENERAL.—The Secretary shall publish in the Federal Register a system of records notice for the data specified in paragraph (2) for the Transformed Medicaid Statistical Information System, in accordance with section 552a(e)(4) of title 5, United States Code. The notice shall outline policies that protect the security and privacy of the data that, at a minimum, meet the security and privacy policies of SORN 09-70-0541 for the Medicaid Statistical Information System.

(2) REQUIRED DATA.—The data covered by the systems of records notice required under paragraph (1) shall be sufficient for researchers and States to analyze the prevalence of

substance use disorders in the Medicaid beneficiary population and the treatment of substance use disorders under Medicaid across all States (including the District of Columbia, Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa), forms of treatment, and treatment settings.

(3) INITIATION OF DATA-SHARING ACTIVITIES.—Not later than January 1, 2019, the Secretary shall initiate the data-sharing activities outlined in the notice required under paragraph (1).

**SEC. 2210. BETTER DATA SHARING TO COMBAT THE OPIOID CRISIS.**

(a) IN GENERAL.—Section 1903(m) of the Social Security Act (42 U.S.C. 1396b(m)), as amended by section 2207, is amended by adding at the end the following new paragraph: “(8)(A) The State agency administering the State plan under this title may have reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State to the extent the State agency is permitted to access such databases under State law.

“(B) Such State agency may facilitate reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State, to same extent that the State agency is permitted under State law to access such databases, for—

“(i) any provider enrolled under the State plan to provide services to Medicaid beneficiaries; and

“(ii) any managed care entity (as defined under section 1932(a)(1)(B)) that has a contract with the State under this subsection or under section 1905(t)(3).

“(C) Such State agency may share information in such databases, to the same extent that the State agency is permitted under State law to share information in such databases, with—

“(i) any provider enrolled under the State plan to provide services to Medicaid beneficiaries; and

“(ii) any managed care entity (as defined under section 1932(a)(1)(B)) that has a contract with the State under this subsection or under section 1905(t)(3).”

(b) SECURITY AND PRIVACY.—All applicable State and Federal security and privacy protections and laws shall apply to any State agency, individual, or entity accessing 1 or more prescription drug monitoring program databases or obtaining information in such databases in accordance with section 1903(m)(8) of the Social Security Act (42 U.S.C. 1396b(m)(8)) (as added by subsection (a)).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act.

**SEC. 2211. MANDATORY REPORTING WITH RESPECT TO ADULT BEHAVIORAL HEALTH MEASURES.**

Section 1139B of the Social Security Act (42 U.S.C. 1320b-9b) is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) by striking “Not later than January 1, 2013” and inserting the following:

“(A) VOLUNTARY REPORTING.—Not later than January 1, 2013”; and

(ii) by adding at the end the following:

“(B) MANDATORY REPORTING WITH RESPECT TO BEHAVIORAL HEALTH MEASURES.—Beginning with the State report required under subsection (d)(1) for 2024, the Secretary shall require States to use all behavioral health measures included in the core set of adult health quality measures and any updates or changes to such measures to report information, using the standardized format for reporting information and procedures devel-

oped under subparagraph (A), regarding the quality of behavioral health care for Medicaid eligible adults.”;

(B) in paragraph (5), by adding at the end the following new subparagraph:

“(C) BEHAVIORAL HEALTH MEASURES.—Beginning with respect to State reports required under subsection (d)(1) for 2024, the core set of adult health quality measures maintained under this paragraph (and any updates or changes to such measures) shall include behavioral health measures.”; and

(2) in subsection (d)(1)(A)—

(A) by striking “the such plan” and inserting “such plan”; and

(B) by striking “subsection (a)(5)” and inserting “subsection (b)(5) and, beginning with the report for 2024, all behavioral health measures included in the core set of adult health quality measures maintained under such subsection (b)(5) and any updates or changes to such measures (as required under subsection (b)(3))”.

**SEC. 2212. REPORT ON INNOVATIVE STATE INITIATIVES AND STRATEGIES TO PROVIDE HOUSING-RELATED SERVICES AND SUPPORTS TO INDIVIDUALS STRUGGLING WITH SUBSTANCE USE DISORDERS UNDER MEDICAID.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue a report to Congress describing innovative State initiatives and strategies for providing housing-related services and supports under a State Medicaid program to individuals with substance use disorders who are experiencing or at risk of experiencing homelessness.

(b) CONTENT OF REPORT.—The report required under subsection (a) shall describe the following:

(1) Existing methods and innovative strategies developed and adopted by State Medicaid programs that have achieved positive outcomes in increasing housing stability among Medicaid beneficiaries with substance use disorders who are experiencing or at risk of experiencing homelessness, including Medicaid beneficiaries with substance use disorders who are—

(A) receiving treatment for substance use disorders in inpatient, residential, outpatient, or home and community-based settings;

(B) transitioning between substance use disorder treatment settings; or

(C) living in supportive housing or another model of affordable housing.

(2) Strategies employed by Medicaid managed care organizations, primary care case managers, hospitals, accountable care organizations, and other care coordination providers to deliver housing-related services and supports and to coordinate services provided under State Medicaid programs across different treatment settings.

(3) Innovative strategies and lessons learned by States with Medicaid waivers approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), including—

(A) challenges experienced by States in designing, securing, and implementing such waivers or plan amendments;

(B) how States developed partnerships with other organizations such as behavioral health agencies, State housing agencies, housing providers, health care services agencies and providers, community-based organizations, and health insurance plans to implement waivers or State plan amendments; and

(C) how and whether States plan to provide Medicaid coverage for housing-related services and supports in the future, including by covering such services and supports under State Medicaid plans or waivers.

(4) Existing opportunities for States to provide housing-related services and sup-

ports through a Medicaid waiver under sections 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n) or through a State Medicaid plan amendment, such as the Assistance in Community Integration Service pilot program, which promotes supportive housing and other housing-related supports under Medicaid for individuals with substance use disorders and for which Maryland has a waiver approved under such section 1115 to conduct the program.

(5) Innovative strategies and partnerships developed and implemented by State Medicaid programs or other entities to identify and enroll eligible individuals with substance use disorders who are experiencing or at risk of experiencing homelessness in State Medicaid programs.

**SEC. 2213. TECHNICAL ASSISTANCE AND SUPPORT FOR INNOVATIVE STATE STRATEGIES TO PROVIDE HOUSING-RELATED SUPPORTS UNDER MEDICAID.**

(a) IN GENERAL.—The Secretary of Health and Human Services shall provide technical assistance and support to States regarding the development and expansion of innovative State strategies (including through State Medicaid demonstration projects) to provide housing-related supports and services and care coordination services under Medicaid to individuals with substance use disorders.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue a report to Congress detailing a plan of action to carry out the requirements of subsection (a).

**Subtitle C—Human Services**

**SEC. 2301. SUPPORTING FAMILY-FOCUSED RESIDENTIAL TREATMENT.**

(a) DEFINITIONS.—In this section:

(1) FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAM.—The term “family-focused residential treatment program” means a trauma-informed residential program primarily for substance use disorder treatment for pregnant and postpartum women and parents and guardians that allows children to reside with such women or their parents or guardians during treatment to the extent appropriate and applicable.

(2) MEDICAID PROGRAM.—The term “Medicaid program” means the program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(3) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(4) TITLE IV-E PROGRAM.—The term “title IV-E program” means the program for foster care, prevention, and permanency established under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.).

(b) GUIDANCE ON FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAMS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with divisions of the Department of Health and Human Services administering substance use disorder or child welfare programs, shall develop and issue guidance to States identifying opportunities to support family-focused residential treatment programs for the provision of substance use disorder treatment. Before issuing such guidance, the Secretary shall solicit input from representatives of States, health care providers with expertise in addiction medicine, obstetrics and gynecology, neonatology, child trauma, and child development, health plans, recipients of family-focused treatment services, and other relevant stakeholders.

(2) ADDITIONAL REQUIREMENTS.—The guidance required under paragraph (1) shall include descriptions of the following:

(A) Existing opportunities and flexibilities under the Medicaid program, including under

waivers authorized under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for States to receive Federal Medicaid funding for the provision of substance use disorder treatment for pregnant and postpartum women and parents and guardians and, to the extent applicable, their children, in family-focused residential treatment programs.

(B) How States can employ and coordinate funding provided under the Medicaid program, the title IV-E program, and other programs administered by the Secretary to support the provision of treatment and services provided by a family-focused residential treatment facility such as substance use disorder treatment and services, including medication-assisted treatment, family, group, and individual counseling, case management, parenting education and skills development, the provision, assessment, or coordination of care and services for children, including necessary assessments and appropriate interventions, non-emergency transportation for necessary care provided at or away from a program site, transitional services and supports for families leaving treatment, and other services.

(C) How States can employ and coordinate funding provided under the Medicaid program and the title IV-E program (including as amended by the Family First Prevention Services Act enacted under title VII of division E of Public Law 115-123, and particularly with respect to the authority under subsections (a)(2)(C) and (j) of section 472 and section 474(a)(1) of the Social Security Act (42 U.S.C. 672, 674(a)(1)) (as amended by section 50712 of Public Law 115-123) to provide foster care maintenance payments for a child placed with a parent who is receiving treatment in a licensed residential family-based treatment facility for a substance use disorder) to support placing children with their parents in family-focused residential treatment programs.

#### SEC. 2302. IMPROVING RECOVERY AND REUNIFYING FAMILIES.

(a) FAMILY RECOVERY AND REUNIFICATION PROGRAM REPLICATION PROJECT.—Section 435 of the Social Security Act (42 U.S.C. 629e) is amended by adding at the end the following:

“(e) FAMILY RECOVERY AND REUNIFICATION PROGRAM REPLICATION PROJECT.—

“(1) PURPOSE.—The purpose of this subsection is to provide resources to the Secretary to support the conduct and evaluation of a family recovery and reunification program replication project (referred to in this subsection as the ‘project’) and to determine the extent to which such programs may be appropriate for use at different intervention points (such as when a child is at risk of entering foster care or when a child is living with a guardian while a parent is in treatment). The family recovery and reunification program conducted under the project shall use a recovery coach model that is designed to help reunify families and protect children by working with parents or guardians with a substance use disorder who have temporarily lost custody of their children.

“(2) PROGRAM COMPONENTS.—The family recovery and reunification program conducted under the project shall adhere closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children and, consistent with such elements and protocol, shall provide such items and services as—

“(A) assessments to evaluate the needs of the parent or guardian;

“(B) assistance in receiving the appropriate benefits to aid the parent or guardian in recovery;

“(C) services to assist the parent or guardian in prioritizing issues identified in assessments, establishing goals for resolving such issues that are consistent with the goals of the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardian or their children, and making a coordinated plan for achieving such goals;

“(D) home visiting services coordinated with the child welfare agency and treatment provider involved with the parent or guardian or their children;

“(E) case management services to remove barriers for the parent or guardian to participate and continue in treatment, as well as to re-engage a parent or guardian who is not participating or progressing in treatment;

“(F) access to services needed to monitor the parent’s or guardian’s compliance with program requirements;

“(G) frequent reporting between the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardian or their children to ensure appropriate information on the parent’s or guardian’s status is available to inform decision-making; and

“(H) assessments and recommendations provided by a recovery coach to the child welfare caseworker responsible for documenting the parent’s or guardian’s progress in treatment and recovery as well as the status of other areas identified in the treatment plan for the parent or guardian, including a recommendation regarding the expected safety of the child if the child is returned to the custody of the parent or guardian that can be used by the caseworker and a court to make permanency decisions regarding the child.

“(3) RESPONSIBILITIES OF THE SECRETARY.—

“(A) IN GENERAL.—The Secretary shall, through a grant or contract with 1 or more entities, conduct and evaluate the family recovery and reunification program under the project.

“(B) REQUIREMENTS.—In identifying 1 or more entities to conduct the evaluation of the family recovery and reunification program, the Secretary shall—

“(i) determine that the area or areas in which the program will be conducted have sufficient substance use disorder treatment providers and other resources (other than those provided with funds made available to carry out the project) to successfully conduct the program;

“(ii) determine that the area or areas in which the program will be conducted have enough potential program participants, and will serve a sufficient number of parents or guardians and their children, so as to allow for the formation of a control group, evaluation results to be adequately powered, and preliminary results of the evaluation to be available within 4 years of the program’s implementation;

“(iii) provide the entity or entities with technical assistance for the program design, including by working with 1 or more entities that are or have been involved in recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children so as to make sure the program conducted under the project adheres closely to the elements and protocol determined to be most effective in such other recovery coaching programs;

“(iv) assist the entity or entities in securing adequate coaching, treatment, child welfare, court, and other resources needed to successfully conduct the family recovery and reunification program under the project; and

“(v) ensure the entity or entities will be able to monitor the impacts of the program in the area or areas in which it is conducted

for at least 5 years after parents or guardians and their children are randomly assigned to participate in the program or to be part of the program’s control group.

“(4) EVALUATION REQUIREMENTS.—

“(A) IN GENERAL.—The Secretary, in consultation with the entity or entities conducting the family recovery and reunification program under the project, shall conduct an evaluation to determine whether the program has been implemented effectively and resulted in improvements for children and families. The evaluation shall have 3 components: a pilot phase, an impact study, and an implementation study.

“(B) PILOT PHASE.—The pilot phase component of the evaluation shall consist of the Secretary providing technical assistance to the entity or entities conducting the family recovery and reunification program under the project to ensure—

“(i) the program’s implementation adheres closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children; and

“(ii) random assignment of parents or guardians and their children to be participants in the program or to be part of the program’s control group is being carried out.

“(C) IMPACT STUDY.—The impact study component of the evaluation shall determine the impacts of the family recovery and reunification program conducted under the project on the parents and guardians and their children participating in the program. The impact study component shall—

“(i) be conducted using an experimental design that uses a random assignment research methodology;

“(ii) consistent with previous studies of other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children, measure outcomes for parents and guardians and their children over multiple time periods, including for a period of 5 years; and

“(iii) include measurements of family stability and parent, guardian, and child safety for program participants and the program control group that are consistent with measurements of such factors for participants and control groups from previous studies of other recovery coaching programs so as to allow results of the impact study to be compared with the results of such prior studies, including with respect to comparisons between program participants and the program control group regarding—

“(I) safe family reunification;

“(II) time to reunification;

“(III) permanency (such as through measures of reunification, adoption, or placement with guardians);

“(IV) safety (such as through measures of subsequent maltreatment);

“(V) parental or guardian treatment persistence and engagement;

“(VI) parental or guardian substance use;

“(VII) juvenile delinquency;

“(VIII) cost; and

“(IX) other measurements agreed upon by the Secretary and the entity or entities operating the family recovery and reunification program under the project.

“(D) IMPLEMENTATION STUDY.—The implementation study component of the evaluation shall be conducted concurrently with the conduct of the impact study component and shall include, in addition to such other information as the Secretary may determine, descriptions and analyses of—

“(i) the adherence of the family recovery and reunification program conducted under the project to other recovery coaching programs that have been rigorously evaluated

and shown to increase family reunification and protect children; and

“(ii) the difference in services received or proposed to be received by the program participants and the program control group.

“(E) REPORT.—The Secretary shall publish on an internet website maintained by the Secretary the following information:

“(i) A report on the pilot phase component of the evaluation.

“(ii) A report on the impact study component of the evaluation.

“(iii) A report on the implementation study component of the evaluation.

“(iv) A report that includes—

“(I) analyses of the extent to which the program has resulted in increased reunifications, increased permanency, case closures, net savings to the State or States involved (taking into account both costs borne by States and the Federal government), or other outcomes, or if the program did not produce such outcomes, an analysis of why the replication of the program did not yield such results;

“(II) if, based on such analyses, the Secretary determines the program should be replicated, a replication plan; and

“(III) such recommendations for legislation and administrative action as the Secretary determines appropriate.

“(5) APPROPRIATION.—In addition to any amounts otherwise made available to carry out this subpart, out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$15,000,000 for fiscal year 2019 to carry out the project, which shall remain available through fiscal year 2026.”.

(b) CLARIFICATION OF PAYER OF LAST RESORT APPLICATION TO CHILD WELFARE PREVENTION AND FAMILY SERVICES.—Section 471(e)(10) of the Social Security Act (42 U.S.C. 671(e)(10)), as added by section 50711(a)(2) of division E of Public Law 115–123, is amended—

(1) in subparagraph (A), by inserting “, nor shall the provision of such services or programs be construed to permit the State to reduce medical or other assistance available to a recipient of such services or programs” after “under this Act”; and

(2) by adding at the end the following:

“(C) PAYER OF LAST RESORT.—In carrying out its responsibilities to ensure access to services or programs under this subsection, the State agency shall not be considered to be a legally liable third party for purposes of satisfying a financial commitment for the cost of providing such services or programs with respect to any individual for whom such cost would have been paid for from another public or private source but for the enactment of this subsection (except that whenever considered necessary to prevent a delay in the receipt of appropriate early intervention services by a child or family in a timely fashion, funds provided under section 474(a)(6) may be used to pay the provider of services or programs pending reimbursement from the public or private source that has ultimate responsibility for the payment).”.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect as if included in section 50711 of division E of Public Law 115–123.

#### SEC. 2303. BUILDING CAPACITY FOR FAMILY-FOCUSED RESIDENTIAL TREATMENT.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means a State, county, local, or tribal health or child welfare agency, a private nonprofit organization, a research organization, a treatment service provider, an institution of higher education (as defined under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), or another entity specified by the Secretary.

(2) FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAM.—The term “family-focused residential treatment program” means a trauma-informed residential program primarily for substance use disorder treatment for pregnant and postpartum women and parents and guardians that allows children to reside with such women or their parents or guardians during treatment to the extent appropriate and applicable.

(3) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

#### (b) SUPPORT FOR THE DEVELOPMENT OF EVIDENCE-BASED FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAMS.—

(1) AUTHORITY TO AWARD GRANTS.—The Secretary shall award grants to eligible entities for purposes of developing, enhancing, or evaluating family-focused residential treatment programs to increase the availability of such programs that meet the requirements for promising, supported, or well-supported practices specified in section 471(e)(4)(C) of the Social Security Act (42 U.S.C. 671(e)(4)(C)) (as added by the Family First Prevention Services Act enacted under title VII of division E of Public Law 115–123).

(2) EVALUATION REQUIREMENT.—The Secretary shall require any evaluation of a family-focused residential treatment program by an eligible entity that uses funds awarded under this section for all or part of the costs of the evaluation be designed to assist in the determination of whether the program may qualify as a promising, supported, or well-supported practice in accordance with the requirements of such section 471(e)(4)(C).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section, \$20,000,000 for fiscal year 2019, which shall remain available through fiscal year 2023.

#### Subtitle D—Synthetics Trafficking and Overdose Prevention

##### SEC. 2401. SHORT TITLE.

This subtitle may be cited as the “Synthetics Trafficking and Overdose Prevention Act of 2018” or “STOP Act of 2018”.

##### SEC. 2402. CUSTOMS FEES.

(a) IN GENERAL.—Section 13031(b)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(9)) is amended by adding at the end the following:

“(D)(i) With respect to the processing of items that are sent to the United States through the international postal network by ‘Inbound Express Mail service’ or ‘Inbound EMS’ (as that service is described in the mail classification schedule referred to in section 3631 of title 39, United States Code), the following payments are required:

“(I) \$1 per Inbound EMS item.

“(II) If an Inbound EMS item is formally entered, the fee provided for under subsection (a)(9), if applicable.

“(ii) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451), the payments required by clause (i), as allocated pursuant to clause (iii)(I), shall be the only payments required for reimbursement of U.S. Customs and Border Protection for customs services provided in connection with the processing of an Inbound EMS item.

“(iii)(I) The payments required by clause (i)(I) shall be allocated as follows:

“(aa) 50 percent of the amount of the payments shall be paid on a quarterly basis by the United States Postal Service to the Commissioner of U.S. Customs and Border Protection in accordance with regulations prescribed by the Secretary of the Treasury to reimburse U.S. Customs and Border Protection for customs services provided in connection with the processing of Inbound EMS items.

“(bb) 50 percent of the amount of the payments shall be retained by the Postal Serv-

ice to reimburse the Postal Service for services provided in connection with the customs processing of Inbound EMS items.

“(II) Payments received by U.S. Customs and Border Protection under subclause (I)(aa) shall, in accordance with section 524 of the Tariff Act of 1930 (19 U.S.C. 1524), be deposited in the Customs User Fee Account and used to directly reimburse each appropriation for the amount paid out of that appropriation for the costs incurred in providing services to international mail facilities. Amounts deposited in accordance with the preceding sentence shall be available until expended for the provision of such services.

“(III) Payments retained by the Postal Service under subclause (I)(bb) shall be used to directly reimburse the Postal Service for the costs incurred in providing services in connection with the customs processing of Inbound EMS items.

“(iv) Beginning in fiscal year 2021, the Secretary, in consultation with the Postmaster General, may adjust, not more frequently than once each fiscal year, the amount described in clause (i)(I) to an amount commensurate with the costs of services provided in connection with the customs processing of Inbound EMS items, consistent with the obligations of the United States under international agreements.”.

(b) CONFORMING AMENDMENTS.—Section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)) is amended—

(1) in paragraph (6), by inserting “(other than an item subject to a fee under subsection (b)(9)(D))” after “customs officer”; and

(2) in paragraph (10)—

(A) in subparagraph (C), in the matter preceding clause (i), by inserting “(other than Inbound EMS items described in subsection (b)(9)(D))” after “release”; and

(B) in the flush at the end, by inserting “or of Inbound EMS items described in subsection (b)(9)(D),” after “(C).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2020.

#### SEC. 2403. MANDATORY ADVANCE ELECTRONIC INFORMATION FOR POSTAL SHIPMENTS.

(a) MANDATORY ADVANCE ELECTRONIC INFORMATION.—

(1) IN GENERAL.—Section 343(a)(3)(K) of the Trade Act of 2002 (Public Law 107–210; 19 U.S.C. 2071 note) is amended to read as follows:

“(K)(i) The Secretary shall prescribe regulations requiring the United States Postal Service to transmit the information described in paragraphs (1) and (2) to the Commissioner of U.S. Customs and Border Protection for international mail shipments by the Postal Service (including shipments to the Postal Service from foreign postal operators that are transported by private carrier) consistent with the requirements of this subparagraph.

“(ii) In prescribing regulations under clause (i), the Secretary shall impose requirements for the transmission to the Commissioner of information described in paragraphs (1) and (2) for mail shipments described in clause (i) that are comparable to the requirements for the transmission of such information imposed on similar non-mail shipments of cargo, taking into account the parameters set forth in subparagraphs (A) through (J).

“(iii) The regulations prescribed under clause (i) shall require the transmission of the information described in paragraphs (1) and (2) with respect to a shipment as soon as practicable in relation to the transportation

of the shipment, consistent with subparagraph (H).

“(iv) Regulations prescribed under clause (i) shall allow for the requirements for the transmission to the Commissioner of information described in paragraphs (1) and (2) for mail shipments described in clause (i) to be implemented in phases, as appropriate, by—

“(I) setting incremental targets for increasing the percentage of such shipments for which information is required to be transmitted to the Commissioner; and

“(II) taking into consideration—

“(aa) the risk posed by such shipments;

“(bb) the volume of mail shipped to the United States by or through a particular country; and

“(cc) the capacities of foreign postal operators to provide that information to the Postal Service.

“(v)(I) Notwithstanding clause (iv), the Postal Service shall, not later than December 31, 2018, arrange for the transmission to the Commissioner of the information described in paragraphs (1) and (2) for not less than 70 percent of the aggregate number of mail shipments, including 100 percent of mail shipments from the People’s Republic of China, described in clause (i).

“(II) If the requirements of subclause (I) are not met, the Comptroller General of the United States shall submit to the appropriate congressional committees, not later than June 30, 2019, a report—

“(aa) assessing the reasons for the failure to meet those requirements; and

“(bb) identifying recommendations to improve the collection by the Postal Service of the information described in paragraphs (1) and (2).

“(vi)(I) Notwithstanding clause (iv), the Postal Service shall, not later than December 31, 2020, arrange for the transmission to the Commissioner of the information described in paragraphs (1) and (2) for 100 percent of the aggregate number of mail shipments described in clause (i).

“(II) The Commissioner, in consultation with the Postmaster General, may determine to exclude a country from the requirement described in subclause (I) to transmit information for mail shipments described in clause (i) from the country if the Commissioner determines that the country—

“(aa) does not have the capacity to collect and transmit such information;

“(bb) represents a low risk for mail shipments that violate relevant United States laws and regulations; and

“(cc) accounts for low volumes of mail shipments that can be effectively screened for compliance with relevant United States laws and regulations through an alternate means.

“(III) The Commissioner shall, at a minimum on an annual basis, re-evaluate any determination made under subclause (II) to exclude a country from the requirement described in subclause (I). If, at any time, the Commissioner determines that a country no longer meets the requirements under subclause (II), the Commissioner may not further exclude the country from the requirement described in subclause (I).

“(IV) The Commissioner shall, on an annual basis, submit to the appropriate congressional committees—

“(aa) a list of countries with respect to which the Commissioner has made a determination under subclause (II) to exclude the countries from the requirement described in subclause (I); and

“(bb) information used to support such determination with respect to such countries.

“(vii)(I) The Postmaster General shall, in consultation with the Commissioner, refuse any shipments received after December 31, 2020, for which the information described in

paragraphs (1) and (2) is not transmitted as required under this subparagraph, except as provided in subclause (II).

“(II) If remedial action is warranted in lieu of refusal of shipments pursuant to subclause (I), the Postmaster General and the Commissioner shall take remedial action with respect to the shipments, including destruction, seizure, controlled delivery or other law enforcement initiatives, or correction of the failure to provide the information described in paragraphs (1) and (2) with respect to the shipment.

“(viii) Nothing in this subparagraph shall be construed to limit the authority of the Secretary to obtain information relating to international mail shipments from private carriers or other appropriate parties.

“(ix) In this subparagraph, the term ‘appropriate congressional committees’ means—

“(I) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(II) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.”.

(2) JOINT STRATEGIC PLAN ON MANDATORY ADVANCE INFORMATION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Postmaster General shall develop and submit to the appropriate congressional committees a joint strategic plan detailing specific performance measures for achieving—

(A) the transmission of information as required by section 343(a)(3)(K) of the Trade Act of 2002, as amended by paragraph (1); and

(B) the presentation by the Postal Service to U.S. Customs and Border Protection of all mail targeted by U.S. Customs and Border Protection for inspection.

(b) CAPACITY BUILDING.—

(1) IN GENERAL.—Section 343(a) of the Trade Act of 2002 (Public Law 107-210; 19 U.S.C. 2071 note) is amended by adding at the end the following:

“(5) CAPACITY BUILDING.—

“(A) IN GENERAL.—The Secretary, with the concurrence of the Secretary of State, and in coordination with the Postmaster General and the heads of other Federal agencies, as appropriate, may provide technical assistance, equipment, technology, and training to enhance the capacity of foreign postal operators—

“(i) to gather and provide the information required by paragraph (3)(K); and

“(ii) to otherwise gather and provide postal shipment information related to—

“(I) terrorism;

“(II) items the importation or introduction of which into the United States is prohibited or restricted, including controlled substances; and

“(III) such other concerns as the Secretary determines appropriate.

“(B) PROVISION OF EQUIPMENT AND TECHNOLOGY.—With respect to the provision of equipment and technology under subparagraph (A), the Secretary may lease, loan, provide, or otherwise assist in the deployment of such equipment and technology under such terms and conditions as the Secretary may prescribe, including nonreimbursable loans or the transfer of ownership of equipment and technology.”.

(2) JOINT STRATEGIC PLAN ON CAPACITY BUILDING.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security and the Postmaster General shall, in consultation with the Secretary of State, jointly develop and submit to the appropriate congressional committees a joint strategic plan—

(A) detailing the extent to which U.S. Customs and Border Protection and the United States Postal Service are engaged in capacity building efforts under section 343(a)(5) of the Trade Act of 2002, as added by paragraph (1);

(B) describing plans for future capacity building efforts; and

(C) assessing how capacity building has increased the ability of U.S. Customs and Border Protection and the Postal Service to advance the goals of this subtitle and the amendments made by this subtitle.

(c) REPORT AND CONSULTATIONS BY SECRETARY OF HOMELAND SECURITY AND POSTMASTER GENERAL.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until 3 years after the Postmaster General has met the requirement under clause (vi) of subparagraph (K) of section 343(a)(3) of the Trade Act of 2002, as amended by subsection (a)(1), the Secretary of Homeland Security and the Postmaster General shall, in consultation with the Secretary of State, jointly submit to the appropriate congressional committees a report on compliance with that subparagraph that includes the following:

(A) An assessment of the status of the regulations required to be promulgated under that subparagraph.

(B) An update regarding new and existing agreements reached with foreign postal operators for the transmission of the information required by that subparagraph.

(C) A summary of deliberations between the United States Postal Service and foreign postal operators with respect to issues relating to the transmission of that information.

(D) A summary of the progress made in achieving the transmission of that information for the percentage of shipments required by that subparagraph.

(E) An assessment of the quality of that information being received by foreign postal operators, as determined by the Secretary of Homeland Security, and actions taken to improve the quality of that information.

(F) A summary of policies established by the Universal Postal Union that may affect the ability of the Postmaster General to obtain the transmission of that information.

(G) A summary of the use of technology to detect illicit synthetic opioids and other illegal substances in international mail parcels and planned acquisitions and advancements in such technology.

(H) Such other information as the Secretary of Homeland Security and the Postmaster General consider appropriate with respect to obtaining the transmission of information required by that subparagraph.

(2) CONSULTATIONS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the Postmaster General has met the requirement under clause (vi) of section 343(a)(3)(K) of the Trade Act of 2002, as amended by subsection (a)(1), to arrange for the transmission of information with respect to 100 percent of the aggregate number of mail shipments described in clause (i) of that section, the Secretary of Homeland Security and the Postmaster General shall provide briefings to the appropriate congressional committees on the progress made in achieving the transmission of that information for that percentage of shipments.

(d) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than June 30, 2019, the Comptroller General of the United States shall submit to the appropriate congressional committees a report—

(1) assessing the progress of the United States Postal Service in achieving the transmission of the information required by subparagraph (K) of section 343(a)(3) of the

Trade Act of 2002, as amended by subsection (a)(1), for the percentage of shipments required by that subparagraph;

(2) assessing the quality of the information received from foreign postal operators for targeting purposes;

(3) assessing the specific percentage of targeted mail presented by the Postal Service to U.S. Customs and Border Protection for inspection;

(4) describing the costs of collecting the information required by such subparagraph (K) from foreign postal operators and the costs of implementing the use of that information;

(5) assessing the benefits of receiving that information with respect to international mail shipments;

(6) assessing the feasibility of assessing a customs fee under section 13031(b)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended by section 2402, on international mail shipments other than Inbound Express Mail service in a manner consistent with the obligations of the United States under international agreements; and

(7) identifying recommendations, including recommendations for legislation, to improve the compliance of the Postal Service with such subparagraph (K), including an assessment of whether the detection of illicit synthetic opioids in the international mail would be improved by—

(A) requiring the Postal Service to serve as the consignee for international mail shipments containing goods; or

(B) designating a customs broker to act as an importer of record for international mail shipments containing goods.

(e) TECHNICAL CORRECTION.—Section 343 of the Trade Act of 2002 (Public Law 107–210; 19 U.S.C. 2071 note) is amended in the section heading by striking “ADVANCED” and inserting “ADVANCE”.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.

#### SEC. 2404. INTERNATIONAL POSTAL AGREEMENTS.

(a) EXISTING AGREEMENTS.—

(1) IN GENERAL.—In the event that any provision of this subtitle, or any amendment made by this subtitle, is determined to be in violation of obligations of the United States under any postal treaty, convention, or other international agreement related to international postal services, or any amendment to such an agreement, the Secretary of State should negotiate to amend the relevant provisions of the agreement so that the United States is no longer in violation of the agreement.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to permit delay in the implementation of this subtitle or any amendment made by this subtitle.

(b) FUTURE AGREEMENTS.—

(1) CONSULTATIONS.—Before entering into, on or after the date of the enactment of this Act, any postal treaty, convention, or other international agreement related to international postal services, or any amendment to such an agreement, that is related to the ability of the United States to secure the provision of advance electronic information by foreign postal operators, the Secretary of State should consult with the appropriate congressional committees (as defined in section 2403(f)).

(2) EXPEDITED NEGOTIATION OF NEW AGREEMENT.—To the extent that any new postal

treaty, convention, or other international agreement related to international postal services would improve the ability of the United States to secure the provision of advance electronic information by foreign postal operators as required by regulations prescribed under section 343(a)(3)(K) of the Trade Act of 2002, as amended by section 2403(a)(1), the Secretary of State should expeditiously conclude such an agreement.

#### SEC. 2405. COST RECOUPMENT.

(a) IN GENERAL.—The United States Postal Service shall, to the extent practicable and otherwise recoverable by law, ensure that all costs associated with complying with this subtitle and amendments made by this subtitle are charged directly to foreign shippers or foreign postal operators.

(b) COSTS NOT CONSIDERED REVENUE.—The recovery of costs under subsection (a) shall not be deemed revenue for purposes of subchapter I and II of chapter 36 of title 39, United States Code, or regulations prescribed under that chapter.

#### SEC. 2406. DEVELOPMENT OF TECHNOLOGY TO DETECT ILLICIT NARCOTICS.

(a) IN GENERAL.—The Postmaster General and the Commissioner of U.S. Customs and Border Protection, in coordination with the heads of other agencies as appropriate, shall collaborate to identify and develop technology for the detection of illicit fentanyl, other synthetic opioids, and other narcotics and psychoactive substances entering the United States by mail.

(b) OUTREACH TO PRIVATE SECTOR.—The Postmaster General and the Commissioner shall conduct outreach to private sector entities to gather information regarding the current state of technology to identify areas for innovation relating to the detection of illicit fentanyl, other synthetic opioids, and other narcotics and psychoactive substances entering the United States.

#### SEC. 2407. CIVIL PENALTIES FOR POSTAL SHIPMENTS.

Section 436 of the Tariff Act of 1930 (19 U.S.C. 1436) is amended by adding at the end the following new subsection:

“(e) CIVIL PENALTIES FOR POSTAL SHIPMENTS.—

“(1) CIVIL PENALTY.—A civil penalty shall be imposed against the United States Postal Service if the Postal Service accepts a shipment in violation of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002.

“(2) MODIFICATION OF CIVIL PENALTY.—

“(A) IN GENERAL.—U.S. Customs and Border Protection shall reduce or dismiss a civil penalty imposed pursuant to paragraph (1) if U.S. Customs and Border Protection determines that the United States Postal Service—

“(i) has a low error rate in compliance with section 343(a)(3)(K) of the Trade Act of 2002;

“(ii) is cooperating with U.S. Customs and Border Protection with respect to the violation of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002; or

“(iii) has taken remedial action to prevent future violations of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002.

“(B) WRITTEN NOTIFICATION.—U.S. Customs and Border Protection shall issue a written notification to the Postal Service with respect to each exercise of the authority of subparagraph (A) to reduce or dismiss a civil penalty imposed pursuant to paragraph (1).

“(3) ONGOING LACK OF COMPLIANCE.—If U.S. Customs and Border Protection determines that the United States Postal Service—

“(A) has repeatedly committed violations of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002,

“(B) has failed to cooperate with U.S. Customs and Border Protection with respect to

violations of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002, and

“(C) has an increasing error rate in compliance with section 343(a)(3)(K) of the Trade Act of 2002,

civil penalties may be imposed against the United States Postal Service until corrective action, satisfactory to U.S. Customs and Border Protection, is taken.”.

#### SEC. 2408. REPORT ON VIOLATIONS OF ARRIVAL, REPORTING, ENTRY, AND CLEARANCE REQUIREMENTS AND FALSITY OR LACK OF MANIFEST.

(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection shall submit to the appropriate congressional committees an annual report that contains the information described in subsection (b) with respect to each violation of section 436 of the Tariff Act of 1930 (19 U.S.C. 1436), as amended by section 7, and section 584 of such Act (19 U.S.C. 1584) that occurred during the previous year.

(b) INFORMATION DESCRIBED.—The information described in this subsection is the following:

(1) The name and address of the violator.

(2) The specific violation that was committed.

(3) The location or port of entry through which the items were transported.

(4) An inventory of the items seized, including a description of the items and the quantity seized.

(5) The location from which the items originated.

(6) The entity responsible for the apprehension or seizure, organized by location or port of entry.

(7) The amount of penalties assessed by U.S. Customs and Border Protection, organized by name of the violator and location or port of entry.

(8) The amount of penalties that U.S. Customs and Border Protection could have levied, organized by name of the violator and location or port of entry.

(9) The rationale for negotiating lower penalties, organized by name of the violator and location or port of entry.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.

#### SEC. 2409. EFFECTIVE DATE; REGULATIONS.

(a) EFFECTIVE DATE.—This subtitle and the amendments made by this subtitle (other than the amendments made by section 2402) shall take effect on the date of the enactment of this Act.

(b) REGULATIONS.—Not later than one year after the date of the enactment of this Act, such regulations as are necessary to carry out this subtitle and the amendments made by this subtitle shall be prescribed.

### TITLE III—JUDICIARY

#### Subtitle A—Access to Increased Drug Disposal

##### SEC. 3101. SHORT TITLE.

This subtitle may be cited as the “Access to Increased Drug Disposal Act of 2018”.

##### SEC. 3102. DEFINITIONS.

In this subtitle—

(1) the term “Attorney General” means the Attorney General, acting through the Assistant Attorney General for the Office of Justice Programs;

(2) the term “authorized collector” means a narcotic treatment program, a hospital or

clinic with an on-site pharmacy, a retail pharmacy, or a reverse distributor, that is authorized as a collector under section 1317.40 of title 21, Code of Federal Regulations (or any successor regulation);

(3) the term “covered grant” means a grant awarded under section 3003; and

(4) the term “eligible collector” means a person who is eligible to be an authorized collector.

**SEC. 3103. AUTHORITY TO MAKE GRANTS.**

The Attorney General shall award grants to States to enable the States to increase the participation of eligible collectors as authorized collectors.

**SEC. 3104. APPLICATION.**

A State desiring a covered grant shall submit to the Attorney General an application that, at a minimum—

(1) identifies the single State agency that oversees pharmaceutical care and will be responsible for complying with the requirements of the grant;

(2) details a plan to increase participation rates of eligible collectors as authorized collectors; and

(3) describes how the State will select eligible collectors to be served under the grant.

**SEC. 3105. USE OF GRANT FUNDS.**

A State that receives a covered grant, and any subrecipient of the grant, may use the grant amounts only for the costs of installation, maintenance, training, purchasing, and disposal of controlled substances associated with the participation of eligible collectors as authorized collectors.

**SEC. 3106. ELIGIBILITY FOR GRANT.**

The Attorney General shall award a covered grant to 5 States, not less than 3 of which shall be States in the lowest quartile of States based on the participation rate of eligible collectors as authorized collectors, as determined by the Attorney General.

**SEC. 3107. DURATION OF GRANTS.**

The Attorney General shall determine the period of years for which a covered grant is made to a State.

**SEC. 3108. ACCOUNTABILITY AND OVERSIGHT.**

A State that receives a covered grant shall submit to the Attorney General a report, at such time and in such manner as the Attorney General may reasonably require, that—

(1) lists the ultimate recipients of the grant amounts;

(2) describes the activities undertaken by the State using the grant amounts; and

(3) contains performance measures relating to the effectiveness of the grant, including changes in the participation rate of eligible collectors as authorized collectors.

**SEC. 3109. DURATION OF PROGRAM.**

The Attorney General may award covered grants for each of the first 5 fiscal years beginning after the date of enactment of this Act.

**SEC. 3110. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this subtitle.

**Subtitle B—Using Data To Prevent Opioid Diversion**

**SEC. 3201. SHORT TITLE.**

This subtitle may be cited as the “Using Data to Prevent Opioid Diversion Act of 2018”.

**SEC. 3202. PURPOSE.**

(a) IN GENERAL.—The purpose of this subtitle is to provide drug manufacturers and distributors with access to anonymized information through the Automated Reports and Consolidated Orders System to help drug manufacturers and distributors identify, report, and stop suspicious orders of opioids and reduce diversion rates.

(b) RULE OF CONSTRUCTION.—Nothing in this subtitle should be construed to absolve

a drug manufacturer, drug distributor, or other Drug Enforcement Administration registrant from the responsibility of the manufacturer, distributor, or other registrant to—

(1) identify, stop, and report suspicious orders; or

(2) maintain effective controls against diversion in accordance with section 303 of the Controlled Substances Act (21 U.S.C. 823) or any successor law or associated regulation.

**SEC. 3203. AMENDMENTS.**

(a) RECORDS AND REPORTS OF REGISTRANTS.—Section 307 of the Controlled Substances Act (21 U.S.C. 827) is amended—

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

(2) by inserting after subsection (e) the following:

“(f)(1) The Attorney General shall, not less frequently than quarterly, make the following information available to manufacturer and distributor registrants through the Automated Reports and Consolidated Orders System, or any subsequent automated system developed by the Drug Enforcement Administration to monitor selected controlled substances:

“(A) The total number of distributor registrants that distribute controlled substances to a pharmacy or practitioner registrant, aggregated by the name and address of each pharmacy and practitioner registrant.

“(B) The total quantity and type of opioids distributed, listed by Administration Controlled Substances Code Number, to each pharmacy and practitioner registrant described in subparagraph (A).

“(2) The information required to be made available under paragraph (1) shall be made available not later than the 15th day of the first month following the quarter to which the information relates.

“(3)(A) All registered manufacturers and distributors shall be responsible for reviewing the information made available by the Attorney General under this subsection.

“(B) In determining whether to initiate proceedings under this title against a registered manufacturer or distributor based on the failure of the registrant to maintain effective controls against diversion or otherwise comply with the requirements of this title or the regulations issued thereunder, the Attorney General may take into account that the information made available under this subsection was available to the registrant.”; and

(3) by inserting after subsection (i), as so redesignated, the following:

“(j) All of the reports required under this section shall be provided in an electronic format.”.

(b) COOPERATIVE ARRANGEMENTS.—Section 503 of the Controlled Substances Act (21 U.S.C. 873) is amended—

(1) by striking subsection (c) and inserting the following:

“(c)(1) The Attorney General shall, once every 6 months, prepare and make available to regulatory, licensing, attorneys general, and law enforcement agencies of States a standardized report containing descriptive and analytic information on the actual distribution patterns, as gathered through the Automated Reports and Consolidated Orders System, or any subsequent automated system, pursuant to section 307 and which includes detailed amounts, outliers, and trends of distributor and pharmacy registrants, in such States for the controlled substances contained in schedule II, which, in the discretion of the Attorney General, are determined to have the highest abuse.

“(2) If the Attorney General publishes the report described in paragraph (1) once every

6 months as required under paragraph (1), nothing in this subsection shall be construed to bring an action in any court to challenge the sufficiency of the information or to compel the Attorney General to produce any documents or reports referred to in this subsection.”.

(c) CIVIL AND CRIMINAL PENALTIES.—Section 402 of the Controlled Substances Act (21 U.S.C. 842) is amended—

(1) in subsection (a)—

(A) in paragraph (15), by striking “or” at the end;

(B) in paragraph (16), by striking the period at the end and inserting “; or”; and

(C) by inserting after paragraph (16) the following:

“(17) in the case of a registered manufacturer or distributor of opioids, to fail to review the most recent information, directly related to the customers of the manufacturer or distributor, made available by the Attorney General in accordance with section 307(f).”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking subparagraph (B) and inserting the following:

“(B)(i) Except as provided in clause (ii), in the case of a violation of paragraph (5), (10), or (17) of subsection (a), the penalty shall not exceed \$10,000.

“(ii) In the case of a violation described in clause (i) committed by a registered manufacturer or distributor of opioids and related to the reporting of suspicious orders for opioids, failing to maintain effective controls against diversion of opioids, or failing to review the most recent information made available by the Attorney General in accordance with section 307(f), the penalty shall not exceed \$100,000.”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting “or (D)” after “subparagraph (B)”; and

(ii) by adding at the end the following:

“(D) In the case of a violation described in subparagraph (A) that was a violation of paragraph (5), (10), or (17) of subsection (a) committed by a registered manufacturer or distributor of opioids that relates to the reporting of suspicious orders for opioids, failing to maintain effective controls against diversion of opioids, or failing to review the most recent information made available by the Attorney General in accordance with section 307(f), the criminal fine under title 18, United States Code, shall not exceed \$500,000.”.

**SEC. 3204. REPORT.**

Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report that provides information about how the Attorney General is using data in the Automation of Reports and Consolidated Orders System to identify and stop suspicious activity, including whether the Attorney General is looking at aggregate orders from individual pharmacies to multiple distributors that in total are suspicious, even if no individual order rises to the level of a suspicious order to a given distributor.

**Subtitle C—Substance Abuse Prevention**

**SEC. 3301. SHORT TITLE.**

This subtitle may be cited as the “Substance Abuse Prevention Act of 2018”.

**SEC. 3302. REAUTHORIZATION OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY.**

(a) OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.—

(1) IN GENERAL.—The Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), as in effect on September 29, 2003, and as amended by the laws described in paragraph (2), is revived and restored.

(2) LAWS DESCRIBED.—The laws described in this paragraph are:

(A) The Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3502).

(B) The Presidential Appointment Efficiency and Streamlining Act of 2011 (Public Law 112-166; 126 Stat. 1283).

(b) REAUTHORIZATION.—Section 715(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1712(a)) is amended by striking “2010” and inserting “2022”.

**SEC. 3303. REAUTHORIZATION OF THE DRUG-FREE COMMUNITIES PROGRAM.**

Section 1024 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1524(a)) is amended by striking subsections (a) and (b) and inserting the following:

“(a) IN GENERAL.—There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this chapter \$99,000,000 for each of fiscal years 2018 through 2022.

“(b) ADMINISTRATIVE COSTS.—Not more than 8 percent of the funds appropriated to carry out this chapter may be used by the Office of National Drug Control Policy to pay administrative costs associated with the responsibilities of the Office under this chapter.”

**SEC. 3304. REAUTHORIZATION OF THE NATIONAL COMMUNITY ANTI-DRUG COALITION INSTITUTE.**

Section 4(c)(4) of Public Law 107-82 (21 U.S.C. 1521 note) is amended by striking “2008 through 2012” and inserting “2018 through 2022”.

**SEC. 3305. REAUTHORIZATION OF THE HIGH-INTENSITY DRUG TRAFFICKING AREA PROGRAM.**

Section 707(p) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(p)) 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) \$280,000,000 for each of fiscal years 2018 through 2022.”

**SEC. 3306. REAUTHORIZATION OF DRUG COURT PROGRAM.**

Section 1001(a)(25)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)(25)(A)) is amended by striking “Except as provided” and all that follows and inserting the following: “Except as provided in subparagraph (C), there is authorized to be appropriated to carry out part EE \$75,000,000 for each of fiscal years 2018 through 2022.”

**SEC. 3307. DRUG COURT TRAINING AND TECHNICAL ASSISTANCE.**

Section 705 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704) is amended by adding at the end the following—

“(e) DRUG COURT TRAINING AND TECHNICAL ASSISTANCE PROGRAM.—Using funds appropriated to carry out this title, the Director may make grants to nonprofit organizations for the purpose of providing training and technical assistance to drug courts.”

**SEC. 3308. DRUG OVERDOSE RESPONSE STRATEGY.**

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706) is amended by adding at the end the following:

“(r) DRUG OVERDOSE RESPONSE STRATEGY IMPLEMENTATION.—The Director may use funds appropriated to carry out this section to implement a drug overdose response strategy in high intensity drug trafficking areas on a nationwide basis by—

(1) coordinating multi-disciplinary efforts to prevent, reduce, and respond to drug overdoses, including the uniform reporting of

fatal and non-fatal overdoses to public health and safety officials;

(2) increasing data sharing among public safety and public health officials concerning drug-related abuse trends, including new psychoactive substances, and related crime; and

(3) enabling collaborative deployment of prevention, intervention, and enforcement resources to address substance use addiction and narcotics trafficking.”

**SEC. 3309. PROTECTING LAW ENFORCEMENT OFFICERS FROM ACCIDENTAL EXPOSURE.**

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706), as amended by section 3308, is amended by adding at the end the following:

“(s) SUPPLEMENTAL GRANTS.—The Director is authorized to use not more than \$10,000,000 of the amounts otherwise appropriated to carry out this section to provide supplemental competitive grants to high intensity drug trafficking areas that have experienced high seizures of fentanyl and new psychoactive substances for the purposes of—

(1) purchasing portable equipment to test for fentanyl and other substances;

(2) training law enforcement officers and other first responders on best practices for handling fentanyl and other substances; and

(3) purchasing protective equipment, including overdose reversal drugs.”

**SEC. 3310. COPS ANTI-METH PROGRAM.**

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381) is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following:

“(k) COPS ANTI-METH PROGRAM.—The Attorney General shall use amounts otherwise appropriated to carry out this section to make competitive grants, in amounts of not less than \$1,000,000 for a fiscal year, to State law enforcement agencies with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures for the purpose of locating or investigating illicit activities, such as precursor diversion, laboratories, or methamphetamine traffickers.”

**SEC. 3311. COPS ANTI-HEROIN TASK FORCE PROGRAM.**

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381) is amended—

(1) by redesignating subsection (l), as so redesignated by section 3310, as subsection (m); and

(2) by inserting after subsection (k), as added by section 3310, the following:

“(l) COPS ANTI-HEROIN TASK FORCE PROGRAM.—The Attorney General shall use amounts otherwise appropriated to carry out this section, or other amounts as appropriated, to make competitive grants to State law enforcement agencies in States with high per capita rates of primary treatment admissions, for the purpose of locating or investigating illicit activities, through State-wide collaboration, relating to the distribution of heroin, fentanyl, or carfentanil or relating to the unlawful distribution of prescription opioids.”

**SEC. 3312. COMPREHENSIVE ADDICTION AND RECOVERY ACT EDUCATION AND AWARENESS.**

Title VII of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114-198; 130 Stat. 735) is amended by adding at the end the following:

**“SEC. 709. SERVICES FOR FAMILIES AND PATIENTS IN CRISIS.**

“(a) IN GENERAL.—The Attorney General may make grants to entities that focus on

addiction and substance use disorders and specialize in family and patient services, advocacy for patients and families, and educational information.

“(b) ALLOWABLE USES.—A grant awarded under this section may be used for private, nonprofit national organizations that engage in all of the following activities:

(1) Expansion of phone line or call center services with professional, clinical staff that provide, for families and individuals impacted by a substance use disorder, support, access to treatment resources, brief assessments, medication and overdose prevention education, compassionate listening services, recovery support or peer specialists, bereavement and grief support, and case management.

(2) Continued development of health information technology systems that leverage new and upcoming technology and techniques for prevention, intervention, and filling resource gaps in communities that are underserved.

(3) Enhancement and operation of treatment and recovery resources, easy-to-read scientific and evidence-based education on addiction and substance use disorders, and other informational tools for families and individuals impacted by a substance use disorder and community stakeholders, such as law enforcement agencies.

(4) Provision of training and technical assistance to State and local governments, law enforcement agencies, health care systems, research institutions, and other stakeholders.

(5) Expanding upon and implementing educational information using evidence-based information on substance use disorders.

(6) Expansion of training of community stakeholders, law enforcement officers, and families across a broad-range of addiction, health, and related topics on substance use disorders, local issues and community-specific issues related to the drug epidemic.

(7) Program evaluation.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2018 through 2022, the Attorney General is authorized to award not more than \$10,000,000 of amounts otherwise appropriated to the Attorney General for comprehensive opioid abuse reduction activities for purposes of carrying out this section.”

**SEC. 3313. PROTECTING CHILDREN WITH ADDICTED PARENTS.**

Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.) is amended by adding at the end the following:

**“SEC. 550. PROTECTING CHILDREN WITH ADDICTED PARENTS.**

“(a) BEST PRACTICES.—The Secretary, acting through the Assistant Secretary and in cooperation with the Commissioner of the Administration on Children, Youth and Families, shall collect and disseminate best practices for States regarding interventions and strategies to keep families affected by a substance use disorder together, when it can be done safely. Such best practices shall—

(1) utilize comprehensive family-centered approaches;

(2) ensure that families have access to drug screening, substance use disorder treatment, medication-assisted treatment approved by the Food and Drug Administration, and parental support; and

(3) build upon lessons learned from—

(A) programs such as the maternal, infant, and early childhood home visiting program under section 511 of the Social Security Act; and

(B) identifying substance abuse prevention and treatment services that meet the requirements for promising, supported, or

well-supported practices specified in section 471(e)(4)(C) of the Social Security Act (as such section shall be in effect beginning on October 1, 2018).

“(b) GRANT PROGRAM.—The Secretary shall award grants to States, units of local government, and tribal governments to—

“(1) develop programs and models designed to keep pregnant and post-partum women who have a substance use disorder together with their newborns, including programs and models that provide for screenings of pregnant and post-partum women for substance use disorders, treatment interventions, supportive housing, nonpharmacological interventions for children born with neonatal abstinence syndrome, medication assisted treatment, and other recovery supports; and

“(2) support the attendance of children who have a family member living with a substance use disorder at therapeutic camps or other therapeutic programs aimed at addiction prevention education and delaying the onset of first use, providing trusted mentors and education on coping strategies that these children can use in their daily lives, and family support initiatives aimed at keeping these families together.”.

**SEC. 3314. REIMBURSEMENT OF SUBSTANCE USE DISORDER TREATMENT PROFESSIONALS.**

Not later than January 1, 2020, the Comptroller General of the United States shall submit to Congress a report examining how substance use disorder services are reimbursed.

**SEC. 3315. SOBRIETY TREATMENT AND RECOVERY TEAMS (START).**

Title V of the Public Health Service Act (42 U.S.C. 290dd et seq.), as amended by section 3313, is further amended by adding at the end the following:

**“SEC. 551. SOBRIETY TREATMENT AND RECOVERY TEAMS.**

“(a) IN GENERAL.—The Secretary may make grants to States, units of local government, or tribal governments to establish or expand Sobriety Treatment And Recovery Team (referred to in this section as ‘START’) or other similar programs to determine the effectiveness of pairing social workers or mentors with families that are struggling with a substance use disorder and child abuse or neglect in order to help provide peer support, intensive treatment, and child welfare services to such families.

“(b) ALLOWABLE USES.—A grant awarded under this section may be used for one or more of the following activities:

“(1) Training eligible staff, including social workers, social services coordinators, child welfare specialists, substance use disorder treatment professionals, and mentors.

“(2) Expanding access to substance use disorder treatment services and drug testing.

“(3) Enhancing data sharing with law enforcement agencies, child welfare agencies, substance use disorder treatment providers, judges, and court personnel.

“(4) Program evaluation and technical assistance.

“(c) PROGRAM REQUIREMENTS.—A State, unit of local government, or tribal government receiving a grant under this section shall—

“(1) serve only families for which—

“(A) there is an open record with the child welfare agency; and

“(B) substance use disorder was a reason for the record or finding described in paragraph (1); and

“(2) coordinate any grants awarded under this section with any grant awarded under section 437(f) of the Social Security Act focused on improving outcomes for children affected by substance abuse.

“(d) TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 5 percent

of funds provided under this section to provide technical assistance on the establishment or expansion of programs funded under this section from the National Center on Substance Abuse and Child Welfare.

“(e) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2018 through 2022, the Secretary is authorized to award not more than \$10,000,000 of amounts otherwise appropriated to the Secretary for comprehensive opioid abuse reduction activities for purposes of carrying out this section.”.

**SEC. 3316. PROVIDER EDUCATION.**

Not later than 60 days after the date of enactment of this Act, the Attorney General, in consultation with the Secretary of Health and Human Services, shall complete the plan related to medical registration coordination required by Senate Report 114-239, which accompanied the Veterans Care Financial Protection Act of 2017 (Public Law 115-131; 132 Stat. 334).

**SEC. 3317. DEMAND REDUCTION.**

Section 702(1) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701(1)) is amended—

(1) by redesignating subparagraphs (F) through (J) as subparagraphs (G) through (K), respectively; and

(2) by inserting after subparagraph (E) the following:

“(F) support for long-term recovery from substance use disorders;”.

**SEC. 3318. ANTI-DRUG MEDIA CAMPAIGN.**

Section 709 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708) is amended—

(1) in the section heading, by striking “YOUTH”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “youth”;

(B) in paragraph (1), by striking “young”;

(C) in paragraph (2), by striking “of adults of the impact of drug abuse on young people” and inserting “among the population about the impact of drug abuse”; and

(D) in paragraph (3), by striking “parents and other interested adults to discuss with young people” and inserting “interested persons to discuss”; and

(3) in subsection (b)(2)(C)(ii), by striking “among youth”.

**SEC. 3319. TECHNICAL CORRECTIONS TO THE OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.**

The Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.) is amended—

(1) in section 703(b)(3)(E) (21 U.S.C. 1702(b)(3)(E))—

(A) in clause (i), by adding “and” at the end;

(B) in clause (ii), by striking “; and” and inserting a period; and

(C) by striking clause (iii);

(2) in section 704 (21 U.S.C. 1703)—

(A) in subsection (c)(3)(C)—

(i) in clause (v), by adding “and” at the end;

(ii) in clause (vi), by striking “; and” and inserting a period; and

(iii) by striking clause (vii); and

(B) in subsection (f)—

(i) by striking the first paragraph (5); and

(ii) by striking the second paragraph (4);

(3) in section 706(a)(2)(A) (21 U.S.C. 1705(a)(2)(A))—

(A) by striking clause (ix); and

(B) by redesignating clauses (x) through (xiv) as clauses (ix) through (xiii), respectively; and

(4) by striking section 708 (21 U.S.C. 1707).

**Subtitle D—Synthetic Abuse and Labeling of Toxic Substances**

**SEC. 3401. SHORT TITLE.**

This subtitle may be cited as the “Synthetic Abuse and Labeling of Toxic Substances Act of 2017” or the “SALTS Act”.

**SEC. 3402. CONTROLLED SUBSTANCE ANALOGUES.**

Section 203 of the Controlled Substances Act (21 U.S.C. 813) is amended—

(1) by striking “A controlled” and inserting “(a) IN GENERAL.—A controlled”; and

(2) by adding at the end the following:

“(b) DETERMINATION.—In determining whether a controlled substance analogue was intended for human consumption under subsection (a), evidence related to the following factors may be considered, along with all other relevant evidence:

“(1) The marketing, advertising, and labeling of the substance.

“(2) The known efficacy or usefulness of the substance for the marketed, advertised, or labeled purpose.

“(3) The difference between the price at which the substance is sold and the price at which the substance it is purported to be or advertised as is normally sold.

“(4) The diversion of the substance from legitimate channels and the clandestine importation, manufacture, or distribution of the substance.

“(5) Whether the defendant knew or should have known the substance was intended to be consumed by injection, inhalation, ingestion, or any other immediate means.

“(c) LIMITATION.—For purposes of this section, the existence of evidence that a substance was not marketed, advertised, or labeled for human consumption shall not preclude the Government from establishing, based on all the evidence, that the substance was intended for human consumption.”.

**Subtitle E—Opioid Quota Reform**

**SEC. 3501. SHORT TITLE.**

This subtitle may be cited as the “Opioid Quota Reform Act”.

**SEC. 3502. STRENGTHENING CONSIDERATIONS FOR DEA OPIOID QUOTAS.**

(a) IN GENERAL.—Section 306 of the Controlled Substances Act (21 U.S.C. 826) is amended—

(1) in subsection (a)—

(A) by inserting “(1)” after “(a)”;

(B) in the second sentence, by striking “Production” and inserting “Except as provided in paragraph (2), production”; and

(C) by adding at the end the following:

“(2) The Attorney General may, if the Attorney General determines it will assist in avoiding the overproduction, shortages, or diversion of a controlled substance, establish an aggregate or individual production quota under this subsection, or a procurement quota established by the Attorney General by regulation, in terms of pharmaceutical dosage forms prepared from or containing the controlled substance.”;

(2) in subsection (b), in the first sentence, by striking “production” and inserting “manufacturing”;

(3) in subsection (c), by striking “October” and inserting “December”; and

(4) by adding at the end the following:

“(i)(1)(A) In establishing any quota under this section, or any procurement quota established by the Attorney General by regulation, for fentanyl, oxycodone, hydrocodone, oxymorphone, or hydromorphone (in this subsection referred to as a ‘covered controlled substance’), the Attorney General shall estimate the amount of diversion of the covered controlled substance that occurs in the United States.

“(B) In estimating diversion under this paragraph, the Attorney General—

“(i) shall consider information the Attorney General, in consultation with the Secretary of Health and Human Services, determines reliable on rates of overdose deaths and abuse and overall public health impact related to the covered controlled substance in the United States; and

“(ii) may take into consideration whatever other sources of information the Attorney General determines reliable.

“(C) After estimating the amount of diversion of a covered controlled substance, the Attorney General shall make appropriate quota reductions, as determined by the Attorney General, from the quota the Attorney General would have otherwise established had such diversion not been considered.

“(2)(A) For any year for which the approved aggregate production quota for a covered controlled substance is higher than the approved aggregate production quota for the covered controlled substance for the previous year, the Attorney General shall include in the final order an explanation of why the public health benefits of increasing the quota clearly outweigh the consequences of having an increased volume of the covered controlled substance available for sale, and potential diversion, in the United States.

“(B) Not later than 1 year after the date of enactment of this subsection, and every year thereafter, the Attorney General shall submit to the Caucus on International Narcotics Control, the Committee on the Judiciary, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate and the Committee on the Judiciary, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives the following information with regard to each covered controlled substance:

“(i) An anonymized count of the total number of manufacturers issued individual manufacturing quotas that year for the covered controlled substance.

“(ii) An anonymized count of how many such manufacturers were issued an approved manufacturing quota that was higher than the quota issued to that manufacturer for the covered controlled substance in the previous year.

“(3) Not later than 1 year after the date of enactment of this subsection, the Attorney General shall submit to Congress a report on how the Attorney General, when fixing and adjusting production and manufacturing quotas under this section for covered controlled substances, will—

“(A) take into consideration changes in the accepted medical use of the covered controlled substances; and

“(B) work with the Secretary of Health and Human Services on methods to appropriately and anonymously estimate the type and amount of covered controlled substances that are submitted for collection from approved drug collection receptacles, mail-back programs, and take-back events.”

(b) CONFORMING CHANGE.—The Law Revision Counsel is directed to amend the heading for subsection (b) of section 826 of title 21, United States Code, by striking “PRODUCTION” and inserting “MANUFACTURING”.

#### Subtitle F—Preventing Drug Diversion

##### SEC. 3601. SHORT TITLE.

This subtitle may be cited as the “Preventing Drug Diversion Act of 2018”.

##### SEC. 3602. IMPROVEMENTS TO PREVENT DRUG DIVERSION.

(a) DEFINITION.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by adding at the end the following:

“(57) The term ‘suspicious order’ includes—  
“(A) an order of a controlled substance of unusual size;

“(B) an order of a controlled substance deviating substantially from a normal pattern;

“(C) orders of controlled substances of unusual frequency; and

“(D) an order having any characteristic that would indicate to a reasonable registrant that it is suspicious or not legitimate.”.

(b) SUSPICIOUS ORDERS.—Part C of the Controlled Substances Act (21 U.S.C. 821 et seq.) is amended by adding at the end the following:

##### “SEC. 312. SUSPICIOUS ORDERS.

“(a) REPORTING.—Each registrant shall—

“(1) design and operate a system to identify suspicious orders for the registrant;

“(2) ensure that the system designed and operated under paragraph (1) by the registrant complies with applicable Federal and State privacy laws; and

“(3) upon discovering a suspicious order or series of orders, notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

“(b) SUSPICIOUS ORDER DATABASE.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Attorney General shall establish a centralized database for collecting reports of suspicious orders.

“(2) SATISFACTION OF REPORTING REQUIREMENTS.—If a registrant reports a suspicious order to the centralized database established under paragraph (1), the registrant shall be considered to have complied with the requirement under subsection (a)(3) to notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

“(c) SHARING INFORMATION WITH THE STATES.—

“(1) IN GENERAL.—The Attorney General shall prepare and make available information regarding suspicious orders in a State, including information in the database established under subsection (b)(1), to the point of contact for purposes of administrative, civil, and criminal oversight relating to the diversion of controlled substances for the State, as designated by the Governor or chief executive officer of the State.

“(2) TIMING.—The Attorney General shall provide information in accordance with paragraph (1) within a reasonable period of time after obtaining the information.

“(3) COORDINATION.—In establishing the process for the provision of information under this subsection, the Attorney General shall coordinate with States to ensure that the Attorney General has access to information, as permitted under State law, possessed by the States relating to prescriptions for controlled substances that will assist in enforcing Federal law.”.

(c) REPORTS TO CONGRESS.—

(1) DEFINITION.—In this subsection, the term “suspicious order” has the meaning given that term in section 102 of the Controlled Substances Act, as amended by this subtitle.

(2) ONE TIME REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the reporting of suspicious orders, which shall include—

(A) a description of the centralized database established under section 312 of the Controlled Substances Act, as added by this section, to collect reports of suspicious orders;

(B) a description of the system and reports established under section 312 of the Controlled Substances Act, as added by this section, to share information with States;

(C) information regarding how the Attorney General used reports of suspicious orders before the date of enactment of this Act and after the date of enactment of this Act, including how the Attorney General received the reports and what actions were taken in response to the reports; and

(D) descriptions of the data analyses conducted on reports of suspicious orders to identify, analyze, and stop suspicious activity.

(3) ADDITIONAL REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the date that is 5 years after the date of enactment of this Act, the Attorney General shall submit to Congress a report providing, for the previous year—

(A) the number of reports of suspicious orders;

(B) a summary of actions taken in response to reports, in the aggregate, of suspicious orders; and

(C) a description of the information shared with States based on reports of suspicious orders.

(4) ONE TIME GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Administrator of the Drug Enforcement Administration, shall submit to Congress a report on the reporting of suspicious orders, which shall include an evaluation of the utility of real-time reporting of potential suspicious orders of opioids on a national level using computerized algorithms, including the extent to which such algorithms—

(A) would help ensure that potentially suspicious orders are more accurately captured, identified, and reported in real-time to suppliers before orders are filled;

(B) may produce false positives of suspicious order reports that could result in market disruptions for legitimate orders of opioids; and

(C) would reduce the overall length of an investigation that prevents the diversion of suspicious orders of opioids.

#### Subtitle G—Sense of Congress

##### SEC. 3701. SENSE OF CONGRESS.

It is the sense of Congress that:

(1) Americans with substance use disorders often seek treatment through recovery homes and clinical treatment facilities that offer detoxification, risk reduction, outpatient treatment, residential treatment, or rehabilitation for substance use. Most of those facilities provide a critical function in addressing substance misuse and abuse, particularly as the incidence and prevalence of substance use disorders, and drug overdose numbers continue to rise.

(2) Despite the necessity of such treatment facilities and the important services most provide, there are some bad actors in the industry who, through telemarketing and other schemes, actively recruit patients with private insurance so that programs can bill the insurers without providing the necessary treatment services. Often these “patient brokers” are paid for each patient successfully recruited. Payments are also made as a percentage of billings, which incentivizes brokers to recommend patients even at low risk levels to the most aggressive and most expensive treatment programs.

(3) Unless the patient is enrolled in a Federal health care program, a gap in Federal law exists with respect to patient brokers who are improperly recruiting unsuspecting patients to defraud insurance companies.

(4) It is important that Congress provide a mechanism to penalize these bad actors, while minding legitimate entities who continue to help patients find reputable treatment programs.

## TITLE IV—COMMERCE

## Subtitle A—Fighting Opioid Abuse in Transportation

## SEC. 4101. SHORT TITLE.

This subtitle may be cited as the “Fighting Opioid Abuse in Transportation Act”.

## SEC. 4102. RAIL MECHANICAL EMPLOYEE CONTROLLED SUBSTANCES AND ALCOHOL TESTING.

(a) RAIL MECHANICAL EMPLOYEES.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall publish a final rule in the Federal Register revising the regulations promulgated under section 20140 of title 49, United States Code, to designate a rail mechanical employee as a railroad employee responsible for safety-sensitive functions for purposes of that section.

(b) DEFINITION OF RAIL MECHANICAL EMPLOYEE.—The Secretary shall define the term “rail mechanical employee” by regulation under subsection (a).

(c) SAVINGS CLAUSE.—Nothing in this section may be construed as limiting or otherwise affecting the discretion of the Secretary of Transportation to set different requirements by railroad size or other factors, consistent with applicable law.

## SEC. 4103. RAIL YARDMASTER CONTROLLED SUBSTANCES AND ALCOHOL TESTING.

(a) YARDMASTERS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall publish a final rule in the Federal Register revising the regulations promulgated under section 20140 of title 49, United States Code, to designate a yardmaster as a railroad employee responsible for safety-sensitive functions for purposes of that section.

(b) DEFINITION OF YARDMASTER.—The Secretary shall define the term “yardmaster” by regulation under subsection (a).

(c) SAVINGS CLAUSE.—Nothing in this section may be construed as limiting or otherwise affecting the discretion of the Secretary of Transportation to set different requirements by railroad size or other factors, consistent with applicable law.

## SEC. 4104. DEPARTMENT OF TRANSPORTATION PUBLIC DRUG AND ALCOHOL TESTING DATABASE.

(a) IN GENERAL.—Subject to subsection (c), the Secretary of Transportation shall—

(1) not later than March 31, 2019, establish and make publicly available on its website a database of the drug and alcohol testing data reported by employers for each mode of transportation; and

(2) update the database annually.

(b) CONTENTS.—The database under subsection (a) shall include, for each mode of transportation—

(1) the total number of drug and alcohol tests by type of substance tested;

(2) the drug and alcohol test results by type of substance tested;

(3) the reason for the drug or alcohol test, such as pre-employment, random, post-accident, reasonable suspicion or cause, return-to-duty, or follow-up, by type of substance tested; and

(4) the number of individuals who refused testing.

(c) COMMERCIALLY SENSITIVE DATA.—The Department of Transportation shall not release any commercially sensitive data furnished by an employer under this section unless the data is aggregated or otherwise in a form that does not identify the employer providing the data.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed as limiting or otherwise affecting the requirements of the Secretary of Transportation to adhere to requirements applicable to confidential business information and sensitive security information, consistent with applicable law.

## SEC. 4105. GAO REPORT ON DEPARTMENT OF TRANSPORTATION'S COLLECTION AND USE OF DRUG AND ALCOHOL TESTING DATA.

(a) IN GENERAL.—Not later than 2 years after the date the Department of Transportation public drug and alcohol testing database is established under section 4104, the Comptroller General of the United States shall—

(1) review the Department of Transportation Drug and Alcohol Testing Management Information System; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the review, including recommendations under subsection (c).

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a description of the process the Department of Transportation uses to collect and record drug and alcohol testing data submitted by employers for each mode of transportation;

(2) an assessment of whether and, if so, how the Department of Transportation uses the data described in paragraph (1) in carrying out its responsibilities; and

(3) an assessment of the Department of Transportation public drug and alcohol testing database under section 4104.

(c) RECOMMENDATIONS.—The report under subsection (a) may include recommendations regarding—

(1) how the Department of Transportation can best use the data described in subsection (b)(1);

(2) any improvements that could be made to the process described in subsection (b)(1);

(3) whether and, if so, how the Department of Transportation public drug and alcohol testing database under section 4104 could be made more effective; and

(4) such other recommendations as the Comptroller General considers appropriate.

## SEC. 4106. TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAM; ADDITION OF FENTANYL.

(a) MANDATORY GUIDELINES FOR FEDERAL WORKPLACE DRUG TESTING PROGRAMS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall determine whether a revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs to expand the opioid category on the list of authorized drug testing to include fentanyl is justified, based on the reliability and cost-effectiveness of available testing.

(2) REVISION OF GUIDELINES.—If the expansion of the opioid category is determined to be justified under paragraph (1), the Secretary of Health and Human Services shall—

(A) notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the determination; and

(B) publish in the Federal Register, not later than 18 months after the date of the determination under that paragraph, a final notice of the revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs to expand the opioid category on the list of authorized drug testing to include fentanyl.

(3) REPORT.—If the expansion of the opioid category is determined not to be justified under paragraph (1), the Secretary of Health and Human Services shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining, in detail, the reasons the expansion

of the opioid category on the list of authorized drugs to include fentanyl is not justified.

(b) DEPARTMENT OF TRANSPORTATION DRUG-TESTING PANEL.—If the expansion of the opioid category is determined to be justified under subsection (a)(1), the Secretary of Transportation shall publish in the Federal Register, not later than 18 months after the date the final notice is published under subsection (a)(2), a final rule revising part 40 of title 49, Code of Federal Regulations, to include fentanyl in the Department of Transportation's drug-testing panel, consistent with the Mandatory Guidelines for Federal Workplace Drug Testing Programs as revised by the Secretary of Health and Human Services under subsection (a).

(c) SAVINGS PROVISION.—Nothing in this section may be construed as—

(1) delaying the publication of the notices described in sections 4107 and 4108 until the Secretary of Health and Human Services makes a determination or publishes a notice under this section; or

(2) limiting or otherwise affecting any authority of the Secretary of Health and Human Services or the Secretary of Transportation to expand the list of authorized drug testing to include an additional substance.

## SEC. 4107. STATUS REPORTS ON HAIR TESTING GUIDELINES.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, and every 180 days thereafter until the date that the Secretary of Health and Human Services publishes in the Federal Register a final notice of scientific and technical guidelines for hair testing in accordance with section 5402(b) of the Fixing America's Surface Transportation Act (Public Law 114-94; 129 Stat. 1312), the Secretary of Health and Human Services shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the status of the hair testing guidelines;

(2) an explanation for why the hair testing guidelines have not been issued;

(3) a schedule, including benchmarks, for the completion of the hair testing guidelines; and

(4) an estimated date of completion of the hair testing guidelines.

(b) REQUIREMENT.—To the extent practicable and consistent with the objective of the hair testing described in subsection (a) to detect illegal or unauthorized use of substances by the individual being tested, the final notice of scientific and technical guidelines under that subsection, as determined by the Secretary of Health and Human Services, shall eliminate the risk of positive test results of the individual being tested caused solely by the drug use of others and not caused by the drug use of the individual being tested.

## SEC. 4108. MANDATORY GUIDELINES FOR FEDERAL WORKPLACE DRUG TESTING PROGRAMS USING ORAL FLUID.

(a) DEADLINE.—Not later than December 31, 2018, the Secretary of Health and Human Services shall publish in the Federal Register a final notice of the Mandatory Guidelines for Federal Workplace Drug Testing Programs using Oral Fluid, based on the notice of proposed mandatory guidelines published in the Federal Register on May 15, 2015 (80 Fed. Reg. 28054).

(b) REQUIREMENT.—To the extent practicable and consistent with the objective of the testing described in subsection (a) to detect illegal or unauthorized use of substances by the individual being tested, the final notice of scientific and technical guidelines under that subsection, as determined by the

Secretary of Health and Human Services, shall eliminate the risk of positive test results of the individual being tested caused solely by the drug use of others and not caused by the drug use of the individual being tested.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed as requiring the Secretary of Health and Human Services to reissue a notice of proposed mandatory guidelines to carry out subsection (a).

**SEC. 4109. ELECTRONIC RECORDKEEPING.**

(a) **DEADLINE.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall—

(1) ensure that each certified laboratory that requests approval for the use of completely paperless electronic Federal Drug Testing Custody and Control Forms from the National Laboratory Certification Program's Electronic Custody and Control Form systems receives approval for those completely paperless electronic forms instead of forms that include any combination of electronic traditional handwritten signatures executed on paper forms; and

(2) establish a deadline for a certified laboratory to request approval under paragraph (1).

(b) **SAVINGS CLAUSE.**—Nothing in this section may be construed as limiting or otherwise affecting any authority of the Secretary of Health and Human Services to grant approval to a certified laboratory for use of completely paperless electronic Federal Drug Testing Custody and Control Forms, including to grant approval outside of the process under subsection (a).

(c) **ELECTRONIC SIGNATURES.**—Not later than 18 months after the date of the deadline under subsection (a)(2), the Secretary of Transportation shall issue a final rule revising part 40 of title 49, Code of Federal Regulations, to authorize, to the extent practicable, the use of electronic signatures or digital signatures executed to electronic forms instead of traditional handwritten signatures executed on paper forms.

**SEC. 4110. STATUS REPORTS ON COMMERCIAL DRIVER'S LICENSE DRUG AND ALCOHOL CLEARINGHOUSE.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, and biannually thereafter until the compliance date, the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a status report on implementation of the final rule for the Commercial Driver's License Drug and Alcohol Clearinghouse (81 Fed. Reg. 87686), including—

(1) an updated schedule, including benchmarks, for implementing the final rule as soon as practicable, but not later than the compliance date; and

(2) a description of each action the Federal Motor Carrier Safety Administration is taking to implement the final rule before the compliance date.

(b) **DEFINITION OF COMPLIANCE DATE.**—In this section, the term “compliance date” means the earlier of—

(1) January 6, 2020; or

(2) the date that the national clearinghouse required under section 31306a of title 49, United States Code, is operational.

**Subtitle B—Opioid Addiction Recovery Fraud Prevention**

**SEC. 4201. SHORT TITLE.**

This subtitle may be cited as the “Opioid Addiction Recovery Fraud Prevention Act of 2018”.

**SEC. 4202. DEFINITIONS.**

In this subtitle:

(1) **OPIOID TREATMENT PRODUCT.**—The term “opioid treatment product” means a product, including any supplement or medication, for use or marketed for use in the treatment, cure, or prevention of an opioid use disorder.

(2) **OPIOID TREATMENT PROGRAM.**—The term “opioid treatment program” means a program that provides treatment for people diagnosed with, having, or purporting to have an opioid use disorder.

(3) **OPIOID USE DISORDER.**—The term “opioid use disorder” means a cluster of cognitive, behavioral, or physiological symptoms in which the individual continues use of opioids despite significant opioid-induced problems, such as adverse health effects.

**SEC. 4203. FALSE OR MISLEADING REPRESENTATIONS WITH RESPECT TO OPIOID TREATMENT PROGRAMS AND PRODUCTS.**

(a) **UNLAWFUL ACTIVITY.**—It is unlawful to make any deceptive representation with respect to the cost, price, efficacy, performance, benefit, risk, or safety of any opioid treatment program or opioid treatment product.

(b) **ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.**—

(1) **UNFAIR OR DECEPTIVE ACTS OR PRACTICES.**—A violation of subsection (a) shall be treated as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) regarding unfair or deceptive acts or practices.

(2) **POWERS OF THE FEDERAL TRADE COMMISSION.**—

(A) **IN GENERAL.**—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) **PRIVILEGES AND IMMUNITIES.**—Any person who violates subsection (a) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated and made part of this section.

(c) **ENFORCEMENT BY STATES.**—

(1) **IN GENERAL.**—Except as provided in paragraph (4), in any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by any person who violates subsection (a), the attorney general of the State, as *parens patriae*, may bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(2) **RIGHTS OF FEDERAL TRADE COMMISSION.**—

(A) **NOTICE TO FEDERAL TRADE COMMISSION.**—

(i) **IN GENERAL.**—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action.

(ii) **CONTENTS.**—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) **EXCEPTION.**—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) **INTERVENTION BY FEDERAL TRADE COMMISSION.**—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal.

(3) **INVESTIGATORY POWERS.**—Nothing in this subsection shall be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(4) **PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.**—If the Federal Trade Commission or the Attorney General on behalf of the Commission institutes a civil action, or the Federal Trade Commission institutes an administrative action, with respect to a violation of subsection (a), the attorney general of a State may not, during the pendency of that action, bring a civil action under paragraph (1) against any defendant or respondent named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(5) **VENUE; SERVICE OF PROCESS.**—

(A) **VENUE.**—Any action brought under paragraph (1) may be brought in any district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

(B) **SERVICE OF PROCESS.**—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(6) **ACTIONS BY OTHER STATE OFFICIALS.**—In addition to civil actions brought by attorneys general under paragraph (1), any other consumer protection officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(d) **AUTHORITY PRESERVED.**—Nothing in this title shall be construed to limit the authority of the Federal Trade Commission or the Food and Drug Administration under any other provision of law.

**SA 4014.** Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the Sports Medicine Licensure Clarity Act of 2017.

**SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE PROFESSIONALS.**

(a) **IN GENERAL.**—In the case of a covered sports medicine professional who has in effect medical professional liability insurance coverage and provides in a secondary State covered medical services that are within the scope of practice of such professional in the primary State to an athlete or an athletic team (or a staff member of such an athlete or athletic team) pursuant to an agreement described in subsection (c)(4) with respect to such athlete or athletic team—

(1) such medical professional liability insurance coverage shall cover (subject to any

related premium adjustments) such professional with respect to such covered medical services provided by the professional in the secondary State to such an individual or team as if such services were provided by such professional in the primary State to such an individual or team; and

(2) to the extent such professional is licensed under the requirements of the primary State to provide such services to such an individual or team, the professional shall be treated as satisfying any licensure requirements of the secondary State to provide such services to such an individual or team to the extent the licensure requirements of the secondary State are substantially similar to the licensure requirements of the primary State.

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed—

(1) to allow a covered sports medicine professional to provide medical services in the secondary State that exceed the scope of that professional's license in the primary State;

(2) to allow a covered sports medicine professional to provide medical services in the secondary State that exceed the scope of a substantially similar sports medicine professional license in the secondary State;

(3) to supersede any reciprocity agreement in effect between the two States regarding such services or such professionals;

(4) to supersede any interstate compact agreement entered into by the two States regarding such services or such professionals; or

(5) to supersede a licensure exemption the secondary State provides for sports medicine professionals licensed in the primary State.

(c) **DEFINITIONS.**—In this Act, the following definitions apply:

(1) **ATHLETE.**—The term “athlete” means—  
(A) an individual participating in a sporting event or activity for which the individual may be paid;

(B) an individual participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) an individual for whom a high school or institution of higher education provides a covered sports medicine professional.

(2) **ATHLETIC TEAM.**—The term “athletic team” means a sports team—

(A) composed of individuals who are paid to participate on the team;

(B) composed of individuals who are participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) for which a high school or an institution of higher education provides a covered sports medicine professional.

(3) **COVERED MEDICAL SERVICES.**—The term “covered medical services” means general medical care, emergency medical care, athletic training, or physical therapy services. Such term does not include care provided by a covered sports medicine professional—

(A) at a health care facility; or  
(B) while a health care provider licensed to practice in the secondary State is transporting the injured individual to a health care facility.

(4) **COVERED SPORTS MEDICINE PROFESSIONAL.**—The term “covered sports medicine professional” means a physician, athletic trainer, or other health care professional who—

(A) is licensed to practice in the primary State;

(B) provides covered medical services, pursuant to a written agreement with an athlete, an athletic team, a national governing body, a high school, or an institution of higher education; and

(C) prior to providing the covered medical services described in subparagraph (B), has

disclosed the nature and extent of such services to the entity that provides the professional with liability insurance in the primary State.

(5) **HEALTH CARE FACILITY.**—The term “health care facility” means a facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis. Such term does not include facilities at an arena, stadium, or practice facility, or temporary facilities existing for events where athletes or athletic teams may compete.

(6) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) **LICENSE.**—The term “license” or “licensure”, as applied with respect to a covered sports medicine professional, means a professional that has met the requirements and is approved to provide covered medical services in accordance with State laws and regulations in the primary State. Such term may include the registration or certification, or any other form of special recognition, of an individual as such a professional, as applicable.

(8) **NATIONAL GOVERNING BODY.**—The term “national governing body” has the meaning given such term in section 220501 of title 36, United States Code.

(9) **PRIMARY STATE.**—The term “primary State” means, with respect to a covered sports medicine professional, the State in which—

(A) the covered sports medicine professional is licensed to practice; and

(B) the majority of the covered sports medicine professional's practice is underwritten for medical professional liability insurance coverage.

(10) **SECONDARY STATE.**—The term “secondary State” means, with respect to a covered sports medicine professional, any State that is not the primary State.

(11) **STATE.**—The term “State” means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

(12) **SUBSTANTIALLY SIMILAR.**—The term “substantially similar”, with respect to the licensure by primary and secondary States of a sports medicine professional, means that both the primary and secondary States have in place a form of licensure for such professionals that permits such professionals to provide covered medical services.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have 4 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, September 6, 2018, at 10 a.m., to conduct a hearing entitled “Outside Perspectives on Russia Sanctions: Current Effectiveness and potential next steps.”

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, September 6, 2018, at 10 a.m., to conduct a business meeting.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, September 6, 2018, at 9:30 a.m., to conduct a hearing entitled “The nomination of the Honorable Brett M. Kavanaugh to be an Associate Justice of the Supreme Court of the United States.”

#### SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, September 6, 2018, at 9:30 a.m., to conduct a hearing on the nomination of Harold B. Parker, to be Federal Co-chairperson of the Northern Border Regional Commission.

#### TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 623, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 623) to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen.

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

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 623) was agreed to.

(The resolution is printed in today's RECORD under “Submitted Resolutions.”)

#### RECESS SUBJECT TO CALL OF THE CHAIR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 2:43 p.m., recessed subject to the call of the Chair and reassembled at 5:21 p.m. when called to order by the Presiding Officer (Mr. CASSIDY).

The PRESIDING OFFICER. The majority leader is recognized.

INTERIOR, ENVIRONMENT, FINANCIAL SERVICES AND GENERAL GOVERNMENT, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2019

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany H.R. 6147.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House disagree to the amendment of the Senate to the bill (H.R. 6147) entitled "An Act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

*Ordered*, That Messrs. Frelinghuysen, Aderholt, Simpson, Calvert, Cole, Diaz-Balart, Graves of Georgia, Young of Iowa, Rutherford, Mrs. Lowey, Messrs. Price of North Carolina, Bishop of Georgia, Ms. McCollum, Mr. Quigley, and Ms. Pingree, be the managers of the conference on the part of the House.

#### COMPOUND MOTION

Mr. McCONNELL. Mr. President, I move that the Senate insist on its amendment, agree to the request by the House for a conference, and authorize the Chair to appoint conferees on the part of the Senate at a ratio of 6 to 5.

I know of no further debate on the motion.

The PRESIDING OFFICER. If there is no further debate on the motion, the question is on agreeing to the motion. The motion was agreed to.

#### APPOINTMENT OF CONFEREES

The PRESIDING OFFICER. The Chair appoints the following conferees on the part of the Senate:

The PRESIDING OFFICER appointed Ms. MURKOWSKI, Ms. COLLINS, Mr. LANKFORD, Mr. HOEVEN, Mr. SHELBY, Mrs. HYDE-SMITH, Mr. UDALL, Mr. REED, Mr. COONS, Mr. MERKLEY, and Mr. LEAHY conferees on the part of the Senate.

DEPARTMENT OF DEFENSE AND LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS ACT, 2019

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany H.R. 6157.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House disagree to the amendment of the Senate to the bill (H.R. 6157) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

*Ordered*, That Mr. Frelinghuysen, Ms. Granger, Messrs. Cole, Calvert, Womack,

Aderholt, Rogers of Kentucky, Mrs. Roby, Mrs. Lowey, Mr. Visclosky, Ms. DeLauro, Roybal-Allard, and McCollum, be the managers of the conference on the part of the House.

#### COMPOUND MOTION

Mr. McCONNELL. I move that the Senate insist on its amendment, agree to the request of the House for a conference, and authorize the Chair to appoint conferees on the part of the Senate at a ratio of 4 to 3.

I know of no further debate on the motion.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion.

The motion was agreed to.

#### APPOINTMENT OF CONFEREES

The PRESIDING OFFICER. The Chair appoints the following conferees on the part of the Senate:

The Presiding Officer appointed Mr. SHELBY, Mr. BLUNT, Mr. GRAHAM, Mr. MORAN, Mr. DURBIN, Mrs. MURRAY, and Mr. LEAHY conferees on the part of the Senate.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 1054, 1055, 1056, 1058, and 1059.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Michael A. Hammer, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo; Dereck J. Hogan, of Virginia, 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 Republic of Moldova; Philip S. Kosnett, of Virginia, 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 Republic of Kosovo; Stephanie Sanders Sullivan, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ghana; and Judy Rising Reinke, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Montenegro.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Hammer, Hogan, Kosnett, Sullivan, and Reinke nominations en bloc?

The nominations were confirmed en bloc.

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1001, 1002, 1003 and all nominations placed on the Secretary's desk in the Foreign Service; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

#### IN THE DEPARTMENT OF STATE

Randy W. Berry, of Colorado, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal.

Donald Lu, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kyrgyz Republic.

Alaina B. Teplitz, of Colorado, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

#### IN THE FOREIGN SERVICE

PN1743 FOREIGN SERVICE nominations (27) beginning Michael Calvert, and ending Marvin Smith, which nominations were received by the Senate and appeared in the Congressional Record of March 12, 2018.

PN1800—1 FOREIGN SERVICE nominations (12) beginning Polly Catherine Dunford-Zahar, and ending William M. Patterson, which nominations were received by the Senate and appeared in the Congressional Record of April 9, 2018.

PN1800—2 FOREIGN SERVICE nomination of Tanya S. Urqueta, which was received by the Senate and appeared in the Congressional Record of April 9, 2018.

PN1801—1 FOREIGN SERVICE nominations (4) beginning Sandillo Banerjee, and ending Robert Peaslee, which nominations were received by the Senate and appeared in the Congressional Record of April 9, 2018.

PN1802—1 FOREIGN SERVICE nomination of Peter A. Malnak, which was received by the Senate and appeared in the Congressional Record of April 9, 2018.

PN1802—2 FOREIGN SERVICE nomination of Maureen A. Shauket, which was received by the Senate and appeared in the Congressional Record of April 9, 2018.

PN2132 FOREIGN SERVICE nomination of Jason Alexander, which was received by the Senate and appeared in the Congressional Record of June 11, 2018.

PN2319 FOREIGN SERVICE nominations (4) beginning Philip S. Goldberg, and ending Daniel Bennett Smith, which nominations were received by the Senate and appeared in the Congressional Record of July 18, 2018.

PN2371 FOREIGN SERVICE nominations (71) beginning Ami J. Abou-Bakr, and ending Emily Yu, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 2018.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

### SAGE-GROUSE AND MULE DEER HABITAT CONSERVATION AND RESTORATION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 1417 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 legislative clerk read as follows:

A bill (S. 1417) to require the Secretary of the Interior to develop a categorical exclusion for covered vegetative management activities carried out to establish or improve habitat for greater sage-grouse and mule deer, and for other purposes.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Hatch amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4012) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Sage-Grouse and Mule Deer Habitat Conservation and Restoration Act of 2018".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) COVERED VEGETATION MANAGEMENT ACTIVITY.—

(A) IN GENERAL.—The term "covered vegetation management activity" means any activity described in subparagraph (B) that—

(i) is carried out on public land administered by the Bureau of Land Management;

(ii) meets the objectives of the order of the Secretary numbered 3336 and dated January 5, 2015;

(iii) conforms to an applicable land use plan;

(iv) protects, restores, or improves greater sage-grouse or mule deer habitat in a sagebrush steppe ecosystem as described in—

(I) Circular 1416 of the United States Geological Survey entitled "Restoration Handbook for Sagebrush Steppe Ecosystems with Emphasis on Greater Sage-Grouse Habitat—Part 1. Concepts for Understanding and Applying Restoration" (2015); or

(II) the habitat guidelines for mule deer published by the Mule Deer Working Group of the Western Association of Fish and Wildlife Agencies;

(v) will not permanently impair—

(I) the natural state of the treated area;

(II) outstanding opportunities for solitude;

(III) outstanding opportunities for primitive, unconfined recreation;

(IV) economic opportunities consistent with multiple-use management; or

(V) the identified values of a unit of the National Landscape Conservation System; and

(vi)(I) restores native vegetation following a natural disturbance;

(II) prevents the expansion into greater sage-grouse or mule deer habitat of—

(aa) juniper, pinyon pine, or other associated conifers; or

(bb) nonnative or invasive vegetation;

(III) reduces the risk of loss of greater sage-grouse or mule deer habitat from wildfire or any other natural disturbance; or

(IV) provides emergency stabilization of soil resources after a natural disturbance.

(B) DESCRIPTION OF ACTIVITIES.—An activity referred to in subparagraph (A) is—

(i) manual cutting and removal of juniper trees, pinyon pine trees, other associated conifers, or other nonnative or invasive vegetation;

(ii) mechanical mastication, cutting, or mowing, mechanical piling and burning, chaining, broadcast burning, or yarding;

(iii) removal of cheat grass, medusa head rye, or other nonnative, invasive vegetation;

(iv) collection and seeding or planting of native vegetation using a manual, mechanical, or aerial method;

(v) seeding of nonnative, noninvasive, ruderal vegetation only for the purpose of emergency stabilization;

(vi) targeted use of an herbicide, subject to the condition that the use shall be in accordance with applicable legal requirements, Federal agency procedures, and land use plans;

(vii) targeted livestock grazing to mitigate hazardous fuels and control noxious and invasive weeds;

(viii) temporary removal of wild horses or burros in the area in which the activity is being carried out to ensure treatment objectives are met;

(ix) in coordination with the affected permit holder, modification or adjustment of permissible usage under an annual plan of use of a grazing permit issued by the Secretary to achieve restoration treatment objectives;

(x) installation of new, or modification of existing, fencing or water sources intended to control use or improve wildlife habitat; or

(xi) necessary maintenance of, repairs to, rehabilitation of, or reconstruction of an existing permanent road or construction of temporary roads to accomplish the activities described in this subparagraph.

(C) EXCLUSIONS.—The term "covered vegetation management activity" does not include—

(i) any activity conducted in a wilderness area or wilderness study area; or

(ii) any activity for the construction of a permanent road or permanent trail.

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

(3) TEMPORARY ROAD.—The term "temporary road" means a road that is—

(A) authorized—

(i) by a contract, permit, lease, other written authorization; or

(ii) pursuant to an emergency operation;

(B) not intended to be part of the permanent transportation system of a Federal department or agency;

(C) not necessary for long-term resource management;

(D) designed in accordance with standards appropriate for the intended use of the road, taking into consideration—

(i) safety;

(ii) the cost of transportation; and

(iii) impacts to land and resources; and

(E) managed to minimize—

(i) erosion; and

(ii) the introduction or spread of invasive species.

#### SEC. 3. IMPROVEMENT OF HABITAT FOR GREATER SAGE-GROUSE AND MULE DEER.

(a) CATEGORICAL EXCLUSION.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall develop 1 or more categorical exclusions (as defined in section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation)) for covered vegetation management activities carried out to protect, restore, or improve habitat for greater sage-grouse or mule deer.

(2) ADMINISTRATION.—In developing and administering a categorical exclusion under paragraph (1), the Secretary shall—

(A) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) apply the extraordinary circumstances procedures under section 220.6 of title 36, Code of Federal Regulations (or successor regulations), in determining whether to use the categorical exclusion; and

(C) consider—

(i) the relative efficacy of landscape-scale habitat projects;

(ii) the likelihood of continued declines in the populations of greater sage-grouse and mule deer in the absence of landscape-scale vegetation management; and

(iii) the need for habitat restoration activities after wildfire or other natural disturbances.

(b) IMPLEMENTATION OF COVERED VEGETATIVE MANAGEMENT ACTIVITIES WITHIN THE RANGE OF GREATER SAGE-GROUSE AND MULE DEER.—If a categorical exclusion developed under subsection (a) is used to implement a covered vegetative management activity in an area within the range of both greater sage-grouse and mule deer, the covered vegetative management activity shall protect, restore, or improve habitat concurrently for both greater sage-grouse and mule deer.

(c) LONG-TERM MONITORING AND MAINTENANCE.—Before commencing any covered vegetation management activity that is covered by a categorical exclusion under subsection (a), the Secretary shall develop a long-term monitoring and maintenance plan, covering at least the 20 year-period beginning on the date of commencement, to ensure that management of the treated area does not degrade the habitat gains secured by the covered vegetation management activity.

(d) DISPOSAL OF VEGETATIVE MATERIAL.—Subject to applicable local restrictions, any vegetative material resulting from a covered

vegetation management activity that is covered by a categorical exclusion under subsection (a) may be—

- (1) used for—
  - (A) fuel wood; or
  - (B) other products; or
- (2) piled or burned, or both.

(e) TREATMENT FOR TEMPORARY ROADS.—

(1) IN GENERAL.—Notwithstanding section 2(1)(B)(xi), any temporary road constructed in carrying out a covered vegetation management activity that is covered by a categorical exclusion under subsection (a)—

(A) shall be used by the Secretary for the covered vegetation management activity for not more than 2 years; and

(B) shall be decommissioned by the Secretary not later than 3 years after the earlier of the date on which—

- (i) the temporary road is no longer needed; and
- (ii) the project is completed.

(2) REQUIREMENT.—A treatment under paragraph (1) shall include reestablishing native vegetative cover—

(A) as soon as practicable; but

(B) not later than 10 years after the date of completion of the applicable covered vegetation management activity.

The bill (S. 1417), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### TRIBAL SOCIAL SECURITY FAIRNESS ACT OF 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of H.R. 6124, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 6124) to amend title II of the Social Security Act to authorize voluntary agreements for coverage of Indian tribal council member, and for other purposes.

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

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

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

The bill (H.R. 6124) was ordered to a third reading, was read the third time, and passed.

#### GREAT LAKES ENVIRONMENTAL SENSITIVITY INDEX ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 255, S. 1586.

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

The legislative clerk read as follows:

A bill (S. 1586) to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes.

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

had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Purpose: In the nature of a substitute.)

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Great Lakes Environmental Sensitivity Index Act of 2017".*

#### SEC. 2. UPDATE TO ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR GREAT LAKES.

(a) UPDATE REQUIRED ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS FOR GREAT LAKES.—*Not later than 180 days after the date of the enactment of this Act, the Under Secretary for Oceans and Atmosphere shall commence updating the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes.*

(b) PERIODIC UPDATES FOR ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS GENERALLY.—*Subject to the availability of appropriations and the priorities set forth in subsection (c), the Under Secretary shall—*

(1) periodically update the environmental sensitivity index products of the Administration; and

(2) endeavor to do so not less frequently than once every 7 years.

(c) PRIORITIES.—*When prioritizing geographic areas to update environmental sensitivity index products, the Under Secretary shall consider—*

(1) the age of existing environmental sensitivity index products for the areas;

(2) the occurrence of extreme events, be it natural or man-made, which have significantly altered the shoreline or ecosystem since the last update;

(3) the natural variability of shoreline and coastal environment; and

(4) the volume of vessel traffic and general vulnerability to spilled pollutants.

(d) ENVIRONMENTAL SENSITIVITY INDEX PRODUCT DEFINED.—*In this subsection, the term "environmental sensitivity index product" means a map or similar tool that is utilized to identify sensitive shoreline, coastal or offshore, resources prior to an oil spill event in order to set baseline priorities for protection and plan cleanup strategies, typically including information relating to shoreline type, biological resources, and human use resources.*

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—*There is authorized to be appropriated to the Under Secretary \$7,500,000 to carry out subsection (a).*

(2) AVAILABILITY.—*Amounts appropriated or otherwise made available pursuant to paragraph (1) shall be available to the Under Secretary for the purposes set forth in such paragraph until expended.*

Mr. McCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to and the bill, as amended, be considered read a third time.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1586), as amended, was passed.

Mr. McCONNELL. 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.

#### GOLD STAR FAMILIES REMEMBRANCE WEEK

Mr. McCONNELL. I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate proceed to the consideration of S. Res. 522.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 522) designating the week of September 23 through September 29, 2018 as "Gold Star Families Remembrance Week."

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 522) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 24, 2018, under "Submitted Resolutions.")

#### SCHOOL BUS SAFETY MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 603.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 603) designating September 2018 as "School Bus Safety Month."

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

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 603) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 1, 2018, under "Submitted Resolutions.")

#### NATIONAL CHILD AWARENESS MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged

from further consideration of S. Res. 612 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 612) designating September 2018 as “National Child Awareness Month” to promote awareness of charities that benefit children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

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

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

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

The resolution (S. Res. 612) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 22, 2018, under “Submitted Resolutions.”)

COMMEMORATING ARTHUR ASHE ON THE 50TH ANNIVERSARY OF HIS HISTORIC WIN AT THE 1968 U.S. OPEN TENNIS CHAMPIONSHIP AND HONORING HIS HUMANITARIAN CONTRIBUTIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 624, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 624) commemorating Arthur Ashe, a native of Richmond, Virginia, on the 50th anniversary of his historic win at the 1968 U.S. Open Tennis Championship and honoring his humanitarian contributions to civil rights, education, the movement against apartheid in South Africa, and HIV/AIDS awareness.

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

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

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

The resolution (S. Res. 624) was agreed to.

The preamble was agreed to.

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

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 302 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. 302) to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Alexander amendment at the desk be agreed to, the bill be considered read a third time and passed, and the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 4014) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the Sports Medicine Licensure Clarity Act of 2017.

**SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE PROFESSIONALS.**

(a) IN GENERAL.—In the case of a covered sports medicine professional who has in effect medical professional liability insurance coverage and provides in a secondary State covered medical services that are within the scope of practice of such professional in the primary State to an athlete or an athletic team (or a staff member of such an athlete or athletic team) pursuant to an agreement described in subsection (c)(4) with respect to such athlete or athletic team—

(1) such medical professional liability insurance coverage shall cover (subject to any related premium adjustments) such professional with respect to such covered medical services provided by the professional in the secondary State to such an individual or team as if such services were provided by such professional in the primary State to such an individual or team; and

(2) to the extent such professional is licensed under the requirements of the primary State to provide such services to such an individual or team, the professional shall be treated as satisfying any licensure requirements of the secondary State to provide such services to such an individual or team to the extent the licensure requirements of the secondary State are substantially similar to the licensure requirements of the primary State.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to allow a covered sports medicine professional to provide medical services in the secondary State that exceed the scope of that professional’s license in the primary State;

(2) to allow a covered sports medicine professional to provide medical services in the secondary State that exceed the scope of a substantially similar sports medicine professional license in the secondary State;

(3) to supersede any reciprocity agreement in effect between the two States regarding such services or such professionals;

(4) to supersede any interstate compact agreement entered into by the two States regarding such services or such professionals; or

(5) to supersede a licensure exemption the secondary State provides for sports medicine professionals licensed in the primary State.

(c) DEFINITIONS.—In this Act, the following definitions apply:

(1) ATHLETE.—The term “athlete” means—

(A) an individual participating in a sporting event or activity for which the individual may be paid;

(B) an individual participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) an individual for whom a high school or institution of higher education provides a covered sports medicine professional.

(2) ATHLETIC TEAM.—The term “athletic team” means a sports team—

(A) composed of individuals who are paid to participate on the team;

(B) composed of individuals who are participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) for which a high school or an institution of higher education provides a covered sports medicine professional.

(3) COVERED MEDICAL SERVICES.—The term “covered medical services” means general medical care, emergency medical care, athletic training, or physical therapy services. Such term does not include care provided by a covered sports medicine professional—

(A) at a health care facility; or

(B) while a health care provider licensed to practice in the secondary State is transporting the injured individual to a health care facility.

(4) COVERED SPORTS MEDICINE PROFESSIONAL.—The term “covered sports medicine professional” means a physician, athletic trainer, or other health care professional who—

(A) is licensed to practice in the primary State;

(B) provides covered medical services, pursuant to a written agreement with an athlete, an athletic team, a national governing body, a high school, or an institution of higher education; and

(C) prior to providing the covered medical services described in subparagraph (B), has disclosed the nature and extent of such services to the entity that provides the professional with liability insurance in the primary State.

(5) HEALTH CARE FACILITY.—The term “health care facility” means a facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis. Such term does not include facilities at an arena, stadium, or practice facility, or temporary facilities existing for events where athletes or athletic teams may compete.

(6) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) LICENSE.—The term “license” or “licensure”, as applied with respect to a covered sports medicine professional, means a professional that has met the requirements and is approved to provide covered medical services in accordance with State laws and regulations in the primary State. Such term may include the registration or certification, or any other form of special recognition, of an individual as such a professional, as applicable.

(8) NATIONAL GOVERNING BODY.—The term “national governing body” has the meaning given such term in section 220501 of title 36, United States Code.

(9) PRIMARY STATE.—The term “primary State” means, with respect to a covered sports medicine professional, the State in which—

(A) the covered sports medicine professional is licensed to practice; and

(B) the majority of the covered sports medicine professional’s practice is underwritten for medical professional liability insurance coverage.

(10) SECONDARY STATE.—The term “secondary State” means, with respect to a covered sports medicine professional, any State that is not the primary State.

(11) STATE.—The term “State” means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

(12) SUBSTANTIALLY SIMILAR.—The term “substantially similar”, with respect to the licensure by primary and secondary States of a sports medicine professional, means that both the primary and secondary States have in place a form of licensure for such professionals that permits such professionals to provide covered medical services.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 302), as amended, was passed.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 549, S. 2554, and that Senator LEE or his designee be recognized to call up amendment No. 4011; that there be 1 hour of debate equally divided; that upon the use or yielding back of that time, the Senate vote on adoption of the Lee amendment No. 4011 without intervening action or debate; and that upon disposition of the Lee amendment, S. 2554 be read a third time and the Senate vote on the bill as amended, if amended.

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

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 485, H.R. 6, and that Senator ALEXANDER or his designee be recognized to call up amendment No. 4013; that there be 1 hour of debate equally divided; that upon the use or yielding back of that time, the Alexander amendment No. 4013 be agreed to; and that H.R. 6, as amended, be read a third time and the Senate vote without intervening action or debate on the bill as amended.

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

#### ORDERS FOR FRIDAY, SEPTEMBER 7, 2018, THROUGH WEDNESDAY, SEPTEMBER 12, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, September 7, at 9 a.m., and Tuesday, September 11, at 5 p.m. I further ask that when the Senate adjourns on Tuesday, September 11, it convene at 3 p.m., Wednesday, September 12; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Rettig nomination; finally, that notwithstanding the provision of rule XXII, the cloture motion filed during today’s session ripen at 5:30 p.m., Wednesday, September 12.

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

#### ADJOURNMENT UNTIL 9 A.M. TOMORROW

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

There being no objection, the Senate, at 5:35 p.m., adjourned until Friday, September 7, 2018, at 9 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

WILLIAM SHAW MCDERMOTT, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2024. VICE NINA MITCHELL WELLS, TERM EXPIRED.

##### DEPARTMENT OF THE INTERIOR

RAYMOND DAVID VELA, OF TEXAS, TO BE DIRECTOR OF THE NATIONAL PARK SERVICE, VICE JONATHAN B. JARVIS.

##### ENVIRONMENTAL PROTECTION AGENCY

ALEXANDRA DAPOLITO DUNN, OF VIRGINIA, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE JAMES J. JONES.

##### DEPARTMENT OF STATE

DENNIS WALTER HEARNE, OF VIRGINIA, 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 REPUBLIC OF MOZAMBIQUE.

##### UNITED STATES POSTAL SERVICE

RON A. BLOOM, OF NEW YORK, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2020, VICE MICKEY D. BARNETT, TERM EXPIRED.

ROMAN MARTINEZ IV, OF FLORIDA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2024, VICE JAMES C. MILLER III, TERM EXPIRED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be brigadier general

COL. DAVID P. GARFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

##### To be colonel

THOMAS T. SWAIM

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

ERIC D. BARGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

JOSEPH V. DERMENJIAN  
MICHAEL J. TROFINOFF

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be colonel

CHRISTOPHER G. HOSSFELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

DEJUAN E. GIBLERT

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 lieutenant colonel

JOHN H. BARKEMEYER

JEFFREY P. BARTELS  
NED BARTLEBAUGH  
PRIMITIVO R. DAVIS  
SHAREEN S. FISCHER  
JONATHAN W. FOWLER  
EMMITT M. FURNER II  
THOMAS E. GIDLEY  
BRADLEY C. GODDING  
WILLIAM E. GRAHAM  
ERIK J. GRAMLING  
MICHAEL J. HART  
CLAUDE E. HOFFMAN  
GREGORY S. JACKSON  
STANISLAW JASIURKOWSKI  
PETER E. KEOUGH  
SAMUEL E. KIM  
BRIAN G. KOYN  
LUIS V. KRUGER, JR.  
MARK C. LEE  
JAMES M. LESTER  
WILLIE MASHACK  
BRANDON R. MOORE  
SCOTT E. NICHOLS  
JASON K. NOBLES  
KELLY L. OLEAR  
CHARLES S. PAUL  
MYUNG Y. RYU  
VERNON L. SHACKELFORD  
JOHN P. SMITH, JR.  
MICHAEL W. SPIKES  
DAVID R. STONER  
JORGE L. TORRES  
VALERIA R. VANDRESS  
CODY J. VEST  
ERNEST P. WEST, JR.  
RICHARD W. WEST  
MICHAEL T. WILLIAMS  
DONALD A. WILLIAMSON  
TIMOTHY E. WILSON  
D014328

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

JOHN T. WINKLER

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

##### To be lieutenant colonel

PEDRO O. AGAPAY III

##### To be major

THOMAS E. AXTELL

JONATHAN C. BROOKS  
EARL D. HILDEBRAND  
CYNTHIA A. LAMBERT  
JUSTIN A. MCPHEAK  
SCOTT A. MONSON  
JASON W. NAPIER  
MICHAEL B. SIMMONS  
JOHN W. SPROUL  
MEGAN C. SWANGER  
DERICK S. TAYLOR  
DAVID A. VIRGINIA  
MARK A. WHITE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant colonel*

JAIME D. BIRMINGHAM

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant colonel*

JEFF A. BLACKARD  
STEPHEN A. ROBERTS

*To be major*

JASON A. FERGUSON  
GERALDINE A. GUTZWILER  
SEAN C. KITCHEN  
LAURA E. SAENZ  
MATTHEW J. SONGE

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

BRIAN J. BURTON  
CHRISTOPHER S. WOOTEN

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant colonel*

HUGO I. EHUAN  
MICHAEL K. FLURY

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

DARIN M. ANDREWS  
MICHAEL J. BEAUTYMAN, JR.  
CONRAD M. BICKINGS  
NICHOLAS D. BITTO  
IAN J. CAMPBELL  
BENJAMIN O. CARROLL  
BENJAMIN R. CARVER  
KRISTIAN J. CASOLA  
LARISSA A. COTTRILL  
MICHAEL R. CRIBBS  
GREGORY P. DEJUTE  
MATTHEW J. ENGLEHART  
AKWASI FOSU  
CHRISTOPHER W. FREDRICK  
SARAH M. GREGORY  
TRAVIS S. HARLOW  
CHESTER H. HEWITT III  
NATALIE R. L. JENKINS  
JESSICA F. JETT  
SADE A. JURGENSEN  
STEVEN M. KEMPER  
CRAIG T. LENSEGRAV  
JOHN J. LUGGE  
CAROLYN MAI  
MICHELLE E. MCGAVRAN  
MATTHEW A. MITCHELSON  
THOMAS O. OBRYANT III  
JOHN A. OLDENKAMP  
TIMOTHY M. OLSON  
TYLER N. OSTERMEIER  
TIMOTHY B. POLICAR  
ANDREW G. SHIN  
PATRICK L. STEWART  
AMANDA J. TOWEY  
ELLIOTT L. VONWELLER  
ASHLEY M. WESSEL  
CHRISTOPHER M. WILKINS  
JOHN K. WOMER  
RYAN D. ZACHAR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

FRANCIS G. COYLE  
IAN R. HIGGINS  
ALAN J. HOUGH  
JOSHUA S. SAUNDERS  
DENVER T. WHITE  
CHRISTOPHER J. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

RICHARD E. ARTHUR II  
PAUL R. DILLON  
IAN S. DUNKLE  
AMY R. ELLISON  
GILBERT C. ESPINOSA  
MATTHEW P. FUDNI  
ANDREW G. GALLOUSIS  
KRISTOPHER T. GREENE  
WILLIAM B. GRIFFITH  
GARRETT A. HOPKINS  
JASON P. HOROWITZ  
ALARIC LEE  
RICHARD T. LEGENDRE, JR.  
DALE A. MCCOMB  
JERMAINE L. NICHOLS  
PAUL M. NOVESS

NICHOLAS M. TAYLOR  
DAVID B. WELBORN  
BARRY J. WUTZKE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

CLAUDIA I. ALDAY  
CLAIRE C. G. BORN  
AMANDA B. DATTARO  
NICHOLAS A. DEVORAK  
ZACHARY M. FRANKLIN  
SAMANTHA M. GRECO  
MOLLIE G. GREENLUND  
ANDREW J. GROH  
ANGELA R. HAMILTON  
OLIVIA J. JONES  
DOUGLAS W. LIPE  
PETER S. MCLAUGHLIN  
JANNIE E. MILLER  
JORY S. MORR  
DAVID J. MUNDELL  
DECRISHA NOLAN  
LUIS ORTIZ IV  
ABAIGEAL S. PACHOLK  
KAYLOR V. PARASKEVOPOULOS  
THOMAS J. REICHHART  
APRIL J. ROBERTSON  
LAURA C. SMALL  
BRYCE R. SMITH  
ERIN M. THORPE  
LUCIANO J. TIRADO  
DONALD J. TODOROWSKI, JR.  
TOSHI L. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

KYLE J. ABNER  
DARRYL M. ABRIAM  
NATHAN L. AHRENS  
TODD J. ATKINS  
CHRISTOPHER M. ALDRICH  
RYAN P. ALDRICH  
JAFAR A. ALI  
MATTHEW T. ALLEN  
RYAN E. AMOROSSO  
ADAM M. ANDERSON  
JEREMY J. ANDERSON  
ADRIAN R. ANDRADE  
JOSHUA C. ANDRES  
NOLAN W. ANLIKER  
ROBERT J. ANTONUCCI  
NEWTON R. ARIAS  
ADAM R. P. ARNDT  
WILLIAM L. ARNEST  
JOSEPH D. ASH  
CHINOMSO E. ASONYE  
TAYLOR R. AUCLAIR  
MICHAEL C. AXEL  
COLBY T. BACON  
DOMINIC D. BACLEY  
NATHANIEL D. BAILEY  
JAMES M. BALLINGALL IV  
JOHN R. BARACHIE  
JOSHUA M. BARBER  
JAMES E. BARFOOT  
TYRES D. BARNES  
EMILY C. BARRALE  
ADAM J. BARRY  
JOHN T. C. BARSTOW  
JEFFREY W. BARTELS, JR.  
ANDREW T. BARTHOLOMEAUX  
JASON P. BEAUDWIN  
WILLIAM C. BEAUMONT  
ANDREW L. BEHRENDIS  
TIMOTHY L. BELL  
BRIAN M. BENGE  
COLLEEN M. BENJAMIN  
MICHAEL L. BENJAMIN  
RYAN E. BENKO  
REBECCA A. BENNETT  
DEREK J. BERGESON  
JOHN H. BEVERIDGE  
GEOFFREY S. BIEGEL  
MATTHEW C. BIGGERSTAFF  
JAMES C. BILLINGS III  
ANDREW T. BINGHAM  
BRIAN W. BLCK  
JENNIFER M. BLAKE  
CHRISTOPHER E. BLANCHARD  
CONOR A. BOE  
BRIAN T. BOLAND  
ROSANNA M. BOLIN  
ARTHUR J. BOND  
BENJAMIN W. BOND  
BRYAN S. BOND  
MARK W. BONIFACE  
JUJUAN A. BONNER, JR.  
KEARY T. BONNER  
BRANDON E. BONTON  
TIMOTHY L. BOSTON  
MICHAEL J. BOSWORTH II  
MARK L. BOTE  
JAMIE J. BOUDREAUX  
ERIC A. BOWEN  
TIMOTHY G. BOYCE  
MARK T. BRANDAU  
TRISTAN L. BRANDENBURG  
ANDREW R. BRANHAM  
DANIEL L. BRANNAN  
DANIEL O. BRAUER  
GEORGE L. BRIGHT  
BRAD J. BRINKLEY  
OWEN E. BROOKS III  
BRYCE P. BROWN  
RUSSELL A. BROWN  
GLENN M. BUDDECKE  
TIMOTHY A. BUEHN  
MARK S. BUONOMO  
DOUGLAS L. M. BURDICK  
WILLIAM H. BURKE  
ANDREW B. BURKS  
CHRISTIAN M. BURNETT  
DEREK A. BURNEY  
MATTHEW S. BUSH  
JOHN P. BUTLER  
RYDER B. BUTTREY  
BERRY L. BUXTON  
IAN G. BYNUM  
CHRISTOPHER A. CABATU  
JANYSE CABATU  
JUSTAN A. CAESAR  
LOUIS J. CALABRESE III  
JEREMIAH M. CALDWELL  
KENNETH C. CALDWELL  
WILLIAM J. CALDWELL  
KENNETH G. C. CALLAHAN  
RYAN T. CAMASSO  
VERONICA A. CAMIOLO  
JOSEPH D. CAMP, JR.  
MATTHEW J. CAMPBELL  
REGINALD J. CAMPBELL, JR.  
TOI S. CARDEN  
WILLIAM F. CAREY, JR.  
MATTHEW S. CARLTON  
TYLER A. CARR  
THOMAS P. CARROLL  
MICHAEL P. CASSIDY  
JOSHUA M. CASTANEDA  
ANDREW E. CASTILLO  
JACOB R. CATES  
JOSEPH L. CERZO  
JUSTIN M. CHALKLEY  
ERIK P. CHAMBERLAIN  
VICTOR R. CHAN  
SHANTRIC S. CHAPEL  
ANGELA N. CHAPOTEAU  
MATTHEW J. CHARLTON  
TIMOTHY B. CHARRIERE  
FELIZIA J. CHAVEZ  
TAO CHENG  
COLIN M. CHRIST  
SAMUEL C. CHRISTEN  
DAVID M. CHRISTENSON  
ANDREW J. CHRISTOPHER  
NICHOLAS J. CICHUCKI  
JAMES S. CLANCY II  
JASON M. CLARK  
JOHN C. CLARK  
JOSEPH H. CLAYTON  
BENJAMIN M. CLEDE  
JONATHAN P. CLEVELAND  
GEOFFREY T. CLIFT  
ADAM R. CLINE  
SPENCER D. CODAY  
HAYLEE L. COFFEY  
STEVEN J. COLBURN  
DAVID S. COLE  
BRENNIN S. COLEGROVE  
EVAN T. COLEMAN  
WILLIAM C. COLLIER  
BRANDON A. COLLINS  
JOHN C. COLLINS II  
RYAN W. COLLINSMINKEL  
EMILY S. K. CONA  
FRANK W. CONA  
MERSHA D. CONEY  
REBECCA M. CONTIVOCK  
ADAM B. COOK  
PHILIP A. COOK  
DAVID M. COOPER  
BRETT A. COPARE  
KYLE R. COPELAND  
ETHAN COPPING  
JOSHUA L. CORNELLUS  
DWIGHT J. CORNISH  
MAILE E. CORNISO  
JOSHUA J. COWART  
BENJAMIN D. COYLE  
JUSTIN G. CRABB  
BRIAN A. CRAMER  
STEPHEN H. CRANEY  
THOMAS A. CRISP  
ROBERT D. CROSBY  
KELCEY J. CRUSER  
JOHN P. CULLITON  
SAMUEL L. CURLEE  
WILLIAM J. CURTIN, JR.  
JOSEPH C. CUSCHERI  
KENNETH M. CUSTER  
GRANT C. W. DAISS  
TRENTON M. DAUTO  
CHRISTIAN A. DANDELO  
CHARLES R. DANIEL  
JOSEPH F. DANIEL  
CHRISTOPHER M. DANIELCZYK  
KURTIS R. DANIELS  
DAVID E. DARRELL  
STEVEN M. DEBOOT  
JASON C. DEJESUS  
ANTHONY R. DEJOY  
SEAN M. DELANEY  
STEVEN M. DELEONIBUS  
JEFFREY J. DELIZ  
PHILIP M. DENICOLA  
ACHALA E. DENNISON  
JEFFREY R. DENZEL  
DANIEL J. DEUTSCH  
KIRA L. DEVERS-JONES

DOUGLAS J. DEVUONO  
 KEVIN C. DEWEY  
 MATTHEW J. DICKENS  
 JEFFREY V. DICKEY  
 REBECCA L. DICKEY  
 MORGAN L. DIDJURGIS  
 JONATHAN T. DIMARCO  
 PAUL D. DIXON  
 HENRY J. DONAGHY  
 CHRISTOPHER F. DONNELLY  
 DEAN D. DOWNING  
 ROBERT T. DRIVER  
 DAVID A. DUFFIELD  
 JOSHUA A. DUFORE  
 OTIS V. DUNLAP  
 TRAVIS K. DUNN  
 NATHAN W. DURHAM  
 MARCIA A. DURRETT  
 MICHAEL P. DYCKIEWYCZ  
 LAUREN E. EANES  
 MICHAEL M. EASON  
 JACK M. EAVES  
 BARBARA L. EBNET  
 ZACHARY C. EDGE  
 JONATHAN D. EDWARDS  
 DAVID A. EHRET  
 MICHAEL J. EINBINDER  
 TREVOR B. ELISON  
 LAUREN J. ELLISON  
 ALLAN H. ELSEBERRY  
 ROBERT S. EPHRAIM  
 GREGORY S. ERICKSEN  
 RICARDO H. ESTRADA  
 CHRISTOPHER W. EUANS  
 JASON A. EVERT  
 CORY D. FAHRENKAMP  
 CHRISTOPHER J. FAMILLETTI  
 CHAD T. FANNING  
 ASHLEY M. FARINA  
 CHRISTOPHER D. FARKAS  
 MICHAEL B. FEAY  
 ROBERT M. FEDELE  
 TIMOTHY J. FEHRENBACH  
 DANIEL H. FELDMAN  
 JEFFREY D. FELDMANN  
 MATTHEW R. FELTON  
 WILLIAM W. FENNIMAN II  
 FRANK E. FERRELL  
 MICHAEL E. FERRELL  
 DAVID B. FIBOUZY  
 MATTHEW B. FISHER  
 BRIAN P. FLANAGAN  
 THOMAS M. FLANAGAN  
 MICHAEL C. FLYNN  
 CODY R. FORSYTHE  
 MICHAEL D. FOSTER  
 RICHARD A. FRAENKEL  
 BRIAN L. FRANK  
 JOHN D. FULLER  
 KEVIN J. FULLER  
 JENNIFER L. GADZALA  
 MATTHEW S. GALAMISON  
 RICHARD A. GALANTE  
 ADAM GALAZKA  
 ANDREW J. GALVIN  
 JOSEPH M. GARA  
 SPENCER W. GARRISON  
 KEVIN A. GATLEY  
 PATRICK L. GEORGE  
 BRENDAN J. GERAGHTY  
 STEVEN L. GERARD  
 ANDREW R. GERRY  
 SEAN D. GETWAY  
 RAFFAELE A. J. GIARNELLA  
 TERENCE L. GILBERT  
 MICHAEL J. GILLETTE  
 ANDREW W. GILLIS  
 RICHARD G. GILLIS  
 ANDREW R. GINNETTI  
 ERICA J. GLANZ  
 TRISTAN M. GLODECK  
 WILLIAM H. GODKSEN III  
 ROGER J. GONZALEZ, JR.  
 DANIEL W. GOODWIN  
 WILLIAM A. GORUM  
 CHRISTOPHER R. GOSTEL  
 ERIC L. GOW  
 SAMUEL W. GRAESSLE  
 RICHARD W. GRANT III  
 NICHOLAS A. GREEN  
 COLE A. GREENHOUSE  
 ADAM J. GREGORY  
 PATRICK M. GRIFFIN  
 JAMES J. GRINA  
 THOMAS D. GROARK  
 JUSTIN C. GROFIK  
 MARGARETE F. GROLL  
 MATHEW E. GROSS  
 MATTHEW C. GROVE  
 MICHAEL S. GROW  
 BRIAN M. GUDKNECHT  
 MATTHEW E. GUIDRY  
 JOSEPH G. GULLEDGE  
 BENJAMIN S. GUMSER  
 PHILIP T. GURNEY  
 JOSEPH W. GURSKY  
 RICHARD L. GUTIERREZ, JR.  
 ROBERT C. GWINN  
 GABRIEL D. HALEY  
 JAMES E. HALEY IV  
 CHRISTOPHER J. HALL  
 JOHN W. HALL, JR.  
 KRISTOPHER J. HALL  
 ORION E. HALL  
 JARED T. HALLAHAN  
 MATTHEW J. HALLIWELL  
 CHARLES M. HALLUM

DUNCAN N. HAMILTON  
 IAN P. HANES  
 BENJAMIN S. HANKIN  
 THOMAS J. HANLEY  
 JOHN C. HANNAH, JR.  
 CORWIN J. HARDY  
 MATTHEW L. HARMON  
 LARRY M. HARNAGE  
 ANTRON L. HARPER  
 TIMOTHY M. HARPER, JR.  
 CAITLYN M. HARRINGTON  
 ANDREW J. HARRIS  
 JEREMY J. HARRIS  
 ROBERT N. HARRIS III  
 RONALD E. HARRISON  
 CHRISTOPHER J. HART  
 BROCK A. HARTFORD  
 JOHN D. HARTZELL  
 RYAN T. HARVEY  
 NATHAN D. HAUGAN  
 KELSEY J. HAUSKEN  
 MATTHEW C. HAYS  
 SHAWN T. HAZELGROVE  
 HEATH W. HAZEN  
 MICHAEL J. HEAD  
 RICHARD S. HEIDEL  
 NICHOLAS S. HEILIGER  
 ALAN R. HELM  
 JEFFREY A. HELMICK  
 CLIFTON R. HELTERBRAN  
 JASON H. HENDERSON  
 JOSEPH M. HEREDIA  
 ADAM M. HERNANDEZ  
 MARY K. HESLER  
 NICHOLAS A. HIEBER  
 TERENCE P. HIGGINS  
 JASON T. HILL  
 JEFFREY T. HILL  
 MARTINA R. HILL  
 DANIEL L. HILLIGRASS  
 MATTHEW R. HITTLE  
 CHRISTINE A. HIRSCH  
 BRADLEY J. HOLESKI  
 RENALDO N. HOLLINS  
 PRESTON T. HOLT  
 PATRICK J. HONEYCUTT  
 KYLE T. HOOKER  
 FRANCIS J. HOROHOE III  
 MICHAEL A. HOSELTON  
 ANDREW S. HOTCHKISS  
 JAMES T. HOUGH  
 WILLIAM P. HOWARD  
 JENNIFER F. HOWER  
 ROBERT V. HUDDLESTON  
 AMELIA L. HUETER  
 KYLE B. HUFF  
 WILLIAM M. HUGHES  
 JUAN J. HUZAR  
 RYAN W. HUNT  
 DARRYL M. HUNTER  
 RYAN F. HURLBURT  
 JONATHAN S. HURST  
 ADAM J. HUTCHINSON  
 MARK W. HYATT  
 PATRICK D. HYNES  
 SHANN C. IGNACIO  
 MICHAEL A. IMPERATO, JR.  
 WILLIAM J. INCH  
 PAUL F. INGRAM  
 JOSEPH C. INNERST  
 MATTHEW J. INTOCIA  
 ALYSON B. IRELAND  
 MATTHEW J. IRWIN  
 IZOSA I. O. IZEYAMU  
 EDWIN M. JACKSON  
 NICHOLAS T. JACKSON  
 RYAN F. JANUARY  
 DAVIS C. JARVIS  
 JONATHAN D. JARVIS  
 CHRISTOPHER S. JEFFRIES  
 MAREK C. JESTRAB  
 DEREK L. JIMENEZ  
 DRAONNE D. JOHNSON  
 MARK A. JOHNSON  
 BRENDAN A. JOHNSTON  
 ALLAN D. JONES  
 BENJAMIN K. JONES  
 CHRISTOPHER A. JONES  
 JAMES A. JONES, JR.  
 MARVIN J. JONES  
 JAMIE L. JORDAN  
 RICHARD S. JORDAN  
 BRIAN C. JUSKIEWICZ  
 RICHARD A. KACHMAN  
 MICHAEL R. KAPANKA  
 ADAM A. KARAGUZY  
 BRIAN J. KARLO  
 NICHOLAS J. KEECH  
 RAYMOND A. KEFFER III  
 PATRICK W. KELLEYHAUSKE  
 ALEXANDER M. KELLY  
 CHRISTOPHER R. KENEFFIC  
 JORDAN T. KENNEDY  
 ROBERT W. KERSHNER  
 MATHEW S. KESLER  
 FRAS KHOURY  
 HANNAH M. KIM  
 ROGER G. KIM  
 IAN J. KIMBALL  
 JASON B. KING  
 DANIEL H. KINJO  
 CHRISTOPHER M. KITT  
 KARL J. KJONO  
 MATTHEW R. KLEINE  
 ANDREW M. KNOTT  
 DAVID J. KNOWLES  
 NATHAN P. KNUITSEN

JORDAN A. KOBS  
 BRADLEY S. KOESTER  
 STEVEN T. KOHL  
 CHRISTOPHER G. KOHLSKELLEY  
 JASON M. KOSTELNIK  
 PETER S. KOWALCYK, JR.  
 ANDREW M. KRALL  
 WILLIAM T. KRANZ  
 THOMAS A. KRASNICKI  
 KIPP K. KRAUSE  
 GEOFFREY S. KRETSCHMER  
 SEBASTIAN J. KREWER  
 JEREMY R. KRUEGER  
 BRIAN T. KROLL  
 RYAN A. KRONING  
 KENNETH A. KUHLM  
 JOACHIM A. KUHN  
 WILLIAM G. KUHN  
 STACY M. KULCZEWSKI  
 BENJAMIN G. KYLER  
 THEODORE M. KYRIOPOULOS  
 MEAGAN J. LABOSSIERE  
 JACOB M. LACEY  
 JASON M. LACY  
 MATTHEW P. LAIL  
 BENJAMIN R. LAMB  
 JAMES H. LAMBERT  
 JASON D. LANCASTER  
 BRITTNY L. LARSEN  
 JONATHAN P. LARSEN  
 MATTHEW J. LARSEN  
 RALPH L. LARY IV  
 CHARLES J. LASPE  
 SAMUEL L. LAURVICK  
 NICHOLAS M. LAVIANO  
 PATRICK J. LEAHER  
 AUSTIN A. LEE  
 JOHN M. LEEDS  
 RICHARD L. LEFELS, JR.  
 CHRISTOPHER F. LEFON  
 JAMES M. LEGGETT  
 GARETT A. LEN  
 NICHOLAS A. LEN  
 ROBERT L. LENNON  
 MARTIN L. LEONARD  
 JEFFREY P. LESHNER  
 CALEB R. LEVÉE  
 KEVIN M. LEWMAN  
 THOMAS J. LI  
 JAMES M. LICATA  
 PAUL M. LIETZAN  
 WAYNE D. LILEKS  
 SCOTT A. LINDAHL  
 JEFFREY P. LINDBOM  
 JOHNATHAN C. LING  
 CHRISTOPHER E. LIPSCOMB  
 DAVID B. LITZ  
 KODI M. LOCK  
 STEVEN F. LONDON  
 ANDREW J. LONG  
 JAMES D. LOVETT  
 MARK A. LOVRENEVIC  
 NICHOLAS E. LOWE  
 ANTHONY D. LOZANO  
 STEPHAN A. LUBOSCH  
 ZACHARY C. LUKENS  
 CHAU H. LUU  
 SHAWN J. MACEWAN  
 GAVIN R. MACGARVA  
 STEPHEN A. MACK  
 FLANNERY W. MACYNSKI  
 DANIEL A. MADANAT  
 TRACY A. MADDOX  
 MAYNARD C. MALIXI  
 THOMAS E. MANGOLD  
 STEPHEN A. MANKINS  
 ADAM D. MANLEY  
 MATTHEW J. MANSHIP  
 DAREK C. MARINO  
 JOHN T. MARINO  
 CHRISTOPHER M. MAROLT  
 ANDREW G. MARSH  
 DANIEL A. MARSIK  
 ZACHARY B. MARTENS  
 AARON B. MARTIN  
 JEFFREY S. MARTIN  
 SAMUEL Q. MARTIN  
 JESSE MARTINEZ  
 MATTHEW G. MARTINEZ  
 CORKY S. MASCHKE  
 BENJAMIN S. MASSENGALE  
 MICHAEL V. MASTRANGELO  
 NICHOLAS A. MATIOS  
 KYLE P. MATSON  
 JEFFREY D. MATTHEWS II  
 GERARD M. MAUER III  
 GREGORY B. MAYERS  
 MICHAEL P. MAYEUX  
 MITCH T. MCCARREL  
 CHARLES E. MCCARTHY  
 RYAN T. MCCARTHY  
 DONALD J. MCCLAFFERTY  
 MEGAN L. MCCLULOCK  
 MICHAEL R. MCDEVITT  
 DANIEL W. MCDONALD  
 CHRISTOPHER A. MCCRATH  
 EDWARD J. MCGUINIS II  
 FOREST B. MCCLAUGHLIN  
 BRIAN O. MCMENAMIN  
 IAN W. MCMENAMIN  
 JOSHUA T. MCNETT  
 JEREMY R. MEARS  
 FRANKLIN A. MEETZE  
 MARGAN H. MELHORN  
 JACOB D. MELLO  
 MACEDONIUS K. MELONAS  
 KENNETH M. MELTON

NICHOLAS A. MEMERING  
 LEO V. F. MENESES  
 TIMOTHY L. MERRICK  
 EMILY S. MERRITT  
 GINA M. MESSER  
 WILLIAM C. MESSICK  
 CHRISTOPHER D. MEYER  
 KEVIN B. MEYER  
 BENJAMIN C. MEYERS III  
 DANIEL T. MILLER  
 DAVID C. MILLER  
 RAYMOND W. MILLER IV  
 JOSEPH R. MILLS  
 KEITH P. MILTNER  
 DANIEL P. MIZELLE  
 VIJAY A. MOHABIR  
 CARLOS A. MOLINA  
 JOSHUA A. MONEY  
 JAMES B. MONTGOMERY  
 PAUL W. MOODY  
 RICHARD A. MOONEY  
 CARISSA D. MOORE  
 MATTHEW L. MOORE  
 PHILLIP C. MORRISON  
 TIMOTHY D. MOTTLAU  
 DANIEL P. MURPHY  
 CARTER L. MURRAY  
 JUSTIN A. MURTY  
 LLOYD M. MUSTIN III  
 DANE R. MUTSCHLER  
 JAMES C. NAFSEY  
 CHRISTOPHER R. NAPOLI  
 MITCHELL S. NELSON  
 NEAL N. NELSON  
 JESSE D. NERIUS  
 LINCOLN A. NESBIT  
 BRENT C. NEVIN  
 KALE G. NICHOLS  
 CHRISTIAN L. NIELSEN  
 ROSS S. NIX  
 CHRISTOPHER R. NORINE  
 SEAN J. NORONHA  
 TIMOTHY P. NORRIS  
 DONALD S. NORTHRUP  
 TAYLOR H. OAKES  
 MATTHEW G. OCONNOR  
 CONOR J. O'DONNELL  
 MATTHEW T. O'DONNELL  
 JOHN T. OHAGAN  
 ASHLEY L. OKEEFE  
 ISAAC J. OLSON  
 MATUWO I. OLUFOKUNBI  
 KEVIN P. O'MALLEY  
 CONOR L. ONEIL  
 NICHOLAS G. ONEILL  
 RAYMOND K. OSBORNE  
 ISAAC G. OSTLUND  
 CASEY H. OSWALD  
 JOEL L. OVIEDO  
 CHRISTOPHER B. PACE  
 JONATHAN L. PAIZ  
 AARON A. PARK  
 JONATHAN PARK  
 JUNG H. PARK  
 ADAM R. PARKINSON  
 WILLIAM C. PARKS  
 CHRISTOPHER R. PARRETT  
 JOHN W. PASICHENYK  
 ANN K. PATTERSON  
 MATTHEW E. PATTERSON  
 WESLEY J. PAVLAK  
 RUSSELL G. PAVY  
 LYNDAM M. PEARL  
 LOGAN R. PECK  
 MATTHEW E. PEDEN  
 JOEL A. PENA  
 BRADLEY S. PENNINGTON  
 MARK A. PENNINGTON  
 VANESSA E. PERRY  
 BETHANN C. PEVETICH  
 NICHOLAS M. PETER  
 MATTHEW W. PETERSEN  
 SETH W. PETERSEN  
 CHAD W. PETERSON  
 JONATHAN E. PETSKA  
 RYAN M. PFEIFFER  
 JESSICA L. PHENNING  
 MARK J. PHILLIPS  
 MARK C. PICINICH  
 JUSTIN B. PICKWORTH  
 BRANDON D. PIERCE  
 RYAN J. PIFER  
 MEGAN M. PIOTROWSKI  
 CHRISTOPHER P. PISCIOTTA  
 JERRY P. PITTMAN, JR.  
 WAYNE A. PITZEN  
 JAMIE L. POLHEMUS  
 CAITLYNN A. POLLINI  
 CHRISTOPHER M. POLLOCK  
 JOSEPH D. POLNASZEK  
 RAMSESA A. PORRATA  
 JUSTIN D. PORTER  
 STEPHEN C. PORTER  
 CRAIG T. POTTHAST  
 ANDREW R. POULIN  
 CHRISTOPHER L. POWELL  
 JUSTIN R. POWERS  
 GLEN A. PREMO  
 MICHAEL J. PRICE  
 THOMAS H. PRINSEN  
 FRANCIS W. FRUTER, JR.  
 ERIC J. RADSPINNER  
 NICHOLAS R. RADZIOWAN  
 ANY M. RAHALLI  
 JAIME E. RAMIREZ  
 MARK A. RAMIREZ  
 MICHAEL T. RAMIREZ II

DANIEL K. REED  
 GEOFFREY R. REEG  
 SCOTT M. REIDER  
 CHRISTOPHER C. REIDY  
 MATTHEW S. REISING  
 JAVIER F. REMOTTI  
 WILLIAM A. REVELL  
 NICHOLAS C. REZENDES  
 STEPHEN J. RHODES  
 SCOTT K. RICHARDS, JR.  
 JASON L. RICHERSIN  
 MEGAN E. RICKER  
 CARY F. RICKOFF  
 JACOB T. RIGGS  
 JOSHUA A. RILEY  
 ALEX RINALDI  
 BRIDGET M. RIORDAN  
 DANIEL A. RITCHIE  
 MARK A. RITTENHOUSE  
 DANE C. ROBBE  
 OMAR A. ROBINSON  
 HECTOR G. ROBLESRODRIGUEZ  
 SEAN L. ROCHA  
 BRIAN RODGERS  
 BENJAMIN W. ROGERS  
 BROOKS M. ROGERS  
 CASEY L. ROGERS  
 ADAM M. ROLLINS  
 SETH A. ROMO  
 THELMAR A. ROSARDA  
 ANDREW J. ROSCOE  
 CLARK B. ROSS  
 CHRISTOPHER D. ROSSI  
 DERIK W. ROTHCHILD  
 CHRISTOPHER E. ROWLAND  
 MICHAEL J. RUEDA  
 ANDREW J. RUISI  
 ANDREW J. RUMP  
 MATTHEW S. RUSINAK  
 JOHN V. RUSSELL  
 MARK RUTHERFORD  
 ROBERT W. RYAN  
 PBR A. RYCHECKY  
 GAVIN S. SAITO  
 CARLA K. SALAZAR  
 ADAM M. SAMSEL  
 ADAM J. SAMSON  
 KYLE M. SANDERS  
 JOSHUA A. SANDO  
 DUNCAN B. SANFORD  
 PETER J. SANTOS  
 LISA S. SCHAFF  
 TREVOR G. SCHAFF  
 MICHAEL A. SCHAMBACH  
 JOHN D. SCHMID  
 DAVID A. SCHMITT II  
 DREW T. SCHABEL  
 RILEY J. SCHOEN  
 MATTHEW A. SCHREINER  
 PAUL D. SCHREINER  
 BRADEN H. SCHROCK  
 KEVIN J. SCHRODT  
 DAVID C. SCHULZ  
 ARTHUR J. SCIORTINO  
 MICHAEL M. SCOTT  
 KYLE W. SCRIBNER  
 JONATHAN A. SERRELL  
 DAVID E. SETTYON  
 JEREMY SEVERSON  
 JEREMY S. SEVEY  
 PATRICK D. SHANNON  
 THOMAS M. SHANNON  
 JAMIE L. SHARKEY  
 TYLER C. SHAYER  
 REBECCA R. SHAW  
 STEVEN E. SHAW  
 ADAM G. SHERMAN  
 BRADLEY J. SHILLITO  
 CARL R. SHIRLEY  
 STEPHEN C. SHOEN  
 DMITRY SHVETS  
 JOSEPH T. SIMMONS  
 TODD J. SIMPSON  
 BRIAN L. SIMS  
 ERIK M. SINK  
 RYAN J. SISLER  
 JESSE M. SKINNER  
 DANNY G. SLOVER II  
 NAOMI M. SLUSSER  
 MICHAEL P. SMALLWOOD  
 STEPHANIE A. SMIROUS  
 ALEXANDER P. SMITH  
 BENJAMIN G. SMITH  
 DAMIEN H. SMITH  
 DARRELL K. SMITH  
 MATTHEW B. SMITH  
 MICHELLE P. SMITH  
 NICHOLAS B. SMITH  
 ZACHARY S. SMITH  
 TRAVIS M. SNOVER  
 MARK P. SNYDER  
 MATTHEW L. SNYDER  
 MICHELLE M. SOUSA  
 SAM J. SOUTHERLAND  
 ELIZABETH J. SPANGENBERG  
 SCOTT R. SPEAKMAN  
 TYLER A. SPINDLER  
 KIRK M. SPOWART  
 JACOB A. STAAB  
 ANDREW T. STAFFORD  
 DOUGLAS P. STAHL  
 GREGORY T. STAMMEN  
 SHAWN M. STELZEL  
 JOSEPH N. STEPHENS  
 ANDREW J. STEPHENSON  
 ISALAH T. STOKES  
 JOSHUA W. STOKES

MICHAEL W. STOOKSBURY  
 JOEL E. STORZA  
 MARISSA A. STRAUSSER  
 GRANT V. STRICKLAND  
 BRIAN W. STUEBER  
 BRIAN C. SULLIVAN  
 JOSEPH F. SULLIVAN  
 KYLE A. SULLIVAN  
 MATTHEW F. SUMNER  
 CHRISTIAN I. SUSZAN  
 NICHOLAS E. SWANDA  
 NATHANIEL J. SWANK  
 MATTHEW S. SWARTZ  
 MATTHEW R. SWEET  
 MATTHEW M. SWEZEY  
 ERIC M. SWITZER  
 STEPHEN B. SZALAI  
 KYLE J. SZATKOWSKI  
 NICHOLAS S. TAKEUCHI  
 CHRISTOPHER S. TAM  
 DANIEL A. TANTILLO  
 JORGE G. TELLEZ  
 IAN A. TERCERO  
 STEVEN TERJESEN  
 STEPHANIE F. THEISSNER  
 CHAD R. THERIAULT  
 CAVELL D. THOMAS  
 ROBERT L. THOMPSON II  
 DANE R. THORLEIFSON  
 ERIC M. THURBER  
 DAVID B. TODD  
 BRANDON L. TOMBLIN  
 MICHAEL I. TOMOLONIS  
 GREGORY TORNAMBE  
 ANTHONY M. TOVADO  
 COURTNEY N. TOWLES  
 CASEY J. TRAVIS  
 BLAKE T. TRIBOU  
 CHRISTOPHER M. TRUMP  
 JASON D. TRYBA  
 ROBERT R. TURNER  
 ANDREW M. UHL  
 RORY P. UPRIGHT  
 JEROME USELMAN  
 JEREMY C. VANGELDER  
 HELENA J. VANGILDER  
 GORDAN G. VANHOOK  
 ANDREW D. VANN  
 DAVID J. VASQUEZ  
 ANDREW R. VAWTER  
 CHRISTOPHER A. VENTURA  
 WILLIAM C. VEY III  
 DIMITRY P. VINCENT  
 BRYAN J. VOGEL  
 JOSHUA M. VUKELICH  
 CHARLES Z. WALKER  
 CHRISTOPHER T. WALKER  
 MICHAEL A. WALKER, JR.  
 TIMOTHY R. WALL  
 ANDREW W. WARNER  
 BRIAN R. WARREN  
 JENNY L. WARREN  
 KAREEM A. WASHINGTON  
 KHALFANI M. WATSON  
 ADAM D. WATTERS  
 JAMES T. WATTERS  
 KAIULANI M. WATTERS  
 MICHAEL M. WEBB  
 BRANDON J. WEST  
 STUART H. WHITAKER  
 JORDAN R. WHITE  
 CHRISTOPHER M. WHITLEY  
 KYLE D. WIEST  
 JUSTIN A. WIEZOREK  
 BRANDON M. WIGTON  
 CHRISTOPHER R. WILBER  
 BRIANA M. WILDEMANN  
 RYAN G. WILLARD  
 BRIAN N. WILLIAMS  
 CHRISTOPHER C. WILLIAMS  
 DAVID B. WILLIAMS  
 JUSTIN L. WILLIAMS  
 CANDICE M. WILSON  
 ROBERT S. WOLCOTT  
 JOSHUA J. WOMACK  
 TIMOTHY D. WOOD  
 MATTHEW S. WOODARD  
 DANIEL M. WOODS  
 DAVID A. WORST  
 JOSEPH D. YATES  
 DARBY D. YEAGER  
 BRYON R. YODER  
 JEFFREY E. YORK  
 ELENA U. YOSHIMURA  
 DAVID A. YOUKER  
 BRITTANY M. YOUNG  
 LAWRENCE E. YOUNG IV  
 NATHANIEL J. YOUNG  
 ZACHARY R. ZAROW  
 CHRISTOPHER A. ZELLER  
 JOSHUA F. ZIMMER  
 THOMAS W. ZIMMERMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

SCOTT B. AARON  
 MATTHEW C. BIEKER  
 JEREMY E. BLANCHETTE  
 DANIEL T. BLAUWKAMP  
 DANIEL A. BLUE  
 ANTHONY W. BOVINO  
 ROY B. BRYAN  
 ADAM P. BURKE  
 FORREST N. BUSH

MARIANNE C. CAREY  
 CAMILO CARRILLO  
 STEPHEN S. CORTEZ  
 LAURA R. COX  
 SCOTT A. DARLINGTON, JR.  
 PAUL E. DEREN  
 CECIL R. DEWEES  
 RICHARD G. DOBIAS  
 ROBERT M. DOMALIK  
 MICHAEL B. DONOHUE  
 KEVIN R. DOUGHERTY  
 PAUL T. EDELMAN  
 ILKANIA G. FERNANDES  
 KEVIN S. FURST  
 BRIAN P. GANNON  
 DAVID A. GARCIA  
 ERIC T. GONZALEZ  
 NYERE N. GRANT  
 JOSEPH L. HAKE, JR.  
 HALFORD T. HASKELL  
 BLAKE T. HENDERSON  
 JARED C. HICKEY  
 JOSEPH K. HOLLIDAY  
 DOUGLAS J. HOWELL  
 NICHOLAS E. HUGHES  
 MICHAEL A. JOHNSON  
 SEAN P. LEE  
 JOSEPH R. LEMANEK  
 ALEKSANDR LITVACHUK  
 JASON S. MAENZA  
 ALAN D. MARTIN  
 CASEY A. MERRILL  
 MICHAEL J. MILLAR  
 MICHAEL B. MOORE  
 KEITH W. NELSON  
 ELIZABETH R. D. NORRELL  
 BOSWYCK D. OFFORD II  
 HERVY J. OXENDINE  
 CHARLES M. PETERS  
 ADAM R. PETTUS  
 JEREMY P. PHILLIPS  
 BARRY F. QUALLS, JR.  
 BRETT L. RAJCHEL  
 BEAU J. REIMER  
 JARED R. RODRIGUEZ  
 JEREMIE J. SELLEN  
 IAN G. SIMON  
 STEPHANIE N. STAMM  
 MICHAEL A. THURSTON  
 RICARDO VAZQUEZ, JR.  
 TYRONE WALLER II  
 MICHELLE M. WELCH  
 WILLIAM E. WILKERSON II  
 BRANDON S. WYATT  
 SHANNON M. ZOOCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

JESSICA L. ALEXANDER  
 STEVEN C. AUSTIN  
 JASON S. BAKER  
 MICHAEL P. BAUCUM  
 JOHN N. BELL  
 KEITH R. BOWER  
 KELLAN D. BOWMAN  
 JOSEPH R. BRACAMONTE, JR.  
 KASEY A. BREHME  
 JAMES G. BRIGOWATZ  
 HAKIM S. BRISTOW  
 CHRISTOPHER G. BROWN  
 VICTOR J. BUHL  
 BRAD E. CLARK  
 TAYSHA L. COLON  
 LINDSAY N. COSENTINO  
 TRACY L. CULBERT  
 GREGORY L. FARRELL  
 DEBORAH I. FRANKLIN  
 EUGENE T. FRYE  
 CLAUDIA J. GARCESRIOS  
 CEDRIC L. HARDNETT  
 JEREMY E. HAZELBAKER  
 WADE J. HENDERSON  
 JOSHUA B. HICKS  
 AURELIO W. HOFFMAN  
 DAVID J. HOLM  
 ANDREW T. JOHNSON  
 JOSEPH T. JONES  
 PATRICK W. JONES  
 GIMMY J. KIM  
 MATTHEW S. KING  
 JOSEPH K. LANE  
 JUSTIN S. MCCARTHY  
 MATTHEW M. MORRIS  
 DANIEL P. PAROBK  
 KIZZIE N. PHARR  
 TIMOTHY A. POLYARD  
 RICHARD C. REYES  
 PHILLIP W. RICHMOND, JR.  
 MARK R. RONCORONI  
 JOHN T. ROSS II  
 JOHN J. SCHIMMELMANN  
 JOE T. C. SIMMONS  
 KRISTOPHER E. SOUSA  
 ARETHA SPARKS  
 MICHAEL B. SWERDA  
 ADAM D. TALLMAN  
 MICHAEL A. THOMAS  
 BORREE A. TIBI  
 BENJAMIN S. ULFERS  
 CRYSTAL R. WARRENE  
 AARON S. WEBSTER  
 SENG F. YEE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

MICHAEL K. BEALL  
 MICHAEL C. BECKER II  
 NATASHA L. BUHOLZER  
 JOSHUA D. CARTER  
 TRAVIS J. DAVIS  
 GEOFFRY R. EBERLE  
 AMANDA R. FROMM  
 MIGUEL A. GREEN  
 JENILLEE A. GRUBER  
 ALONZO INGRAM, JR.  
 KELLEN T. JONES  
 ASHLEY M. MIELKE  
 MICHELLE L. MOELLER  
 KEVIN J. O'BRIEN  
 ALLISON K. PELOSI  
 ALAINA M. RAMSAUR  
 JEREMY W. SEXSON  
 JOSUE F. YANEZ  
 WILLIAM N. ZINICOLALAPIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

RACHEL M. ALTHOUSE  
 DANIEL CHO  
 NATHAN T. COURIC  
 BRETT M. DAVIS  
 JOSHUA N. DURAN  
 BRENDAN P. DZIAMA  
 WILLIAM EUCKER IV  
 JOHN P. FABROS  
 TIMOTHY S. FITZGERALD  
 MATTHEW N. HITE  
 VERONICA M. KENNEDY  
 TIFFANY J. KINCAID  
 KYLE R. E. KRIEGER  
 BEN M. LI  
 CHUNCHUN N. MEARES  
 DAVID J. MILLER  
 LAKIR B. PATEL  
 PHILIP POON  
 ELIZABETH A. REED  
 ADRIENNE J. ROLLE  
 FREDERICK W. ROMBOUTS  
 CHRISTOPHER G. SAXTON  
 DANIEL P. SLOT  
 SLAVCO STREZOSKI  
 JASON P. TABANAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

SEAN A. BROPHY  
 SHERIE A. FLIPPIN  
 TABITHA L. KLINGENSMITH  
 RICHARD C. MOORE  
 PAUL S. NEWELL  
 JAVAN W. RASNAKE  
 JAMIE C. SEIBEL  
 JESUS A. URANGA, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

CHRISTOPHER M. ANDREWS  
 JOSEPH E. APLEBY  
 JENNIFER M. BAKERSTORY  
 JAMES E. BARCLAY  
 AARON S. BATES  
 PATRICK M. BELL  
 KEVIN M. BENGSTON  
 JEREMY K. BENNETT  
 BRETT M. BITTNER  
 JOSEPH A. BLALOCK  
 MATTHEW W. BLANTON  
 JAMES C. BOND, JR.  
 GERALD M. BOULLESTER  
 MATTHEW W. BRASSART  
 SHAWN R. BRISTLE  
 YAMILETT T. BROWN  
 DAVID L. BRYANT  
 KAREN J. BUCHANAN  
 JOHN B. BURKHART  
 CHRIS D. BURSON  
 ALEJANDRO M. CABRERO  
 GEORGE T. CALBERT  
 JENNIFER J. CALINAO  
 JASON R. CAQUETTE  
 JEFFREY M. CARTER  
 TIMOTHY J. CERNY  
 BRANDON R. CHRISTIAN  
 HASELY K. CLARKE  
 RICHARD S. COATES  
 SAMUEL E. COATNEY  
 IVAN C. COLLE  
 DONALD W. COPPING  
 JASON E. CRILE  
 GREGORY L. CRUM  
 JOHN T. CRUZ  
 RAY A. CURETON  
 JULIUS G. DABU  
 MICHAEL P. DAHLGREN  
 CHRISTOPHER E. DAVID  
 EDWARD L. DAVIDSON, JR.  
 LUZ DAVIS  
 ROBERT W. DAVIS  
 MARK E. DECKER  
 MATTHEW O. DERAPS  
 THOMAS J. DEVANY  
 ROBERT R. DODGE

DAVID A. DOUCET  
 RICHARD S. DUCHNOWSKI  
 CALE C. DUPRE  
 ALEJANDRO B. DURAN  
 JAY L. ESTACIO  
 TANNER W. FEISTNER  
 LELA J. FINNEGAN  
 PAUL M. FOGEL  
 MICHAEL A. FORTINER  
 RAUL R. GARCIA  
 STEVEN E. F. GASCHLER  
 CHARLES L. GATEWOOD  
 MARICRIS GRANADE  
 SHAWN D. GREENE  
 PAUL S. GREENOUGH  
 MARK E. GREENSLADE  
 SOPHIA A. GUERRA  
 JEREMY S. HALKIN  
 MORRIS E. HAMPTON  
 CRAIG D. HARMON  
 ADRIAN L. A. HARVILL  
 DAMARIS C. HAVENS  
 SHAWN R. HORGAN  
 THOMAS A. HORNER  
 JEREMY A. HUFF  
 TIMOTHY P. HUTCHISON  
 CRAIG D. JACOBSON  
 JERMAINE J. JEMMOTT  
 TYLER B. KELLEY  
 GEORDIE F. O. KELLY  
 JOSEPH L. V. KENWORTHY  
 SALISHA L. LABONTE  
 AARON N. LAMAY  
 ANTHONY S. LASATER  
 RICHARD W. LEAPARD  
 JEREMY B. LOGAN  
 MICHAEL R. LOOMIS  
 WADE O. LOWE  
 ALEXANDER W. MARSH  
 KENYATTO A. MAYES  
 WAYNE M. MCELMOYL  
 SOHN D. MCGOUGH  
 ANGELA V. MEJIA  
 EDWARD M. MENEZES  
 BRANDON O. MERCHANT  
 BRYCE J. MILLER  
 ANDREW C. MORRIS  
 CHARLES R. MURPHY  
 CALEB R. NATION  
 LOAMAN D. NELSON, JR.  
 NILBERT S. NG  
 JAMES L. ONEAL  
 JASON R. OSBORNE  
 DANIEL W. OSTROWSKI, JR.  
 KEITH A. OUELLETTE  
 JARED W. PAHL  
 JASON M. PARK  
 BRIAN D. PARSONS  
 RYAN F. PATRICK  
 ANTHONY J. PERRY  
 VINCENT N. PERRY  
 DENNIS J. POLLMEIER  
 SHANE H. PRICE  
 CHRISTOPHER L. PRING  
 KEVIN J. RHYNE  
 TYRONE RICHARDSON  
 MATTHEW J. ROBINSON  
 NORRIS L. RODGERS  
 ROEL ROSALEZ  
 GREGORY J. ROYAL, SR.  
 KEVIN S. SCALES  
 JUSTIN W. SCHELL  
 GARY J. SCHMIDT, JR.  
 JEFFREY P. SCHULTZ  
 PEDRO A. SERRANO  
 MICHAEL O. SHEA  
 THOMAS J. SIMMONS  
 DENNIS A. SIMPSON, JR.  
 EQUILLA L. SIMS  
 JACK L. SMITH  
 JEREMIAH S. SMITH  
 JUSTUS E. STECKMAN  
 DWAYNE A. STOUMBAUGH  
 CHRISTOPHER D. SUMMERHILL  
 MARK A. SYMONS  
 ADAM W. TABBERT  
 SAMMY R. TAYLOR  
 KARLA C. M. THOMPSON  
 JABBUR H. TOMA  
 MICHAEL C. TWYMON  
 JEFFERY B. VANALLEN  
 ROWELL P. VENTURINA  
 ROBERT C. WEBB  
 ALVIN L. WEIDETZ III  
 SEAN T. WEINMANN  
 LOUDON A. WESTGARD III  
 DAVID G. WILTGEN  
 MICHAEL E. YOUNG  
 JACOB W. ZERCHER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

EMILY L. ADAMS  
 SCOTT P. ADER  
 JEFFREY J. ARNOLD  
 JOHN A. BARDENHAGEN III  
 CARLOS E. BARRERA, JR.  
 KELLY A. BARTEK  
 ROBERT S. BAXTER  
 BENJAMIN R. BEAR  
 KRISTOPHER M. BODENHAFFER  
 MILLARD F. BOWEN  
 EVAN M. BOWER  
 JAMES D. BOYLE

RACHEL A. BRADSELL  
 RYAN S. CLARK  
 NATHAN L. CLEM  
 CHARLES G. CODDINGTON  
 RICHARD T. COLLINS  
 JOHN B. CONNORS  
 DAVID C. COPELAND  
 TIFFANY D. CROSBY  
 IAN M. DASILVA  
 CHRISTOPHER B. DAVIS  
 VERNON R. DENNIS II  
 STEVEN E. DORMAN  
 CASEY B. ELBARE  
 JESSICA L. ELFSTROM  
 CHANTEL M. FABIONAR  
 JOSHUA M. FLAKUS  
 DANIEL S. FRIEDMAN  
 CODY D. GARNER  
 ROBERT M. GOGGIN  
 ADAM M. GOODEN  
 CHRISTOPHER K. HANNIFAN  
 DANA W. HARRINGTON  
 NIKKI A. HARRIS  
 RONALD J. HASSE  
 BRADLEY R. HOFFMAN  
 LAURA T. HOFFNER  
 MATTHEW A. HOWELL  
 BRYAN P. IRISH  
 LARKIN M. JONES  
 KRISTEN M. KELSO  
 ROGER E. KEPPEL, JR.  
 BRUCE S. KIMBRELL, JR.  
 CHRISTOPHER S. KING  
 ADAM R. LAUSCH  
 ZACHARY J. LUNNEY  
 LILAS G. MANNING  
 JOSEPH S. MARINUCCI  
 SANDER H. MATTHEWS  
 JOSHUA S. MATTHEWS  
 ASHLEY A. MCCAWLEY  
 ALICIA D. MENDOZA  
 MICHAEL A. MOORE  
 BRANDON M. MOSLEY  
 KATHRYN H. MURPHY  
 THOMAS S. PARK  
 ERIK S. PAULSON  
 JONATHAN M. PERKINS  
 ASHLEY R. PETERSEN  
 CHARLES S. PETERSON  
 AUBREY K. POSPISIL  
 RICHARD S. RAWLS  
 DONALD F. ROBERTS, JR.  
 ROBERT A. SABORSKY  
 ROSE M. SCHUMACHER  
 SARAH A. SHEEHAN  
 DAVID P. SHELTON  
 UTSAV S. SOHONI  
 MICHAEL D. SPILLERS  
 RUSSELL H. SPITTLER  
 CONOR W. STEPHENS  
 SEAN T. SULLIVAN  
 DANIEL I. TISON  
 LILLIAN E. TORTORA  
 KRISZTIAN TRETYANSZKI  
 CRYSTAL C. TRIANTAFELLOU  
 MARCO E. VELA  
 SHANNON G. VESTAL

STEWART M. VIDMAR  
 RICHARD A. VIRGINIA, JR.  
 JUSTIN P. VISSER  
 JESSICA R. WARNER  
 ZACHARY WASSERMAN  
 ANTHONY C. WEIKER  
 ROBERT J. WILKINS  
 JACOB C. WILLE

#### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

#### To be commander

DOUGLAS M. SALIK

### CONFIRMATIONS

Executive nominations confirmed by the Senate September 06, 2018:

#### THE JUDICIARY

MARILYN JEAN HORAN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

WILLIAM F. JUNG, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

KARI A. DOOLEY, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT.

DOMINIC W. LANZA, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

CHARLES J. WILLIAMS, OF IOWA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF IOWA.

ROBERT R. SUMMERHAYS, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

ERIC C. TOSTRUD, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA.

ALAN D. ALBRIGHT, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS.

#### DEPARTMENT OF STATE

RANDY W. BERRY, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL.

DONALD LU, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC.

ALAINA B. TEPLITZ, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA

TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

MICHAEL A. HAMMER, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF THE CONGO.

DERECK J. HOGAN, OF VIRGINIA, 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 REPUBLIC OF MOLDOVA.

PHILIP S. KOSNETT, OF VIRGINIA, 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 REPUBLIC OF KOSOVO.

STEPHANIE SANDERS SULLIVAN, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GHANA.

JUDY RISING REINKE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONTENEGRO.

#### FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MICHAEL CALVERT AND ENDING WITH MARVIN SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2018.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH POLLY CATHERINE DUNFORD-ZAHAR AND ENDING WITH WILLIAM M. PATTERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 9, 2018.

FOREIGN SERVICE NOMINATION OF TANYA S. URQUIETA.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SANDILLO BANERJEE AND ENDING WITH ROBERT PEASLEE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 9, 2018.

FOREIGN SERVICE NOMINATION OF PETER A. MALNAK.

FOREIGN SERVICE NOMINATION OF MAUREEN A. SHAUKET.

FOREIGN SERVICE NOMINATION OF JASON ALEXANDER.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH PHILIP S. GOLDBERG AND ENDING WITH DANIEL BENNETT SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 18, 2018.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH AMI J. ABOU-BAKR AND ENDING WITH EMILY YU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2018.

## EXTENSIONS OF REMARKS

### HONORING RYNE LAMMERS

#### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ryne Lammers. Ryne 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 714, and earning the most prestigious award of Eagle Scout.

Ryne has been very active with his troop, participating in many scout activities. Over the many years Ryne 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, Ryne has contributed to his community through his Eagle Scout project. Ryne installed a concrete pad and a bench for a church in his community.

Mr. Speaker, I proudly ask you to join me in commending Ryne Lammers for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

### RECOGNIZING DR. CHANNAVAJJALA M. PRASAD

#### HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. BEYER. Mr. Speaker, I rise to pay tribute to Dr. Channavajjala M. Prasad for his exceptional contributions to the international medical community. Dr. Prasad has spent over four decades researching, practicing, and teaching psychiatric medicine. He is currently an Assistant Clinical Professor of Psychiatry and Behavioral Sciences at George Washington University, Attending Psychiatrist at the INOVA facility in Fairfax, VA, and the Medical Director of Neighbor's Consejo, a nonprofit organization that helps the homeless Hispanic population in Washington, D.C.

Dr. Prasad's started his long and illustrious career as an undergraduate student at Andhra University, India. He went on to get his Master of Science in Pharmacology from the University of Baroda, India, his PhD. in Pharmacology from the University of Bombay, India, and his Medical Degree from the Universidad Autonoma de Cd. Juarez, Mexico. Dr. Prasad began practicing medicine in the United States in 1984 and has been an active member of the Virginia and Washington, D.C. medical communities ever since.

Throughout his career, Dr. Prasad has developed an expertise in psychiatric medicine with a focus on Geriatric, Correctional, and Emergency Psychiatry as well as Addiction and Pain Management. He is a proud member of several distinguished medical societies, in-

cluding the American Psychiatric Association, Virginia Association of Physicians of Indian Origin, American Association of Addiction Management, American Association of Pain Management, and International Society of Addiction Medicine. Dr. Prasad also serves as a Board Member for the American Association of Social Psychiatry.

Dr. Prasad's outstanding work within his local, national, and international communities has garnered recognition throughout his career. He has received numerous awards for his commitment to the practice of Psychiatric Medicine, including the Non-Resident Indians Institute's Pravasi Bharatiya Divas award in 2012, the Global Indian Association's International Excellence Award in 2013, and the National Republican Congressional Committee's National Leadership Award in 2011.

In honor of his lifelong commitment to the practice of Psychiatric Medicine, I recognize Dr. Prasad and thank him for the good work he has done in Northern Virginia, Washington, D.C., and other communities across the globe.

### PERSONAL EXPLANATION

#### HON. MAC THORBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. THORBERRY. Mr. Speaker, on Wednesday, September 5, 2018, I was unable to be on Capitol Hill and missed roll call votes No. 384, "Democrat Motion to Recommit on H.R. 1635" and No. 385, passage of H.R. 1635, "Empowering Students Through Enhanced Financial Counseling Act." Had I been present, I would have voted "no" on No. 384 and "yes" on No. 385.

### RECOGNIZING BETTY CAMPBELL

#### HON. GREG GIANFORTE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. GIANFORTE. Mr. Speaker, I rise today to honor Betty Campbell of Hays who, at 83 years old, paid tribute to her late husband by walking in the annual Bataan Memorial Death March in the high-desert terrain of New Mexico.

Michael "Bud" Campbell became a prisoner of war during World War II and survived the brutal Bataan Death March.

Bud was among thousands of Philippine and American soldiers forced to march nearly 70 miles with little food or water, enduring torture along the route and at POW camps where he was held for over three years.

After the war, he and Betty raised seven children, and owned a ranch in north-central Montana. Betty served her community as an educator for over 30 years, teaching in area schools and serving as a principal. For 20

years, Betty has served as a board member of the Big Flat Electric Cooperative.

In March 2018, Betty and her granddaughter Vernelle paid tribute to Bud by walking approximately seven miles at the 29th Bataan Memorial Death March, crossing the finish line together. The Bataan Memorial Death March is an annual tribute to honor the service members who defended the Philippine Islands and were taken as prisoners of war.

Betty said her emotions ran high as she thought about what her late husband and other prisoners endured. She reflected on the shoes she wore and the water she had available at nearly every mile, saying, "It wasn't the same. It didn't seem fair."

Mr. Speaker, for her courage, sacrifice, and dedication in honoring her late husband, a World War II POW, at the Bataan Memorial Death March at age 83, I recognize Betty Campbell for her spirit of Montana.

### RECOGNIZING NATIONAL PROSTATE CANCER AWARENESS MONTH

#### HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. WILLIAMS. Mr. Speaker, I rise to recognize September as National Prostate Cancer Awareness Month. Prostate cancer is the most commonly diagnosed cancer in American men and the third leading cause of cancer death behind lung and colon cancer.

While I am a survivor of this potentially deadly disease, not everyone is so fortunate. In my home state of Texas, an estimated 12,600 new cases of prostate cancer will be diagnosed, and an estimated 1,830 deaths will occur in 2018. Nationally, 164,690 men will be diagnosed with prostate cancer and, tragically, one man every 18 minutes, or roughly 29,430 men will die this year due to the disease.

While 1 in 9 men are diagnosed with prostate cancer in their lifetime, certain groups are at higher risk for developing the disease: Men with family history are twice as likely to develop the disease, African Americans are 1.7 times more likely to be diagnosed in their lives, and Veterans who are exposed to herbicides such as Agent Orange are at an increased risk for developing an aggressive form of the disease.

We can lower these numbers—education regarding early detection strategies is critical to saving lives and preserving and protecting our families. If caught early, prostate cancer has a five-year survival rate of nearly 100 percent. However, for late stage prostate cancer the five year survival rate is 29 percent.

All men are at risk for prostate cancer and I encourage the men of this nation to participate in routine prostate cancer screenings. Your life is too valuable to avoid them.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CONGRATULATIONS PASTOR  
MARVIN EDWARD SMITH III

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. KING of Iowa. Mr. Speaker, today I would like to recognize an important family to the state of Iowa. Pastor Marvin Edward Smith III, his wife Alice and their two children helped found the Harvest Baptist Church in Fort Dodge and on October 21st, they will have served their church and their community for 25 years.

Their church has grown into not only a place of worship but also a force for good in their community. Their K-12 school provides a place for spiritual growth for children, as does their youth ministries and Sunday schools. Their prison ministry and their addiction ministry both provide judgement-free rehabilitation, and a place for people to safely grow when they are at rock bottom.

As we look back with appreciation to the service they have provided to their church and their community, we are also gifted with the opportunity to look forward and have hope that people like Pastor Smith and his wife Alice will continue working towards the betterment of society. I applaud their commitment to the values that make this country so great and look forward to see what they will do going forward.

PERSONAL EXPLANATION

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. KEATING. Mr. Speaker, on September 4, 2018, Massachusetts held its state primary elections. I was therefore unable to be present for the vote on the Democratic Motion to Instruct Conferees on H.R. 6157, the Department of Defense Appropriations Act, 2019. Had I been present for Roll Call No. 380, I would have voted YEA.

I was also unable to be present for the vote on passage of H.R. 6439, the Biometric Identification Transnational Migration Alert Program Authorization Act of 2018 Act, under suspension of the rules. Had I been present for Roll Call No. 381, I would have voted YEA.

HONORING EUNICE LAVERTY

**HON. ELIZABETH H. ESTY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Ms. ESTY of Connecticut. Mr. Speaker, I rise today to honor Ms. Eunice Laverty, Honorary Grand Marshal of the 57th Annual Newtown Labor Day Parade in Newtown, Connecticut. Since 1962, this annual celebration has brought together the people of Newtown and western Connecticut, and this year's organizers invited Eunice to head the parade in recognition of her many years of exceptional service to her community.

Eunice Laverty's generosity is legend in Newtown. She is a mother of two and a

grandmother of five. A retired social worker, she opened a Bagelman franchise in 1996, and became the independent business owner of Bagel Delight ten years later. Newtown residents know Eunice for her dedication to her customers and commitment to her community. Ever friendly, Eunice greets her loyal customers by name, and with inquiries about their friends, families, and even school projects.

The Labor Day Parade's theme, Serving Newtown, is particularly apt for honoring Ms. Laverty's years of service. Not only does she serve up her delicious bagels to those who patronize her business, but community members regularly note their appreciation of her charitable donations to their events. She has been known for her support for the Knights of Columbus civic organization, and support for local students. Eunice is so widely appreciated that community members even independently organized "We Love Eunice Day" in 2013.

Mr. Speaker, Eunice Laverty is a role model of kindness, service, and dedication for all of western Connecticut. Therefore, it is fitting and proper that we honor her here today, and thank her for inspiring others to Serve Newtown.

INTRODUCTION OF LEGISLATION  
TO RENAME COLUMBUS POST  
OFFICE

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today, honored to be joined by my fellow Georgian and colleague, Congressman DREW FERGUSON, to introduce legislation to designate a United States Post Office in Columbus, Georgia as the "Richard W. Williams Chapter of the Triple Nickles (555th P.I.A.) Post Office."

The 555th Parachute Infantry Battalion, known as the Triple Nickles, was known both for bravery in answering the call to be a part of an airborne unit and for being pioneers on behalf of many African-Americans seeking to serve. The men that joined the ranks of the Triple Nickles defended our nation, and many of them volunteered later to join the 2nd Ranger Company, which fought in Korea. The 2nd Ranger Company became the first and only all-black Ranger unit in the history of the United States Army and faced some of the most grueling combat in Korea.

The 555th Triple Nickles Parachute Infantry Battalion, based out of Fort Benning during World War II, was the Army's first African-American parachute unit. Captain Richard W. Williams served as the company's commander, and the Richard W. Williams Chapter of the Triple Nickles 555th Parachute Infantry Association (P.I.A.) has 61 veteran members from the Columbus area. This legislation will honor the legacy of the brave men that volunteered to answer the nation's call.

I urge my colleagues in the House of Representatives to join Congressman FERGUSON and me in supporting this legislation.

PERSONAL EXPLANATION

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on May 18, 2018 due to an unforeseen delay. Had I been present, I would have voted as follows: YES on Roll Call No. 206.

CONGRATULATING LEHIGH NORTH-  
EAST CEMENT COMPANY ON THE  
125TH ANNIVERSARY OF ITS  
GLENS FALLS PLANT

**HON. ELISE M. STEFANIK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize Lehigh Northeast Cement Company on the 125th anniversary of its cement manufacturing plant in Glens Falls, New York.

Near the end of the 19th century, a group of business leaders discovered that the limestone formations along the Great Bend of the Hudson River would be perfect for creating cement. On June 17th, 1893, the Portland Cement Company became officially incorporated to serve the manufacturing needs of our rapidly expanding nation. Now under the ownership of Lehigh Hanson, Inc., renamed the Lehigh Northeast Cement Company, the Glens Falls, NY, plant is the oldest operating Portland Cement Plant in North America.

Today, the plant plays a major role in the U.S. construction industry. Since its purchase of the facility in 2006, the company significantly invested in the plant, and can now manufacture more than 500,000 tons of high-quality cement per year. The plant ships its cement under the IRON CLAD brand name throughout the Northeast for commercial, municipal, and residential construction projects. With its plant site located in Warren County and its limestone quarry located in Saratoga County, the company also contributes to the southern Adirondack region's economy.

On behalf of New York's 21st District, I want to congratulate the Lehigh Northeast Cement Company on its facility's 125th anniversary, and thank its hard working leadership and employees for improving the quality of life in the Greater Glens Falls Region.

RECOGNIZING DETROIT PLUMBERS  
UNION LOCAL 98

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. LEVIN. Mr. Speaker, I rise today to recognize Detroit Plumbers Union Local 98, which is proudly celebrating the 125th anniversary of its founding this Saturday, September 8th.

In September of 1892, a group of plumbers who called themselves "The Plumbers Association of Detroit" met to discuss how to improve their wages and working conditions.

This group applied for membership in the United Plumbers Association (the UA) and in December of 1893, their application was accepted and they were organized in the UA as Plumbers Local Union 98.

Michigan's history, and that of the middle class in our country, is intertwined with the history of the labor movement. Local 98's fight on behalf of its members has been a vital part of that history. From its earliest days, Local 98 worked to achieve fair wages and working standards for its professional plumbers, but they also went further—offering their expertise to local government to help improve health department rules related to plumbing and assisting plumbing inspectors in their efforts to ensure that residents could count on plumbing work being done to high standards.

Throughout its 125 years, Local 98 has acted in the best traditions of its founding, and has also grown to meet the needs of its members and of the industry. In the 1950s, Local 98 negotiated contracts that included fringe benefits, including insurance and pensions, for its members and for their surviving spouses. Local 98 dedicated its Apprentice Training Center in 1968, allowing members to receive the highest quality professional training in a facility of its own, rather than at a variety of other locations. I had the opportunity as a young lawyer to represent Local 98 during some of these years. And in 2014, Local 98 partnered with Activate Clinic to provide preventative health care, acute care, and more at Local 98's headquarters in Madison Heights, Michigan.

Local 98's members have worked on projects large and small throughout Southeast Michigan, including landmark buildings like Little Caesars Arena, where the Detroit Red Wings play hockey and the Detroit Pistons play basketball; Ford Field, where the Detroit Lions play football; Comerica Park, home of the Detroit Tigers; and the many auto plants which are so vital to Michigan and the nation's economy.

Mr. Speaker, Detroit Plumbers Union Local 98 has played an integral role in the labor movement, in the lives of its members, and indeed in the creation of the middle class in our country. I encourage my colleagues to join me in congratulating the men and women of Detroit Plumbers Union Local 98 as they celebrate their remarkable 125 year history, and in wishing them continued success in their next 125 years.

CELEBRATING BETTY HIPLE'S  
101ST BIRTHDAY

**HON. JACKIE WALORSKI**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Ms. Betty Hiple on her 101st birthday.

Betty Jane Hoke was born on September 6, 1917, in Huntington, Indiana, to Glen Foster Hoke and Ruth Mahoney. A Hoosier through and through, she has lived all of her life in northern Indiana. Three years after graduating from Huntington High School, she married Donald Duane Hiple on August 27, 1938. Over the next 13 years, they raised four children—Terry Lee, Merrily, Melody, and Richard

Allen—and built a beautiful life together full of faith, love, and laughter.

Betty is steadfastly ambitious and has never stopped pursuing her dreams. After her children left home, she attended college for nursing and worked for Owens-Illinois until her retirement. More recently, she completed a tandem skydive at age 96 and a glider flight at age 97, and on the occasion of her 100th birthday, she served as the Grand Marshal of Swayzee Farm Days in 2017. From one adventure to the next, Betty has touched the hearts of so many people along the way. These days, she enjoys spending time in her flourishing garden and playing Scrabble with friends and family. I have no doubt her loved ones continue to learn from her endearing nature and high spirits.

Mr. Speaker, Betty Hiple embodies the virtues that we Hoosiers strive for in life, and she sets a strong example for us to follow. On behalf of 2nd District Hoosiers, I offer Betty a hearty congratulations on this incredible milestone, and I wish her many more years of continued health and happiness.

CONGRATULATING JUSTIN AND  
ELLEN RAHN FOR RECEIVING  
THE 2018 ILLINOIS FARM BUREAU  
YOUNG LEADER ACHIEVEMENT  
AWARD

**HON. CHERI BUSTOS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize Justin and Ellen Rahn of Mount Carroll for receiving the 2018 Illinois Farm Bureau Young Leader Achievement Award.

The Illinois Farm Bureau Young Leader Achievement Award recognizes exceptional young farmers for not only their success in agriculture, but for their strong leadership and commitment to our farming community. Justin and Ellen Rahn have been leaders within the Farm Bureau since 2005. From hosting young leaders' meetings to serving on the Farm and Fork Committee, their involvement has enriched our community. Justin and Ellen Rahn both grew up on their family farms in northwestern Illinois, learning the strong work ethic of our farmers at an early age. Ellen went on to receive a degree in agronomy from Iowa State University and gained seed corn brokerage experience before later managing the Illinois territory for Hartung Brothers, Inc. Justin earned his degree in agricultural production and management from Kirkwood College. Justin and Ellen now run their own farm in Carroll County in addition to operating a seed dealership.

It is because of dedicated and hardworking people such as Justin and Ellen Rahn that I am especially proud to serve Illinois' 17th Congressional District. Mr. Speaker, I would like to again formally recognize Justin and Ellen Rahn for all they do in the farming community.

PERSONAL EXPLANATION

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on June 28, 2018 due to an unforeseen delay. Had I been present, I would have voted as follows: YES on Roll Call No. 308.

IN RECOGNITION OF UC DAVIS  
SCHOOL OF MEDICINE'S 50TH AN-  
NIVERSARY

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Ms. MATSUI. Mr. Speaker, I rise today to recognize the UC Davis School of Medicine as they celebrate their 50th Anniversary. As the members of this university gather here today, I ask my colleagues to join me in honoring their service to the Sacramento region and its surrounding areas.

Since the first inaugural class in 1968, the UC Davis School of Medicine has put an emphasis on community engagement and understanding, which has laid the foundation for its success. As one of the leading medical and research schools in the nation, the university offers fully accredited master's degree programs and a combined M.D.-Ph.D. program, which recruit and inspire the next generation of physician-scientists who are dedicated to advancing the delivery of care in our region. With classrooms found only a block away from the UC Davis Medical Center, students have convenient access to one of the nation's premiere teaching hospitals, along with their various research laboratories.

The medical school's commitment to inclusive ideology, coupled with the diversity of the Sacramento region and surrounding areas, is truly reflected in its rigorous coursework and academic program offerings. Through the integration of programs such as the Community Health Scholars Program into the curriculum, students learn to tackle prevalent societal issues, and are well equipped with the ability to take complex issues and translate them into real-world applications that benefit our region's diverse patient population.

Mr. Speaker, as the members of the UC Davis School of Medicine celebrate their momentous years of service, I ask all my colleagues to join me in honoring them for their dedication to educating the next generation of physician-scientists, and for their charitable work for the citizens in the Sacramento region and beyond.

SURRENDER OF THE EMPIRE OF  
JAPAN: SEPTEMBER 2, 1945

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. POE of Texas. Mr. Speaker, the day was September 2, 1945. World War II was in

full swing, but the fighting was about to come to a close.

On August 15, the Empire of Japan announced that it would surrender to the Allies in accordance with the Allied terms laid out at the Potsdam Conference. In Japan, Emperor Hirohito spoke on the radio announcing his country's surrender. It was the first time the Japanese people had ever heard his voice.

Across the United States, soldiers and civilians rejoiced together in the streets. The Japanese announcement represented the end of nearly four long years of war. On foreign battlefields, thousands of brave, young Americans had lost their lives, and many more returned home with the wounds of war. On the home front, laborers worked long hours in the factories, kids collected scrap metal, and families endured rationing. From Kilroy to Rosie the Riveter, all Americans were ready to embrace victory.

The day of the formal surrender finally arrived, and in the morning of September 2, representatives from the Allied powers made their way to the USS *Missouri*. Anchored in Tokyo Bay, the *Missouri* proudly displayed the flag flown aboard Commodore Matthew Perry's flagship when he sailed into Tokyo Bay in 1853 to sign a treaty with Japan.

Admiral Chester Nimitz then welcomed aboard General Douglas MacArthur, Supreme Commander of the Allied Forces in the Pacific, and the two took their places behind the surrender table.

Finally, just before 9 a.m., the delegation from the Japanese surrender cabinet made their way on board.

After brief remarks from General MacArthur, Japanese Foreign Minister Mamoru Shigemitsu and General Yoshijiro Umezu signed the Instrument of Surrender on behalf of the government and armed forces respectively. General MacArthur and Admiral Nimitz each then signed the document and were followed by representatives from eight other nations. Once all of signatures were made, General MacArthur declared, "Let us pray that peace be now restored to the world and that God will preserve it always. These proceedings are now closed!"

Mr. Speaker, the costly victory won by the United States and her allies in World War II gave the world a new era of peace and prosperity. It allowed millions around the world who had previously been under the yoke of fascism to enjoy the blessings of liberty and freedom. American soldiers dethroned tyrannical regimes in Europe and Asia, and we must never forget the sacrifices they made defending our country. After all, the worst casualty of war is to be forgotten.

And that is just the way it is.

DAVID LEWIS

**HON. JARED HUFFMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize the accomplishments of David Lewis on the occasion of his 20th year as the executive director of Save the Bay. A nationally renowned conservation leader, David's work has had a remarkable impact on the preservation and expansion of the Bay Area's natural environment.

Born in Palo Alto, California, David earned his Bachelor of Arts degree from Princeton University. During his time in college, David became passionate about nuclear arms control, and after graduating in 1983, he went to work for Friends of the Earth in Washington, D.C. as an arms control specialist. By 1985, David became the Director of Policy and Legislation for Physicians for Social Responsibility and by 1991, he went to work for Senator Carl Levin as a senior legislative assistant. Finally, in 1996 he became the chief operations officer for the League of Conservation Voters where he would conclude his 14-year career in Washington, D.C.

By 1998, Mr. Lewis accepted an offer to become the Executive Director of Save the Bay and moved back to the Bay Area. David's leadership was promptly tested that year by a proposal put forward by the San Francisco International Airport to expand runways through bay fill. The proposal had wide support and appeared to be a lost cause to the conservation community at the time. David however, was able to provide cheaper and more effective alternatives that prevented further encroachment into the bay, a negotiating model for which Save the Bay has now become known. Through continued lobbying, negotiation, and community organizing, David was eventually able to get the airport to go with his proposal.

Save the Bay's actions and advocacy have continued to grow under Mr. Lewis' leadership. The organization has remained vigilant in fighting the encroachment of development into the bay, and has expanded community outreach and education to create broader public stewardship. David's leadership has also led to greater cooperation on conservation policies between conservation groups, businesses, and community organizations. Most recently, David led a successful campaign for a nine-county parcel tax that will provide needed revenue for wetland restoration to mitigate the dangerous impacts of climate change.

Mr. Speaker, as Bay Area shores become increasingly urbanized and sea levels continue to rise, the work done by organizations like Save the Bay will be critical for the long-term viability of the communities who call this region home. Therefore, please join me in thanking David Lewis for his ongoing leadership and service to the public.

PERSONAL EXPLANATION

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on May 10, 2018 due to an unforeseen delay. Had I been present, I would have voted as follows: YES on Roll Call No. 180.

PERSONAL EXPLANATION

**HON. F. JAMES SENSENBRENNER, JR.**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. SENSENBRENNER. Mr. Speaker, on Wednesday, September 5, 2018, I missed

votes due to an illness. Had I been present, I would have voted in the following manner:

On Roll Call no. 382, on ordering the previous question, I would have voted Yes.

On Roll Call no. 383, the adoption of the Combined Rule Providing for Consideration of H.R. 1635 and H.R. 4606, I would have voted Yes.

On Roll Call no. 384, the Democrat Motion to Recommit, I would have voted No.

On Roll Call no. 385, passage of H.R. 1635, the Empowering Students through Enhanced Financial Counseling Act, I would have voted Yes.

PERSONAL EXPLANATION

**HON. ERIC SWALWELL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. SWALWELL of California. Mr. Speaker, I missed votes on Tuesday, September 4. Had I been present, I would have voted as follows:

On Roll Call Vote Number 380 (Motion to Instruct Conferees on H.R. 6157, the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019): YES.

On Roll Call Vote Number 381 (Passage of H.R. 6439, the Biometric Identification Transnational Migration Alert Program Authorization Act): YES.

PERSONAL EXPLANATION

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Ms. ESHOO. Mr. Speaker, I was unable to be present during roll call vote number 382, 383, 384, and 385 on September 5, 2018, due to recent surgery. Had I been present, I would have voted: on roll call vote no. 382, I would have voted NO; on roll call vote no. 383, I would have voted NO; on roll call vote no. 384, I would have voted YES; and on roll call vote no. 385, I would have voted YES.

CONGRATULATING HELEN KELLER SERVICES (HKS)

**HON. NYDIA M. VELÁZQUEZ**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to congratulate Helen Keller Services (HKS) on its 125th anniversary, which will be celebrated at its Gala at the Liberty Warehouse in Brooklyn, New York on September 13, 2018.

I am pleased to learn the news of the non-profit organization's move this fall of its headquarters to a new 44,000-square-foot state-of-the-art facility located in my district at 180 Livingston Street in Brooklyn. This modern structure will house new classrooms and training rooms; a specialized gym for pre-kindergarten students; new offices and workstations, a Low Vision Center and a technology training space.

Since 1893, Helen Keller Services has been steadfastly committed to improving the lives of

individuals who are blind, visually impaired or have combined hearing and vision loss to live, work and thrive in communities of their choice in Brooklyn, the surrounding communities, and the entire New York Region.

On behalf of all residents of the 7th District and indeed all New Yorkers, I offer best wishes and heartiest congratulations to HKS.

#### PERSONAL EXPLANATION

### HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on January 17, 2018 due to an unforeseen delay. Had I been present, I would have voted as follows: YES on Roll Call No. 21.

RECOGNIZING GREEHEY CHILDREN'S CANCER RESEARCH INSTITUTE AT THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

### HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. SMITH of Texas. Mr. Speaker, since 2004, the Greehey Children's Cancer Research Institute (Greehey CCRI) at the University of Texas Health Science Center at San Antonio (UT Health San Antonio) has advanced scientific knowledge relevant to childhood cancer, contributed to the understanding of causes of childhood cancer, and accelerated the translation of knowledge into novel therapies. Through discovery, development, and dissemination of new scientific knowledge, Greehey CCRI strives to have a national and global impact on the problem of childhood cancer.

Cancer biology, genomics, RNA metabolism and experimental therapeutics are among its many areas of strength in research. Additionally, Greehey CCRI is developing expertise in drug discovery, target identification and nanotechnology driven delivery of small molecule and RNA therapeutics.

Recently, Greehey CCRI partnered with the Mays Cancer Center at UT Health San Antonio MD Anderson to become a member of The Pediatric Oncology Experimental Therapeutics Investigators' Consortium (POETIC). Their studies focus on the biological basis for anti-cancer therapy, and discover and evaluate new agents and novel combinations of therapies early in clinical development.

The educational mission of the Greehey CCRI is to train the next generation of researchers in pediatric cancer research. This includes creating a pipeline of trainees through their program for undergraduates engaged in summer research, medical students within the MD with Distinction in Research program, fellows in the Accreditation Council for Graduate Medical Education—approved hematology-oncology fellowship program, as well as the traditional graduate programs in Cancer Biology and other relevant areas.

I ask my colleagues to join me in supporting the critical research done by organizations like the Greehey CCRI.

#### THE PURPLE HEART

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. POE of Texas. Mr. Speaker, August 7th marked the 236th anniversary of the creation of one of our nation's most iconic military decorations: the Purple Heart.

On August 7, 1782, General George Washington ordered the creation of the Badge for Military Merit, to be presented to soldiers who demonstrated exceptional bravery in battle. The award was marked by a heart-shaped piece of purple cloth, intended to be worn on the left side of the recipient's chest.

Only three soldiers—Sergeants Daniel Bissell, William Brown, and Elijah Churchill—received this decoration during the Revolutionary War. Though this award was the precursor for our nation's highest military honor, the Congressional Medal of Honor, the government gave no other soldiers the Badge for Military Merit until the 20th Century. Then, it was General Douglas MacArthur, Chief of Staff of the Army at the time, who helped resurrect this award in 1932, when the War Department created the Order of the Purple Heart.

Since then, millions of American servicemen and women have received this decoration after being wounded in battle. From the World Wars to the current wars in the Middle East, the recipients of this decoration represent a special fraternity—Americans who have shed their blood defending our country and our liberties.

One such individual was Sergeant John W. Hall. Sergeant Hall served with the U.S. Army's 503rd Field Artillery Battalion, 2nd Infantry Division, during the Korean War. In November 1950, his unit received orders to move from Kunu-ri to Sunchon, North Korea. Moving through an area dubbed "the Gauntlet" due to the high concentration of Chinese forces threatening the Americans' path to Sunchon, Hall went missing, but his fate was discovered after the war when a returning American prisoner of war reported that Hall had died at the Hofong POW Camp—more commonly known as "Death Valley"—in early 1951.

Over the next several decades, attempts were made to recover, identify, and ultimately return Hall's remains to the United States. Finally, in June 2017, state of the art DNA testing successfully identified remains found as his. On July 3rd of this year, his remains were finally transported back to the United States, to my home city of Houston, and under the Texas sun, he was buried with full military honors on American soil. At the ceremony, the Army posthumously awarded Hall the Purple Heart.

Mr. Speaker, the Purple Heart is a vital pillar of the American democracy. It honors the sacrifice of the American warrior, the rare breed, and it reminds us that freedom is not free. May we continue to remember those who wear the Purple Heart on their uniform, because the worst casualty of war is to be forgotten.

And that is just the way it is.

RECOGNIZING THE 10TH ANNUAL  
DAIKIN NORTH AMERICA  
KONWAKAI

### HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. GOODLATTE. Mr. Speaker, I would like to recognize Daikin Corporation and its North American "Konwakai," which is celebrating its tenth annual meeting this year. Daikin, the world's largest air conditioning company, produces commercial chillers at the Daikin Applied Staunton Facility in Verona, which I represent in Virginia's Sixth Congressional District. There are more than 500 people who work at the plant. They are among the 15,000 employees Daikin employs in the United States.

Daikin, which is based in Osaka, Japan, hosts the Konwakais around the world as a way to bring the company's leaders together with leaders in academia and experts in the industry to discuss the future of the HVAC industry and indoor air quality.

I am happy to recognize Mr. Yasushi Yamada, a Senior Executive Officer with Daikin. He launched the first North American Konwakai ten years ago. Mr. Yamada's leadership has produced ten gatherings of the group in various locations in the United States and other countries. The two-day conferences have resulted in important discussions about energy efficiency and even internet-of-things-connected products in Daikin's diversified global portfolio.

I wish Mr. Yamada and the folks attending Daikin's tenth annual North American "Konwakai" a productive meeting. I trust the get-together will result in important attention to advances in the air conditioning sector, leading to the creation of additional jobs in facilities like the one in Verona, Virginia and improvements in indoor air quality.

RECOGNIZING PROJECT NOW ON  
ITS 50TH ANNIVERSARY

### HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize Project NOW from the Quad Cities on its 50th Anniversary. Project NOW has been joyfully serving thousands in Rock Island, Henry, and Mercer counties since 1968.

Project NOW (Neighborhood Outreach Work, Inc.) was founded by former Father Jim Real and Father Tom Murphy in the mid 1960's with the goal of providing residents in the area with the resources needed to meet basic needs. To accomplish their goal and address the needs of the community, Project NOW provides programs that assist with issues such as housing, nutrition, clothing, utilities, and more. The organization was first established and recognized by local governments in May of 1968. The following year, Project NOW earned designation from the federal government as a Community Action Agency and began to receive federal funds. Project NOW works to address the issue of poverty by taking action in the community and

also holding onto the words of Martin Luther King Jr., "Change does not roll in on the wheels of inevitability, but comes through continuous struggle." Project NOW's commitment to strengthening our communities does not go unnoticed and I look forward to seeing their continued work.

It is because of dedicated and selfless groups such as the Project NOW that I am especially proud to serve Illinois' 17th Congressional District. Mr. Speaker, I would like to again formally congratulate Project NOW on its 50th Anniversary and thank the organization for all of its service to the community.

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PERSONAL EXPLANATION

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on January 10, 2018 due to an

unforeseen delay. Had I been present, I would have voted as follows: YES on Roll Call No. 10.

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RECOGNIZING DONNIE McMASTER  
OF WESTVILLE, IL

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 6, 2018*

Mr. SHIMKUS. Mr. Speaker, I rise to recognize the exemplary community service of Donnie McMaster, a resident of Westville, IL.

Donnie is a Boy Scout in Troop 234 and for his Eagle Scout project he focused his attention on improving the lives of our local veterans. Cannon Place is an apartment where formerly homeless veterans and their families now reside. Donnie expanded the entertainment opportunities of the residents by building four cornhole sets, a board game set, and a

horseshoe pit. Donnie also added stepping stone walkways and fixed two flower beds. He then set walkways in mulch and bordered it with logs.

Donnie spent two months raising funds prior to starting the project, lining up local donors for the materials he used and raising money to cover the remaining parts of the planned improvements. His dedication and hard work means that today some of our veterans can spend time outside with their families enjoying the games and landscaping provided by this one individual.

Mr. Speaker, I want to acknowledge the efforts of Donnie McMaster to bring joy to our nation's veterans and congratulate him on completing his Eagle Scout Project. I wish Donnie success in all of his future endeavors.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S6041–S6110*

**Measures Introduced:** Fifteen bills and four resolutions were introduced, as follows: S. 3412–3426, S. Res. 622–624, and S. Con. Res. 45. **Pages S6058–59**

#### Measures Reported:

S. 1768, to reauthorize and amend the National Earthquake Hazards Reduction Program, with an amendment in the nature of a substitute. (S. Rept. No. 115–336) **Page S6058**

#### Measures Passed:

**Majority Party's Membership on Certain Committees:** Senate agreed to S. Res. 623, to constitute the majority party's membership on certain committees for the One Hundred Fifteenth Congress, or until their successors are chosen. **Page S6100**

**Sage-Grouse and Mule Deer Habitat Conservation and Restoration Act:** Committee on Environment and Public Works was discharged from further consideration of S. 1417, to require the Secretary of the Interior to develop a categorical exclusion for covered vegetative management activities carried out to establish or improve habitat for greater sage-grouse and mule deer, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S6102–03**

McConnell (for Hatch/Heinrich) Amendment No. 4012, in the nature of a substitute. **Pages S6102–03**

**Tribal Social Security Fairness Act:** Senate passed H.R. 6124, to amend title II of the Social Security Act to authorize voluntary agreements for coverage of Indian tribal council members. **Page S6103**

**Great Lakes Environmental Sensitivity Index Act:** Senate passed S. 1586, to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, after agreeing to the committee amendment in the nature of a substitute. **Page S6103**

**Gold Star Families Remembrance Week:** Committee on the Judiciary was discharged from further

consideration of S. Res. 522, designating the week of September 23 through September 29, 2018 as “Gold Star Families Remembrance Week”, and the resolution was then agreed to. **Page S6103**

**School Bus Safety Month:** Committee on the Judiciary was discharged from further consideration of S. Res. 603, designating September 2018 as “School Bus Safety Month”, and the resolution was then agreed to. **Page S6103**

**National Child Awareness Month:** Committee on the Judiciary was discharged from further consideration of S. Res. 612, designating September 2018 as “National Child Awareness Month” to promote awareness of charities that benefit children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States, and the resolution was then agreed to. **Pages S6103–04**

**Commemorating Arthur Ashe:** Senate agreed to S. Res. 624, commemorating Arthur Ashe, a native of Richmond, Virginia, on the 50th anniversary of his historic win at the 1968 U.S. Open Tennis Championship and honoring his humanitarian contributions to civil rights, education, the movement against apartheid in South Africa, and HIV/AIDS awareness. **Page S6104**

**Sports Medicine Licensure Clarity Act:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S6104–05**

McConnell (for Alexander) Amendment No. 4014, in the nature of a substitute. **Pages S6104–05**

#### House Messages:

**Interior, Environment, Financial Services and General Government, Agriculture, Rural Development, Food and Drug Administration, and Transportation, Housing and Urban Development Appropriations Act:** Senate insisted on its amendment

to H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, agreed to the request for a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Murkowski, Collins, Lankford, Hoeven, Shelby, Hyde-Smith, Udall, Reed, Coons, Merkley, and Leahy. **Page S6101**

**Department of Defense and Labor, Health and Human Services, and Education Appropriations Act:** Senate insisted on its amendment to H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, agreed to the request for a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Shelby, Blunt, Graham, Moran, Durbin, Murray, and Leahy. **Page S6101**

**Patient Right to Know Drug Prices Act—Agreement:** A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader in consultation with the democratic leader, Senate begin consideration of S. 2554, to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees, and that Senator Lee, or his designee, be recognized to call up Amendment No. 4011, and that there be one hour of debate equally divided, and that upon the use or yielding back of time, Senate vote on or in relation to Lee Amendment No. 4011, without intervening action or debate; and that upon disposition of Lee Amendment No. 4011, Senate vote on passage of the bill, as amended, if amended. **Page S6105**

**Support for Patients and Communities Act—Agreement:** A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the democratic leader, Senate begin consideration of H.R. 6, to provide for opioid use disorder prevention, recovery, and treatment, and that Senator Alexander, or his designee, be recognized to call up Amendment No. 4013, and that there be one hour of debate, equally divided, and that upon the use or yielding back of that time, Alexander Amendment No. 4013, be agreed to, and Senate vote without intervening action or debate, on passage of the bill, as amended. **Page S6105**

**Pro Forma Sessions—Agreement:** A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each

pro forma session, the Senate adjourn until the next pro forma session: Friday, September 7, 2018 at 9 a.m.; Tuesday, September 11, 2018 at 5 p.m.; and that when the Senate adjourns on Tuesday, September 11, 2018, it next convene at 3 p.m., on Wednesday, September 12, 2018. **Page S6105**

**Rettig Nomination—Cloture:** Senate began consideration of the nomination of Charles P. Rettig, of California, to be Commissioner of Internal Revenue, Department of the Treasury. **Page S6051**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, September 6, 2018, a vote on cloture will occur at 5:30 p.m. on Wednesday, September 12, 2018. **Page S6051**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S6051**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S6051**

A unanimous-consent agreement was reached providing that Senate resume consideration of the nomination at approximately 3 p.m., on Wednesday, September 12, 2018; and that notwithstanding the provisions of Rule XXII, the cloture motion on the nomination ripen at 5:30 p.m. **Page S6105**

**Nominations Confirmed:** Senate confirmed the following nominations:

Marilyn Jean Horan, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania. **Pages S6050, S6110**

William F. Jung, of Florida, to be United States District Judge for the Middle District of Florida. **Pages S6050, S6110**

Kari A. Dooley, of Connecticut, to be United States District Judge for the District of Connecticut. **Pages S6050, S6110**

By 60 yeas to 35 nays (Vote No. EX. 203), Dominic W. Lanza, of Arizona, to be United States District Judge for the District of Arizona. **Pages S6050, S6110**

By 79 yeas to 12 nays (Vote No. EX. 204), Charles J. Williams, of Iowa, to be United States District Judge for the Northern District of Iowa. **Pages S6050–51, S6110**

Robert R. Summerhays, of Louisiana, to be United States District Judge for the Western District of Louisiana. **Pages S6051, S6110**

Eric C. Tostrud, of Minnesota, to be United States District Judge for the District of Minnesota. **Pages S6051, S6110**

Alan D. Albright, of Texas, to be United States District Judge for the Western District of Texas.

Pages S6051, S6110

Michael A. Hammer, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Democratic Republic of the Congo.

Dereck J. Hogan, of Virginia, to be Ambassador to the Republic of Moldova.

Philip S. Kosnett, of Virginia, to be Ambassador to the Republic of Kosovo.

Stephanie Sanders Sullivan, of Maryland, to be Ambassador to the Republic of Ghana.

Judy Rising Reinke, of Virginia, to be Ambassador to Montenegro.

Pages S6101, S6110

Randy W. Berry, of Colorado, to be Ambassador to the Federal Democratic Republic of Nepal.

Donald Lu, of California, to be Ambassador to the Kyrgyz Republic.

Alaina B. Teplitz, of Colorado, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.

Routine lists in the Foreign Service.

Pages S6101, S6110

**Nominations Received:** Senate received the following nominations:

William Shaw McDermott, of Massachusetts, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2024.

Raymond David Vela, of Texas, to be Director of the National Park Service.

Alexandra Dapolito Dunn, of Virginia, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency.

Dennis Walter Hearne, of Virginia, to be Ambassador to the Republic of Mozambique.

Ron A. Bloom, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2020.

Roman Martinez IV, of Florida, to be a Governor of the United States Postal Service for a term expiring December 8, 2024.

1 Air Force nomination in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, and Navy.

Pages S6105–10

**Messages from the House:** Page S6055

**Measures Referred:** Page S6055

**Executive Communications:** Pages S6055–58

**Executive Reports of Committees:** Page S6058

**Additional Cosponsors:** Pages S6059–60

**Additional Statements:** Pages S6053–54

**Amendments Submitted:** Pages S6062–S6100

**Authorities for Committees to Meet:** Page S6100

**Record Votes:** Two record votes were taken today. (Total—204) Pages S6050, S6051

**Adjournment:** Senate convened at 12 noon and adjourned at 5:35 p.m., until 9 a.m. on Friday, September 7, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6105.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: BUREAU OF INDUSTRY AND SECURITY, INTERNATIONAL TRADE ADMINISTRATION, AND UNITED STATES INTERNATIONAL TRADE COMMISSION

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Bureau of Industry and Security, the International Trade Administration, and the United States International Trade Commission, after receiving testimony from Richard Ashooh, Assistant Secretary for Export Administration, Bureau of Industry and Security, and Nazak Nikakhtar, Assistant Secretary for Industry and Analysis, International Trade Administration, both of the Department of Commerce; and David S. Johanson, Chairman, United States International Trade Commission.

### BUSINESS MEETING

*Committee on Armed Services:* Committee announced the following subcommittee assignments:

*Subcommittee on Airland:* Senators Cotton (Chair), Wicker, Tillis, Sullivan, Cruz, Sasse, Kyl, King, McCaskill, Blumenthal, Donnelly, Warren, and Peters.

*Subcommittee on Cybersecurity:* Senators Rounds (Chair), Fischer, Perdue, Graham, Sasse, Nelson, McCaskill, Gillibrand, and Blumenthal.

*Subcommittee on Emerging Threats and Capabilities:* Senators Ernst (Chair), Wicker, Fischer, Perdue, Cruz, Scott, Heinrich, Nelson, Shaheen, and Peters.

*Subcommittee on Personnel:* Senators Tillis (Chair), Ernst, Graham, Sasse, Gillibrand, McCaskill, and Warren.

*Subcommittee on Readiness and Management Support:* Senators Sullivan (Chair), Rounds, Ernst, Perdue, Kaine, Shaheen, and Hirono.

*Subcommittee on SeaPower:* Senators Wicker (Chair), Cotton, Rounds, Tillis, Scott, Kyl, Hirono, Shaheen, Blumenthal, Kaine, and King.

*Subcommittee on Strategic Forces:* Senators Fischer (Chair), Cotton, Sullivan, Cruz, Graham, Kyl, Donnelly, Heinrich, Warren, and Peters.

*Senators Inhofe and Reed are ex-officio members of each subcommittee.*

## RUSSIA SANCTIONS

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine outside perspectives on Russia sanctions, focusing on current effectiveness and potential for next steps, including S. 2313, to deter foreign interference in United States elections, after receiving testimony from Heather A. Conley, Center for Strategic and International Studies, Rachel Ziemba, Center for a New American Security, and Daniel Fried, all of Washington, D.C.; and Michael McFaul, Stanford Univer-

sity Freeman Spogli Institute for International Studies, Glasgow, Montana.

## NOMINATION

*Committee on Environment and Public Works:* Subcommittee on Transportation and Infrastructure concluded a hearing to examine the nomination of Harold B. Parker, of New Hampshire, to be Federal Co-chairperson of the Northern Border Regional Commission, after the nominee, who was introduced by Senator Shaheen, testified and answered questions in his own behalf.

## NOMINATION

*Committee on the Judiciary:* Committee held a hearing to examine the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States. The nominee testified in his own behalf. Hearing recessed subject to the call and will meet again on Friday, September 7, 2018.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 17 public bills, H.R. 6713–6729; and 4 resolutions, H. Con. Res. 134; and H. Res. 1052–1054 were introduced. **Pages H7919–20**

**Additional Cosponsors:** **Pages H7920–21**

**Report Filed:** A report was filed today as follows:

H.R. 6088, to amend the Mineral Leasing Act to authorize notifications of permit to drill, and for other purposes, with an amendment (H. Rept. 115–921). **Page H7919**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Valadao to act as Speaker pro tempore for today. **Page H7873**

**Recess:** The House recessed at 10:57 a.m. and reconvened at 12 noon. **Page H7880**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Reverend Alexander Breckinridge IV, St. Thomas Episcopal Church, Medina, Washington. **Page H7880**

**Recess:** The House recessed at 12:49 p.m. and reconvened at 1 p.m. **Page H7885**

**Community Safety and Security Act of 2018—Rule for Consideration:** The House agreed to H. Res. 1051, providing for consideration of the bill

(H.R. 6691) to amend title 18, United States Code, to clarify the definition of “crime of violence”, and providing for consideration of motions to suspend the rules, by a recorded vote of 225 ayes to 179 noes, Roll No. 387, after the previous question was ordered by a yea-and-nay vote of 224 yeas to 181 nays, Roll No. 386. **Pages H7882–85, H7885–87**

**Interior, Environment, Financial Services, and General Government Appropriations Act, 2019:** The House agreed by voice vote to the Calvert motion to disagree to the Senate amendment and request a conference on H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019. **Pages H7894–96**

Rejected the McCollum motion to instruct conferees by a yea-and-nay vote of 187 yeas to 218 nays, Roll No. 388. **Page H7896**

Later, the Chair appointed the following conferees: Representatives Frelinghuysen, Aderholt, Simpson, Calvert, Cole, Diaz-Balart, Graves (GA), Young (IA), Rutherford, Lowey, Price (NC), Bishop (GA), McCollum, Quigley, and Pingree. **Page H7900**

**Ensuring Small Scale LNG Certainty and Access Act:** The House passed H.R. 4606, to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay,

by a recorded vote of 260 ayes to 146 noes, Roll No. 392.

**Pages H7887–94, H7896–H7900**

Rejected the Watson Coleman motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 178 ayes to 231 noes, Roll No. 391.

**Pages H7898–99**

Rejected:

Pallone amendment (No. 1 printed in part B of H. Rept. 115–919) that sought to state that on Page 3, line 18, insert “after opportunity for hearing and public input,” after “delay” (by a recorded vote of 176 ayes to 227 noes, Roll No. 389); and

**Pages H7896–97**

DeGette amendment (No. 2 printed in part B of H. Rept. 115–919) that sought to require export applications to show that the natural gas to be exported was produced using available techniques to minimize methane emissions from leaks or venting (by a recorded vote of 195 ayes to 210 noes, Roll No. 390).

**Pages H7897–98**

H. Res. 1049, the rule providing for consideration of the bills (H.R. 1635) and (H.R. 4606) was agreed to yesterday, September 5th.

**Quorum Calls—Votes:** Two yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H7885–86, H7886–87, H7896, H7896–97, H7897–98, H7899, and H7899–H7900. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 7:01 p.m.

## Committee Meetings

### PERFLUORINATED CHEMICALS IN THE ENVIRONMENT: AN UPDATE ON THE RESPONSE TO CONTAMINATION AND CHALLENGES PRESENTED

*Committee on Energy and Commerce:* Subcommittee on Environment held a hearing entitled “Perfluorinated Chemicals in the Environment: An Update on the Response to Contamination and Challenges Presented”. Testimony was heard from Peter Grevatt, Director, Office of Ground Water and Drinking Water, Environmental Protection Agency; Maureen Sullivan, Deputy Assistant Secretary of Defense for Environment, Department of Defense; and public witnesses.

### EXAMINING FEDERAL EFFORTS TO ENSURE QUALITY OF CARE AND RESIDENT SAFETY IN NURSING HOMES

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled “Examining Federal Efforts to Ensure Quality of

Care and Resident Safety in Nursing Homes”. Testimony was heard from John Dicken, Director, Health Care, Government Accountability Office; Ruth Ann Dorrill, Regional Inspector General, Office of Inspector General, Department of Health and Human Services; and Kate Goodrich, Director, Center for Clinical Standards and Quality, and Chief Medical Officer, Centers for Medicare and Medicaid Services.

## MISCELLANEOUS MEASURE

*Committee on Energy and Commerce:* Subcommittee on Energy held a markup on H.R. 6511, the “Strategic Petroleum Reserve Reform Act”. H.R. 6511 was forwarded to the full Committee, without amendment.

### A FAILURE TO ACT: HOW A DECADE WITHOUT GSE REFORM HAS ONCE AGAIN PUT TAXPAYERS AT RISK

*Committee on Financial Services:* Full Committee held a hearing entitled “A Failure to Act: How a Decade without GSE Reform Has Once Again Put Taxpayers at Risk”. Testimony was heard from public witnesses.

### TACKLING FENTANYL: THE CHINA CONNECTION

*Committee on Foreign Affairs:* Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “Tackling Fentanyl: The China Connection”. Testimony was heard from Kirsten D. Madison, Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs, Department of State; Paul E. Knierim, Deputy Chief of Operations, Office of Global Enforcement, Drug Enforcement Administration, Department of Justice; Joseph D. Coronato, Prosecutor, Prosecutor’s Office, Ocean County, New Jersey; and public witnesses.

### U.S. POLICY TOWARD CUBA

*Committee on Foreign Affairs:* Subcommittee on the Western Hemisphere held a hearing entitled “U.S. Policy Toward Cuba”. Testimony was heard from Kenneth H. Merten, Acting Principal Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; Peter Bodde, Coordinator, Health Incidents Response Task Force, Department of State; Charles Rosenfarb, M.D., Medical Director, Bureau of Medical Services, Department of State; Todd Brown, Assistant Director for Countermeasures, Bureau of Diplomatic Security, Department of State; and Brian M. Mazanec, Acting Director, International Affairs and Trade, Government Accountability Office.

## UNDERSTANDING CYBERSECURITY THREATS TO AMERICA'S AVIATION SECTOR

*Committee on Homeland Security:* Subcommittee on Cybersecurity and Infrastructure Protection; and Subcommittee on Transportation and Protective Security held a joint hearing entitled “Understanding Cybersecurity Threats to America’s Aviation Sector”. Testimony was heard from public witnesses.

## MISCELLANEOUS MEASURE

*Committee on the Judiciary:* Full Committee held a markup on H.R. 5468, the “Permitting Litigation Efficiency Act of 2018”. H.R. 5468 was ordered reported, as amended.

## LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on Federal Lands held a hearing on H.R. 5706, the “World War II Pacific Sites Establishment Act”; H.R. 6108, the “Preserving America’s Battlefields Act”; H.R. 6118, to direct the Secretary of the Interior to annually designate at least one city in the United States as an “American World War II Heritage City”, and for other purposes; H.R. 6365, the “Treaty of Guadalupe-Hidalgo Land Claims Act of 2018”; and H.R. 6682, the “Protection and Transparency for Adjacent Landowners Act”. Testimony was heard from Representative Hanabusa, Pearce, Rouzer, Jody B. Hice of Georgia, and Tipton.

## PERMITTING: FINDING A PATH FORWARD

*Committee on Oversight and Government Reform:* Subcommittee on Intergovernmental Affairs; and Subcommittee on the Interior, Energy and Environment held a joint hearing entitled “Permitting: Finding a Path Forward”. Testimony was heard from Frank Rusco, Director, Natural Resources and Environment Issues, Government Accountability Office; and public witnesses.

## EVALUATING FEDERAL DISASTER RESPONSE AND RECOVERY EFFORTS

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled “Evaluating Federal Disaster Response and Recovery Efforts”. Testimony was heard from William B. Long, Administrator, Federal Emergency Management Agency; Major General Scott A. Spellmon, Deputy Commanding General for Civil and Emergency Operations, U.S. Army Corps of Engineers; and a public witness.

## AIRSPACE INTEGRATION OF NEW AIRCRAFT

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing entitled “Air-

space Integration of New Aircraft”. Testimony was heard from Shelley Yak, Director, Federal Aviation Administration Technical Center; and public witnesses.

## A REVIEW OF VA'S SPECIALLY ADAPTIVE HOUSING GRANT PROGRAMS (SAH)

*Committee on Veterans' Affairs:* Subcommittee on Economic Opportunity held a hearing entitled “A Review of VA’s Specially Adaptive Housing Grant Programs (SAH)”. Testimony was heard from Jeffrey London, Director, Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

## Joint Meetings

### TAX CUTS AND JOBS ACT

*Joint Economic Committee:* Committee concluded a hearing to examine the positive economic growth effects of the Tax Cuts and Jobs Act, after receiving testimony from Scott Hodge, Tax Foundation, and William C. Dunkelberg, National Federation of Independent Business, both of Washington, D.C.; John Hinderaker, Center of the American Experiment, Golden Valley, Minnesota; and Benjamin Harris, Northwestern University Kellogg School of Management, Evanston, Illinois.

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## NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D921)

S. 717, to promote pro bono legal services as a critical way in which to empower survivors of domestic violence. Signed on September 4, 2018. (Public Law 115–237)

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## COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 7, 2018

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on the Judiciary:* to continue hearings to examine the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States, 9:30 a.m., SH–216.

### House

*Committee on Energy and Commerce,* Subcommittee on Health, markup on H.R. 3325, the “ACE Kids Act”; H.R. 3891, to amend title XIX of the Social Security Act to clarify the authority of State Medicaid fraud and abuse control units to investigate and prosecute cases of Medicaid patient abuse and neglect in any setting, and for other purposes; H.R. 5306, the “EMPOWER Care Act”; legislation to amend title XXVII of the Public Health

Service Act and title XVIII of the Social Security Act to prohibit group health plans, health insurance issuers, prescription drug plan sponsors, and Medicare Advantage organizations from limiting certain information on drug prices; legislation on the Strengthening the Health Care Fraud Prevention Task Force Act of 2018; and legislation to amend title XIX of the Social Security Act to provide the Medicare Payment Advisory Commission with access to certain drug rebate information, 9 a.m., 2123 Rayburn.

*Committee on Financial Services*, Subcommittee on Terrorism and Illicit Finance, hearing entitled “Survey of Terrorist Groups and Their Means of Financing”, 9:15 a.m., 2128 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Water Resources and Environment, hearing entitled “Building a 21st Century Infrastructure for America: Water Resources Projects and Policy, Part II”, 9 a.m., 2167 Rayburn.

*Next Meeting of the SENATE*

9 a.m., Friday, September 7

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Friday, September 7

## Senate Chamber

**Program for Friday:** Senate will meet in a pro forma session.

## House Chamber

**Program for Friday:** Consideration of H.R. 6691—Community Safety and Security Act of 2018.

## Extensions of Remarks, as inserted in this issue

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