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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 26, 2018.

I hereby appoint the Honorable RALPH NORMAN 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.

RECOGNIZING SUSAN SWANSON ON HER RETIREMENT FROM AHUG

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize the outstanding career of Susan Swanson, who has been the executive director of the Allegheny Hardwood Utilization Group, or AHUG, since 1996.

She began her career 25 years ago as an administrative assistant with the organization. Soon, she became the executive director. Since then, Susan has championed numerous initiatives for the hardwood industry, including Penn's Woods curriculum, the PA WoodMobile, the wood products curriculum for high schools, and other forest-related educational products.

Members of AHUG have joined forces successfully to present a united front whose primary objective is expanding and diversifying the forest products industry while maintaining a sustainable, high-yield forest within a 14-county region in northwestern and north central Pennsylvania.

Known for the quality and quantity of its hardwoods, the region of the Commonwealth contains some of the finest forest resources in the world. With a well-developed, primary-processing industry and experienced workforce in place, the area has excellent opportunities for investment. AHUG has been leading this cause since its inception in 1984.

Under Susan's leadership AHUG set out to create new economic growth, promote the expansion of existing industry, and foster the creation of jobs. At the same time, the group recognized the need to promote safe logging and processing practices while maximizing prudent and sound forest management.

AHUG is the lead organizer for the Kane Area Loggers Safety Committee, which hosts the longest running safety meeting for loggers in the United States. In conjunction with the safety meeting, Susan initiated the Women in Timber ladies luncheon, which also is held annually.

Mr. Speaker, it is clear that Susan has left a lasting impression on AHUG and the industry itself. She said: ''Pennsylvania hardwoods have long been recognized around the globe for their premier quality. Here in the Allegheny hardwood region, we produce 80 percent of all of the cherry hardwood in the world. This does not happen by accident, but because we take the time to manage our forest resources for optimum production for today, sustainability for the future generations, and unequaled environmental consciousness.''

I know Susan has left AHUG in an excellent place to accomplish its goal for a thriving forestry industry in northwestern and north central Pennsylvania. She has proudly led AHUG by partnering with other organizations and entities in the delivery of services to the hardwood industry, such as workforce initiatives, training, and professional forestry development, all of which have been important to the industry's survival.

Mr. Speaker, I wish Susan the best as she enters her well-deserved retirement. She will get to spend more time with her husband, who is a proud Pennsylvania logger; her three grown children; and her grandchildren.

Her impacts on AHUG will last generations. We are grateful for her leadership, dedication, and commitment to the Pennsylvania hardwood industry.

HONORING WARREN LIONS CLUB ON 95TH ANNIVERSARY

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate the Warren Lions Club on 95 years of service to northwestern Pennsylvania.

Founded in 1923, the Warren Lions Club is a fellowship of community-oriented and service-minded men and women dedicated to helping the citizens of their city, nation, and the world realize their full potential.

The Lions Club of Warren has provided assistance to people who are challenged by sight or hearing impairment, as well as other health- and economic-related issues.

The Warren Lions Club meets twice a month at the Conewango Club for presentations, fellowship, lunch or dinner, and business and project discussions. They host several projects and fundraisers throughout the year, including

an annual turkey dinner, a car show, and events for sight- and hearing-impaired assistance.

Lions Clubs have inspired generations of people to become civic-minded individuals dedicated to using their talents and ambitions to improve their communities without financial reward.

Mr. Speaker, Lions Clubs around the globe serve millions annually, and I wholeheartedly congratulate the Warren Lions Club on its 95th anniversary of being a powerful force for good in the world.

WE SHOULD LISTEN TO WOMEN

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

Mr. GUTIÉRREZ. Mr. Speaker, I am a member of the Judiciary Committee in this body, and, unfortunately, the Framers of the Constitution didn't give my committee or this Chamber a role in vetting and confirming the President's nominee to the Supreme Court.

But in the House, we pride ourselves as being the people's House because we are in constant contact with our constituents. So while I do not have a vote in the process, I do have a voice. As an elected Representative, I feel a sacred responsibility to raise my voice.

First of all, I don't care when the allegations of sexual assault came forward. I don't care about whatever schedule Senator CHUCK GRASSLEY thinks is more important. I don't care about the impending fall term of the Court or the timing of Robert Mueller's next indictments in his investigation of the Trump White House and campaign.

In the case of Judge Brett Kavanaugh, we should listen to the women. We should always listen to the women, but in this case, multiple women have come forward to risk their lives and reputations because they believe the truth about Judge Kavanaugh must come out before he is confirmed or rejected by the Senate.

Women in this country should know that if you come forward to make credible allegations against anyone, you will be respected and you will be heard.

Do you want to know why so few sexual assaults are reported in this country? Well, it is unfolding on the national stage: Why didn't she report it? Why didn't she do something more? Why didn't she say something earlier?

It is always she, she, she, when we know that sexual assault is not her fault, and fear of coming forward is not her fault either.

They didn't believe Bill Cosby's accusers until they did, or Harvey Weinstein, or Speaker Hastert's, or a hundred other people I could name here today, until we did.

When the stakes are this high, we shouldn't be imposing deadlines or ultimatums or requiring victims to conform to our timetables, as Republican Senators have done. And by high stakes, I don't mean just the lifetime appointment of a judge, but this is an important moment for young men and young women in this country. They are watching, and they are learning.

We should be leading by example and allowing victims to come forward, be respected, and be heard.

Do I want my grandson to learn a lesson that sexual assault while he is in high school could follow him for the rest of his life? You are damn right I do.

Do I want young men to learn that behavior that hurts other people, no matter how drunk or how high they are, is unacceptable? You are damn right I do.

Do I want young women to not be afraid to come forward, no matter when they are ready to? You are damn right I do.

Look, I am not saying you need to believe Judge Kavanaugh's accuser, but as a Congress and as a country, we need to listen to women.

Now, I will admit that I would not vote for Judge Kavanaugh whether or not the current allegations are true or Republicans steamroll the victims to fast track his appointment. I believe in a woman's right to control their own reproductive system, regardless of what men think. So, yeah, you can bet I would vote against him.

I believe freedom of religion should extend to all, including those of the Muslim faith, who should be able to worship and move around just like everyone else. So you can bet I would vote against Kavanaugh.

I believe people should marry whomever they want, whomever they love. I oppose a judge who thinks a sitting President is above the law right now when we need as a Nation an independent judiciary to hold politicians, even the President, accountable, which is another reason I wouldn't vote for Judge Kavanaugh.

But what is important right now is not how I feel about Judge Kavanaugh. What is important is that we lead by example. We need to be clear that the days of, ''Boys will be boys,'' or, ''It was just locker room talk,'' are over.

Mr. Speaker, the Senate should take as much time as is needed to take very seriously this situation. They should take it seriously for our daughters, for our sons, for you, and for me, too.

RECOGNIZING MARC GALLAWAY, WASHINGTON PRINCIPAL OF THE YEAR

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

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize Marc Gallaway from Selah Middle School for being named the Association of Washington School Principals Middle Level Principal of the Year.

A lifelong Washingtonian, Marc Gallaway earned his bachelor's degree from Central Washington University and his master's degree from Heritage University in Toppenish. He worked as both a special education teacher and a baseball coach before he came to work at Selah Junior High School in 2005.

Mr. Gallaway has served as principal at what is now Selah Middle School for the past 14 years. Every day, Mr. Gallaway nurtures a culture of positivity and teamwork among students and staff.

Mr. Speaker, I want to honor Mr. Gallaway for empowering students and teachers to embrace the Viking Way and thank him for his positive influence that he has had on students in central Washington.

This award is something that Mr. Gallaway, his students, and fellow faculty and staff should be very proud of. I urge my colleagues to join me in congratulating Marc Gallaway on this significant achievement.

CELEBRATING NATIONAL HISPANIC HERITAGE MONTH

Mr. NEWHOUSE. Mr. Speaker, September is National Hispanic Heritage Month, and I am proud to represent central Washington where Hispanic heritage and culture tells the story of many of my constituents and our communities.

I have witnessed firsthand how Hispanic Americans contribute to our communities through entrepreneurship, military service, and cultural diversity. I am proud to recognize my Hispanic American friends and neighbors in Washington's Fourth Congressional District.

I am also proud to support national appreciation of Hispanic American and Latino leadership and heritage as an original cosponsor of the National Museum of the American Latino Act. I support the establishment of a Smithsonian museum to recognize Latino contributions to American history, life, art, and culture.

In the United States, our shared values bring us together, and we cherish our Nation's diverse history. I urge my colleagues to join me in celebrating National Hispanic Heritage Month.

RECOGNIZING CATHEY ANDERSON FOR ENERGY NORTHWEST'S CEO LIFESAVING AWARD

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize Cathey Anderson for the compassion she demonstrated aboard a flight from Nevada to central Washington.

Cathey did not think twice before springing into action when she noticed a man in his 70s who was traveling alone. He appeared confused and then lost consciousness.

Cathey recognized the signs of a seizure, and she took the initiative to help. She and two other nurses administered medical treatment until the flight landed, and they were greeted by medical crews upon arrival in Yakima.

Cathey is a registered nurse and the occupational health supervisor at Energy Northwest. She was awarded the CEO Lifesaving Award for her actions.

To Cathey's family and friends, her quick action was not a surprise, because it wasn't the first time she comforted a stranger in distress.

I thank Cathey for her willingness to help others around her everywhere she goes. Please join me in recognizing Cathey Anderson for receiving this prestigious award.

PERIPHERAL ARTERY DISEASE PATIENTS

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

Mr. PAULSEN. Mr. Speaker, thousands of unnecessary amputations are conducted each and every year as a treatment for those who have peripheral artery disease.

PAD patients suffer from poor blood circulation, which often results in amputation, higher mortality rates, and the other complications that come with it. It doesn't have to be this way.

□ 1015

Minnesota is the epicenter for groundbreaking innovation in new PAD treatments. Dr. Osama Ibrahim of Minneapolis' North Memorial Hospital is helping spread the word about revascularizations instead of amputations. The University of Minnesota and the Mayo Clinic are also at the forefront of these new procedures.

I am working now with Congressman DONALD PAYNE to raise PAD awareness, increase screening for at-risk patients, and improve access to care to different therapies so patients don't have to undergo unnecessary amputations. This means better healthcare outcomes, as well as a higher quality of life for thousands of Americans coping with PAD every year.

SUPPORT THE AMERICAN INNOVATION ACT

Mr. PAULSEN. Mr. Speaker, I speak in favor of H.R. 6756, the American Innovation Act, which will spur innovation by helping startups survive the first few years of their existence and access the capital they need to grow and expand.

This bill also includes a key provision that I authored to help entrepreneurs not only survive, but thrive. Entrepreneurs and startups are a key source of innovation and job creation, particularly in Minnesota.

But the tax code today puts them at a disadvantage. It makes it harder for them to access new capital, and it disadvantages them as they struggle through the hardest part of their existence, which is the very first few years of profitability. This bill changes that. It brings tax regulations for governing startups now into the 21st century so that entrepreneurs and capital intensive sectors, like medical devices, can make the necessary investments in research, development, and manufacturing to grow and hire more people.

Ultimately, this means more jobs and more flexibility for Minnesota entrepreneurs to not just come up with the next big idea, but to actually make it a reality. I hope my colleagues will join me in supporting this legislation.

SUPPORT THE FAMILY SAVINGS ACT

Mr. PAULSEN. Mr. Speaker, I rise in support of H.R. 6757, the Family Savings Act, which includes a provision that I authored that improves 529 college savings plans.

Now, we all know that 529 college savings plans are a popular saving tool to help families save for college costs tax free. But today, student loan payments are not a qualified expense. Withdrawing any funds from the 529 for any other reason results in those funds being taxed as ordinary income, as well as a 10 percent penalty.

That is why I authored legislation to solve and address this problem, and it was included in the Family Savings Act. By expanding the list of 529 qualified expenses to also include student loan payments, this will allow a 529 savings plan to be used to pay up to $10,000 in student loans. It will certainly help make it easier now to pay off loans and mitigate the anxiety that comes for a new graduate who is starting a career.

RECOGNIZING LIEUTENANT COLONEL ADOLF ''WES'' WESSELHOEFT

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

Mr. ABRAHAM. Mr. Speaker, I rise today to recognize the incredible life of Lieutenant Colonel Adolf ''Wes'' Wesselhoeft, who, as a child, was one of 11,000 German-Americans placed in internment camps during World War II. You see his picture to my left.

Wes was born to German immigrants in Chicago in 1936. When he was seven, his family packed what few things they could and were taken to Crystal City, Texas, to a detainment camp built there for German, Japanese, and Italian immigrants.

Just a year later, in 1944, his family packed up once again and was sent to New York City to board the M.S. *Gripsholm*. The M.S. *Gripsholm* headed to Portugal where the Wesselhoeft family and 633 other German expatriates and repatriates were exchanged for American prisoners of war and then sent back to Germany.

Once back in Germany, Wes and his family lived in the town of Hamburg with his grandparents. Unfortunately, Hamburg was the center of Allied bombings during World War II. Wes has vivid memories from the bombings, seeking shelter in bunkers with his family. Despite those experiences, Wes remained a true American patriot, and he was committed to coming back home to the United States of America.

After the war ended, Wes and his family moved to Konstanz where he finished school and worked manual labor jobs to save money for a return to America. He stayed in touch with the American consulate in Stuttgart, riding his bike 2 days each way to meet with them until finally in 1958 the consulate informed him he could return home. He bought the cheapest passage to the United States.

Upon arriving in New York, he went straight to a recruiting office to enlist in the United States Air Force. Wes served 22 years in the Air Force and flew EC–121Rs and B–52s during the Vietnam war. During his service, he was exposed to Agent Orange. He is now legally blind.

Wes and his wife, Shirley, now live in Ruston, Louisiana, where I proudly represent them in Congress. Wes represents the best of America, a patriot who never gave up on his country. His service to his country, as well as the horrors he and his family suffered in Germany, will never be forgotten. America is better because of people like Wes, those willing to give up everything to serve the American cause.

THERE IS A CRISIS BREWING IN AMERICA

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

Mr. RYAN of Ohio. Mr. Speaker, there is a crisis brewing in America. Two-and-a-half million workers face the challenge of losing their pension through no fault of their own. These are the folks who get up every single day, they work hard, they play by the rules, and all they want is a fair shake, some decent healthcare, and the retirement that they earned and that they paid for.

One of these people is Ed Barker, III, from Youngstown, Ohio. He worked for 45 years driving a truck. He worked 60 to 70 hours a week, 6 to 7 days a week. He now faces a 50 percent cut in his pension. He missed baseball games, he missed birthdays, and he missed family events because he was driving a truck with the promise that at the end of his career there would be a solid pension.

Now he and his wife are taking care of their 96-year-old father, they try to baby-sit for their kids when they get deployed and try to help out with the grandkids, and they try to help their kid through grad school to make a better life, all based on the promises they were given. But now they face the horrendous situation where they may lose half of their pension, cuts to healthcare, and all the rest that come with that. They did nothing wrong.

Yes, this is going to cost money. But let me share with the American people, and remind some of my colleagues, that we had no problem in this Congress giving a $142 billion bailout to Bank of America, $280 billion to Citigroup, $25 billion to the auto industry, $180 billion to AIG, $400 billion to Fannie Mae and Freddie Mac, $30 billion to Bear Stearns, $18 billion to the airline industry, and $300 billion to the savings and loans.

Mr. Speaker, if we can bail out corporations that have done everything wrong, we can bail out the workers who have done everything right.

RECOGNIZING R.J. LEONARD FOUNDATION

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 nonprofit organization in Bucks County, Pennsylvania, that actively seeks to improve the lives of disadvantaged youth in our community.

The R.J. Leonard Foundation, based in Doylestown, was founded in 2008 to assist adolescents who transition out of the foster care system once they turn 18. Oftentimes, many of these young people lack the resources they need to live self-sufficient lives once they have aged out of the system.

That is where the R.J. Leonard Foundation comes in, awarding young adults fellowships that provide individualized grants to further their education or career. These grants assist not only with books and tuition costs, but also provide transportation support and social and cultural enrichment opportunities. To provide stability and encouragement, each fellow is matched with a mentor who provides support and guidance.

I am proud of the work that the R.J. Leonard Foundation does for our community, and thank them for their 10 years of service to our community. I also commend founder Jo Leonard and executive director Caitlin Deppeler for their outstanding leadership.

RECOGNIZING TOM BUZBY

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize an individual in Bucks County, Pennsylvania, whose decades of service to our community were recently honored with a meaningful tribute.

Tom Buzby, who served the people of Hilltown Township for 46½ years, most recently as director of public works, retired earlier this year. Whether plowing the roads in winter or mowing the grass in the summer, Tom spent his career improving and beautifying our community's infrastructure and recreational facilities.

Tom's over four decades on the job touched countless families in Bucks County. To show their appreciation, township officials recently named the baseball field at Civil Park the Thomas A. Buzby Baseball Field. This worthy dedication was officially unveiled on September 12.

I would like to extend my gratitude to Tom for his years of service to Hilltown Township and our entire community. I also want to recognize township supervisor Ken Bennington and township manager Lorraine Leslie for their work as well. I wish Tom all the best in his retirement and his successor, Thomas Hess, success in his new role.

RECOGNIZING JEANNE LAKAWITZ

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize an individual in Bucks County, Pennsylvania, who has dedicated her career to the safety and well-being of our community's children.

Pennsbury School District Transportation Director Charlie Williams recently named Jeanne Lakawitz as the Pennsbury 2018 School Bus Driver of the Year. For the past 14 years, Jeanne has transported students to area schools, including Pennsbury High School, Penn Wood Middle School, William Penn Middle School, and Quarry Hill Elementary School. During this time, she cultivated strong and inspirational relationships with her students and their families. Jeanne says she treats all children on her bus as if they are her own, a statement that I think puts into context her dedication to the job.

Her job driving does not stop with Pennsbury. In the summer, she also transports summer campers who participate in programs at the Lower Bucks Family YMCA, assisting our community's families.

Mr. Speaker, I congratulate Jeanne on this much deserved recognition. I also thank Charlie Williams for his dedication to transportation safety in our community in Bucks County.

CHILDHOOD CANCER

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

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today in support of families and children everywhere who have been affected by childhood cancer.

This month, September, is Childhood Cancer Awareness Month. As I think about the meaning behind this month, I realize that childhood cancer has had a significant impact on my district in west Tennessee.

According to the American Childhood Cancer Organization, more than 15,000 children under the age of 21 are diagnosed with cancer each year. It is heartbreaking that any family must endure the pain caused by childhood cancer.

Thanks to the countless efforts by doctors, nurses, and researchers, the childhood cancer survival rate has now reached over 80 percent.

Back home, we are fortunate to have state-of-the-art facilities dedicated to childhood cancer research with personnel working each and every day to see that our children are receiving the best possible care.

St. Jude Children's Research Hospital in Memphis provides top-notch cancer treatment to nearly 7,500 patients from all over the world each year.

From medical personnel to volunteers to families sharing their testimonies, my area is filled with many who have dedicated their lives to the pursuit of an end to childhood cancer.

□ 1030

Now, here in Congress, I have supported numerous initiatives to fight so that all children have a chance of survival. Most recently, I cosponsored and voted for the Childhood Cancer STAR Act, which was signed into law by President Trump this past summer.

The great Danny Thomas, the founder of St. Jude, believed that no child should die in the dawn of life. We have come so far to increase the odds of survival and recovery. But we won't stop there. I feel fortunate knowing that each day we are one step closer to finding cures and ensuring that every child has the chance to live.

RECOGNIZING 2018 ANGELS IN ADOPTION HONOREE KRISTIN HILL TAYLOR

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

Mr. COMER. Mr. Speaker, I rise today to recognize Kristin Hill Taylor, who recently received recognition as a 2018 Angels in Adoption Honoree and whom I am honored to have with me in the gallery today. This is the second time I have had the privilege of nominating a deserving individual for their outstanding work in the adoption community.

Kristin is a resident of Murray, Kentucky, along with her husband, Greg, and their three children they adopted as newborns—Cate in 2007, Ben in 2009, and Rachel in 2015.

A compassionate adoptive mother, Kristin is an advocate for the adoption community and has created a great platform for sharing stories about adoption, family, and faith on her blog, kristinhilltaylor.com. She also self-published her family's story in a book entitled: ''Peace in the Process: How Adoption Built My Faith & My Family.''

Kristin's advocacy and platform for story sharing have helped grow and empower many members of the adoption community both near and far. We have an active adoption and foster community in the district of Kentucky which I represent, and I am proud to recognize adoptive families and individuals like Kristin who pave the way for countless folks in the adoption community.

On behalf of the First District of Kentucky, I congratulate Kristin on all she does for children in need of loving homes and for families who want to grow through the adoption process.

The SPEAKER pro tempore. Members are reminded to refrain from references to occupants of the gallery.

HISPANIC HERITAGE MONTH

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

Mr. BACON. Mr. Speaker, I rise today to commemorate Hispanic Heritage Month by honoring one of our rich

treasures of the Midwest, El Museo Latino, on the occasion of its 25th year of operation in Omaha, Nebraska.

El Museo Latino opened its doors in the historic Livestock Exchange Building on May 5, 1993, as the first Latino art and history museum and cultural center in the Midwest. Today, it is one of only 17 Latino museums in the United States.

Since opening, El Museo Latino has been a nonprofit organization with a mission to collect, exhibit, and interpret Latino arts of the Americas. It is committed to strengthening the artistic and creative culture of the greater Omaha area. It accomplishes this by providing direct support to local artists, increasing the visibility of Latino art forms, and fostering an appreciation of art for the benefit of a diverse audience.

El Museo Latino creates and presents exhibitions year-round that feature local, national, and international Latino arts. The exhibits range from pre-Columbian to contemporary arts through both temporary and permanent displays.

Central to El Museo Latino's programming are the educational programs that are created for each of the exhibitions, including bilingual guided visits, lectures, presentations, films, workshops, demonstrations, and classes. The educational programs are designed for children, teens, and adults and focus on the visual and performing arts. The art classes offered throughout the year include traditional art forms and those featured in the museum's active exhibits.

El Museo Latino also highlights special traditional celebrations and community events throughout the year, including Cinco de Mayo, Family Days, Dia del Nino, Hispanic Heritage Month, and many other holiday celebrations. Other special community events include the presentation of films throughout the year as well as summer outdoor free screenings of Latino films.

As the founder and executive director of El Museo Latino, Magdalena Garcia is passionate about the arts. Prior to creating El Museo Latino, she volunteered at a number of museums, including the Joslyn Art Museum, the Museum of Fine Arts in Houston, and the Erie Canal Museum in Syracuse, New York.

After completing her master's of arts degree at Syracuse University, Magdalena returned to Omaha and shared her dream to create a museum for Latino culture in Omaha with the support of community leaders, including activist-educator Jim Ramirez.

Through years of hard work, perseverance, and passion, her dream became a reality. The museum officially opened on May 5, 1993, with the help of many community leaders and volunteers.

Ms. Garcia has received numerous honors and recognitions for her hard work and achievements. Most notably, in 2015, the Mexican Government honored her lifetime of achievement in the arts with the Ohtli Award.

Over the past 25 years, El Museo Latino has presented more than 150 exhibitions. Without this special treasure, much of the local Hispanic culture and history would be lost.

Thanks to the proven leadership of Ms. Garcia and her board and the many contributions to the community over the past 25 years, we look forward to many more years of Hispanic heritage and Latino culture on display at El Museo Latino.

BREAST CANCER AWARENESS

Mr. BACON. Mr. Speaker, I rise today to honor my mom and my sister during this Breast Cancer Awareness Month, which will be in October. While my mother survived this terrible disease, my sister lost her battle at the young age of 39.

I also want to recognize the millions of people every year who are affected by cancer.

Breast cancer, along with ovarian, prostate, pancreatic, endometrial, colon, gastric, and melanoma cancers are all hereditary cancers that can be passed down from parents to children through their genes. Thankfully, there is testing that can make a significant and positive impact in identifying hereditary cancers before they emerge.

Last month, I took a genetic test to determine if I have the genetic mutations that could develop into any of these hereditary cancers. While genetic mutations are thought to play a role in 5 to 10 percent of all cancers, the chance of inheriting the cancer-causing mutation is 50 percent if one of the parents has it.

Because my mom and sister had breast cancer, I decided to be tested to see if I have that mutation; because it is not only women who are victims of breast cancer, but men as well. While only 1 in 1,000 men will get breast cancer, it is still not something to ignore.

The genetic markers I was tested for are called BRCA 1 and 2, and the chances of developing cancer if you have one of these genetic mutations skyrocket by as much as 87 percent.

The test was simple. The staff drew my blood and collected information about cancer, my family history, including my grandparents, aunts, uncles, cousins on both sides of the family, my mom and dad. That family history also included the types of cancer, treatment given, and the age of diagnosis, or as close as known.

There are many organizations out there that offer information about genetic testing and cancer, including the American Cancer Society, and in my home district the Kamie K. Preston Hereditary Cancer Foundation. In fact, the founder of this organization, Brandi Preston, joined me during this test to offer support and guidance. The foundation not only provides emotional support but financial support for those whose testing may not be covered.

In going public with my test, I hope to encourage others who have a history of cancers in their family to go get tested. Knowledge and early detection are two of the many tools in the fight against cancer.

THE SCARLETT'S SUNSHINE ON SUDDEN UNEXPECTED DEATH ACT

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

Ms. MOORE. Mr. Speaker, I rise today to encourage my colleagues to join me on a bipartisan basis as cosponsors of the Scarlett's Sunshine on Sudden Unexpected Death Act. This bill is intended to help us to better understand why infants die between birth and age 4 so that we can take preventive action that is effective.

Mr. Speaker, I have had the unfortunate experience of walking into the home of parents who are grieving, and that grief doesn't just begin when their infant dies but goes on for a lifetime, wondering: Was it my fault? Could I have done something? Am I a bad parent?

They never get the answers.

Do you realize, Mr. Speaker, that currently we have absolutely no national guidelines for death scene investigations to follow when responding to an infant death? This means that different States and different municipalities all over the country collect inconsistent and, often, incomplete data on these unexplained sudden deaths.

If we can't even collect good and consistent data, how can we expect to reverse this trend or even to prevent it?

I am ashamed to say, Mr. Speaker, that the infant mortality rate in the United States is 5.8 deaths per 1,000 live births. This is really unacceptable. When you disaggregate these numbers for Native American babies and Black and White babies, we find that Black babies die at a rate three times the national average.

According to the Centers for Disease Control and Prevention, that really means that over 23,000 infants have died of sudden infant death syndrome. In 2015, about 3,700 infants died suddenly and unexpectedly.

Think about that: 23,000 deaths and parents who spend a lifetime in grief wondering why.

This is a public health crisis when you consider that, in developed countries, we are number 19 for preventing these kinds of deaths.

My bill not only provides resources to invest in the CDC and the Health Resources and Services Administration to train first responders to improve death scene investigations, to do child death reviews, and to promote safe sleep practices, but it also provides educational opportunities for parents as well.

Mr. Speaker, these deaths are preventable, and we need to do everything in our power to give parents the knowledge and tools they need to achieve healthy outcomes and educate them on safe methods for handling their children.

I encourage my colleagues to imagine how many babies' lives we can save by simply investing in the right programs to prevent their deaths. Please join me in cosponsoring this bill and supporting its swift enactment into law.

DAYCARE

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

Mrs. WAGNER. Mr. Speaker, I rise today in support of working families across the country who are trying to make ends meet.

As a mother, a grandmother, and someone who has employed moms and dads, I know that raising a family is a great joy, but it can also be a great source of anxiety. Children are a blessing, but raising a family introduces serious challenges and costs.

In Missouri, the average annual cost of center-based infant care is estimated to be $8,632. That is $719 a month. Infant care in Missouri costs $634 more per year than instate tuition at a 4-year public college, and it is unaffordable for so very many families.

According to a study published by the Economic Policy Institute, a daycare center for two children—an infant and, say, a 4-year-old—costs $17,940. That is 102 percent more than the average rent in Missouri. A typical family in Missouri has to spend a shocking 30 percent of their income on daycare for their two children.

In fact, it is estimated that the cost of childcare for two children exceeds annual median rent payments in every State. Paying for childcare is just plain hard for every working family I have spoken with in the State of Missouri.

In the 1970s, Congress heard America's families loud and clear and created the dependent care flexible spending accounts. These accounts allow parents to contribute pretax dollars to pay for qualified out-of-pocket dependent care expenses.

They are not only for children. These accounts can also be used to pay for adult dependents who use adult daycare, eldercare or similar services.

It is a great program, but it has not kept up with the needs of today's families. Despite rising childcare costs, Congress has not raised the FSA contribution cap since 1986. That is why, this week, I am introducing the Child and Dependent Care Modernization Act.

This bill will modernize the maximum amount a family can contribute to dependent care flexible spending accounts to track with the real costs of dependent care today. It will also index the maximum contribution limit so that the value of an FSA will increase in the future as dependent care costs increase.

Another challenge that many families enrolled in an FSA experience is the ''use-it-or-lose-it'' rule. If parents don't use the full balance in their FSA before the year ends, they forfeit their unused money, limiting the ability of parents to save for ongoing costs of care. My bill will allow unused funds to roll over into the next plan year and return a little more freedom and flexibility to America's families.

This bill is part of my legislative work to make the lives of Missouri's families just a little easier. I look forward to introducing this legislation and working with my colleagues to make it law.

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 45 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

Dr. Brad Jurkovich, First Bossier, Bossier City, Louisiana, offered the following prayer:

Dear God, we come before You today fully aware that we face tremendous challenges and tremendous opportunities as a nation. Your word says in Proverbs 2:6, ''For the Lord gives wisdom; from his mouth come knowledge and understanding.''

As we prepare to debate, discuss, and discern the right solutions and strategies for this great Nation, we ask You, God, to give us Your wisdom, Your knowledge, and Your understanding.

I pray for every leader here today that they know the power and presence of God is real and that there are millions of Americans praying for them to be men and women of courage, character, and conviction.

I pray the decisions that come from this place be those that honor You, Lord, and bless the people of this land. Help us, O God, to be a nation that stands strong for freedom for our generation and the generations to come.

In Jesus' name I pray.

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.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina (Mr. ROUZER) come forward and lead the House in the Pledge of Allegiance.

Mr. ROUZER 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 DR. BRAD JURKOVICH

The SPEAKER. Without objection, the gentleman from Louisiana (Mr. JOHNSON) is recognized for 1 minute.

There was no objection.

Mr. JOHNSON of Louisiana. Mr. Speaker, it is my great pleasure to introduce my pastor and friend, Dr. Brad Jurkovich, as our guest chaplain. He has led us in prayer this morning, and we are so grateful to have him.

Pastor Brad is the senior pastor of the First Baptist Church of Bossier City, Louisiana. First Bossier is a multigenerational church dedicated to reaching families throughout north Louisiana, America, and the world. Our motto is: Every person, every family, experiencing Christ in every way.

Pastor Brad received his bachelor of arts in biblical studies and his master of divinity from Southeastern Baptist Theological Seminary in Wake Forest, North Carolina. He received his doctor of ministry degree from Southwestern Baptist Theological Seminary in Fort Worth, Texas. He and his lovely wife, Stephanie, have four awesome children: Cassidy, Carter, Caroline, and Catherine.

Pastor Brad is a gifted speaker and a leader with a true servant's heart who loves Jesus and seeks to share the message of salvation with everyone he meets. He is a man committed to reaching this generation with the hope of Christ.

It is an honor to have him here today to ask God's blessings over us, our work, and our Nation at this historic time.

Mr. Speaker, I ask my colleagues to help me in welcoming my friend and pastor, Dr. Brad Jurkovich.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WALBERG). The Chair will entertain up

to 15 further requests for 1-minute speeches on each side of the aisle.

SOMETHING MIRACULOUS IS HAPPENING IN CALIFORNIA

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

Mr. DENHAM. Mr. Speaker, I rise today to talk about something miraculously happening in California.

For the first time in decades, we are on the verge of building new infrastructure for our water. We have been waiting since 1979 to actually build something new.

Last Friday, with the signing, Shasta, a big improvement raising the spillway 630,000 new acre feet of water, and now, next week, passing the WRDA bill, which is actually the New WATER Act financing for Los Vaqueros, Sites, and Temperance Flat, it is time to build things in California and save our number one industry, agriculture.

These are real solutions and real dollars. We are going to get it built.

AFTERMATH OF HURRICANES IRMA AND MARIA

(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, I rise to talk about an important forum my colleagues and I will be hosting tomorrow.

While this month of September marks the 1 year anniversary of Hurricanes Irma and Maria making landfall in the Virgin Islands as a Category 5 storm, the aftermath of the storm is still an everyday reality. According to the Hurricane Recovery and Resiliency Task Force report summary, total damage is estimated at $10.8 billion.

Earlier this month, I visited local schools as they opened for the new school year, and the conditions are troubling. The Virgin Islands Board of Education reported a drop of almost 40 percent in student enrollment, and Puerto Rico's Department of Education closed 265 schools last summer in the aftermath of the hurricanes.

Only 19 of the 33 public schools throughout the territory reopened on time, and many of those are in no shape for learning: a lack of school supplies and classroom resources for students; students resorting to either standing or sitting on crates, floors, and desks; libraries with few or no books; and unfinished construction.

Let's not be fooled, however. The level of damage to the schools in the Virgin Islands is due, in part, to the continual cuts over the years to the children of the Virgin Islands' education by funding from this body, the U.S. Congress.

On Thursday, September 27, I and other congressional Democrats will host a forum to discuss the state of public education and related recovery efforts in the Virgin Islands and Puerto Rico. The forum's most important mission will be to discuss new ideas and plans to speed up the recovery process to place our schools in a better economic state. We must do better.

AFTERMATH OF HURRICANE FLORENCE

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

Mr. ROUZER. Mr. Speaker, as everyone knows, southeastern North Carolina has experienced one of the most devastating hurricanes to hit our State in recent memory.

The eye of Hurricane Florence made landfall in Wrightsville Beach, North Carolina, and then proceeded to slow walk down the coast before turning inland, resulting in historic flooding, massive power outages, and devastating destruction to homes, businesses, and farms. Sadly, this storm has taken the lives of at least 35 North Carolinians to date.

What has transpired in my district is truly heartbreaking. But in the face of diversity, we have come together stronger than ever.

I want to make special mention and thank all the first responders; linemen; emergency, military, and medical personnel; as well as the elected officials at all levels, local business leaders, the news media, and all the countless numbers of citizens who are volunteering to help our communities by opening their hearts and wallets to those who need it.

I also thank President Trump and his administration for their rapid response and commitment to helping all those who have been affected. Working together, we will build our communities back stronger than ever, make no mistake about it.

TARIFF CONSEQUENCES

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

Mr. SCHNEIDER. Mr. Speaker, I have spoken before about how businesses in my district, large and small, are suffering under the President's tariffs that are raising costs and increasing uncertainty.

But the damage of the Trump administration's trade policy goes beyond the business community. Here is one example. This week, I learned a public middle school in my district has to dip into its contingency funds to cover the $2 million in unbudgeted cost increases for its new addition and remodeling project, caused by President Trump's tariffs.

Let me repeat that. This school or, more precisely, local taxpayers now face $2 million in additional costs, not for new classrooms, but rather to cover the extra costs of the President's trade war.

I have also heard from seniors in my district worried about tariffs accelerating the cost of prescription drugs, including insulin, antidepressants, MRI machines, artificial joints, and pacemakers, to name just a few.

Put simply, President Trump's tariffs are not working for the American people. It is time to instead end the misguided trade war and enact sensible, enforceable trade policies that support American workers, American businesses, American intellectual property, and our environment.

HONORING A KOREAN AND AMERICAN HERO

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

Mr. BACON. Mr. Speaker, today I would like to honor the passing of Major General Sun-Ha Lim, who passed away on July 22.

Throughout his life, he defended the Republic of Korea and the free world from communism. As a second lieutenant, he helped form the U.S. Korean Constabulary, a Korean government loyal to the United States.

He then continued his service in the Republic of Korea's Army. His exceptional battlefield leadership led him to be promoted to the rank of major general during the Korean conflict. He commanded the Republic of Korea's 3rd Infantry Division, playing an instrumental role in pushing the North Korean forces back and restoring the 38th parallel.

After coming to the U.S. with his family later in life, General Lim advocated for the recognition of the U.S. Korean Constabulary.

General Lim was recognized on numerous occasions for his inspiring leadership. President Eisenhower honored him with the Legion of Merit in the Commander degree, the highest U.S. military honor given to foreign combatants. He was awarded with the Republic of Korea's Order of Military Merit in the 1st Grade, which is their highest decoration for military valor.

General Lim was a beloved member of the South Korean community here in Omaha, renowned by U.S. Korean war veterans in the metro area, and he was my friend.

SOUL OF OUR COUNTRY IS IN JEOPARDY

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

Mr. COHEN. Mr. Speaker, the soul of our country is in jeopardy and in question. It couldn't be more directly seen than in the Senate on Thursday with the hearings for Judge Kavanaugh.

The two most pressing issues that will be heard are the #MeToo movement and respect for women and their safety from sexual assault, and the

truth and whether or not the truth is something that matters to people anymore or whether it is just spinning lies to get ratings.

The man who has been nominated to the Supreme Court went on FOX News and said he didn't drink illegally when he was 18 years old. Well, he did. The drinking age was 21.

The lady who accuses him has passed a lie detector test administered by a former FBI agent and has told more than four or five different people about this incident over the last 6 years, which has been very difficult for her. She should be given respect, and there should be an attempt to find the truth.

But the third person in that incident has not been subpoenaed by the Senate, because they don't want to know the truth. They fear the truth. They are keeping the truth from the American people, and they are failing in respecting women.

TRUMP TAX CUTS CREATE JOBS

(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, due to the tax cuts of President Donald Trump and the Republican Congress, there is unprecedented growth for American families.

The Hill today reported great things for the American people. CNBC reported that consumer confidence rose to its highest level in 18 years. The African American unemployment rate of 5.9 percent is the lowest on record—CNN. Median household income at historic highs—Investor's Business Daily. Middle class income hit an all-time high last year—The Washington Post. The majority of U.S. workers are satisfied with their job, highest job level satisfaction since 2005—USA Today. Youth unemployment at a 52-year low—Wall Street Journal. Small-business optimism, and plans to raise wages are at record highs—Bloomberg. GDP was 4.2 percent, the best performance in 4 years—Reuters. And unemployment is at a several-decade low—New York Times.

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

Our prayers for Brett Kavanaugh and his family, a judge of integrity.

□ 1215

BALTIMORE ORACLES

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

Mr. SARBANES. Mr. Speaker, I am proud to declare the Baltimore Oracles, my staff's congressional softball team, once again champions, having completed a perfect season, including an impressive 18–3 victory in the championship game.

Captained by Peter Gelman, Katie Teleky, and the equipment manager, Raymond O'Mara, the team's stalwart defense and steadfast offense was unstoppable. Yet roster depth proved to be the team's ultimate advantage.

Mike Pulver, Lucinda Lessley, Paul Kincaid, Jocelyn Kissell, Maddie Bainer, Laura Lubben, Ben Proshek, Rebecca O'Mara, Kate Durkin, Anna Killius, Shannon Frede, and Zach Weber each contributed to form a magnificent infield, while Brian Kaissi, Max Frankel, Andy Allen, Mike VanDan Huevel, James Howard, Stephen Demarais, Jaelon Moaney, and Sam Follansbee worked together to lock down the outfield, as did Jermaine Vincent, who welcomed his newborn son, Jayden, into the world just hours after lifting the trophy.

Tim O'Neil, the team's heart and soul, always kept hope alive with his insistence that the team hit ''just a single,'' while the team's loveable mascot, Winston, wagged his tail in agreement.

Mr. Speaker, the Baltimore Oracles are, once again, champions, and that is truly world class.

RECOGNIZING KAY YORK, 2018 ARKANSAS PRINCIPAL OF THE YEAR

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

Mr. WESTERMAN. Mr. Speaker, I rise today to recognize an educator from the Fourth Congressional District of Arkansas who has dedicated her life to teaching the next generation. Kay York, principal of Ashdown High School, was named the 2018 Arkansas Principal of the Year, and it is an honor that is well earned.

Ms. York began her career as a kindergarten teacher and then librarian before going to Ashdown Elementary in 1989 as a school counselor. During a meeting this week, she explained how she has worked to introduce more career and technical education.

Partnering with a local community college, students receive instruction in trade skills and concurrent college credit in order to be college- and career-ready when leaving the halls of high school. It is this innovation in the local school that is helping Ashdown students prepare for a growing economy.

Mr. Speaker, Kay York is a leader in education, and I am grateful for the work she is doing in the Fourth Congressional District.

REAL BIPARTISAN TAX REFORM

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

Mr. KILDEE. Mr. Speaker, this week, House Republicans are rushing through yet another tax bill that gives the superwealthy and the well-connected a big tax break at the expense of working families in my district.

The first Republican tax bill already cost $2 trillion, exploding our national deficit and setting up huge cuts for Medicare, Medicaid, and Social Security.

The overwhelming number of Americans do not support these massive handouts to the wealthiest Americans and biggest corporations. They have already funneled these corporations almost $1 trillion in stock buybacks to shareholders—money that is not going to workers.

This week, House Republicans are just doubling down on this deeply unpopular and dangerous tax scam. This latest bill has Republicans scheming to make tax breaks for billionaires permanent, handing tens of billions of dollars to the wealthiest 1 percent. This latest bill will add to our national deficit.

Mr. Speaker, Democrats support real bipartisan tax reform that would give relief to working American families.

CONGRATULATING JOYCE WALKER, 2018 CLERK OF THE YEAR

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

Ms. FOXX. Mr. Speaker, I rise to recognize Joyce Walker of Lewisville, North Carolina. Last month, the North Carolina Association of Municipal Clerks named Ms. Walker the 2018 Clerk of the Year.

Ms. Walker had already retired when she entered municipal service and started a new career as Lewisville's town clerk in 2000. During her tenure, she has received numerous designations, including North Carolina Certified Municipal Clerk, Master Municipal Clerk, and a certification from the National Association of Government Archives and Records Administrators.

In addition to her duties and accomplishments, she is known by everyone for being a genuinely sweet and pleasant person, dedicated to serving the community through Lewisville's Student Leadership Committee, the Civic Club's Scholarship Committee, Lewisville Historical Society, and Boy Scouts and Girl Scouts.

Congratulations to Joyce Walker on her award of 2018 Clerk of the Year. Lewisville is fortunate to have her as a pillar of institutional knowledge and outstanding community service.

IN MEMORY OF MICHAEL CIAFARDONI SR.

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

Mr. LAMALFA. Mr. Speaker, I rise today to honor the passing of a great man from California's First District, Michael Ciafardoni, who died at the age of 94.

He was born in Nepezzano, Italy. Michael immigrated to America in 1939.

Although not yet even a United States citizen, he then served in the U.S. Army in World War II as a member of the 803rd tank destroyer battalion as a heavy machine gunner. He was the last surviving member of his company.

He earned five Bronze Battle Stars fighting some of the most consequential battles of the war, including the Normandy invasion and the Battle of the Bulge.

Michael insisted his proudest wartime experience was not one of those major engagements but, rather, the liberation of a small town in Czechoslovakia near the end of the war. Jewish prisoners were being held in the town of Volary, where they awaited transfer to a Nazi concentration camp. Fortunately, Michael and his company got there first, and they liberated them. To the people of Volary, these men were heroes.

When the 803rd was leaving town a few days later, they were ambushed by German soldiers. Indeed, the last soldier killed in Europe, Private Charles Havlat, was riding a tank directly in front of the one Michael was in. The Germans unconditionally surrendered just a few hours later.

To this day, the town holds an annual celebration to pay tribute to the American soldiers who risked their lives to free them.

I am told that Michael's one wish was to be honored for his wartime service in Europe. That is a wish that we are fulfilling right here today on the House floor.

Mr. Speaker, he was a hero for a country that he wasn't even yet a citizen of. In October of 1946, he earned U.S. citizenship for his service to his new country, his new home.

Before he died, he asked to see his Certificate of Naturalization, which brought a proud smile to his face. Michael is as American as any of us.

God bless him and his family.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 6157, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H. RES. 1071, RECOGNIZING THAT ALLOWING ILLEGAL IMMIGRANTS THE RIGHT TO VOTE DIMINISHES THE VOTING POWER OF UNITED STATES CITIZENS; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1077 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1077

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 2. Upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

SEC. 3. It shall be in order at any time on the legislative day of September 27, 2018, or September 28, 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 (Mr. BACON). The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Mrs. TORRES), 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. COLE. 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 Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday the Rules Committee met and reported a rule for consideration of the conference report to H.R. 6157, the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, and Continuing Appropriations Act, 2019, and for an additional resolution, H. Res. 1071. The rule provides for 1 hour of debate, equally divided and controlled by the chair and the ranking member of the Appropriations Committee.

Mr. Speaker, the appropriations package in front of us represents the second of what will likely be several appropriations packages to fully fund the government for fiscal year 2019.

This represents the first time in more than 10 years that Congress will send more than one final appropriations bill to the President for signature before the beginning of the fiscal year. In years past, we have relied strongly on omnibus spending bills to fund the government; but now, with the hard work done on both sides of the aisle and in both Houses of Congress, we are returning to regular order and completing spending work through the normal legislative process.

Mr. Speaker, as I have so often said on this floor, the primary obligation of the Congress is to fund the American Government and keep it open and operating. The American people deserve no less. With this package under consideration today, Congress will do just that with respect to 2 of the 12 main spending bills: the Department of Defense and the Departments of Labor, Health and Human Services, and Education, and related agencies.

In addition, the bill also includes a continuing resolution extending funding for other parts of the government not covered by this bill or the appropriations bill signed by the President last week.

In passing this bill, we will provide crucial funding for services across broad areas of the government and fulfill our promises to the American people: to patients, to communities, to business owners, to the military, and to Americans of all stripes.

The House is already familiar with this bill from when it was passed in June, and this conference version, agreed to with the Senate, has not substantially changed with respect to Defense. However, it now reflects the combined priorities of the Members of both sides of the aisle and in both the House and the Senate.

Mr. Speaker, in the Defense title of the bill, the conference report appropriates a total of $674.4 billion for the Department of Defense, including $606.5 billion in base funding, an increase of $17 billion above fiscal year 2018, and $67.9 billion in overseas contingency operations and global war on terrorism funding. This increase in funding will help begin to right the wrongs committed against our military readiness by several years of chronic underfunding.

This bill provides an authorized 2.6 percent pay increase for our troops, the largest pay raise in 9 years, and it ensures we will be able to increase our Active-Duty number of military personnel by more than 16,000 soldiers.

The bill provides $148 billion for equipment procurement, including 13 new warships, a number that includes two new Virginia-class submarines and three new littoral combat ships. It also adds 93 new F–35 aircraft, new transport aircraft, new tankers, and over 100 new helicopters.

The bill also provides $96.1 billion for research and development of new defense systems and technologies, and $243.2 billion for training, maintenance, and base operations, funding that is sorely needed to increase our dwindling readiness to confront threats both at home and abroad.

Mr. Speaker, in the Labor, Health and Human Services, and Education title, the conference report appropriates $178 billion, a $1 billion increase over fiscal year 2018.

As the conference knows, I am fortunate to chair the Labor, Health and

Human Services, Education, and Related Agencies Subcommittee, and I am very pleased with the results of this year's bill. We were able to increase the budget of the National Institutes of Health by $2 billion to $39 billion, thus ensuring that we will be able to direct significant new dollars to medical research, tackling vexing health problems like Alzheimer's disease, cancer, and the opioid crisis.

Indeed, across the entire bill, we are putting more than $6.6 billion into the fight against the opioid crisis. We are putting $7.9 billion into the Centers for Disease Control and Prevention to make sure that we will have the resources available to battle emerging public health emergencies and fight infectious disease. We did all of this while also ensuring that popular programs like Meals on Wheels, which provides meals for our vulnerable senior citizens, can continue to be funded at current levels.

In the other areas of the Labor-HHS title, we have provided $12.1 billion for the Department of Labor, including $3.5 billion for job training, $1.7 billion for Job Corps, and $300 million to help veterans transition into the workforce.

We provided $71 billion to the Department of Education. This includes $12.4 billion for IDEA special education grants to States. We also funded TRIO at $1.06 million and GEAR UP at $360 million, both substantial increases.

□ 1230

These programs are near and dear to my heart personally and help first-generation college students succeed.

We increased the maximum Pell grant award to $6,195, and we provided $1.9 billion for career, technical, and adult education programs. We included significant funding for our youngest Americans, including $10.1 billion for Head Start, $5.3 billion for childcare and development block grants, and $250 million for early childhood programs.

Finally, Mr. Speaker, this bill also includes a provision acting as a continuing resolution, extending some portions of government funding out to December 7. This extension, while not ideal, gives the Appropriations Committee and both Houses of Congress time to come to an agreement on legislation funding the remaining areas of our government. Such an extension fulfills our primary obligation as legislators, which is to fund the government and keep it open and operating.

Mr. Speaker, I would like to take a brief look at what we have accomplished and put these bills in context.

Last week, the President signed into law the first package of three bills for fiscal year 2019, covering Energy and Water, Military Construction and Veteran Affairs, and the Legislative Branch titles. These bills covered just over 11 percent of total discretionary spending.

Today's bill, which covers the Defense and Labor, Health and Human Services, and Education titles, will produce the vast majority of discretionary spending, just short of 65 percent of the total discretionary spending for fiscal year 2019. What is left in the remaining seven titles amounts to just shy of 24 percent of discretionary spending.

We may need to do a short-term continuing resolution for part of the government, but with these bills today, what we will have accomplished is sending over 75 percent of the total discretionary spending to the President for his signature into law before the start of the new fiscal year.

That is an amazing accomplishment, one that has not happened in Congress in over a decade. Indeed, this is the first time in more than 10 years that the Department of Defense will have its full annual funding enacted before the start of the fiscal year. This is the first time in 22 years that the Departments of Labor, Health and Human Services, Education, and Related Agencies will have been funded before the beginning of the fiscal year.

As Chairman FRELINGHUYSEN has said, this is the next step on the return to regular order. Those who would reject this bill because of the presence of a continuing resolution for part of the government are, frankly, throwing the proverbial baby out with the bath water. This bill, Mr. Speaker, is a return to regular order, and we should all be proud of what we have achieved. It also represents a compromise between the two parties in this body and between this body and our counterpart on the other side of the Capitol Rotunda.

Mr. Speaker, today's conference report represents nearly a year of strong work by Congress. I applaud my colleagues for all they have accomplished. This is just the next step, and we will have many things to do before we finish our appropriations work for fiscal year 2019. But for now, I congratulate the House and the Senate for finalizing this package.

I want to take a moment also, since this is the last one of these particular bills that Chairman FRELINGHUYSEN will present, he will have others later, obviously, but he is ending his term, and I want to congratulate our chairman for the outstanding work that he has done, and also that of his strong working partner, Mrs. LOWEY of New York, for her outstanding work.

Frankly, since we are dealing with the Labor-H portion, I want to thank my good working partner and friend, ROSA DELAURO, the gentlewoman from Connecticut, for her hard work. I also thank our superb staff, particularly our clerk, Ms. Ross, for her work in ably helping us arrive at a monumental achievement. Again, this is the first time in 22 years that the Labor-H bill has gotten done in full and on time.

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

Mrs. TORRES. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, if you are having deja vu right now, it is because we have been here one too many times before. Our government is on the verge of yet another government shutdown this week. After yet another district work period, we return today to this rule to consider the bills it makes in order. We are left with just one last chance to do our work and one final opportunity to send President Trump a funding bill that reflects the true value of bipartisanship, one without poison pill riders which would put so many of our constituents out of work.

This rule makes in order H.R. 6157, the DOD, HHS, and Education omnibus bill; and H. Res. 1071, which is a rebuke on some localities expanding voting opportunities to immigrants.

While some of my colleagues may wish to speak about H. Res. 1071, I will focus on the good work that we are accomplishing today, not a meaningless political game House Republican leadership is choosing to waste our time with to further divide this House and instead of focusing on preventing a shutdown.

H.R. 6157, the second minibus to keep the government open in fiscal year 2019, is an example of how this body can still work together to reach a bipartisan consensus when we take politics out of the picture.

Perhaps more important than what is included in the minibus is what is not included. This minibus rejects the proposed cuts to healthcare programs, job training, education, and access to healthcare that were in President Trump's budget proposal.

This minibus also rejects President Trump's efforts to expand family separation at our Nation's border. While many children remain separated from their parents, at least this minibus agreement does not include House Republican language that would have overridden the Flores settlement and authorized the indefinite detention of immigrant children. This is a very small victory, but an important one. This minibus is a fundamental statement of our values, and the United States Congress should not condone the President's inhumane practice of family separation.

In addition, let me make this clear: nothing in this legislation will pay for one foot of the President's border wall. I hope President Trump joins this Congress and listens to the majority of the American people who don't want to fund this wall. This Congress has repeatedly rejected funding for his misguided wall, and it is about time the President gave up on such a foolish waste of taxpayer dollars while our bridges, freeways, and streets are crumbling beneath us. That does not do anything to keep America safe.

Let's talk about the good things that this bill brings to our constituents. I am happy to report that this legislation provides a 2.6 percent pay raise for servicemembers who continue to serve our Nation around the world. As a

mother of a veteran, I celebrate that even more. It is wonderful to hear that our servicemembers are finally being acknowledged for the hard work that they do keeping our Nation safe at home and abroad.

In addition to paying our servicemembers more, this agreement will protect our men and women in uniform from one of the most common harms they encounter: shamelessly stated as sexual assault. The $5 million in additional funding we will provide will fully implement and expand the Sexual Assault Special Victims Counsel Program. The Counsel Program provides representation for survivors navigating the complicated military justice process. Hopefully, victims of sexual abuse will not have to wait years to report this crime.

The conference report also provides a $35 million increase, for a total of $270 million, to construct, renovate, repair, or expand elementary and secondary public schools on military installations, giving military families an opportunity to thrive and educate their young. In other words, this increase means that we are not only helping our servicemembers, but the families that support them and who provide invaluable moral support for our soldiers.

Another bipartisan achievement included in this legislation is an increase for environmental restoration by more than $13 million. One of the shortfalls of this Congress has been a failure to address the water crises we have seen ravaging our communities. In California alone, dozens of communities have experienced recent rates of childhood poisoning that surpass those in Flint, Michigan, with one locale showing rates nearly three times higher.

It is unacceptable that in the richest Nation in the world, our children are being poisoned because we refuse to take the necessary actions to provide the infrastructure to deliver clean water to our communities. Securing this funding is a real step to helping invest in communities and the health of our children.

That is why we included yet another investment into our communities' health by increasing funding for the National Institutes of Health by $2 billion. This rejects the cuts proposed by the President in his administration and instead supports research into cures for life-threatening diseases like Alzheimer's, cancer, HIV/AIDS, influenza, and diabetes.

Additionally, we are providing $4.4 billion to combat the nationwide opioid crisis. This means more prevention programs, better treatment, and training for the workforce to ensure our healthcare professionals aren't making problems worse.

Finally, the last part of this agreement that I would like to highlight is what we are doing for our workforce programs. This bill invests in students, the future of America, those looking for workforce training and working families.

Included is:

$10.1 billion for Head Start, which provides literacy programs to young children in working families;

$5.3 billion for childcare and development block grants to provide childcare assistance to low-income families. We celebrate that mothers will finally have the support that they need to work and deliver for their families;

$160 million for apprenticeship grants to connect businesses to workers;

$1.3 billion for career and technical education; and,

An increase to the maximum Pell grant to help our students keep pace with the rising cost of college.

This is a good bill. This is a bipartisan bill. This is a bill that should be signed into law. I urge the President to look at what a bipartisan agreement looks like and take ''yes'' for an answer. The last thing any of us want is yet another government shutdown. Let's prevent that today.

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

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

Mr. Speaker, I want to begin by thanking my good friend, my colleague on the Rules Committee, for her kind words and her acknowledgment of how many accomplishments there are that both parties have worked hard to achieve in this particular legislation. That is why I am confident that once the bill comes to the floor, we will have a substantial majority of my friends on the other side of the aisle voting for it and a substantial majority of my friends from my side of the aisle joining them in that. That is a good thing. America should be exceptionally pleased with that.

I also want to thank the President, because he is a participant in this. While this bill does represent a compromise, the reality is, particularly in the defense area, we essentially gave the President most of the things that he asked for and worked for, and we brought this. So I think he can take considerable pride in the achievements of restoring the military, because that was his suggestion, his proposal, and he worked to that end.

□ 1245

There are also particular initiatives in the Labor-H portion of the bill that the President deserves credit for. My friend cited the apprenticeship program, a great program. That was a Presidential-level proposal. A lot of the training programs are.

It was this President who declared opioids as a national healthcare emergency. I am proud Congress, on both sides of the aisle, have responded. As my friend knows, there was a budget agreement last year between the administration, the Senate, and the House that actually put an emphasis on more money at the NIH, more money for opioids.

I am the first to acknowledge there is good work and good praise here to go all around for everybody. My friends in the House worked very hard. I have always joked with my good friend, the ranking member, that we always start out on different sides, but for four times in a row now, we have come together for the final package and both supported the legislation that authorized Health and Human Services, Labor, Education, and related agencies. Again, that wouldn't be possible without the leadership of the full committee. That wouldn't be possible without friends across the rotunda.

Far be it from me to overpraise the Senate of the United States, but I have to say that they deserve a lot of praise in this instance, because the leadership of Chairman SHELBY and Ranking Member LEAHY on that side was exceptionally important to us in reaching a resolution and working through some of the knotty issues.

Finally, I want to thank the President of the United States. We make Presidents go first in their budget proposals, largely so then we can pick them apart later and do what Congress should do, and that is to make the final decisions in this area. But we took the President's recommendations very, very seriously.

There are many good things in this bill, both in the military side and the Labor, Health and Human Services, and Education side, that began with proposals of the administration.

I mentioned opioids. I mentioned apprenticeship programs. I could go on. I could mention charter schools. There are many, many proposals out of the administration that are incorporated in this.

The reality is, I think this is actually what the American people want to see. All three of the legs of this stool—the House, the Senate, and the executive branch—cooperating together, compromise, found different ways. We did that within our ranks, within this body between Republicans and Democrats. We did that across the rotunda with our colleagues in the Senate. And we certainly did it working with the President of the United States.

It takes all three of us to get it done. The reality is, this has already passed the Senate in, I must add, an overwhelmingly bipartisan manner, 93 to 7, if I recall the vote correctly. That makes a strong statement as to how well our friends on both sides of the aisle in the other Chamber work.

I think we will have a very strong vote when we get to final legislation. That, again, is something that the leadership on both sides, and particularly in the Appropriations Committee, can take a great deal of pride in.

When we send it down to the other end of Pennsylvania Avenue, if the President of the United States doesn't sign it, it doesn't become law. I believe we will get that signature, and I want to acknowledge how hard the President and his team worked with us to arrive at a solution with our friends in both Chambers.

Mr. Speaker, with praise all around, I am going to reserve the balance of my time.

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

Mr. Speaker, today we are considering a continuing resolution that will extend the Violence Against Women Act only until December 7. I am glad that we aren't letting this important legislation expire. However, a simple extension is not enough. We need to fully reauthorize and strengthen this landmark act.

Therefore, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative JACKSON LEE's legislation, H.R. 6545, the Violence Against Women Reauthorization Act.

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 (Mr. DONOVAN). Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. TORRES. Mr. Speaker, to discuss our proposal, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentlewoman from California for her leadership, and, certainly, I rise enthusiastically on her motion.

I rise in strong opposition to the rule governing debate for H.R. 6157. We must oppose this rule and defeat the previous question. The reason for such is not because we do not support the troops or our children but because defeating the previous question will enable this House to consider and pass H.R. 6545, the Violence Against Women Reauthorization Act of 2018.

This is an opportunity that we should not squander. This bill is a bill that we have worked on for 2 years, and a bill that I introduced with over 150 cosponsors, timely, in July 2018, after working for 2 years with all of the Nation's women's advocacy groups, groups that opposed and fought against domestic violence, and all other stakeholders.

I would like to thank them for 2 years of tedious and hard work, ensuring that immigrant women were protected, ensuring that Native American women were protected, ensuring that those who had a domestic abuse warrant could not have a gun without having a lockbox. I want to say to them that we will never give up.

The Violence Against Women Act is a landmark piece of legislation, passed in 1994 following the Anita Hill moment that opened our eyes to the then overwhelming problems faced by victims of domestic violence, dating violence, sexual assault, and stalking. It is now even more evident with the Justice Kavanaugh confirmation hearings and the allegations that have been made by Dr. Ford and others that raise a sense of urgency for the passage of the Violence Against Women Act.

It baffles me that Republicans can leave without passing the updated, reauthorized legislation and not just a mere extension. By passing VAWA, we can stop the revictimizing, retraumatizing, and stigmatizing of sexual assault survivors.

Enough is enough. Science tells us that trauma severely impacts recall, so let us do our jobs and help them. Women deserve to be respected, protected, and never neglected.

As we all know very clearly, VAWA is set to expire this week, and millions of innocent lives are counting on us to get this right and reauthorize VAWA now, reauthorize it with the new provisions to increase funding; increase recognition of stalking, sexual assault, dating violence, and sexual harassment; help women, men, and children everywhere throughout our great country who have and will suffer at the hands of perpetrators who commit these violent and abusive crimes.

The bill generically adds the word ''people,'' because we know that abuse is across the lines of men, women, and children. Clearly, these victims deserve more than a mere 3-month expedient extension or piecemeal product to combat these challenges of monumental proportions.

What will we say to them? The current climate of the #MeToo movement is a wake-up call to the Nation. Let's not make this a partisan issue. It should not be—it was not in 1994—because crimes of violence against anyone must be addressed.

I remember standing next to Senator Joe Biden, and I remember standing next to Congressman Henry Hyde, the chairman of the Judiciary Committee, reauthorizing the Violence Against Women Act, standing next to Republicans and Democrats to do this. Why can we not do it now?

Therefore, when we ignore an extraordinary movement such as the #MeToo movement by not reauthorizing a strengthened and improved VAWA that meets today's challenges, then we have failed the Nation. If we do not defeat this previous question, we are telling all of our constituents and all of those stakeholders and those women's centers, like the Houston Area Women's Center that are waiting for this to be reauthorized and are a place of refuge for women who are fleeing all kinds of violence and who rely heavily on VAWA and all of those who care about protecting women, men, and children's rights against violence that we do not care.

On July 26, 2018, I introduced H.R. 6545, VAWA 2018, which is a compromise version with modest improvements, because I am committed to passing a bipartisan reauthorization of the Violence Against Women Act. Hopefully, we can do more that is tailored to appeal to Members of Congress across the political spectrum.

My question is, why didn't the Republicans stand up? Where were they? This is not a bill that is out of line. It is a bill that is updated in response to needs.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. TORRES. Mr. Speaker, I yield the gentlewoman from Texas an additional 2 minutes.

Ms. JACKSON LEE. This is the moment for my colleagues to do the right thing, for the right reasons, to help bring H.R. 6545 to the floor for a vote. This has always been a bipartisan effort.

Let us not let the current times and background noise sway us away from our pivotal duties. What is happening on the other side, the other body, does, in fact, emphasize our need to act.

Let us show the American people that we care about victims of domestic violence, dating violence, stalking, sexual assault, and sexual harassment, which have been added to the VAWA 2018.

H.R. 6545 has received the support of the National Task Force to End Sexual and Domestic Violence, women and men who are both Republicans and Democrats, which is a national collaboration comprising a large and a diverse group of national, Tribal, State, territorial, and local organizations, advocates, and individuals who focus on the development, passage, and implementation of effective public policy to address domestic violence, dating violence, sexual assault, and stalking, the four crimes.

These modest yet vital updates we have made in the existing Violence Against Women Act are based on the needs identified by direct service providers who work daily with the victims and the survivors of the four crimes.

H.R. 6545 makes the following improvements and more.

It makes important investments in prevention, a key priority identified not only by people who work with victims and survivors daily but also by our very own Bipartisan Women's Caucus.

It provides resources to implement evidence-based prevention programs, which will make our communities safer and, ultimately, save taxpayers money. Law enforcement officers are waiting for the resources to help them protect the community.

It also safeguards important protections that ensure all victims and survivors have access to safety and justice, and provides mechanisms to hold predators who prey on Native women accountable.

Moreover, it provides law enforcement with new tools to protect their community.

It offers protections for survivors in Federal, public, subsidized, and assisted housing. It supports victims and survivors who need assistance rebuilding financially. It addresses the needs of underserved communities and improves the healthcare response to the four crimes.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mrs. TORRES. Mr. Speaker, I yield the gentlewoman from Texas an additional 1 minute.

Ms. JACKSON LEE. It closes many of the loopholes found in dating violence.

And in response to the overwhelming victims in the #MeToo movement, it adds sexual harassment as part of the applicable crimes of violence.

In short, the reauthorization of the Violence Against Women Act of 2018 is a bill that should draw wide support but provides across-the-board protection for those who need it. There is no reason for this not to be bipartisan and no reason for it not to be on the floor.

Let's not play politics with people's lives. Let's not shortchange them by slashing funding in half. Let's not kick the can down the road while omitting funding. Let's not dismiss their cries and pleas. Certainly, let's not punish them because #theydidnot report.

Thank you, Mr. Speaker, for all of the time, and I thank the gentlewoman from California for all of her leadership.

It is time to vote ''no'' in order for us to move the previous question and pass the Violence Against Women Act that is now ready to move to the floor.

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

Mr. Speaker, I want to begin by agreeing with the objective that my friends are laying out but disagreeing with the means by which they are trying to achieve it.

I couldn't agree more that passing the National Violence Against Women Act, or extending it, is the appropriate thing to do. I worked very hard the last time we did the extension.

I actually helped put together a coalition of Republicans that brought down the Republican bill, because we thought the Senate Democratic bill was superior. It extended for the first time opportunities in Indian country for Tribal governments to hold non-Tribal Members accountable for assault.

So this is a cause that is near and dear to my heart. I don't pretend to sit on the authorization committee, which my good friend from Texas does. I am not exactly sure where they are in the process. But as she did say, this is normally bipartisan.

So I look on this as a routine extension while they continue to work through. I think, if we get the legislation to the floor, I have no doubt it will pass in a very strongly bipartisan way.

I will say, if we adopt the strategy my friends recommend, we will, actually, in some ways, hurt the cause that I know she feels so passionately about.

□ 1300

The Labor-H bill actually funds the battered women shelters and the National Domestic Violence Hotline. Those are two important items in here that are actually funded in the bill. If we bring down the bill, we are going to derail the appropriations process for all Defense, for Labor, Health and Human Services, Education, and Related Agencies, a lot of these other related programs that are extremely important.

So I have no doubt about the sincerity of my friend's position, but I don't want to, frankly, number one, disrupt funding for very, very important programs that we help, you know, sustain like, again, the National Domestic Violence Hotline and battered women's shelters, and I certainly don't want to defund it for the larger measures here either.

So I think you have to recognize we don't always get everything done on time. I don't think we got VAWA done on time the last time. I know at least it was quite a difficult struggle, but we eventually got there, and we got there with substantial votes from both parties and got it through. I think we will again.

I pledge to work with my friends on the other side of the aisle to achieve that objective. I just don't think, right now, we should derail an $800 billion bill when this bill will actually extend the current legislation and give us the time to finish whatever the differences are, resolve whatever the differences are, if there are any, within the committee and eventually bring it forward.

Again, I think it is a worthy objective. I look forward to working with my friends to achieve it. I just simply don't want to derail this appropriations bill in the course of doing that.

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

Mrs. TORRES. Mr. Speaker, I yield myself the balance of my time. I have no further speakers, and I am prepared to close.

Mr. Speaker, we are just two more legislative days away from the third Republican government shutdown of 2018. However, we have done our jobs to prevent that today.

H.R. 6157 is a testament that despite party differences, we can still come together to work out our differences and put the American public's interest first.

I want to be clear that I do not agree with the rule that we are considering, because this rule makes in order a wholly unrelated immigration bill. This rule fails to allow the debate on a number of amendments and marks the 98th closed rule of this Congress, an all-time record. That is why I urge my colleagues to oppose the previous question and the rule.

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

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

Mr. Speaker, I want to begin by thanking my friend from California. We don't agree on every point here, but we do agree on the underlying legislation. We both, frankly, appreciate the labors of both Democrats and Republicans to come to compromises on an extraordinarily large budget item—65 percent, roughly, of the Federal budget here between Defense, Labor, Health and Human Services, and Education, and Related Agencies. I share my friend's appreciation and admiration for all that were part of that.

My friend did bring up in her close the concern about two items in a government shutdown. I will remind my friend, it was our friends who tried to shut down the government in the House on the other side of the aisle, and the Democrats in the Senate who actually did shut down the government in 2017. So I always point out both parties have done this. It is never a very good idea. Neither has ever achieved their objectives there, so we are working hard to make sure that doesn't happen. But it wasn't Republicans that shut down the government in 2017. I think it was actually called—well, I won't use the name, but it was actually named after a Democratic Senator. So let's put that aside.

Let's focus. My friend did raise an interesting point on closed rules. And I think, you know, this is something they continue to focus on, and, I think, sometimes lost in this, we ignore the structured rule amendment process that has routinely been used actually by majorities of both sides, to be fair.

If we are going to use that metric for measuring openness, I want to clarify a couple of points for the RECORD.

Mr. Speaker, 16 of the closed rules cited by the minority 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 United States Senate.

Another 12 closed rules were for bills where the minority 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 to clarify for the American people the Democratic majority's record in this regard.

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

In fact, as of September 26, 2018, Republicans in the 115th Congress have provided for consideration of over 1,650 amendments on the House floor: over 750 of those amendments were offered by my friends, the Democrats on the other side of the aisle; over 635 Republican amendments were made in order; and over 280 bipartisan amendments.

So the 114th Congress, the GOP majority has actually allowed over 1,700 amendments to be considered on the House floor, and in the 113th Congress, the Republican majority allowed over 1,500 amendments to be considered on the floor. My friends, the last time they were in the majority, the 111th Congress, offered fewer than 1,000 amendments to be considered.

So there is a case to be made on both sides of these things. I think the majority has tried to move legislation as best they can, but we certainly want the active participation of our friends from the other side, and, quite often, they are very robust in taking advantage of that opportunity. That is a good thing.

Mr. Speaker, in closing, I want to encourage all Members to support the rule. I recognize my friends on the other side probably will not do that, and that is appropriate. The rule debate is normally a partisan divide, and I respect my friend's efforts in that regard.

But I know that many of my friends will support the underlying resolution, and, for that, I express my appreciation, and, frankly, my gratitude for the good hard work that has gone back and forth across partisan aisles. This bill, though, this rule represents the next step toward fulfilling our primary obligation as Members of Congress to fund the government.

For the first time in over 10 years, we will fully fund the Department of Defense before the start of our fiscal year. We will pass a Labor, Health and Human Services, Education, and Related Agencies appropriations bill, providing funds for healthcare, schools, medical research, job training, and thousands of other priorities for both parties for the first time in 22 years. And we will enable that the government remains open and operating to provide needed services for our constituents.

So I want to applaud my colleagues on both sides of the aisle for their hard work. I want to thank our friends in the United States Senate who have already completed their portion of this. I want to join my friend in urging the President, assuming we pass this legislation, to sign it and sign it before the end of the fiscal year.

The material previously referred to by Mrs. TORRES is as follows:

AN AMENDMENT TO H. RES. 1077 OFFERED BY MS. TORRES

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

SEC. 4. 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. 6545) to reauthorize the Violence Against Women Act of 1994, 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 the Judiciary. 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 recommit 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. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 6545.

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. COLE. 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.

Mrs. TORRES. 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 2018.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 26, 2018, at 11:55 a.m.:

That the Senate passed S. 3139.

That the Senate passed S. 3389.

That the Senate passed without amendment H.R. 4958.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

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 1 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1315

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DONOVAN) at 1 o'clock and 15 minutes 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 1077;

Adoption of House Resolution 1077, if ordered;

The motion to suspend the rules and pass H.R. 5420, if ordered; and

Agreeing to the Speaker's approval of the Journal, if ordered.

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

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 6157, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H. RES. 1071, RECOGNIZING THAT ALLOWING ILLEGAL IMMIGRANTS THE RIGHT TO VOTE DIMINISHES THE VOTING POWER OF UNITED STATES CITIZENS; 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. 1077) providing for consideration of the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens; and providing for consideration of motions to suspend the rules, on which the yeas and nays are 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 230, nays 188, not voting 10, as follows:

[Roll No. 402]

YEAS—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
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
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
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
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
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
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

NAYS—188

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

NOT VOTING—10

Barletta
Blackburn
Castor (FL)
Ellison
Eshoo
Issa
Jenkins (WV)
Lujan Grisham, M.
Nolan
Ros-Lehtinen

□ 1341

Messrs. SIRES, VELA, RICHMOND, LARSON of Connecticut, and VISCLOSKY changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. HASTINGS. 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 230, noes 188, not voting 10, as follows:

[Roll No. 403]

AYES—230

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
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
Crist
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
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
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
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Mast

McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Messer
Mitchell
Moolenaar
Mullin
Murphy (FL)
Newhouse
Noem
Norman
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozzi
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

NOES—188

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gohmert
Gomez
Gonzalez (TX)
Gosar
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
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
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meadows
Meeks
Meng
Mooney (WV)
Moore
Moulton
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Barletta
Blackburn
Castor (FL)
DeGette
Ellison
Eshoo
Jenkins (WV)
Lujan Grisham, M.
Nolan
Ros-Lehtinen

□ 1349

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.

FDR HISTORIC PRESERVATION ACT

The SPEAKER pro tempore (Mr. SIMPSON). The unfinished business is the question on suspending the rules and passing the bill (H.R. 5420) to authorize the acquisition of land for addition to the Home of Franklin D. Roosevelt National Historic Site in the State of New York, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, as amended.

The question was taken.

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

RECORDED VOTE

Mr. REICHERT. 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 394, noes 15, not voting 19, as follows:

[Roll No. 404]

AYES—394

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Dunn
Emmer
Engel
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jayapal
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Neal
Newhouse
Noem
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (IA)
Zeldin

NOES—15

Amash
Biggs
Brooks (AL)
Davidson
Duncan (SC)
Duncan (TN)
Gohmert
Gosar
Harris

Jones	Massie	Yoho
Jordan	Perry	Young (AK)

NOT VOTING—19

Barletta	Jackson Lee	Nolan
Blackburn	Jenkins (WV)	Ros-Lehtinen
Castor (FL)	Lieu, Ted	Rush
DeLauro	Lofgren	Speier
Ellison	Lujan Grisham, M.	Vargas
Eshoo	Napolitano	Yarmuth
Frankel (FL)		

□ 1356

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. DELAURO. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 404.

Mrs. NAPOLITANO. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 404.

Mr. RUSH. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 404.

Ms. JACKSON LEE. Mr. Speaker, I was unavoidably detained and missed rollcall No. 404. If I was present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 402, "nay" on rollcall No. 403, and "yea" on rollcall No. 404.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT

Mr. REICHERT, from the Committee on Ways and Means, submitted a privileged report (Rept. No. 115–979) on the resolution (H. Res. 1018) of inquiry requesting the President to transmit to the House of Representatives certain documents in the possession of the President relating to the determination to impose certain tariffs and to the strategy of the United States with respect to China, which was referred to the House Calendar and ordered to be printed.

□ 1400

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 6774

Mr. BISHOP of Michigan. Mr. Speaker, I ask unanimous consent that Mr. RYAN of Ohio, Mr. COLE of Oklahoma, Mr. MESSER of Indiana, Mr. JONES of North Carolina, and Mr. VELA of Texas be removed as cosponsors of H.R. 6774.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

FAA REAUTHORIZATION ACT OF 2018

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1082) providing for the concurrence by the House in the Senate amendment to H.R. 302, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1082

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 302, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''FAA Reauthorization Act of 2018''.

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

SEC. 11. SHORT TITLE.

This division may be cited as the ''Sports Medicine Licensure Clarity Act of 2018''.

SEC. 12. 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 division, 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.

DIVISION B—FAA REAUTHORIZATION ACT OF 2018

SEC. 101. DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.

In this division, the term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

SEC. 111. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

(a) AUTHORIZATION.—Section 48103(a) of title 49, United States Code, is amended by striking ''section 47504(c)'' and all that follows through the period at the end and inserting the following: ''section 47504(c)—

''(1) $3,350,000,000 for fiscal year 2018;

''(2) $3,350,000,000 for fiscal year 2019;

''(3) $3,350,000,000 for fiscal year 2020;

''(4) $3,350,000,000 for fiscal year 2021;

''(5) $3,350,000,000 for fiscal year 2022; and

''(6) $3,350,000,000 for fiscal year 2023.''.

(b) OBLIGATION AUTHORITY.—Section 47104(c) of title 49, United States Code, is amended in the matter preceding paragraph (1) by striking ''2018,'' and inserting ''2023,''.

SEC. 112. FACILITIES AND EQUIPMENT.

(a) AUTHORIZATION OF APPROPRIATIONS FROM AIRPORT AND AIRWAY TRUST FUND.—Section 48101(a) of title 49, United States Code, is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) $3,330,000,000 for fiscal year 2018.

''(2) $3,398,000,000 for fiscal year 2019.

''(3) $3,469,000,000 for fiscal year 2020.

''(4) $3,547,000,000 for fiscal year 2021.

''(5) $3,624,000,000 for fiscal year 2022.

''(6) $3,701,000,000 for fiscal year 2023.''.

(b) AUTHORIZED EXPENDITURES.—Section 48101(c) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''Automated Surface Observation System/Automated Weather Observing System Upgrade'' and inserting ''Authorized Expenditures''; and

(2) by striking ''may be used for the implementation'' and all that follows through the period at the end and inserting the following: ''may be used for the following:

''(1) The implementation and use of upgrades to the current automated surface observation system/automated weather observing system, if the upgrade is successfully demonstrated.

''(2) The acquisition and construction of remote towers (as defined in section 161 of the FAA Reauthorization Act of 2018).

''(3) The remediation and elimination of identified cybersecurity vulnerabilities in the air traffic control system.

''(4) The construction of facilities dedicated to improving the cybersecurity of the National Airspace System.

''(5) Systems associated with the Data Communications program.

''(6) The infrastructure, sustainment, and the elimination of the deferred maintenance backlog of air navigation facilities and other facilities for which the Federal Aviation Administration is responsible.

''(7) The modernization and digitization of the Civil Aviation Registry.

''(8) The construction of necessary Priority 1 National Airspace System facilities.

''(9) Cost-beneficial construction, rehabilitation, or retrofitting programs designed to reduce Federal Aviation Administration facility operating costs.''.

SEC. 113. FAA OPERATIONS.

(a) IN GENERAL.—Section 106(k)(1) of title 49, United States Code, is amended by striking subparagraphs (A) through (F) and inserting the following:

''(A) $10,247,000,000 for fiscal year 2018;

''(B) $10,486,000,000 for fiscal year 2019;

''(C) $10,732,000,000 for fiscal year 2020;

''(D) $11,000,000,000 for fiscal year 2021;

''(E) $11,269,000,000 for fiscal year 2022; and

''(F) $11,537,000,000 for fiscal year 2023.''.

(b) AUTHORIZED EXPENDITURES.—Section 106(k)(2) of title 49, United States Code, is amended by adding at the end the following:

''(D) Not more than the following amounts for commercial space transportation activities:

''(i) $22,587,000 for fiscal year 2018.

''(ii) $33,038,000 for fiscal year 2019.

''(iii) $43,500,000 for fiscal year 2020.

''(iv) $54,970,000 for fiscal year 2021.

''(v) $64,449,000 for fiscal year 2022.

''(vi) $75,938,000 for fiscal year 2023.''.

(c) AUTHORITY TO TRANSFER FUNDS.—Section 106(k)(3) of title 49, United States Code, is amended by striking ''fiscal years 2012 through 2018,'' and inserting ''fiscal years 2018 through 2023,''.

SEC. 114. WEATHER REPORTING PROGRAMS.

Section 48105 of title 49, United States Code, is amended—

(1) by striking ''To reimburse the'' and all that follows through ''the Secretary of Transportation'' and inserting ''To sustain the aviation weather reporting programs of the Federal Aviation Administration, the Secretary of Transportation''; and

(2) by adding at the end the following:

''(4) $39,000,000 for each of fiscal years 2019 through 2023.''.

SEC. 115. ADJUSTMENT TO AIP PROGRAM FUNDING.

Section 48112 of title 49, United States Code, and the item relating to such section in the analysis for chapter 481 of such title, are repealed.

SEC. 116. FUNDING FOR AVIATION PROGRAMS.

Section 48114(a)(1)(A)(ii) of title 49, United States Code, is amended by striking ''in fiscal year 2014 and each fiscal year thereafter'' and inserting ''in fiscal years 2014 through 2018''.

SEC. 117. EXTENSION OF EXPIRING AUTHORITIES.

(a) MARSHALL ISLANDS, MICRONESIA, AND PALAU.—Section 47115 of title 49, United States Code, is amended—

(1) by striking subsection (i);

(2) by redesignating subsection (j) as subsection (i); and

(3) in subsection (i) (as so redesignated), by striking ''fiscal years 2012 through 2018'' and inserting ''fiscal years 2018 through 2023''.

(b) EXTENSION OF COMPATIBLE LAND USE PLANNING AND PROJECTS BY STATE AND LOCAL GOVERNMENTS.—Section 47141(f) of title 49, United States Code, is amended by striking ''September 30, 2018'' and inserting ''September 30, 2023''.

(c) MIDWAY ISLAND AIRPORT.—Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176; 117 Stat. 2518) is amended by striking ''for fiscal years 2012 through 2018'' and inserting ''for fiscal years 2018 through 2023''.

(d) EXTENSION OF PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.—Section 822(k) of the FAA Modernization and

Reform Act of 2012 (49 U.S.C. 47141 note) is amended by striking ''September 30, 2018'' and inserting ''September 30, 2023''.

Subtitle B—Passenger Facility Charges

SEC. 121. PASSENGER FACILITY CHARGE MODERNIZATION.

(a) PASSENGER FACILITY CHARGES; GENERAL AUTHORITY.—Section 40117(b)(4) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking '', if the Secretary finds—'' and inserting a period; and

(2) by striking subparagraphs (A) and (B).

(b) PILOT PROGRAM FOR PASSENGER FACILITY CHARGE AUTHORIZATIONS AT NONHUB AIRPORTS.—Section 40117(l) of title 49, United States Code, is amended—

(1) in the heading, by striking ''AT NONHUB AIRPORTS'';

(2) in paragraph (1), by striking ''nonhub''; and

(3) in paragraph (6), by striking ''Not later than 180 days after the date of enactment of this subsection, the'' and inserting ''The''.

SEC. 122. FUTURE AVIATION INFRASTRUCTURE AND FINANCING STUDY.

(a) FUTURE AVIATION INFRASTRUCTURE AND FINANCING STUDY.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall enter into an agreement with a qualified organization to conduct a study assessing the infrastructure needs of airports and existing financial resources for commercial service airports and make recommendations on the actions needed to upgrade the national aviation infrastructure system to meet the growing and shifting demands of the 21st century.

(b) CONSULTATION.—In carrying out the study, the qualified organization shall convene and consult with a panel of national experts, including representatives of—

(1) nonhub airports;

(2) small hub airports;

(3) medium hub airports;

(4) large hub airports;

(5) airports with international service;

(6) nonprimary airports;

(7) local elected officials;

(8) relevant labor organizations;

(9) passengers;

(10) air carriers;

(11) the tourism industry; and

(12) the business travel industry.

(c) CONSIDERATIONS.—In carrying out the study, the qualified organization shall consider—

(1) the ability of airport infrastructure to meet current and projected passenger volumes;

(2) the available financial tools and resources for airports of different sizes;

(3) the available financing tools and resources for airports in rural areas;

(4) the current debt held by airports, and its impact on future construction and capacity needs;

(5) the impact of capacity constraints on passengers and ticket prices;

(6) the purchasing power of the passenger facility charge from the last increase in 2000 to the year of enactment of this Act;

(7) the impact to passengers and airports of indexing the passenger facility charge for inflation;

(8) how long airports are constrained with current passenger facility charge collections;

(9) the impact of passenger facility charges on promoting competition;

(10) the additional resources or options to fund terminal construction projects;

(11) the resources eligible for use toward noise reduction and emission reduction projects;

(12) the gap between the cost of projects eligible for the airport improvement program and the annual Federal funding provided;

(13) the impact of regulatory requirements on airport infrastructure financing needs;

(14) airline competition;

(15) airline ancillary fees and their impact on ticket pricing and taxable revenue; and

(16) the ability of airports to finance necessary safety, security, capacity, and environmental projects identified in capital improvement plans.

(d) LARGE HUB AIRPORTS.—The study shall, to the extent not considered under subsection (c), separately evaluate the infrastructure requirements of the large hub airports identified in the National Plan of Integrated Airport Systems (NPIAS). The evaluation shall—

(1) analyze the current and future capacity constraints of large hub airports;

(2) quantify large hub airports' infrastructure requirements, including terminal, landside, and airside infrastructure;

(3) quantify the percentage growth in infrastructure requirements of the large hub airports relative to other commercial service airports;

(4) analyze how much funding from the airport improvement program (AIP) has gone to meet the requirements of large hub airports over the past 10 years; and

(5) project how much AIP funding would be available to meet the requirements of large hub airports in the next 5 years if funding levels are held constant.

(e) REPORT.—Not later than 15 months after the date of enactment of this Act, the qualified organization shall submit to the Secretary and the appropriate committees of Congress a report on the results of the study described in subsection (a), including its findings and recommendations related to each item in subsections (c) and (d).

(f) DEFINITION OF QUALIFIED ORGANIZATION.—In this section, the term ''qualified organization'' means an independent nonprofit organization that recommends solutions to public policy challenges through objective analysis.

SEC. 123. INTERMODAL ACCESS PROJECTS.

Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, after consideration of all public comments, publish in the Federal Register a final policy amendment consistent with the notice published in the Federal Register on May 3, 2016 (81 Fed. Reg. 26611).

Subtitle C—Airport Improvement Program Modifications

SEC. 131. GRANT ASSURANCES.

Section 47107 of title 49, United States Code, is amended—

(1) in subsection (a)(17), by striking ''each contract'' and inserting ''if any phase of such project has received funds under this subchapter, each contract'';

(2) in subsection (r)(3), by striking ''2018'' and inserting ''2023''; and

(3) by adding at the end the following:

''(u) CONSTRUCTION OF RECREATIONAL AIRCRAFT.—

''(1) IN GENERAL.—The construction of a covered aircraft shall be treated as an aeronautical activity for purposes of—

''(A) determining an airport's compliance with a grant assurance made under this section or any other provision of law; and

''(B) the receipt of Federal financial assistance for airport development.

''(2) COVERED AIRCRAFT DEFINED.—In this subsection, the term 'covered aircraft' means an aircraft—

''(A) used or intended to be used exclusively for recreational purposes; and

''(B) constructed or under construction by a private individual at a general aviation airport.

''(v) COMMUNITY USE OF AIRPORT LAND.—

''(1) IN GENERAL.—Notwithstanding subsection (a)(13), and subject to paragraph (2), the sponsor of a public-use airport shall not be considered to be in violation of this subtitle, or to be found in violation of a grant assurance made under this section, or under any other provision of law, as a condition for the receipt of Federal financial assistance for airport development, solely because the sponsor has entered into an agreement, including a revised agreement, with a local government providing for the use of airport property for an interim compatible recreational purpose at below fair market value.

''(2) RESTRICTIONS.—This subsection shall apply only—

''(A) to an agreement regarding airport property that was initially entered into before the publication of the Federal Aviation Administration's Policy and Procedures Concerning the Use of Airport Revenue, dated February 16, 1999;

''(B) if the agreement between the sponsor and the local government is subordinate to any existing or future agreements between the sponsor and the Secretary, including agreements related to a grant assurance under this section;

''(C) to airport property that was acquired under a Federal airport development grant program;

''(D) if the airport sponsor has provided a written statement to the Administrator that the property made available for a recreational purpose will not be needed for any aeronautical purpose during the next 10 years;

''(E) if the agreement includes a term of not more than 2 years to prepare the airport property for the interim compatible recreational purpose and not more than 10 years of use for that purpose;

''(F) if the recreational purpose will not impact the aeronautical use of the airport;

''(G) if the airport sponsor provides a certification that the sponsor is not responsible for preparation, start-up, operations, maintenance, or any other costs associated with the recreational purpose; and

''(H) if the recreational purpose is consistent with Federal land use compatibility criteria under section 47502.

''(3) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed as permitting a diversion of airport revenue for the capital or operating costs associated with the community use of airport land.''.

SEC. 132. MOTHERS' ROOMS.

(a) GRANT ASSURANCES.—Section 47107 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(w) MOTHERS' ROOMS.—

''(1) IN GENERAL.—In fiscal year 2021 and each fiscal year thereafter, the Secretary of Transportation may approve an application under this subchapter for an airport development project grant only if the Secretary receives written assurances that the airport owner or operator will maintain—

''(A) a lactation area in the sterile area of each passenger terminal building of the airport; and

''(B) a baby changing table in one men's and one women's restroom in each passenger terminal building of the airport.

''(2) APPLICABILITY.—

''(A) AIRPORT SIZE.—The requirement in paragraph (1) shall only apply to applications submitted by the airport sponsor of a medium or large hub airport.

''(B) PREEXISTING FACILITIES.—On application by an airport sponsor, the Secretary may determine that a lactation area in existence on the date of enactment of this Act complies with the requirement in paragraph

(1), notwithstanding the absence of one of the facilities or characteristics referred to in the definition of the term 'lactation area' in this subsection.

''(C) SPECIAL RULE.—The requirement in paragraph (1) shall not apply with respect to a project grant application for a period of time, determined by the Secretary, if the Secretary determines that construction or maintenance activities make it impracticable or unsafe for the lactation area to be located in the sterile area of the building.

''(3) DEFINITION.—In this section, the term—

''(A) 'lactation area' means a room or similar accommodation that—

''(i) provides a location for members of the public to express breast milk that is shielded from view and free from intrusion from the public;

''(ii) has a door that can be locked;

''(iii) includes a place to sit, a table or other flat surface, a sink or sanitizing equipment, and an electrical outlet;

''(iv) is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs; and

''(v) is not located in a restroom; and

''(B) 'sterile area' has the same meaning given that term in section 1540.5 of title 49, Code of Federal Regulations.''.

(b) TERMINAL DEVELOPMENT COSTS.—Section 47119(a) of title 49, United States Code, is amended by adding at the end the following:

''(3) LACTATION AREAS.—In addition to the projects described in paragraph (1), the Secretary may approve a project for terminal development for the construction or installation of a lactation area (as defined in section 47107(w)) at a commercial service airport.''.

SEC. 133. CONTRACT TOWER PROGRAM.

(a) AIR TRAFFIC CONTROL CONTRACT PROGRAM.—

(1) SPECIAL RULE.—Section 47124(b)(1)(B) of title 49, United States Code, is amended—

(A) by striking ''under the program continued under this paragraph'' and inserting ''under the Contract Tower Program''; and

(B) by striking ''exceeds the benefit for a period of 18 months after such determination is made'' and inserting the following: ''exceeds the benefit—

''(i) for the 1-year period after such determination is made; or

''(ii) if an appeal of such determination is requested, for the 1-year period described in subsection (d)(4)(D).''.

(2) EXEMPTION.—Section 47124(b)(3)(D) of title 49, United States Code, is amended—

(A) by striking ''under the program'' and inserting ''under the Cost-share Program''; and

(B) by adding at the end the following: ''Airports with air service provided under part 121 of title 14, Code of Federal Regulations, and more than 25,000 passenger enplanements in calendar year 2014 shall be exempt from any cost-share requirement under this paragraph.''.

(3) CONSTRUCTION OF AIR TRAFFIC CONTROL TOWERS.—

(A) GRANTS.—Section 47124(b)(4)(A) of title 49, United States Code, is amended in each of clauses (i)(III) and (ii)(III) by inserting '', including remote air traffic control tower equipment certified by the Federal Aviation Administration'' after ''1996''.

(B) ELIGIBILITY.—Section 47124(b)(4)(B)(i)(I) of title 49, United States Code, is amended by striking ''contract tower program established under subsection (a) and continued under paragraph (1) or the pilot program established under paragraph (3)'' and inserting ''Contract Tower Program or the Cost-share Program''.

(C) LIMITATION ON FEDERAL SHARE.—Section 47124(b)(4) of title 49, United States Code, is amended by striking subparagraph (C).

(4) BENEFIT-TO-COST CALCULATION FOR PROGRAM APPLICANTS.—Section 47124(b)(3) of title 49, United States Code, is amended by adding at the end the following:

''(G) BENEFIT-TO-COST CALCULATION.—Not later than 90 days after receiving an application to the Contract Tower Program, the Secretary shall calculate a benefit-to-cost ratio (as described in subsection (d)) for the applicable air traffic control tower for purposes of selecting towers for participation in the Contract Tower Program.''.

(b) CRITERIA TO EVALUATE PARTICIPANTS.—Section 47124 of title 49, United States Code, is amended by adding at the end the following:

''(d) CRITERIA TO EVALUATE PARTICIPANTS.—

''(1) TIMING OF EVALUATIONS.—

''(A) TOWERS PARTICIPATING IN COST-SHARE PROGRAM.—In the case of an air traffic control tower that is operated under the Cost-share Program, the Secretary shall annually calculate a benefit-to-cost ratio with respect to the tower.

''(B) TOWERS PARTICIPATING IN CONTRACT TOWER PROGRAM.—In the case of an air traffic control tower that is operated under the Contract Tower Program, the Secretary shall not calculate a benefit-to-cost ratio after the date of enactment of this subsection with respect to the tower unless the Secretary determines that the annual aircraft traffic at the airport where the tower is located has decreased—

''(i) by more than 25 percent from the previous year; or

''(ii) by more than 55 percent cumulatively in the preceding 3-year period.

''(2) COSTS TO BE CONSIDERED.—In establishing a benefit-to-cost ratio under this section with respect to an air traffic control tower, the Secretary shall consider only the following costs:

''(A) The Federal Aviation Administration's actual cost of wages and benefits of personnel working at the tower.

''(B) The Federal Aviation Administration's actual telecommunications costs directly associated with the tower.

''(C) The Federal Aviation Administration's costs of purchasing and installing any air traffic control equipment that would not have been purchased or installed except as a result of the operation of the tower.

''(D) The Federal Aviation Administration's actual travel costs associated with maintaining air traffic control equipment that is owned by the Administration and would not be maintained except as a result of the operation of the tower.

''(E) Other actual costs of the Federal Aviation Administration directly associated with the tower that would not be incurred except as a result of the operation of the tower (excluding costs for noncontract tower-related personnel and equipment, even if the personnel or equipment is located in the contract tower building).

''(3) OTHER CRITERIA TO BE CONSIDERED.—In establishing a benefit-to-cost ratio under this section with respect to an air traffic control tower, the Secretary shall add a 10 percentage point margin of error to the benefit-to-cost ratio determination to acknowledge and account for the direct and indirect economic and other benefits that are not included in the criteria the Secretary used in calculating that ratio.

''(4) REVIEW OF COST-BENEFIT DETERMINATIONS.—In issuing a benefit-to-cost ratio determination under this section with respect to an air traffic control tower located at an airport, the Secretary shall implement the following procedures:

''(A) The Secretary shall provide the airport (or the State or local government having jurisdiction over the airport) at least 90 days following the date of receipt of the determination to submit to the Secretary a request for an appeal of the determination, together with updated or additional data in support of the appeal.

''(B) Upon receipt of a request for an appeal submitted pursuant to subparagraph (A), the Secretary shall—

''(i) transmit to the Administrator of the Federal Aviation Administration any updated or additional data submitted in support of the appeal; and

''(ii) provide the Administrator not more than 90 days to review the data and provide a response to the Secretary based on the review.

''(C) After receiving a response from the Administrator pursuant to subparagraph (B), the Secretary shall—

''(i) provide the airport, State, or local government that requested the appeal at least 30 days to review the response; and

''(ii) withhold from taking further action in connection with the appeal during that 30-day period.

''(D) If, after completion of the appeal procedures with respect to the determination, the Secretary requires the tower to transition into the Cost-share Program, the Secretary shall not require a cost-share payment from the airport, State, or local government for 1 year following the last day of the 30-day period described in subparagraph (C).

''(e) DEFINITIONS.—In this section:

''(1) CONTRACT TOWER PROGRAM.—The term 'Contract Tower Program' means the level I air traffic control tower contract program established under subsection (a) and continued under subsection (b)(1).

''(2) COST-SHARE PROGRAM.—The term 'Cost-share Program' means the cost-share program established under subsection (b)(3).''.

(c) CONFORMING AMENDMENTS.—Section 47124(b) of title 49, United States Code, is amended—

(1) in paragraph (1)(C), by striking ''the program established under paragraph (3)'' and inserting ''the Cost-share Program'';

(2) in paragraph (3)—

(A) in the heading, by striking ''CONTRACT AIR TRAFFIC CONTROL TOWER PROGRAM'' and inserting ''COST-SHARE PROGRAM'';

(B) in subparagraph (A), by striking ''contract tower program established under subsection (a) and continued under paragraph (1) (in this paragraph referred to as the 'Contract Tower Program')'' and inserting ''Contract Tower Program'';

(C) in subparagraph (B), by striking ''In carrying out the program'' and inserting ''In carrying out the Cost-share Program'';

(D) in subparagraph (C), by striking ''participate in the program'' and inserting ''participate in the Cost-share Program''; and

(E) in subparagraph (F), by striking ''the program continued under paragraph (1)'' and inserting ''the Contract Tower Program''.

(d) APPROVAL OF CERTAIN APPLICATIONS FOR THE CONTRACT TOWER PROGRAM.—

(1) IN GENERAL.—If the Administrator of the Federal Aviation Administration has not implemented a revised cost-benefit methodology for purposes of determining eligibility for the Contract Tower Program before the date that is 30 days after the date of enactment of this Act, any airport with an application for participation in the Contract Tower Program pending as of January 1, 2017, shall be approved for participation in the Contract Tower Program if the Administrator determines the tower is eligible under the criteria set forth in the Federal Aviation

Administration report entitled ''Establishment and Discontinuance Criteria for Airport Traffic Control Towers'', and dated August 1990 (FAA–APO–90–7).

(2) REQUESTS FOR ADDITIONAL AUTHORITY.—The Administrator shall respond not later than 60 days after the date the Administrator receives a formal request from an airport and air traffic control contractor for additional authority to expand contract tower operational hours and staff to accommodate flight traffic outside of current tower operational hours.

(3) DEFINITION OF CONTRACT TOWER PROGRAM.—In this section, the term ''Contract Tower Program'' has the meaning given the term in section 47124(e) of title 49, United States Code, as added by this Act.

SEC. 134. GOVERNMENT SHARE OF PROJECT COSTS.

Section 47109(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''primary airport having at least .25 percent of the total number of passenger boardings each year at all commercial service airports;'' and inserting ''medium or large hub airport;''; and

(2) by striking paragraph (5) and inserting the following:

''(5) 95 percent for a project that—

''(A) the Administrator determines is a successive phase of a multiphase construction project for which the sponsor received a grant in fiscal year 2011; and

''(B) for which the United States Government's share of allowable project costs would otherwise be capped at 90 percent under paragraph (2) or (3).''.

SEC. 135. UPDATED VETERANS' PREFERENCE.

Section 47112(c)(1)(C) of title 49, United States Code, is amended—

(1) by striking ''or Operation New Dawn for more'' and inserting ''Operation New Dawn, Operation Inherent Resolve, Operation Freedom's Sentinel, or any successor contingency operation to such operations for more''; and

(2) by striking ''or Operation New Dawn (whichever is later)'' and inserting ''Operation New Dawn, Operation Inherent Resolve, Operation Freedom's Sentinel, or any successor contingency operation to such operations (whichever is later)''.

SEC. 136. USE OF STATE HIGHWAY SPECIFICATIONS.

Section 47114(d)(5) of title 49, United States Code, is amended to read as follows:

''(5) USE OF STATE HIGHWAY SPECIFICATIONS.—The Secretary shall use the highway specifications of a State for airfield pavement construction and improvement using funds made available under this subsection at nonprimary airports serving aircraft that do not exceed 60,000 pounds gross weight if—

''(A) such State requests the use of such specifications; and

''(B) the Secretary determines that—

''(i) safety will not be negatively affected; and

''(ii) the life of the pavement, with necessary maintenance and upkeep, will not be shorter than it would be if constructed using Administration standards.''.

SEC. 137. FORMER MILITARY AIRPORTS.

Section 47118(a) of title 49, United States Code, is amended—

(1) in paragraph (1)(C), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) the airport is—

''(A) a former military installation that, at any time after December 31, 1965, was owned and operated by the Department of Defense; and

''(B) a nonhub primary airport.''.

SEC. 138. ELIGIBILITY OF CCTV PROJECTS FOR AIRPORT IMPROVEMENT PROGRAM.

Section 47119(a)(1)(B) is amended—

(1) by striking ''; and'' at the end and inserting ''; or'';

(2) by striking ''directly related to moving passengers'' and inserting the following: ''directly related to—

''(i) moving passengers''; and

(3) by adding at the end the following:

''(ii) installing security cameras in the public area of the interior and exterior of the terminal; and''.

SEC. 139. STATE BLOCK GRANT PROGRAM EXPANSION.

Section 47128(a) of title 49, United States Code, is amended by striking ''not more than 9 qualified States for fiscal years 2000 and 2001 and 10 qualified States for each fiscal year thereafter'' and inserting ''not more than 20 qualified States for each fiscal year''.

SEC. 140. NON-MOVEMENT AREA SURVEILLANCE PILOT PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by inserting after section 47142 the following:

''§ 47143. Non-movement area surveillance surface display systems pilot program

''(a) IN GENERAL.—The Administrator of the Federal Aviation Administration may carry out a pilot program to support non-Federal acquisition and installation of qualifying non-movement area surveillance surface display systems and sensors if—

''(1) the Administrator determines that such systems and sensors would improve safety or capacity in the National Airspace System; and

''(2) the non-movement area surveillance surface display systems and sensors supplement existing movement area systems and sensors at the selected airports established under other programs administered by the Administrator.

''(b) PROJECT GRANTS.—

''(1) IN GENERAL.—For purposes of carrying out the pilot program, the Administrator may make a project grant out of funds apportioned under paragraph (1) or paragraph (2) of section 47114(c) to not more than 5 eligible sponsors to acquire and install qualifying non-movement area surveillance surface display systems and sensors. The airports selected to participate in the pilot program shall have existing Administration movement area systems and airlines that are participants in Federal Aviation Administration's airport collaborative decision-making process.

''(2) DATA EXCHANGE PROCESSES.—As part of the pilot program carried out under this section, the Administrator may establish data exchange processes to allow airport participation in the Administration's airport collaborative decision-making process and fusion of the non-movement surveillance data with the Administration's movement area systems.

''(c) SUNSET.—This section shall cease to be effective on October 1, 2023.

''(d) DEFINITIONS.—In this section:

''(1) NON-MOVEMENT AREA.—The term 'non-movement area' means the portion of the airfield surface that is not under the control of air traffic control.

''(2) NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEMS AND SENSORS.—The term 'non-movement area surveillance surface display systems and sensors' means a non-Federal surveillance system that uses on-airport sensors that track vehicles or aircraft that are equipped with transponders in the non-movement area.

''(3) QUALIFYING NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEM AND SENSORS.—The term 'qualifying non-movement area surveillance surface display system and sensors' means a non-movement area surveillance surface display system that—

''(A) provides the required transmit and receive data formats consistent with the National Airspace System architecture at the appropriate service delivery point;

''(B) is on-airport; and

''(C) is airport operated.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 471 of title 49, United States Code, is amended by inserting after the item relating to section 47142 the following:

''47143. Non-movement area surveillance surface display systems pilot program.''.

SEC. 141. PROPERTY CONVEYANCE RELEASES.

Section 817(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47125 note) is amended—

(1) by striking ''or section 23'' and inserting '', section 23''; and

(2) by inserting '', or section 47125 of title 49, United States Code'' before the period at the end.

SEC. 142. STUDY REGARDING TECHNOLOGY USAGE AT AIRPORTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a study on—

(1) technology developed by international entities (including foreign nations and companies) that have been installed in American airports and aviation systems over the past decade, including the nation where the technology was developed and any airports utilizing the technology; and

(2) aviation safety-related technology developed and implemented by international entities with proven track records of success that may assist in establishing best practices to improve American aviation operations and safety.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study.

SEC. 143. STUDY ON AIRPORT REVENUE DIVERSION.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study of—

(1) the legal and financial challenges related to repealing the exception in section 47107(b)(2) of title 49, United States Code, for those airports that the Federal Aviation Administration has identified are covered by the exception; and

(2) measures that may be taken to mitigate the impact of repealing the exception.

(b) CONTENTS.—The study required under subsection (a) shall address—

(1) the level of revenue diversion at the airports covered by the exception described in subsection (a)(1) and the uses of the diverted revenue;

(2) the terms of any bonds or financial covenants an airport owner has issued relying on diverted airport revenue;

(3) applicable local laws or ordinances requiring use of airport revenue for nonairport purposes;

(4) whether repealing the exception would improve the long-term financial performance of impacted airports; and

(5) any other practical implications of repealing the exception for airports or the national aviation system.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study.

SEC. 144. GAO STUDY ON THE EFFECT OF GRANTING AN EXCLUSIVE RIGHT OF AERONAUTICAL SERVICES TO AN AIRPORT SPONSOR.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the cases in which an airport sponsor has exercised an exclusive right (commonly known as a proprietary exclusive right), as described in the Federal Aviation Advisory Circular 150/1590–6 issued on January 4, 2007.

(b) REPORT.—Upon completion of the study described under subsection (a), the Comptroller General shall submit to the appropriate committees of Congress a report on the findings of the study.

SEC. 145. SENSE OF CONGRESS ON SMART AIRPORTS.

It is the sense of Congress that the Administrator of the Federal Aviation Administration and the Secretary of Transportation should produce a smart airports initiative plan that focuses on creating a more consumer-friendly and digitally connected airport experience. The plan should include recommendations on modernizing technologies to provide more efficient check-ins, shortened security lines, Wi-Fi and GPS upgrades, as well as improvements of aircraft turnaround for on-time boarding and flights. The purpose of the initiative is to invest in technologies and infrastructure toward better-connected airports while providing appropriate national security and cybersecurity for travelers.

SEC. 146. CRITICAL AIRFIELD MARKINGS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a request for proposal for a study that includes—

(1) an independent, third-party study to assess the durability of Type III and Type I glass beads applied to critical markings over a 2-year period at not fewer than 2 primary airports in varying weather conditions to measure the retroreflectivity levels of such markings on a quarterly basis; and

(2) a study at 2 other airports carried out by applying Type III glass beads on half of the centerline and Type I glass beads to the other half and providing for assessments from pilots through surveys administered by a third party as to the visibility and performance of the Type III glass beads as compared to the Type I glass beads over a 1-year period.

SEC. 147. GENERAL FACILITIES AUTHORITY.

Section 44502 of title 49, United States Code, is amended—

(1) by striking subsection (e) and inserting the following:

''(e) TRANSFERS OF AIR TRAFFIC SYSTEMS.—

''(1) IN GENERAL.—An airport may transfer, without consideration, to the Administrator of the Federal Aviation Administration, an eligible air traffic system or equipment that conforms to performance specifications of the Administrator if a Government airport aid program, airport development aid program, or airport improvement project grant was used to assist in purchasing the system or equipment.

''(2) ACCEPTANCE.—The Administrator shall accept the eligible air traffic system or equipment and operate and maintain it under criteria of the Administrator.

''(3) DEFINITION.—In this subsection, the term 'eligible air traffic system or equipment' means—

''(A) an instrument landing system consisting of a glide slope and localizer (if the Administrator has determined that a satellite navigation system cannot provide a suitable approach to an airport);

''(B) an Automated Weather Observing System weather observation system; or

''(C) a Remote Communication Air/Ground and Remote Communication Outlet communications facility.''; and

(2) by adding at the end the following:

''(f) AIRPORT SPACE.—

''(1) RESTRICTION.—The Administrator may not require an airport owner or sponsor (as defined in section 47102) to provide to the Federal Aviation Administration without cost any of the following:

''(A) Building construction, maintenance, utilities, or expenses for services relating to air traffic control, air navigation, or weather reporting.

''(B) Space in a facility owned by the airport owner or sponsor for services relating to air traffic control, air navigation, or weather reporting.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect—

''(A) any agreement the Secretary may have or make with an airport owner or sponsor for the airport owner or sponsor to provide any of the items described in paragraph (1)(A) or (1)(B) at below-market rates; or

''(B) any grant assurance that requires an airport owner or sponsor to provide land to the Administration without cost for an air traffic control facility.''.

SEC. 148. RECYCLING PLANS; UNCATEGORIZED SMALL AIRPORTS.

(a) PROJECT GRANT APPLICATION APPROVAL.—Section 47106(a) of title 49, United States Code, is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by inserting ''that includes the project'' before '', the master plan'';

(3) in paragraph (6)(E), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(7) if the project is at an airport that is listed as having an unclassified status under the most recent national plan of integrated airport systems (as described in section 47103), the project will be funded with an amount appropriated under section 47114(d)(3)(B) and is—

''(A) for maintenance of the pavement of the primary runway;

''(B) for obstruction removal for the primary runway;

''(C) for the rehabilitation of the primary runway; or

''(D) for a project that the Secretary considers necessary for the safe operation of the airport.''.

(b) NONPRIMARY APPORTIONMENT.—Section 47114(d)(3) of title 49, United States Code, is amended by adding at the end the following:

''(C) During fiscal years 2019 and 2020—

''(i) an airport that accrued apportionment funds under subparagraph (A) in fiscal year 2013 that is listed as having an unclassified status under the most recent national plan of integrated airport systems shall continue to accrue apportionment funds under subparagraph (A) at the same amount the airport accrued apportionment funds in fiscal year 2013, subject to the conditions of this paragraph;

''(ii) notwithstanding the period of availability as described in section 47117(b), an amount apportioned to an airport under clause (i) shall be available to the airport only during the fiscal year in which the amount is apportioned; and

''(iii) notwithstanding the waiver permitted under section 47117(c)(2), an airport receiving apportionment funds under clause (i) may not waive its claim to any part of the apportioned funds in order to make the funds available for a grant for another public-use airport.

''(D) An airport that re-establishes its classified status shall be eligible to accrue apportionment funds pursuant to subparagraph (A) so long as such airport retains its classified status.''.

SEC. 149. EVALUATION OF AIRPORT MASTER PLANS.

Section 47106 of title 49, United States Code, is amended by adding at the end the following:

''(h) EVALUATION OF AIRPORT MASTER PLANS.—When evaluating the master plan of an airport for purposes of this subchapter, the Secretary shall take into account—

''(1) the role the airport plays with respect to medical emergencies and evacuations; and

''(2) the role the airport plays in emergency or disaster preparedness in the community served by the airport.''.

SEC. 150. DEFINITION OF SMALL BUSINESS CONCERN.

Section 47113(a)(1) of title 49, United States Code, is amended to read as follows:

''(1) 'small business concern'—

''(A) has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632); but

''(B) in the case of a concern in the construction industry, a concern shall be considered a small business concern if the concern meets the size standard for the North American Industry Classification System Code 237310, as adjusted by the Small Business Administration;''.

SEC. 151. SMALL AIRPORT REGULATION RELIEF.

Section 47114(c)(1) of title 49, United States Code, is amended by striking subparagraph (F) and inserting the following:

''(F) SPECIAL RULE FOR FISCAL YEARS 2018 THROUGH 2020.—Notwithstanding subparagraph (A) and subject to subparagraph (G), the Secretary shall apportion to a sponsor of an airport under that subparagraph for each of fiscal years 2018 through 2020 an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport—

''(i) had 10,000 or more passenger boardings during calendar year 2012;

''(ii) had fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2018, 2019, or 2020, as applicable, under subparagraph (A); and

''(iii) had scheduled air service at any point in the calendar year used to calculate the apportionment.

''(G) LIMITATIONS AND WAIVERS.—The authority to make apportionments in the manner prescribed in subparagraph (F) may be utilized no more than 3 years in a row. The Secretary may waive this limitation if the Secretary determines that an airport's enplanements are substantially close to 10,000 enplanements and the airport sponsor or affected communities are taking reasonable steps to restore enplanements above 10,000.

''(H) MINIMUM APPORTIONMENT FOR COMMERCIAL SERVICE AIRPORTS WITH MORE THAN 8,000 PASSENGER BOARDINGS IN A CALENDAR YEAR.—Not less than $600,000 may be apportioned under subparagraph (A) for each fiscal year to each sponsor of a commercial service airport that had fewer than 10,000 passenger boardings, but at least 8,000 passenger boardings, during the prior calendar year.''.

SEC. 152. CONSTRUCTION OF CERTAIN CONTROL TOWERS.

Section 47116(d) of title 49, United States Code, is amended by adding at the end the following:

''(3) CONTROL TOWER CONSTRUCTION.—Notwithstanding section 47124(b)(4)(A), the Secretary may provide grants under this section to an airport sponsor participating in the contract tower program under section 47124

for the construction or improvement of a nonapproach control tower, as defined by the Secretary, and for the acquisition and installation of air traffic control, communications, and related equipment to be used in that tower. Such grants shall be subject to the distribution requirements of subsection (b) and the eligibility requirements of section 47124(b)(4)(B).''.

SEC. 153. NONDISCRIMINATION.

Section 47123 of title 49, United States Code, is amended—

(1) by striking ''The Secretary of Transportation'' and inserting the following:

''(a) IN GENERAL.—The Secretary of Transportation''; and

(2) by adding at the end the following:

''(b) INDIAN EMPLOYMENT.—

''(1) TRIBAL SPONSOR PREFERENCE.—Consistent with section 703(i) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–2(i)), nothing in this section shall preclude the preferential employment of Indians living on or near a reservation on a project or contract at—

''(A) an airport sponsored by an Indian tribal government; or

''(B) an airport located on an Indian reservation.

''(2) STATE PREFERENCE.—A State may implement a preference for employment of Indians on a project carried out under this subchapter near an Indian reservation.

''(3) IMPLEMENTATION.—The Secretary shall consult with Indian tribal governments and cooperate with the States to implement this subsection.

''(4) INDIAN TRIBAL GOVERNMENT DEFINED.—In this section, the term 'Indian tribal government' has the same meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).''.

SEC. 154. DEFINITION OF AIRPORT DEVELOPMENT.

Section 47116(d)(2) of title 49, United States Code, is amended to read as follows:

''(2) AIRPORT DEVELOPMENT FOR ELIGIBLE MOUNTAINTOP AIRPORTS.—In making grants to sponsors described in subsection (b), the Secretary shall give priority consideration to mass grading and associated structural support (including access road, duct banks, and other related infrastructure) at mountaintop airports, provided that the airport would not otherwise have sufficient surface area for—

''(A) eligible and justified airport development projects; or

''(B) additional hangar space.''.

SEC. 155. GENERAL AVIATION AIRPORT EXPIRED FUNDS.

Section 47117(b) of title 49, United States Code, is amended—

(1) by striking ''An amount'' and inserting ''(1) IN GENERAL.—An amount'';

(2) by striking ''If the amount'' and inserting ''Except as provided in paragraph (2), if the amount''; and

(3) by adding at the end the following:

''(2) EXPIRED AMOUNTS APPORTIONED FOR GENERAL AVIATION AIRPORTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), if an amount apportioned under section 47114(d) is not obligated within the time specified in paragraph (1), that amount shall be added to the discretionary fund under section 47115 of this title, provided that—

''(i) amounts made available under paragraph (2)(A) shall be used for grants for projects in accordance with section 47115(d)(2) at airports eligible to receive an apportionment under section 47114(d)(2) or (3)(A), whichever is applicable; and

''(ii) amounts made available under paragraph (2)(A) that are not obligated by July 1 of the fiscal year in which the funds will expire shall be made available for all projects in accordance with section 47115(d)(2).

''(B) STATE BLOCK GRANT PROGRAM.—If an amount apportioned to an airport under section 47114(d)(3)(A) is not obligated within the time specified in paragraph (1), and the airport is located in a State participating in the State block grant program under section 47128, the amount shall be made available to that State under the same conditions as if the State had been apportioned the amount under section 47114(d)(3)(B).''.

SEC. 156. PRIORITY REVIEW OF CONSTRUCTION PROJECTS IN COLD WEATHER STATES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration, to the extent practicable, shall schedule the Administrator's review of construction projects so that projects to be carried out in the States in which the weather during a typical calendar year prevents major construction projects from being carried out before May 1 are reviewed as early as possible.

(b) BRIEFING.—The Administrator shall provide a briefing to the appropriate committees of Congress annually on the effectiveness of the review and prioritization.

(c) TECHNICAL AMENDMENT.—Section 154 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47112 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

SEC. 157. MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.

(a) FINDINGS.—Congress finds the following:

(1) While significant progress has occurred due to the establishment of the airport disadvantaged business enterprise program (sections 47107(e) and 47113 of title 49, United States Code), discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in airport-related markets across the Nation. These continuing barriers merit the continuation of the airport disadvantaged business enterprise program.

(2) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits. This testimony and documentation shows that race- and gender-neutral efforts alone are insufficient to address the problem.

(3) This testimony and documentation demonstrates that discrimination across the Nation poses a barrier to full and fair participation in airport-related businesses of women business owners and minority business owners in the racial groups detailed in parts 23 and 26 of title 49, Code of Federal Regulations, and has impacted firm development and many aspects of airport-related business in the public and private markets.

(4) This testimony and documentation provides a strong basis that there is a compelling need for the continuation of the airport disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program to address race and gender discrimination in airport-related business.

(b) PROMPT PAYMENTS.—

(1) REPORTING OF COMPLAINTS.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall ensure that each airport that participates in the Program tracks, and reports to the Administrator, the number of covered complaints made in relation to activities at that airport.

(2) IMPROVING COMPLIANCE.—

(A) IN GENERAL.—The Administrator shall take actions to assess and improve compliance with prompt payment requirements under part 26 of title 49, Code of Federal Regulations.

(B) CONTENTS OF ASSESSMENT.—In carrying out subparagraph (A), the Administrator shall assess—

(i) whether requirements relating to the inclusion of prompt payment language in contracts are being satisfied;

(ii) whether and how airports are enforcing prompt payment requirements;

(iii) the processes by which covered complaints are received and resolved by airports;

(iv) whether improvements need to be made to—

(I) better track covered complaints received by airports; and

(II) assist the resolution of covered complaints in a timely manner;

(v) whether changes to prime contractor specifications need to be made to ensure prompt payments to subcontractors; and,

(vi) whether changes to prime contractor specifications need to be made to ensure prompt payment of retainage to subcontractors.

(C) REPORTING.—The Administrator shall make available to the public on an appropriate website operated by the Administrator a report describing the results of the assessment completed under this paragraph, including a plan to respond to such results.

(3) DEFINITIONS.—In this subsection, the following definitions apply:

(A) COVERED COMPLAINT.—The term ''covered complaint'' means a complaint relating to an alleged failure to satisfy a prompt payment requirement under part 26 of title 49, Code of Federal Regulations.

(B) PROGRAM.—The term ''Program'' means the airport disadvantaged business enterprise program referenced in subsection (a)(1) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47113 note).

SEC. 158. SUPPLEMENTAL DISCRETIONARY FUNDS.

Section 47115 of title 49, United States Code, is further amended by adding at the end the following:

''(j) SUPPLEMENTAL DISCRETIONARY FUNDS.—

''(1) IN GENERAL.—The Secretary shall establish a program to provide grants, subject to the conditions of this subsection, for any purpose for which amounts are made available under section 48103 that the Secretary considers most appropriate to carry out this subchapter.

''(2) TREATMENT OF GRANTS.—

''(A) IN GENERAL.—A grant made under this subsection shall be treated as having been made pursuant to the Secretary's authority under section 47104(a) and from the Secretary's discretionary fund under subsection (a) of this section.

''(B) EXCEPTION.—Except as otherwise provided in this subsection, grants made under this subsection shall not be subject to subsection (c), section 47117(e), or any other apportionment formula, special apportionment category, or minimum percentage set forth in this chapter.

''(3) ELIGIBILITY AND PRIORITIZATION.—

''(A) ELIGIBILITY.—The Secretary may provide grants under this subsection for an airport or terminal development project at any airport that is eligible to receive a grant from the discretionary fund under subsection (a) of this section.

''(B) PRIORITIZATION.—Not less than 50 percent of the amounts available under this subsection shall used to provide grants at—

''(i) airports that are eligible for apportionment under section 47114(d)(3); and

''(ii) nonhub and small hub airports.

''(4) AUTHORIZATION.—

''(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this subsection the following amounts:

''(i) $1,020,000,000 for fiscal year 2019.

''(ii) $1,041,000,000 for fiscal year 2020.

''(iii) $1,064,000,000 for fiscal year 2021.

''(iv) $1,087,000,000 for fiscal year 2022.

''(v) $1,110,000,000 for fiscal year 2023.

''(B) AVAILABILITY.—Sums authorized to be appropriated under subparagraph (A) shall remain available for 2 fiscal years.''.

SEC. 159. STATE TAXATION.

(a) IN GENERAL.—Section 40116(d)(2)(A) of title 49, United States Code, is amended by adding at the end the following:

''(v) except as otherwise provided under section 47133, levy or collect a tax, fee, or charge, first taking effect after the date of enactment of this clause, upon any business located at a commercial service airport or operating as a permittee of such an airport that is not generally imposed on sales or services by that State, political subdivision, or authority unless wholly utilized for airport or aeronautical purposes.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall affect a change to a rate or other provision of a tax, fee, or charge under section 40116 of title 49, United States Code, that was enacted prior to the date of enactment of this Act. Such provision of a tax, fee, or charge shall continue to be subject to the requirements to which such provision was subject under that section as in effect on the day before the date of enactment of this Act.

SEC. 160. AIRPORT INVESTMENT PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Section 47134 of title 49, United States Code, is amended—

(1) by striking the section heading and inserting ''**Airport investment partnership program**'';

(2) in subsection (b), by striking '', with respect to not more than 10 airports,'';

(3) in subsection (b)(2), by striking ''The Secretary may grant an exemption to a sponsor'' and inserting ''If the Secretary grants an exemption to a sponsor pursuant to paragraph (1), the Secretary shall grant an exemption to the sponsor'';

(4) in subsection (b)(3), by striking ''The Secretary may grant an exemption to a purchaser or lessee'' and inserting ''If the Secretary grants an exemption to a sponsor pursuant to paragraph (1), the Secretary shall grant an exemption to the corresponding purchaser or lessee'';

(5) by amending subsection (d) to read as follows:

''(d) PROGRAM PARTICIPATION.—

''(1) MULTIPLE AIRPORTS.—The Secretary may consider applications under this section submitted by a public airport sponsor for multiple airports under the control of the sponsor if all airports under the control of the sponsor are located in the same State.

''(2) PARTIAL PRIVATIZATION.—A purchaser or lessee may be an entity in which a sponsor has an interest.''; and

(6) by striking subsections (l) and (m) and inserting the following:

''(l) PREDEVELOPMENT LIMITATION.—A grant to an airport sponsor under this subchapter for predevelopment planning costs relating to the preparation of an application or proposed application under this section may not exceed $750,000 per application or proposed application.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 471 of title 49, United States Code, is amended by striking the item relating to section 47134 and inserting the following:

''47134. Airport investment partnership program.''.

SEC. 161. REMOTE TOWER PILOT PROGRAM FOR RURAL AND SMALL COMMUNITIES.

(a) PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration shall establish—

(A) in consultation with airport operators and other aviation stakeholders, a pilot program at public-use airports to construct and operate remote towers in order to assess their operational benefits;

(B) a selection process for participation in the pilot program; and

(C) a clear process for the safety and operational certification of the remote towers.

(2) SAFETY CONSIDERATIONS.—

(A) SAFETY RISK MANAGEMENT PANEL.—Prior to the operational use of a remote tower under the pilot program established in subsection (a), the Administrator shall convene a safety risk management panel for the tower to address any safety issues with respect to the tower. The panels shall be created and utilized in a manner similar to that of the safety risk management panels previously convened for remote towers and shall take into account existing best practices and operational data from existing remote towers in the United States.

(B) CONSULTATION.—In establishing the pilot program, the Administrator shall consult with operators of remote towers in the United States and foreign countries to design the pilot program in a manner that leverages as many safety and airspace efficiency benefits as possible.

(3) APPLICATIONS.—The operator of an airport seeking to participate in the pilot program shall submit to the Administrator an application that is in such form and contains such information as the Administrator may require.

(4) PROGRAM DESIGN.—In designing the pilot program, the Administrator shall—

(A) to the maximum extent practicable, ensure that at least 2 different vendors of remote tower systems participate;

(B) identify which air traffic control information and data will assist the Administrator in evaluating the feasibility, safety, costs, and benefits of remote towers;

(C) implement processes necessary to collect the information and data identified in subparagraph (B);

(D) develop criteria, in addition to considering possible selection criteria in paragraph (5), for the selection of airports that will best assist the Administrator in evaluating the feasibility, safety, costs, and benefits of remote towers, including the amount and variety of air traffic at an airport; and

(E) prioritize the selection of airports that can best demonstrate the capabilities and benefits of remote towers, including applicants proposing to operate multiple remote towers from a single facility.

(5) SELECTION CRITERIA FOR CONSIDERATION.—In selecting airports for participation in the pilot program, the Administrator, after consultation with representatives of labor organizations representing operators and employees of the air traffic control system, shall consider for participation in the pilot program—

(A) 1 nonhub airport;

(B) 3 airports that are not primary airports and that do not have existing air traffic control towers;

(C) 1 airport that participates in the Contract Tower Program; and

(D) 1 airport selected at the discretion of the Administrator.

(6) DATA.—The Administrator shall clearly identify and collect air traffic control information and data from participating airports that will assist the Administrator in evaluating the feasibility, safety, costs, and benefits of remote towers.

(7) REPORT.—Not later than 1 year after the date the first remote tower is operational, and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report—

(A) detailing any benefits, costs, or safety improvements associated with the use of the remote towers; and

(B) evaluating the feasibility of using remote towers, particularly in the Contract Tower Program, for airports without an air traffic control tower, to improve safety at airports with towers, or to reduce costs without impacting safety at airports with or without existing towers.

(8) DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Administrator shall select airports for participation in the pilot program.

(9) DEFINITIONS.—In this subsection:

(A) CONTRACT TOWER PROGRAM.—The term ''Contract Tower Program'' has the meaning given the term in section 47124(e) of title 49, United States Code, as added by this Act.

(B) REMOTE TOWER.—The term ''remote tower'' means a remotely operated air navigation facility, including all necessary system components, that provides the functions and capabilities of an air traffic control tower whereby air traffic services are provided to operators at an airport from a location that may not be on or near the airport.

(C) OTHER DEFINITIONS.—The terms ''nonhub airport'', ''primary airport'', and ''public-use airport'' have the meanings given such terms in section 47102 of title 49, United States Code.

(10) SUNSET.—This subsection, including the report required under paragraph (8), shall not be in effect after September 30, 2023.

(b) REMOTE TOWER PROGRAM.—Concurrent with the establishment of the process for safety and operational certification of remote towers under subsection (a)(1)(C), the Administrator shall establish a process to authorize the construction and commissioning of additional remote towers that are certificated under subsection (a)(1)(C) at other airports.

(c) AIP FUNDING ELIGIBILITY.—For purposes of the pilot program under subsection (a), and after certificated remote towers are available under subsection (b), constructing a remote tower or acquiring and installing air traffic control, communications, or related equipment specifically for a remote tower shall be considered airport development (as defined in section 47102 of title 49, United States Code) for purposes of subchapter I of chapter 471 of that title if the components are installed and used at the airport, except, as needed, for off-airport sensors installed on leased towers.

SEC. 162. AIRPORT ACCESS ROADS IN REMOTE LOCATIONS.

Notwithstanding section 47102 of title 49, United States Code, for fiscal years 2018 through 2023—

(1) the definition of the term ''airport development'' under that section includes the construction of a storage facility to shelter snow removal equipment or aircraft rescue and firefighting equipment that is owned by an airport sponsor and used exclusively to maintain safe airfield operations, up to the facility size necessary to accommodate the types and quantities of equipment prescribed by the FAA, regardless of whether Federal funding was used to acquire the equipment;

(2) a storage facility to shelter snow removal equipment may exceed the facility size limitation described in paragraph (1) if the airport sponsor certifies to the Secretary that the following conditions are met:

(A) The storage facility to be constructed will be used to store snow removal equipment exclusively used for clearing airfield

pavement of snow and ice following a weather event.

(B) The airport is categorized as a local general aviation airport in the Federal Aviation Administration's 2017–2021 National Plan of Integrated Airport Systems (NPIAS) report.

(C) The 30-year annual snowfall normal of the nearest weather station based on the National Oceanic and Atmospheric Administration Summary of Monthly Normals 1981–2010 exceeds 26 inches.

(D) The airport serves as a base for a medical air ambulance transport aircraft.

(E) The airport master record (Form 5010–1) effective on September 14, 2017 for the airport indicates 45 based aircraft consisting of single engine, multiple engine, and jet engine aircraft.

(F) No funding under this section will be used for any portion of the storage facility designed to shelter maintenance and operations equipment that are not required for clearing airfield pavement of snow and ice.

(G) The airport sponsor will complete design of the storage building not later than September 30, 2019, and will initiate construction of the storage building not later than September 30, 2020.

(H) The area of the storage facility, or portion thereof, to be funded under this subsection does not exceed 6,000 square feet; and

(3) the definition of the term ''terminal development'' under that section includes the development of an airport access road that—

(A) is located in a noncontiguous State;

(B) is not more than 5 miles in length;

(C) connects to the nearest public roadways of not more than the 2 closest census designated places; and

(D) may provide incidental access to public or private property that is adjacent to the road and is not otherwise connected to a public road.

SEC. 163. LIMITED REGULATION OF NON-FEDERALLY SPONSORED PROPERTY.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Transportation may not directly or indirectly regulate—

(1) the acquisition, use, lease, encumbrance, transfer, or disposal of land by an airport owner or operator;

(2) any facility upon such land; or

(3) any portion of such land or facility.

(b) EXCEPTIONS.—Subsection (a) does not apply to—

(1) any regulation ensuring—

(A) the safe and efficient operation of aircraft or safety of people and property on the ground related to aircraft operations;

(B) that an airport owner or operator receives not less than fair market value in the context of a commercial transaction for the use, lease, encumbrance, transfer, or disposal of land, any facilities on such land, or any portion of such land or facilities; or

(C) that the airport pays not more than fair market value in the context of a commercial transaction for the acquisition of land or facilities on such land;

(2) any regulation imposed with respect to land or a facility acquired or modified using Federal funding; or

(3) any authority contained in—

(A) a Surplus Property Act instrument of transfer, or

(B) section 40117 of title 49, United States Code.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the applicability of sections 47107(b) or 47133 of title 49, United States Code, to revenues generated by the use, lease, encumbrance, transfer, or disposal of land under subsection (a), facilities upon such land, or any portion of such land or facilities.

(d) AMENDMENTS TO AIRPORT LAYOUT PLANS.—Section 47107(a)(16) of title 49, United States Code, is amended—

(1) by striking subparagraph (B) and inserting the following:

''(B) the Secretary will review and approve or disapprove only those portions of the plan (or any subsequent revision to the plan) that materially impact the safe and efficient operation of aircraft at, to, or from the airport or that would adversely affect the safety of people or property on the ground adjacent to the airport as a result of aircraft operations, or that adversely affect the value of prior Federal investments to a significant extent;'';

(2) in subparagraph (C), by striking ''if the alteration'' and all that follows through ''airport; and'' and inserting the following: ''unless the alteration—

''(i) is outside the scope of the Secretary's review and approval authority as set forth in subparagraph (B); or

''(ii) complies with the portions of the plan approved by the Secretary; and''; and

(3) in subparagraph (D), in the matter preceding clause (i), by striking ''when an alternation'' and all that follows through ''Secretary, will'' and inserting ''when an alteration in the airport or its facility is made that is within the scope of the Secretary's review and approval authority as set forth in subparagraph (B), and does not conform with the portions of the plan approved by the Secretary, and the Secretary decides that the alteration adversely affects the safety, utility, or efficiency of aircraft operations, or of any property on or off the airport that is owned, leased, or financed by the Government, then the owner or operator will, if requested by the Secretary''.

SEC. 164. SEASONAL AIRPORTS.

Section 47114(c)(1) of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''(I) SEASONAL AIRPORTS.—Notwithstanding section 47102, if the Secretary determines that a commercial service airport with at least 8,000 passenger boardings receives scheduled air carrier service for fewer than 6 months in the calendar year used to calculate apportionments to airport sponsors in a fiscal year, then the Secretary shall consider the airport to be a nonhub primary airport for purposes of this chapter.''.

SEC. 165. AMENDMENTS TO DEFINITIONS.

Section 47102 of title 49, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (K), by striking ''7505a) and if such project will result in an airport receiving appropriate'' and inserting ''7505a)) and if the airport would be able to receive'';

(B) by striking subparagraph (L) and inserting the following:

''(L) a project by a commercial service airport for the acquisition of airport-owned vehicles or ground support equipment equipped with low-emission technology if the airport is located in an air quality nonattainment or maintenance area (as defined in sections 171(2) and 175A of the Clean Air Act (42 U.S.C. 7501(2); 7505a)), if the airport would be able to receive appropriate emission credits (as described in section 47139), and the vehicles are;

''(i) used exclusively on airport property; or

''(ii) used exclusively to transport passengers and employees between the airport and the airport's consolidated rental car facility or an intermodal surface transportation facility adjacent to the airport.''; and

(C) by adding at the end the following:

''(P) an on-airport project to improve the reliability and efficiency of the airport's power supply and to prevent power disruptions to the airfield, passenger terminal, and any other airport facilities, including the acquisition and installation of electrical generators, separation of the airport's main power supply from its redundant power supply, and the construction or modification of airport facilities to install a microgrid (as defined in section 641 of the United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231)).

''(Q) converting or retrofitting vehicles and ground support equipment into eligible zero-emission vehicles and equipment (as defined in section 47136) and for acquiring, by purchase or lease, eligible zero-emission vehicles and equipment.

''(R) predevelopment planning, including financial, legal, or procurement consulting services, related to an application or proposed application for an exemption under section 47134.'';

(2) in paragraph (5), by striking ''regulations'' and inserting ''requirements''; and

(3) in paragraph (8), by striking ''public'' and inserting ''public-use''.

SEC. 166. PILOT PROGRAM SUNSETS.

(a) IN GENERAL.—Sections 47136 and 47140 of title 49, United States Code, are repealed.

(b) CONFORMING AMENDMENTS.—

(1) Sections 47136a and 47140a of title 49, United States Code, are redesignated as sections 47136 and 47140, respectively.

(2) Section 47139 of title 49, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(c) CLERICAL AMENDMENTS.—The analysis for chapter 471 of title 49, United States Code, is amended—

(1) by striking the items relating to sections 47136, 47136a, 47140, and 47140a;

(2) by inserting after the item relating to section 47135 the following:

''47136. Zero-emission airport vehicles and infrastructure.''; and

(3) by inserting after the item relating to section 47139 the following:

''47140. Increasing the energy efficiency of airport power sources.''.

SEC. 167. BUY AMERICA REQUIREMENTS.

(a) NOTICE OF WAIVERS.—If the Secretary of Transportation determines that it is necessary to waive the application of section 50101(a) of title 49, United States Code, based on a finding under section 50101(b) of that title, the Secretary, at least 10 days before the date on which the waiver takes effect, shall—

(1) make publicly available, in an easily identifiable location on the website of the Department of Transportation, a detailed written justification of the waiver determination; and

(2) provide an informal public notice and comment opportunity on the waiver determination.

(b) ANNUAL REPORT.—For each fiscal year, the Secretary shall submit to the appropriate committees of Congress a report on waivers issued under section 50101 of title 49, United States Code, during the fiscal year.

Subtitle D—Airport Noise and Environmental Streamlining

SEC. 171. FUNDING ELIGIBILITY FOR AIRPORT ENERGY EFFICIENCY ASSESSMENTS.

(a) COST REIMBURSEMENTS.—Section 47140(a) of title 49, United States Code, as so redesignated, is amended by striking ''airport.'' and inserting ''airport, and to reimburse the airport sponsor for the costs incurred in conducting the assessment.''.

(b) SAFETY PRIORITY.—Section 47140(b)(2) of title 49, United States Code, as so redesignated, is amended by inserting '', including a

certification that no safety projects are being be deferred by requesting a grant under this section,'' after ''an application''.

SEC. 172. AUTHORIZATION OF CERTAIN FLIGHTS BY STAGE 2 AIRCRAFT.

(a) IN GENERAL.—Notwithstanding chapter 475 of title 49, United States Code, not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a pilot program to permit an operator of a stage 2 aircraft to operate that aircraft in nonrevenue service into not more than 4 medium hub airports or nonhub airports if—

(1) the airport—

(A) is certified under part 139 of title 14, Code of Federal Regulations;

(B) has a runway that—

(i) is longer than 8,000 feet and not less than 200 feet wide; and

(ii) is load bearing with a pavement classification number of not less than 38; and

(C) has a maintenance facility with a maintenance certificate issued under part 145 of such title; and

(2) the operator of the stage 2 aircraft operates not more than 10 flights per month using that aircraft.

(b) TERMINATION.—The pilot program shall terminate on the earlier of—

(1) the date that is 10 years after the date of the enactment of this Act; or

(2) the date on which the Administrator determines that no stage 2 aircraft remain in service.

(c) DEFINITIONS.—In this section:

(1) MEDIUM HUB AIRPORT; NONHUB AIRPORT.—The terms ''medium hub airport'' and ''nonhub airport'' have the meanings given those terms in section 40102 of title 49, United States Code.

(2) STAGE 2 AIRCRAFT.—The term ''stage 2 aircraft'' has the meaning given the term ''stage 2 airplane'' in section 91.851 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

SEC. 173. ALTERNATIVE AIRPLANE NOISE METRIC EVALUATION DEADLINE.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete the ongoing evaluation of alternative metrics to the current Day Night Level (DNL) 65 standard.

SEC. 174. UPDATING AIRPORT NOISE EXPOSURE MAPS.

Section 47503(b) of title 49, United States Code, is amended to read as follows:

''(b) REVISED MAPS.—

''(1) IN GENERAL.—An airport operator that submits a noise exposure map under subsection (a) shall submit a revised map to the Secretary if, in an area surrounding an airport, a change in the operation of the airport would establish a substantial new noncompatible use, or would significantly reduce noise over existing noncompatible uses, that is not reflected in either the existing conditions map or forecast map currently on file with the Federal Aviation Administration.

''(2) TIMING.—A submission under paragraph (1) shall be required only if the relevant change in the operation of the airport occurs during—

''(A) the forecast period of the applicable noise exposure map submitted by an airport operator under subsection (a); or

''(B) the implementation period of the airport operator's noise compatibility program.''.

SEC. 175. ADDRESSING COMMUNITY NOISE CONCERNS.

When proposing a new area navigation departure procedure, or amending an existing procedure that would direct aircraft between the surface and 6,000 feet above ground level over noise sensitive areas, the Administrator of the Federal Aviation Administration shall consider the feasibility of dispersal headings or other lateral track variations to address community noise concerns, if—

(1) the affected airport operator, in consultation with the affected community, submits a request to the Administrator for such a consideration;

(2) the airport operator's request would not, in the judgment of the Administrator, conflict with the safe and efficient operation of the national airspace system; and

(3) the effect of a modified departure procedure would not significantly increase noise over noise sensitive areas, as determined by the Administrator.

SEC. 176. COMMUNITY INVOLVEMENT IN FAA NEXTGEN PROJECTS LOCATED IN METROPLEXES.

(a) COMMUNITY INVOLVEMENT POLICY.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete a review of the Federal Aviation Administration's community involvement practices for Next Generation Air Transportation System (NextGen) projects located in metroplexes identified by the Administration. The review shall include, at a minimum, a determination of how and when to engage airports and communities in performance-based navigation proposals.

(b) REPORT.—Not later than 60 days after completion of the review, the Administrator shall submit to the appropriate committees of Congress a report on—

(1) how the Administration will improve community involvement practices for NextGen projects located in metroplexes;

(2) how and when the Administration will engage airports and communities in performance-based navigation proposals; and

(3) lessons learned from NextGen projects and pilot programs and how those lessons learned are being integrated into community involvement practices for future NextGen projects located in metroplexes.

SEC. 177. LEAD EMISSIONS.

(a) STUDY.—The Secretary of Transportation shall enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine under which the National Research Council will study aviation gasoline.

(b) CONTENTS.—The study shall include an assessment of—

(1) existing non-leaded fuel alternatives to the aviation gasoline used by piston-powered general aviation aircraft;

(2) ambient lead concentrations at and around airports where piston-powered general aviation aircraft are used; and

(3) mitigation measures to reduce ambient lead concentrations, including increasing the size of run-up areas, relocating run-up areas, imposing restrictions on aircraft using aviation gasoline, and increasing the use of motor gasoline in piston-powered general aviation aircraft.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress the study developed by the National Research Council pursuant to this section.

SEC. 178. TERMINAL SEQUENCING AND SPACING.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall provide a briefing to the appropriate committees of Congress on the status of Terminal Sequencing and Spacing (TSAS) implementation across all completed NextGen metroplexes with specific information provided by airline regarding the adoption and equipping of aircraft and the training of pilots in its use.

SEC. 179. AIRPORT NOISE MITIGATION AND SAFETY STUDY.

(a) STUDY.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a study to review and evaluate existing studies and analyses of the relationship between jet aircraft approach and takeoff speeds and corresponding noise impacts on communities surrounding airports.

(b) CONSIDERATIONS.—In conducting the study initiated under subsection (a), the Administrator shall determine—

(1) whether a decrease in jet aircraft approach or takeoff speeds results in significant aircraft noise reductions;

(2) whether the jet aircraft approach or takeoff speed reduction necessary to achieve significant noise reductions—

(A) jeopardizes aviation safety; or

(B) decreases the efficiency of the National Airspace System, including lowering airport capacity, increasing travel times, or increasing fuel burn;

(3) the advisability of using jet aircraft approach or takeoff speeds as a noise mitigation technique; and

(4) if the Administrator determines that using jet aircraft approach or takeoff speeds as a noise mitigation technique is advisable, whether any of the metropolitan areas specifically identified in section 189(b)(2) would benefit from such a noise mitigation technique without a significant impact to aviation safety or the efficiency of the National Airspace System.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study initiated under subsection (a).

SEC. 180. REGIONAL OMBUDSMEN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, with respect to each region of the Federal Aviation Administration, the Regional Administrator for that region shall designate an individual to be the Regional Ombudsman for the region.

(b) REQUIREMENTS.—Each Regional Ombudsman shall—

(1) serve as a regional liaison with the public, including community groups, on issues regarding aircraft noise, pollution, and safety;

(2) make recommendations to the Administrator for the region to address concerns raised by the public and improve the consideration of public comments in decision-making processes; and

(3) be consulted on proposed changes in aircraft operations affecting the region, including arrival and departure routes, in order to minimize environmental impacts, including noise.

SEC. 181. FAA LEADERSHIP ON CIVIL SUPERSONIC AIRCRAFT.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall exercise leadership in the creation of Federal and international policies, regulations, and standards relating to the certification and safe and efficient operation of civil supersonic aircraft.

(b) EXERCISE OF LEADERSHIP.—In carrying out subsection (a), the Administrator shall—

(1) consider the needs of the aerospace industry and other stakeholders when creating policies, regulations, and standards that enable the safe commercial deployment of civil supersonic aircraft technology and the safe and efficient operation of civil supersonic aircraft; and

(2) obtain the input of aerospace industry stakeholders regarding—

(A) the appropriate regulatory framework and timeline for permitting the safe and efficient operation of civil supersonic aircraft within United States airspace, including updating or modifying existing regulations on such operation;

(B) issues related to standards and regulations for the type certification and safe operation of civil supersonic aircraft, including noise certification, including—

(i) the operational differences between subsonic aircraft and supersonic aircraft;

(ii) costs and benefits associated with landing and takeoff noise requirements for civil supersonic aircraft, including impacts on aircraft emissions;

(iii) public and economic benefits of the operation of civil supersonic aircraft and associated aerospace industry activity; and

(iv) challenges relating to ensuring that standards and regulations aimed at relieving and protecting the public health and welfare from aircraft noise and sonic booms are economically reasonable, technologically practicable, and appropriate for civil supersonic aircraft; and

(C) other issues identified by the Administrator or the aerospace industry that must be addressed to enable the safe commercial deployment and safe and efficient operation of civil supersonic aircraft.

(c) INTERNATIONAL LEADERSHIP.—The Administrator, in the appropriate international forums, shall take actions that—

(1) demonstrate global leadership under subsection (a);

(2) address the needs of the aerospace industry identified under subsection (b); and

(3) protect the public health and welfare.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report detailing—

(1) the Administrator's actions to exercise leadership in the creation of Federal and international policies, regulations, and standards relating to the certification and safe and efficient operation of civil supersonic aircraft;

(2) planned, proposed, and anticipated actions to update or modify existing policies and regulations related to civil supersonic aircraft, including those identified as a result of industry consultation and feedback; and

(3) a timeline for any actions to be taken to update or modify existing policies and regulations related to civil supersonic aircraft.

(e) LONG-TERM REGULATORY REFORM.—

(1) NOISE STANDARDS.—Not later than March 31, 2020, the Administrator shall issue a notice of proposed rulemaking to revise part 36 of title 14, Code of Federal Regulations, to include supersonic aircraft in the applicability of such part. The proposed rule shall include necessary definitions, noise standards for landing and takeoff, and noise test requirements that would apply to a civil supersonic aircraft.

(2) SPECIAL FLIGHT AUTHORIZATIONS.—Not later than December 31, 2019, the Administrator shall issue a notice of proposed rulemaking to revise appendix B of part 91 of title 14, Code of Federal Regulations, to modernize the application process for a person applying to operate a civil aircraft at supersonic speeds for the purposes stated in that rule.

(f) NEAR-TERM CERTIFICATION OF SUPERSONIC CIVIL AIRCRAFT.—

(1) IN GENERAL.—If a person submits an application requesting type certification of a civil supersonic aircraft pursuant to part 21 of title 14, Code of Federal Regulations, before the Administrator promulgates a final rule amending part 36 of title 14, Code of Federal Regulations, in accordance with subsection (e)(1), the Administrator shall, not later than 18 months after having received such application, issue a notice of proposed rulemaking applicable solely for the type certification, inclusive of the aircraft engines, of the supersonic aircraft design for which such application was made.

(2) CONTENTS.—A notice of proposed rulemaking described in paragraph (1) shall—

(A) address safe operation of the aircraft type, including development and flight testing prior to type certification;

(B) address manufacturing of the aircraft;

(C) address continuing airworthiness of the aircraft;

(D) specify landing and takeoff noise standards for that aircraft type that the Administrator considers appropriate, practicable, and consistent with section 44715 of title 49, United States Code; and

(E) consider differences between subsonic and supersonic aircraft including differences in thrust requirements at equivalent gross weight, engine requirements, aerodynamic characteristics, operational characteristics, and other physical properties.

(3) NOISE AND PERFORMANCE DATA.—The requirement of the Administrator to issue a notice of proposed rulemaking under paragraph (1) shall apply only if an application contains sufficient aircraft noise and performance data as the Administrator finds necessary to determine appropriate noise standards and operating limitations for the aircraft type consistent with section 44715 of title 49, United States Code.

(4) FINAL RULE.—Not later than 18 months after the end of the public comment period provided in the notice of proposed rulemaking required under paragraph (1), the Administrator shall publish in the Federal Register a final rule applying solely to the aircraft model submitted for type certification.

(5) REVIEW OF RULES OF CIVIL SUPERSONIC FLIGHTS.—Beginning December 31, 2020, and every 2 years thereafter, the Administrator shall review available aircraft noise and performance data, and consult with heads of appropriate Federal agencies, to determine whether section 91.817 of title 14, Code of Federal Regulations, and Appendix B of part 91 of title 14, Code of Federal Regulations, may be amended, consistent with section 44715 of title 49, United States Code, to permit supersonic flight of civil aircraft over land in the United States.

(6) IMPLEMENTATION OF NOISE STANDARDS.—The portion of the regulation issued by the Administrator of the Federal Aviation Administration titled ''Revision of General Operating and Flight Rules'' and published in the Federal Register on August 18, 1989 (54 Fed. Reg. 34284) that restricts operation of civil aircraft at a true flight Mach number greater than 1 shall have no force or effect beginning on the date on which the Administrator publishes in the Federal Register a final rule specifying sonic boom noise standards for civil supersonic aircraft.

SEC. 182. MANDATORY USE OF THE NEW YORK NORTH SHORE HELICOPTER ROUTE.

(a) PUBLIC COMMENT PERIOD.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall provide notice of, and an opportunity for, at least 60 days of public comment with respect to the regulations in subpart H of part 93 of title 14, Code of Federal Regulations.

(2) TIMING.—The public comment period required under paragraph (1) shall begin not later than 30 days after the date of enactment of this Act.

(b) PUBLIC HEARING.—Not later than 30 days after the date of enactment of this Act, the Administrator shall hold a public hearing in the communities impacted by the regulations described in subsection (a)(1) to solicit feedback with respect to the regulations.

(c) REVIEW.—Not later than 30 days after the date of enactment of this Act, the Administrator shall initiate a review of the regulations described in subsection (a)(1) that assesses the—

(1) noise impacts of the regulations for communities, including communities in locations where aircraft are transitioning to or from a destination or point of landing;

(2) enforcement of applicable flight standards, including requirements for helicopters operating on the relevant route to remain at or above 2,500 feet mean sea level; and

(3) availability of alternative or supplemental routes to reduce the noise impacts of the regulations, including the institution of an all water route over the Atlantic Ocean.

SEC. 183. STATE STANDARDS FOR AIRPORT PAVEMENTS.

Section 47105(c) of title 49, United States Code, is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''The Secretary'' the first place it appears; and

(2) by adding at the end the following:

''(2) PAVEMENT STANDARDS.—

''(A) TECHNICAL ASSISTANCE.—At the request of a State, the Secretary shall, not later than 30 days after the date of the request, provide technical assistance to the State in developing standards, acceptable to the Secretary under subparagraph (B), for pavement on nonprimary public-use airports in the State.

''(B) REQUIREMENTS.—The Secretary shall—

''(i) continue to provide technical assistance under subparagraph (A) until the standards are approved under paragraph (1); and

''(ii) clearly indicate to the State the standards that are acceptable to the Secretary, considering, at a minimum, local conditions and locally available materials.''.

SEC. 184. ELIGIBILITY OF PILOT PROGRAM AIRPORTS.

(a) DISCRETIONARY FUND.—Section 47115 of title 49, United States Code, is further amended by adding at the end the following:

''(k) PARTNERSHIP PROGRAM AIRPORTS.—

''(1) AUTHORITY.—The Secretary may make grants with funds made available under this section for an airport participating in the program under section 47134 if—

''(A) the Secretary has approved the application of an airport sponsor under section 47134(b) in fiscal year 2019; and

''(B) the grant will—

''(i) satisfy an obligation incurred by an airport sponsor under section 47110(e) or funded by a nonpublic sponsor for an airport development project on the airport; or

''(ii) provide partial Federal reimbursement for airport development (as defined in section 47102) on the airport layout plan initiated in the fiscal year in which the application was approved, or later, for over a period of not more than 10 years.

''(2) NONAPPLICABILITY OF CERTAIN SECTIONS.—Grants made under this subsection shall not be subject to—

''(A) subsection (c) of this section;

''(B) section 47117(e); or

''(C) any other apportionment formula, special apportionment category, or minimum percentage set forth in this chapter.''.

(b) ALLOWABLE PROJECT COSTS; LETTERS OF INTENT.—Section 47110(e) of such title is amended by adding at the end the following:

''(7) PARTNERSHIP PROGRAM AIRPORTS.—The Secretary may issue a letter of intent under this section to an airport sponsor with an approved application under section 47134(b) if—

''(A) the application was approved in fiscal year 2019; and

''(B) the project meets all other requirements set forth in this chapter.''.

SEC. 185. GRANDFATHERING OF CERTAIN DEED AGREEMENTS GRANTING THROUGH-THE-FENCE ACCESS TO GENERAL AVIATION AIRPORTS.

Section 47107(s) of title 49, United States Code, is amended by adding at the end the following:

''(3) EXEMPTION.—The terms and conditions of paragraph (2) shall not apply to an agreement described in paragraph (1) made before the enactment of the FAA Modernization and Reform Act of 2012 (Public Law 112–95) that the Secretary determines does not comply with such terms and conditions but involves property that is subject to deed or lease restrictions that are considered perpetual and that cannot readily be brought into compliance. However, if the Secretary determines that the airport sponsor and residential property owners are able to make any modification to such an agreement on or after the date of enactment of this paragraph, the exemption provided by this paragraph shall no longer apply.''.

SEC. 186. STAGE 3 AIRCRAFT STUDY.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of the potential benefits, costs, and other impacts that would result from a phaseout of covered stage 3 aircraft.

(b) CONTENTS.—The review shall include—

(1) a determination of the number, types, frequency of operations, and owners and operators of covered stage 3 aircraft;

(2) an analysis of the potential benefits, costs, and other impacts to air carriers, general aviation operators, airports, communities surrounding airports, and the general public associated with phasing out or reducing the operations of covered stage 3 aircraft, assuming such a phaseout or reduction is put into effect over a reasonable period of time;

(3) a determination of lessons learned from the phaseout of stage 2 aircraft that might be applicable to a phaseout or reduction in the operations of covered stage 3 aircraft, including comparisons between the benefits, costs, and other impacts associated with the phaseout of stage 2 aircraft and the potential benefits, costs, and other impacts determined under paragraph (2);

(4) a determination of the costs and logistical challenges associated with recertifying stage 3 aircraft capable of meeting stage 4 noise levels; and

(5) a determination of stakeholder views on the feasibility and desirability of phasing out covered stage 3 aircraft, including the views of—

(A) air carriers;

(B) airports;

(C) communities surrounding airports;

(D) aircraft and avionics manufacturers;

(E) operators of covered stage 3 aircraft other than air carriers; and

(F) such other stakeholders and aviation experts as the Comptroller General considers appropriate.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review.

(d) COVERED STAGE 3 AIRCRAFT DEFINED.—In this section, the term ''covered stage 3 aircraft'' means a civil subsonic jet aircraft that is not capable of meeting the stage 4 noise levels in part 36 of title 14, Code of Federal Regulations.

SEC. 187. AIRCRAFT NOISE EXPOSURE.

(a) REVIEW.—The Administrator of the Federal Aviation Administration shall conclude the Administrator's ongoing review of the relationship between aircraft noise exposure and its effects on communities around airports.

(b) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the results of the review.

(2) PRELIMINARY RECOMMENDATIONS.—The report shall contain such preliminary recommendations as the Administrator determines appropriate for revising the land use compatibility guidelines in part 150 of title 14, Code of Federal Regulations, based on the results of the review and in coordination with other agencies.

SEC. 188. STUDY REGARDING DAY-NIGHT AVERAGE SOUND LEVELS.

(a) STUDY.—The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study under subsection (a).

SEC. 189. STUDY ON POTENTIAL HEALTH AND ECONOMIC IMPACTS OF OVERFLIGHT NOISE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an agreement with an eligible institution of higher education to conduct a study on the health impacts of noise from aircraft flights on residents exposed to a range of noise levels from such flights.

(b) SCOPE OF STUDY.—The study conducted under subsection (a) shall—

(1) include an examination of the incremental health impacts attributable to noise exposure that result from aircraft flights, including sleep disturbance and elevated blood pressure;

(2) be focused on residents in the metropolitan area of—

(A) Boston;

(B) Chicago;

(C) the District of Columbia;

(D) New York;

(E) the Northern California Metroplex;

(F) Phoenix;

(G) the Southern California Metroplex;

(H) Seattle; or

(I) such other area as may be identified by the Administrator;

(3) consider, in particular, the incremental health impacts on residents living partly or wholly underneath flight paths most frequently used by aircraft flying at an altitude lower than 10,000 feet, including during takeoff or landing;

(4) include an assessment of the relationship between a perceived increase in aircraft noise, including as a result of a change in flight paths that increases the visibility of aircraft from a certain location, and an actual increase in aircraft noise, particularly in areas with high or variable levels of non-aircraft-related ambient noise; and

(5) consider the economic harm or benefits to businesses located party or wholly underneath flight paths most frequently used by aircraft flying at an altitude lower than 10,000 feet, including during takeoff or landing.

(c) ELIGIBILITY.—An institution of higher education is eligible to conduct the study if the institution—

(1) has—

(A) a school of public health that has participated in the Center of Excellence for Aircraft Noise and Aviation Emissions Mitigation of the Federal Aviation Administration; or

(B) a center for environmental health that receives funding from the National Institute of Environmental Health Sciences;

(2) is located in one of the areas identified in subsection (b);

(3) applies to the Administrator in a timely fashion;

(4) demonstrates to the satisfaction of the Administrator that the institution is qualified to conduct the study;

(5) agrees to submit to the Administrator, not later than 3 years after entering into an agreement under subsection (a), the results of the study, including any source materials used; and

(6) meets such other requirements as the Administrator determines necessary.

(d) SUBMISSION OF STUDY.—Not later than 90 days after the Administrator receives the results of the study, the Administrator shall submit to the appropriate committees of Congress the study and a summary of the results.

SEC. 190. ENVIRONMENTAL MITIGATION PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation may carry out a pilot program involving not more than 6 projects at public-use airports in accordance with this section.

(b) GRANTS.—In carrying out the program, the Secretary may make grants to sponsors of public-use airports from funds apportioned under section 47117(e)(1)(A) of title 49, United States Code.

(c) USE OF FUNDS.—Amounts from a grant received by the sponsor of a public-use airport under the program shall be used for environmental mitigation projects that will measurably reduce or mitigate aviation impacts on noise, air quality, or water quality at the airport or within 5 miles of the airport.

(d) ELIGIBILITY.—Notwithstanding any other provision of chapter 471 of title 49, United States Code, an environmental mitigation project approved under this section shall be treated as eligible for assistance under that chapter.

(e) SELECTION CRITERIA.—In selecting from among applicants for participation in the program, the Secretary may give priority consideration to projects that—

(1) will achieve the greatest reductions in aircraft noise, airport emissions, or airport water quality impacts either on an absolute basis or on a per dollar of funds expended basis; and

(2) will be implemented by an eligible consortium.

(f) FEDERAL SHARE.—The Federal share of the cost of a project carried out under the program shall be 50 percent.

(g) MAXIMUM AMOUNT.—Not more than $2,500,000 may be made available by the Secretary in grants under the program for any single project.

(h) IDENTIFYING BEST PRACTICES.—The Secretary may establish and publish information identifying best practices for reducing or mitigating aviation impacts on noise, air quality, and water quality at airports or in the vicinity of airports based on the projects carried out under the program.

(i) SUNSET.—The program shall terminate 5 years after the Secretary makes the first grant under the program.

(j) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE CONSORTIUM.—The term ''eligible consortium'' means a consortium that is composed of 2 or more of the following entities:

(A) Businesses incorporated in the United States.

(B) Public or private educational or research organizations located in the United States.

(C) Entities of State or local governments in the United States.

(D) Federal laboratories.

(2) ENVIRONMENTAL MITIGATION PROJECT.—The term ''environmental mitigation project'' means a project that—

(A) introduces new environmental mitigation techniques or technologies that have been proven in laboratory demonstrations;

(B) proposes methods for efficient adaptation or integration of new concepts into airport operations; and

(C) will demonstrate whether new techniques or technologies for environmental mitigation are—

(i) practical to implement at or near multiple public-use airports; and

(ii) capable of reducing noise, airport emissions, or water quality impacts in measurably significant amounts.

(k) AUTHORIZATION FOR THE TRANSFER OF FUNDS FROM DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration may accept funds from the Secretary of Defense to increase the authorized funding for this section by the amount of such transfer only to carry out projects designed for environmental mitigation at a site previously, but not currently, managed by the Department of Defense.

(2) ADDITIONAL GRANTEES.—If additional funds are made available by the Secretary of Defense under paragraph (1), the Administrator may increase the number of grantees under subsection (a).

SEC. 191. EXTENDING AVIATION DEVELOPMENT STREAMLINING.

(a) IN GENERAL.—Section 47171 of title 49, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''general aviation airport construction or improvement projects,'' after ''congested airports,'';

(2) in subsection (b)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

''(2) GENERAL AVIATION AIRPORT CONSTRUCTION OR IMPROVEMENT PROJECT.—A general aviation airport construction or improvement project shall be subject to the coordinated and expedited environmental review process requirements set forth in this section.'';

(3) in subsection (c)(1), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)'';

(4) in subsection (d), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)'';

(5) in subsection (h), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)''; and

(6) in subsection (k), by striking ''subsection (b)(2)'' and inserting ''subsection (b)(3)''.

(b) DEFINITIONS.—Section 47175 of title 49, United States Code, is amended by adding at the end the following:

''(8) GENERAL AVIATION AIRPORT CONSTRUCTION OR IMPROVEMENT PROJECT.—The term 'general aviation airport construction or improvement project' means—

''(A) a project for the construction or extension of a runway, including any land acquisition, helipad, taxiway, safety area, apron, or navigational aids associated with the runway or runway extension, at a general aviation airport, a reliever airport, or a commercial service airport that is not a primary airport (as such terms are defined in section 47102); and

''(B) any other airport development project that the Secretary designates as facilitating aviation capacity building projects at a general aviation airport.''.

SEC. 192. ZERO-EMISSION VEHICLES AND TECHNOLOGY.

(a) IN GENERAL.—Section 47136 of title 49, United States Code, as so redesignated, is amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—The Secretary of Transportation may establish a pilot program under which the sponsors of public-use airports may use funds made available under this chapter or section 48103 for use at such airports to carry out—

''(1) activities associated with the acquisition, by purchase or lease, and operation of eligible zero-emission vehicles and equipment, including removable power sources for such vehicles; and

''(2) the construction or modification of infrastructure to facilitate the delivery of fuel, power or services necessary for the use of such vehicles.

''(b) ELIGIBILITY.—A public-use airport is eligible for participation in the program if the eligible vehicles or equipment are—

''(1) used exclusively on airport property; or

''(2) used exclusively to transport passengers and employees between the airport and—

''(A) nearby facilities which are owned or controlled by the airport or which otherwise directly support the functions or services provided by the airport; or

''(B) an intermodal surface transportation facility adjacent to the airport.'';

(2) by striking subsections (d) through (f) and inserting the following:

''(d) FEDERAL SHARE.—The Federal share of the cost of a project carried out under the program shall be the Federal share specified in section 47109.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The sponsor of a public-use airport may use not more than 10 percent of the amounts made available to the sponsor under the program in any fiscal year for—

''(A) technical assistance; and

''(B) project management support to assist the airport with the solicitation, acquisition, and deployment of zero-emission vehicles, related equipment, and supporting infrastructure.

''(2) PROVIDERS OF TECHNICAL ASSISTANCE.—To receive the technical assistance or project management support described in paragraph (1), participants in the program may use—

''(A) a nonprofit organization selected by the Secretary; or

''(B) a university transportation center receiving grants under section 5505 in the region of the airport.

''(f) MATERIALS IDENTIFYING BEST PRACTICES.—The Secretary may create and make available materials identifying best practices for carrying out activities funded under the program based on previous related projects and other sources.

''(g) ALLOWABLE PROJECT COST.—The allowable project cost for the acquisition of a zero-emission vehicle shall be the total cost of purchasing or leasing the vehicle, including the cost of technical assistance or project management support described in subsection (e).

''(h) FLEXIBLE PROCUREMENT.—A sponsor of a public-use airport may use funds made available under the program to acquire, by purchase or lease, a zero-emission vehicle and a removable power source in separate transactions, including transactions by which the airport purchases the vehicle and leases the removable power source.

''(i) TESTING REQUIRED.—

''(1) IN GENERAL.—A sponsor of a public-use airport may not use funds made available under the program to acquire a zero-emission vehicle unless that make, model, or type of vehicle has been tested by a Federal vehicle testing facility acceptable to the Secretary.

''(2) PENALTIES FOR FALSE STATEMENTS.—A certification of compliance under paragraph (1) shall be considered a certification required under this subchapter for purposes of section 47126.

''(j) DEFINITIONS.—In this section, the following definitions apply:

''(1) ELIGIBLE ZERO-EMISSION VEHICLE AND EQUIPMENT.—The term 'eligible zero-emission vehicle and equipment' means a zero-emission vehicle, equipment related to such a vehicle, or ground support equipment that includes zero-emission technology that is—

''(A) used exclusively on airport property; or

''(B) used exclusively to transport passengers and employees between the airport and—

''(i) nearby facilities which are owned or controlled by the airport or which otherwise directly support the functions or services provided by the airport; or

''(ii) an intermodal surface transportation facility adjacent to the airport.

''(2) REMOVABLE POWER SOURCE.—The term 'removable power source' means a power source that is separately installed in, and removable from, a zero-emission vehicle and may include a battery, a fuel cell, an ultracapacitor, or other power source used in a zero-emission vehicle.

''(3) ZERO-EMISSION VEHICLE.—The term 'zero-emission vehicle' means—

''(A) a zero-emission vehicle as defined in section 88.102–94 of title 40, Code of Federal Regulations; or

''(B) a vehicle that produces zero exhaust emissions of any criteria pollutant (or precursor pollutant) under any possible operational modes and conditions.''.

(b) SPECIAL APPORTIONMENT CATEGORIES.—Section 47117(e)(1)(A) of title 49, United States Code, is amended by inserting ''for airport development described in section 47102(3)(Q),'' after ''under section 47141,''.

(c) DEPLOYMENT OF ZERO EMISSION VEHICLE TECHNOLOGY.—

(1) ESTABLISHMENT.—The Secretary of Transportation may establish a zero-emission airport technology program—

(A) to facilitate the deployment of commercially viable zero-emission airport vehicles, technology, and related infrastructure; and

(B) to minimize the risk of deploying such vehicles, technology, and infrastructure.

(2) GENERAL AUTHORITY.—

(A) ASSISTANCE TO NONPROFIT ORGANIZATIONS.—The Secretary may provide assistance under the program to not more than 3 geographically diverse, eligible organizations to conduct zero-emission airport technology and infrastructure projects.

(B) FORMS OF ASSISTANCE.—The Secretary may provide assistance under the program in the form of grants, contracts, and cooperative agreements.

(3) SELECTION OF PARTICIPANTS.—

(A) NATIONAL SOLICITATION.—In selecting participants, the Secretary shall—

(i) conduct a national solicitation for applications for assistance under the program; and

(ii) select the recipients of assistance under the program on a competitive basis.

(B) CONSIDERATIONS.—In selecting from among applicants for assistance under the program, the Secretary shall consider—

(i) the ability of an applicant to contribute significantly to deploying zero-emission technology as the technology relates to airport operations;

(ii) the financing plan and cost-share potential of the applicant; and

(iii) other factors, as the Secretary determines appropriate.

(C) PRIORITY.—In selecting from among applicants for assistance under the program, the Secretary shall give priority consideration to an applicant that has successfully managed advanced transportation technology projects, including projects related to zero-emission transportation operations.

(4) ELIGIBLE PROJECTS.—A recipient of assistance under the program shall use the assistance—

(A) to review and conduct demonstrations of zero-emission technologies and related infrastructure at airports;

(B) to evaluate the credibility of new, unproven vehicle and energy-efficient technologies in various aspects of airport operations prior to widespread investment in the technologies by airports and the aviation industry;

(C) to collect data and make the recipient's findings available to airports, so that airports can evaluate the applicability of new technologies to their facilities; and

(D) to report the recipient's findings to the Secretary.

(5) ADMINISTRATIVE PROVISIONS.—

(A) FEDERAL SHARE.—The Federal share of the cost of a project carried out under the program may not exceed 80 percent.

(B) TERMS AND CONDITIONS.—A grant, contract, or cooperative agreement under this section shall be subject to such terms and conditions as the Secretary determines appropriate.

(6) DEFINITIONS.—In this subsection, the following definitions apply:

(A) ELIGIBLE ORGANIZATION.—The term ''eligible organization'' means an organization that has expertise in zero-emission technology.

(B) ORGANIZATION.—The term ''organization'' means—

(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of the Internal Revenue Code of 1986;

(ii) a university transportation center receiving grants under section 5505 of title 49, United States Code; or

(iii) any other Federal or non-Federal entity as the Secretary considers appropriate.

TITLE II—FAA SAFETY CERTIFICATION REFORM

Subtitle A—General Provisions

SEC. 201. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the FAA.

(2) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Safety Oversight and Certification Advisory Committee established under section 202.

(3) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(5) SYSTEMS SAFETY APPROACH.—The term ''systems safety approach'' means the application of specialized technical and managerial skills to the systematic, forward-looking identification and control of hazards throughout the lifecycle of a project, program, or activity.

SEC. 202. SAFETY OVERSIGHT AND CERTIFICATION ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish a Safety Oversight and Certification Advisory Committee.

(b) DUTIES.—The Advisory Committee shall provide advice to the Secretary on policy-level issues facing the aviation community that are related to FAA safety oversight and certification programs and activities, including, at a minimum, the following:

(1) Aircraft and flight standards certification processes, including efforts to streamline those processes.

(2) Implementation and oversight of safety management systems.

(3) Risk-based oversight efforts.

(4) Utilization of delegation and designation authorities, including organization designation authorization.

(5) Regulatory interpretation standardization efforts.

(6) Training programs.

(7) Expediting the rulemaking process and giving priority to rules related to safety.

(8) Enhancing global competitiveness of United States manufactured and United States certificated aerospace and aviation products and services throughout the world.

(c) FUNCTIONS.—In carrying out its duties under subsection (b), the Advisory Committee shall:

(1) Foster industry collaboration in an open and transparent manner.

(2) Consult with, and ensure participation by—

(A) the private sector, including representatives of—

(i) general aviation;

(ii) commercial aviation;

(iii) aviation labor;

(iv) aviation maintenance, repair, and overhaul;

(v) aviation, aerospace, and avionics manufacturing;

(vi) unmanned aircraft systems operators and manufacturers; and

(vii) the commercial space transportation industry;

(B) members of the public; and

(C) other interested parties.

(3) Recommend consensus national goals, strategic objectives, and priorities for the most efficient, streamlined, and cost-effective certification and safety oversight processes in order to maintain the safety of the aviation system and, at the same time, allow the FAA to meet future needs and ensure that aviation stakeholders remain competitive in the global marketplace.

(4) Provide policy guidance recommendations for the FAA's certification and safety oversight efforts.

(5) On a regular basis, review and provide recommendations on the FAA's certification and safety oversight efforts.

(6) Periodically review and evaluate registration, certification, and related fees.

(7) Provide appropriate legislative, regulatory, and guidance recommendations for the air transportation system and the aviation safety regulatory environment.

(8) Recommend performance objectives for the FAA and industry.

(9) Recommend performance metrics and goals to track and review the FAA and the regulated aviation industry on their progress towards streamlining certification reform, conducting flight standards reform, and carrying out regulation consistency efforts.

(10) Provide a venue for tracking progress toward national goals and sustaining joint commitments.

(11) Recommend recruiting, hiring, training, and continuing education objectives for FAA aviation safety engineers and aviation safety inspectors.

(12) Provide advice and recommendations to the FAA on how to prioritize safety rulemaking projects.

(13) Improve the development of FAA regulations by providing information, advice, and recommendations related to aviation issues.

(14) Facilitate the validation and acceptance of United States manufactured and United States certificated products and services throughout the world.

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be composed of the following members:

(A) The Administrator (or the Administrator's designee).

(B) At least 11 individuals, appointed by the Secretary, each of whom represents at least 1 of the following interests:

(i) Transport aircraft and engine manufacturers.

(ii) General aviation aircraft and engine manufacturers.

(iii) Avionics and equipment manufacturers.

(iv) Aviation labor organizations, including collective bargaining representatives of FAA aviation safety inspectors and aviation safety engineers.

(v) General aviation operators.

(vi) Air carriers.

(vii) Business aviation operators.

(viii) Unmanned aircraft systems manufacturers and operators.

(ix) Aviation safety management experts.

(x) Aviation maintenance, repair, and overhaul.

(xi) Airport owners and operators.

(2) NONVOTING MEMBERS.—

(A) IN GENERAL.—In addition to the members appointed under paragraph (1), the Advisory Committee shall be composed of nonvoting members appointed by the Secretary from among individuals representing FAA safety oversight program offices.

(B) DUTIES.—The nonvoting members may—

(i) take part in deliberations of the Advisory Committee; and

(ii) provide input with respect to any final reports or recommendations of the Advisory Committee.

(C) LIMITATION.—The nonvoting members may not represent any stakeholder interest other than that of an FAA safety oversight program office.

(3) TERMS.—Each voting member and nonvoting member of the Advisory Committee appointed by the Secretary shall be appointed for a term of 2 years.

(4) COMMITTEE CHARACTERISTICS.—The Advisory Committee shall have the following characteristics:

(A) Each voting member under paragraph (1)(B) shall be an executive officer of the organization who has decisionmaking authority within the member's organization and can represent and enter into commitments on behalf of such organization.

(B) The ability to obtain necessary information from experts in the aviation and aerospace communities.

(C) A membership size that enables the Advisory Committee to have substantive discussions and reach consensus on issues in a timely manner.

(D) Appropriate expertise, including expertise in certification and risked-based safety oversight processes, operations, policy, technology, labor relations, training, and finance.

(5) LIMITATION ON STATUTORY CONSTRUCTION.—Public Law 104–65 (2 U.S.C. 1601 et seq.) may not be construed to prohibit or otherwise limit the appointment of any individual as a member of the Advisory Committee.

(e) CHAIRPERSON.—

(1) IN GENERAL.—The Chairperson of the Advisory Committee shall be appointed by the Secretary from among those members of the Advisory Committee that are voting members under subsection (d)(1)(B).

(2) TERM.—Each member appointed under paragraph (1) shall serve a term of 2 years as Chairperson.

(f) MEETINGS.—

(1) FREQUENCY.—The Advisory Committee shall meet at least twice each year at the call of the Chairperson.

(2) PUBLIC ATTENDANCE.—The meetings of the Advisory Committee shall be open and accessible to the public.

(g) SPECIAL COMMITTEES.—

(1) ESTABLISHMENT.—The Advisory Committee may establish special committees composed of private sector representatives, members of the public, labor representatives, and other relevant parties in complying with consultation and participation requirements under this section.

(2) RULEMAKING ADVICE.—A special committee established by the Advisory Committee may—

(A) provide rulemaking advice and recommendations to the Advisory Committee with respect to aviation-related issues;

(B) provide the FAA additional opportunities to obtain firsthand information and insight from those parties that are most affected by existing and proposed regulations; and

(C) assist in expediting the development, revision, or elimination of rules without circumventing public rulemaking processes and procedures.

(3) APPLICABLE LAW.—Public Law 92–463 shall not apply to a special committee established by the Advisory Committee.

(h) SUNSET.—The Advisory Committee shall terminate on the last day of the 6-year period beginning on the date of the initial appointment of the members of the Advisory Committee.

(i) TERMINATION OF AIR TRAFFIC PROCEDURES ADVISORY COMMITTEE.—The Air Traffic Procedures Advisory Committee established by the FAA shall terminate on the date of the initial appointment of the members of the Advisory Committee.

Subtitle B—Aircraft Certification Reform

SEC. 211. AIRCRAFT CERTIFICATION PERFORMANCE OBJECTIVES AND METRICS.

(a) IN GENERAL.—Not later than 120 days after the date on which the Advisory Committee is established under section 202, the Administrator shall establish performance objectives and apply and track performance metrics for the FAA and the aviation industry relating to aircraft certification in accordance with this section.

(b) COLLABORATION.—The Administrator shall carry out this section in collaboration with the Advisory Committee and update agency performance objectives and metrics after considering the recommendations of the Advisory Committee under paragraphs (8) and (9) of section 202(c).

(c) PERFORMANCE OBJECTIVES.—In carrying out subsection (a), the Administrator shall establish performance objectives for the FAA and the aviation industry to ensure that, with respect to aircraft certification, progress is made toward, at a minimum—

(1) eliminating certification delays and improving cycle times;

(2) increasing accountability for both the FAA and the aviation industry;

(3) achieving full utilization of FAA delegation and designation authorities, including organizational designation authorization;

(4) fully implementing risk management principles and a systems safety approach;

(5) reducing duplication of effort;

(6) increasing transparency;

(7) developing and providing training, including recurrent training, in auditing and a systems safety approach to certification oversight;

(8) improving the process for approving or accepting certification actions between the FAA and bilateral partners;

(9) maintaining and improving safety;

(10) streamlining the hiring process for—

(A) qualified systems safety engineers to support the FAA's efforts to implement a systems safety approach; and

(B) qualified systems engineers to guide the engineering of complex systems within the FAA; and

(11) maintaining the leadership of the United States in international aviation and aerospace.

(d) PERFORMANCE METRICS.—In carrying out subsection (a), the Administrator shall apply and track performance metrics for the FAA and the regulated aviation industry established by the Advisory Committee.

(e) DATA GENERATION.—

(1) BASELINES.—Not later than 1 year after the date on which the Advisory Committee recommends initial performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator shall generate initial data with respect to each of the performance metrics applied and tracked under this section.

(2) BENCHMARKS TO MEASURE PROGRESS TOWARD GOALS.—The Administrator shall use the metrics applied and tracked under this section to generate data on an ongoing basis and to measure progress toward the achievement of national goals recommended by the Advisory Committee.

(f) PUBLICATION.—The Administrator shall make data generated using the performance metrics applied and tracked under this section available to the public in a searchable, sortable, and downloadable format through the internet website of the FAA or other appropriate methods and shall ensure that the data are made available in a manner that—

(1) does not provide identifying information regarding an individual or entity; and

(2) prevents inappropriate disclosure of proprietary information.

SEC. 212. ORGANIZATION DESIGNATION AUTHORIZATIONS.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end the following:

"§ 44736. Organization designation authorizations

''(a) DELEGATIONS OF FUNCTIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), when overseeing an ODA holder, the Administrator of the FAA shall—

''(A) require, based on an application submitted by the ODA holder and approved by the Administrator (or the Administrator's designee), a procedures manual that addresses all procedures and limitations regarding the functions to be performed by the ODA holder;

''(B) delegate fully to the ODA holder each of the functions to be performed as specified in the procedures manual, unless the Administrator determines, after the date of the delegation and as a result of an inspection or other investigation, that the public interest and safety of air commerce requires a limitation with respect to 1 or more of the functions;

''(C) conduct regular oversight activities by inspecting the ODA holder's delegated functions and taking action based on validated inspection findings; and

''(D) for each function that is limited under subparagraph (B), work with the ODA holder to develop the ODA holder's capability to execute that function safely and effectively and return to full authority status.

''(2) DUTIES OF ODA HOLDERS.—An ODA holder shall—

''(A) perform each specified function delegated to the ODA holder in accordance with the approved procedures manual for the delegation;

''(B) make the procedures manual available to each member of the appropriate ODA unit; and

''(C) cooperate fully with oversight activities conducted by the Administrator in connection with the delegation.

''(3) EXISTING ODA HOLDERS.—With regard to an ODA holder operating under a procedures manual approved by the Administrator before the date of enactment of the FAA Reauthorization Act of 2018, the Administrator shall—

''(A) at the request of the ODA holder and in an expeditious manner, approve revisions to the ODA holder's procedures manual;

''(B) delegate fully to the ODA holder each of the functions to be performed as specified in the procedures manual, unless the Administrator determines, after the date of the delegation and as a result of an inspection or other investigation, that the public interest and safety of air commerce requires a limitation with respect to one or more of the functions;

''(C) conduct regular oversight activities by inspecting the ODA holder's delegated functions and taking action based on validated inspection findings; and

''(D) for each function that is limited under subparagraph (B), work with the ODA holder to develop the ODA holder's capability to execute that function safely and effectively and return to full authority status.

''(b) ODA OFFICE.—

''(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this section, the Administrator of the FAA shall identify, within the FAA Office of Aviation Safety, a centralized policy office to be known as the Organization Designation Authorization Office or the ODA Office.

''(2) PURPOSE.—The purpose of the ODA Office shall be to provide oversight and ensure the consistency of the FAA's audit functions under the ODA program across the FAA.

''(3) FUNCTIONS.—The ODA Office shall—

''(A)(i) at the request of an ODA holder, eliminate all limitations specified in a procedures manual in place on the day before the date of enactment of the FAA Reauthorization Act of 2018 that are low and medium risk as determined by a risk analysis using criteria established by the ODA Office and disclosed to the ODA holder, except where an ODA holder's performance warrants the retention of a specific limitation due to documented concerns about inadequate current performance in carrying out that authorized function;

''(ii) require an ODA holder to establish a corrective action plan to regain authority for any retained limitations;

''(iii) require an ODA holder to notify the ODA Office when all corrective actions have been accomplished; and

''(iv) make a reassessment to determine if subsequent performance in carrying out any retained limitation warrants continued retention and, if such reassessment determines performance meets objectives, lift such limitation immediately;

''(B) improve FAA and ODA holder performance and ensure full utilization of the authorities delegated under the ODA program;

''(C) develop a more consistent approach to audit priorities, procedures, and training under the ODA program;

''(D) review, in a timely fashion, a random sample of limitations on delegated authorities under the ODA program to determine if the limitations are appropriate;

''(E) ensure national consistency in the interpretation and application of the requirements of the ODA program, including any limitations, and in the performance of the ODA program; and

''(F) at the request of an ODA holder, review and approve new limitations to ODA functions.

''(c) DEFINITIONS.—In this section, the following definitions apply:

''(1) FAA.—The term 'FAA' means the Federal Aviation Administration.

''(2) ODA HOLDER.—The term 'ODA holder' means an entity authorized to perform functions pursuant to a delegation made by the Administrator of the FAA under section 44702(d).

''(3) ODA UNIT.—The term ''ODA unit'' means a group of 2 or more individuals who perform, under the supervision of an ODA holder, authorized functions under an ODA.

''(4) ORGANIZATION.—The term ''organization'' means a firm, partnership, corporation, company, association, joint-stock association, or governmental entity.

''(5) ORGANIZATION DESIGNATION AUTHORIZATION; ODA.—The term 'Organization Designation Authorization' or 'ODA' means an authorization by the FAA under section 44702(d) for an organization composed of 1 or more ODA units to perform approved functions on behalf of the FAA.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

''44736. Organization designation authorizations.''.

SEC. 213. ODA REVIEW.

(a) ESTABLISHMENT OF EXPERT REVIEW PANEL.—

(1) EXPERT PANEL.—Not later than 120 days after the date of enactment of this Act, the Administrator shall convene a multidisciplinary expert review panel (in this section referred to as the ''Panel'').

(2) COMPOSITION OF PANEL.—

(A) APPOINTMENT OF MEMBERS.—The Panel shall be composed of not more than 20 members appointed by the Administrator.

(B) QUALIFICATIONS.—The members appointed to the Panel shall—

(i) each have a minimum of 5 years of experience in processes and procedures under the ODA program; and

(ii) represent, at a minimum, ODA holders, aviation manufacturers, safety experts, and FAA labor organizations, including labor representatives of FAA aviation safety inspectors and aviation safety engineers.

(b) SURVEY.—The Panel shall conduct a survey of ODA holders and ODA program applicants to document and assess FAA certification and oversight activities, including use of the ODA program and the timeliness and efficiency of the certification process. In carrying out this subsection, the Panel shall consult with appropriate survey experts to best design and conduct the survey.

(c) ASSESSMENT AND RECOMMENDATIONS.—The Panel shall assess and make recommendations concerning—

(1) the FAA's processes and procedures under the ODA program and whether the processes and procedures function as intended;

(2) the best practices of and lessons learned by ODA holders and FAA personnel who provide oversight of ODA holders;

(3) performance incentive policies that—

(A) are related to the ODA program for FAA personnel; and

(B) do not conflict with the public interest;

(4) training activities related to the ODA program for FAA personnel and ODA holders;

(5) the impact, if any, that oversight of the ODA program has on FAA resources and the FAA's ability to process applications for certifications outside of the ODA program; and

(6) the results of the survey conducted under subsection (b).

(d) REPORT.—Not later than 180 days after the date the Panel is convened under subsection (a), the Panel shall submit to the Administrator, the Advisory Committee, and the appropriate committees of Congress a report on the findings and recommendations of the Panel.

(e) DEFINITIONS.—The definitions contained in section 44736 of title 49, United States Code, as added by this Act, apply to this section.

(f) APPLICABLE LAW.—Public Law 92–463 shall not apply to the Panel.

(g) SUNSET.—The Panel shall terminate on the date of submission of the report under subsection (d), or on the date that is 1 year after the Panel is convened under subsection (a), whichever occurs first.

SEC. 214. TYPE CERTIFICATION RESOLUTION PROCESS.

(a) IN GENERAL.—Section 44704(a) of title 49, United States Code, is amended by adding at the end the following:

''(6) TYPE CERTIFICATION RESOLUTION PROCESS.—

''(A) IN GENERAL.—Not later than 15 months after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator shall establish an effective, timely, and milestone-based issue resolution process for type certification activities under this subsection.

''(B) PROCESS REQUIREMENTS.—The resolution process shall provide for—

''(i) resolution of technical issues at pre-established stages of the certification process, as agreed to by the Administrator and the type certificate applicant;

''(ii) automatic elevation to appropriate management personnel of the Federal Aviation Administration and the type certificate applicant of any major certification process milestone that is not completed or resolved within a specific period of time agreed to by the Administrator and the type certificate applicant; and

''(iii) resolution of a major certification process milestone elevated pursuant to clause (ii) within a specific period of time agreed to by the Administrator and the type certificate applicant.

''(C) MAJOR CERTIFICATION PROCESS MILESTONE DEFINED.—In this paragraph, the term 'major certification process milestone' means a milestone related to a type certification basis, type certification plan, type inspection authorization, issue paper, or other major type certification activity agreed to by the Administrator and the type certificate applicant.''.

(b) TECHNICAL AMENDMENT.—Section 44704 of title 49, United States Code, is amended in the section heading by striking ''**airworthiness certificates,,**'' and inserting ''**airworthiness certificates,**''.

SEC. 215. REVIEW OF CERTIFICATION PROCESS FOR SMALL GENERAL AVIATION AIRPLANES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of the Federal Aviation Administration's implementation of the final rule titled ''Revision of Airworthiness Standards for Normal, Utility, Acrobatic, and Commuter Category Airplanes'' (81 Fed. Reg. 96572).

(b) CONSIDERATIONS.—In carrying out the review, the Comptroller General shall assess—

(1) how the rule puts into practice the Administration's efforts to implement performance and risk-based safety standards;

(2) the extent to which the rule has resulted in the implementation of a streamlined regulatory regime to improve safety, reduce regulatory burden, and decrease costs;

(3) whether the rule and its implementation have spurred innovation and technological adoption;

(4) how consensus standards accepted by the FAA facilitate the development of new safety equipment and aircraft capabilities; and

(5) whether lessons learned from the rule and its implementation have resulted in best practices that could be applied to airworthiness standards for other categories of aircraft.

(c) REPORT.—Not later than 180 days after the date of initiation of the review, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review, including findings and recommendations.

SEC. 216. ODA STAFFING AND OVERSIGHT.

(a) REPORT TO CONGRESS.—Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the Administration's progress with respect to—

(1) determining what additional model inputs and labor distribution codes are needed to identify ODA oversight staffing needs;

(2) developing and implementing system-based evaluation criteria and risk-based tools to aid ODA team members in targeting their oversight activities;

(3) developing agreements and processes for sharing resources to ensure adequate oversight of ODA personnel performing certification and inspection work at supplier and company facilities; and

(4) ensuring full utilization of ODA authority.

(b) ODA DEFINED.—In this section, the term ''ODA'' has the meaning given that term in section 44736 of title 49, United States Code, as added by this Act.

Subtitle C—Flight Standards Reform

SEC. 221. FLIGHT STANDARDS PERFORMANCE OBJECTIVES AND METRICS.

(a) IN GENERAL.—Not later than 120 days after the date on which the Advisory Committee is established under section 202, the Administrator shall establish performance objectives and apply and track performance metrics for the FAA and the aviation industry relating to flight standards activities in accordance with this section.

(b) COLLABORATION.—The Administrator shall carry out this section in collaboration with the Advisory Committee, and update agency performance objectives and metrics after considering the recommendations of the Advisory Committee under paragraphs (8) and (9) of section 202(c).

(c) PERFORMANCE OBJECTIVES.—In carrying out subsection (a), the Administrator shall establish performance objectives for the FAA and the aviation industry to ensure that, with respect to flight standards activities, progress is made toward, at a minimum—

(1) eliminating delays with respect to such activities;

(2) increasing accountability for both the FAA and the aviation industry;

(3) achieving full utilization of FAA delegation and designation authorities, including organizational designation authority;

(4) fully implementing risk management principles and a systems safety approach;

(5) reducing duplication of effort;

(6) eliminating inconsistent regulatory interpretations and inconsistent enforcement activities;

(7) improving and providing greater opportunities for training, including recurrent training, in auditing and a systems safety approach to oversight;

(8) developing and allowing utilization of a single master source for guidance;

(9) providing and utilizing a streamlined appeal process for the resolution of regulatory interpretation questions;

(10) maintaining and improving safety; and
(11) increasing transparency.
(d) PERFORMANCE METRICS.—In carrying out subsection (a), the Administrator shall apply and track performance metrics for the FAA and the regulated aviation industry established by the Advisory Committee.
(e) DATA GENERATION.—
(1) BASELINES.—Not later than 1 year after the date on which the Advisory Committee recommends initial performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator shall generate initial data with respect to each of the performance metrics applied and tracked under this section.
(2) BENCHMARKS TO MEASURE PROGRESS TOWARD GOALS.—The Administrator shall use the metrics applied and tracked under this section to generate data on an ongoing basis and to measure progress toward the achievement of national goals recommended by the Advisory Committee.
(f) PUBLICATION.—The Administrator shall make data generated using the performance metrics applied and tracked under this section available to the public in a searchable, sortable, and downloadable format through the internet website of the FAA or other appropriate methods and shall ensure that the data are made available in a manner that—
(1) does not provide identifying information regarding an individual or entity; and
(2) prevents inappropriate disclosure of proprietary information.

SEC. 222. FAA TASK FORCE ON FLIGHT STANDARDS REFORM.

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish the FAA Task Force on Flight Standards Reform (in this section referred to as the ''Task Force'').
(b) MEMBERSHIP.—
(1) APPOINTMENT.—The membership of the Task Force shall be appointed by the Administrator.
(2) NUMBER.—The Task Force shall be composed of not more than 20 members.
(3) REPRESENTATION REQUIREMENTS.—The membership of the Task Force shall include representatives, with knowledge of flight standards regulatory processes and requirements, of—
(A) air carriers;
(B) general aviation;
(C) business aviation;
(D) repair stations;
(E) unmanned aircraft systems operators;
(F) flight schools;
(G) labor unions, including those representing FAA aviation safety inspectors and those representing FAA aviation safety engineers;
(H) aviation and aerospace manufacturers; and
(I) aviation safety experts.
(c) DUTIES.—The duties of the Task Force shall include, at a minimum, identifying best practices and providing recommendations, for current and anticipated budgetary environments, with respect to—
(1) simplifying and streamlining flight standards regulatory processes, including issuance and oversight of certificates;
(2) reorganizing Flight Standards Services to establish an entity organized by function rather than geographic region, if appropriate;
(3) FAA aviation safety inspector training opportunities;
(4) ensuring adequate and timely provision of Flight Standards activities and responses necessary for type certification, operational evaluation, and entry into service of newly manufactured aircraft;
(5) FAA aviation safety inspector standards and performance; and
(6) achieving, across the FAA, consistent—
(A) regulatory interpretations; and
(B) application of oversight activities.
(d) REPORT.—Not later than 1 year after the date of the establishment of the Task Force, the Task Force shall submit to the appropriate committees of Congress a report detailing—
(1) the best practices identified and recommendations provided by the Task Force under subsection (c); and
(2) any recommendations of the Task Force for additional regulatory, policy, or cost-effective legislative action to improve the efficiency of agency activities.
(e) APPLICABLE LAW.—Public Law 92–463 shall not apply to the Task Force.
(f) SUNSET.—The Task Force shall terminate on the earlier of—
(1) the date on which the Task Force submits the report required under subsection (d); or
(2) the date that is 18 months after the date on which the Task Force is established under subsection (a).

SEC. 223. CENTRALIZED SAFETY GUIDANCE DATABASE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall establish a centralized safety guidance database that will—
(1) encompass all of the regulatory guidance documents of the FAA Office of Aviation Safety;
(2) contain, for each such guidance document, a link to the Code of Federal Regulations provision to which the document relates; and
(3) be publicly available in a manner that—
(A) protects from disclosure identifying information regarding an individual or entity; and
(B) prevents inappropriate disclosure proprietary information.
(b) DATA ENTRY TIMING.—
(1) EXISTING DOCUMENTS.—Not later than 14 months after the date of enactment of this Act, the Administrator shall begin entering into the database established under subsection (a) all of the regulatory guidance documents of the Office of Aviation Safety that are in effect and were issued before the date on which the Administrator begins such entry process.
(2) NEW DOCUMENTS AND CHANGES.—On and after the date on which the Administrator begins the document entry process under paragraph (1), the Administrator shall ensure that all new regulatory guidance documents of the Office of Aviation Safety and any changes to existing documents are included in the database established under subsection (a) as such documents or changes to existing documents are issued.
(c) CONSULTATION REQUIREMENT.—In establishing the database under subsection (a), the Administrator shall consult and collaborate with appropriate stakeholders, including labor organizations (including those representing aviation workers, FAA aviation safety engineers and FAA aviation safety inspectors) and aviation industry stakeholders.
(d) REGULATORY GUIDANCE DOCUMENTS DEFINED.—In this section, the term ''regulatory guidance documents'' means all forms of written information issued by the FAA that an individual or entity may use to interpret or apply FAA regulations and requirements, including information an individual or entity may use to determine acceptable means of compliance with such regulations and requirements, such as an order, manual, circular, policy statement, legal interpretation memorandum, or rulemaking document.

SEC. 224. REGULATORY CONSISTENCY COMMUNICATIONS BOARD.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a Regulatory Consistency Communications Board (in this section referred to as the ''Board'').
(b) CONSULTATION REQUIREMENT.—In establishing the Board, the Administrator shall consult and collaborate with appropriate stakeholders, including FAA labor organizations (including labor organizations representing FAA aviation safety inspectors) and industry stakeholders.
(c) MEMBERSHIP.—The Board shall be composed of FAA representatives, appointed by the Administrator, from—
(1) the Flight Standards Service;
(2) the Aircraft Certification Service; and
(3) the Office of the Chief Counsel.
(d) FUNCTIONS.—The Board shall carry out the following functions:
(1) Establish, at a minimum, processes by which—
(A) FAA personnel and persons regulated by the FAA may submit anonymous regulatory interpretation questions without fear of retaliation;
(B) FAA personnel may submit written questions, and receive written responses, as to whether a previous approval or regulatory interpretation issued by FAA personnel in another office or region is correct or incorrect; and
(C) any other person may submit written anonymous regulatory interpretation questions.
(2) Meet on a regular basis to discuss and resolve questions submitted pursuant to paragraph (1) and the appropriate application of regulations and policy with respect to each question.
(3) Provide to a person that submitted a question pursuant to subparagraph (A) or (B) of paragraph (1) a timely written response to the question.
(4) Establish a process to make resolutions of common regulatory interpretation questions publicly available to FAA personnel, persons regulated by the FAA, and the public without revealing any identifying data of the person that submitted the question and in a manner that protects any proprietary information.
(5) Ensure the incorporation of resolutions of questions submitted pursuant to paragraph (1) into regulatory guidance documents, as such term is defined in section 223(d).
(e) PERFORMANCE METRICS, TIMELINES, AND GOALS.—Not later than 180 days after the date on which the Advisory Committee recommends performance objectives and performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator, in collaboration with the Advisory Committee, shall—
(1) establish performance metrics, timelines, and goals to measure the progress of the Board in resolving regulatory interpretation questions submitted pursuant to subsection (d)(1); and
(2) implement a process for tracking the progress of the Board in meeting the performance metrics, timelines, and goals established under paragraph (1).

Subtitle D—Safety Workforce

SEC. 231. SAFETY WORKFORCE TRAINING STRATEGY.

(a) SAFETY WORKFORCE TRAINING STRATEGY.—Not later than 60 days after the date of enactment of this Act, the Administrator shall review and revise its safety workforce training strategy to ensure that such strategy—
(1) aligns with an effective risk-based approach to safety oversight;
(2) best uses available resources;
(3) allows FAA employees participating in organization management teams or conducting ODA program audits to complete, in

a timely fashion, appropriate training, including recurrent training, in auditing and a systems safety approach to oversight;

(4) seeks knowledge-sharing opportunities between the FAA and the aviation industry in new technologies, equipment and systems, best practices, and other areas of interest related to safety oversight;

(5) functions within the current and anticipated budgetary environments;

(6) fosters an inspector and engineer workforce that has the skills and training necessary to improve risk-based approaches that focus on requirements management and auditing skills; and

(7) includes, as appropriate, milestones and metrics for meeting the requirements of paragraphs (1) through (5).

(b) REPORT.—Not later than 270 days after the date of the revision of the strategy required under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the implementation of the strategy and progress in meeting any milestones and metrics included in the strategy.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) ODA; ODA HOLDER.—The terms ''ODA'' and ''ODA holder'' have the meanings given those terms in section 44736 of title 49, United States Code, as added by this Act.

(2) ODA PROGRAM.—The term ''ODA program'' means the program to standardize FAA management and oversight of the organizations that are approved to perform certain functions on behalf of the Administration under section 44702(d) of title 49, United States Code.

(3) ORGANIZATION MANAGEMENT TEAM.—The term ''organization management team'' means a team consisting of FAA aviation safety engineers, flight test pilots, and aviation safety inspectors overseeing an ODA holder and its certification activity.

SEC. 232. WORKFORCE REVIEW.

(a) WORKFORCE REVIEW.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review to assess the workforce and training needs of the FAA Office of Aviation Safety in the anticipated budgetary environment.

(b) CONTENTS.—The review required under subsection (a) shall include—

(1) a review of current aviation safety inspector and aviation safety engineer hiring, training, and recurrent training requirements;

(2) an analysis of the skills and qualifications required of aviation safety inspectors and aviation safety engineers for successful performance in the current and future projected aviation safety regulatory environment, including the need for a systems engineering discipline within the FAA to guide the engineering of complex systems, with an emphasis on auditing designated authorities;

(3) a review of current performance incentive policies of the FAA, as applied to the Office of Aviation Safety, including awards for performance;

(4) an analysis of ways the FAA can work with industry and labor, including labor groups representing FAA aviation safety inspectors and aviation safety engineers, to establish knowledge-sharing opportunities between the FAA and the aviation industry regarding new equipment and systems, best practices, and other areas of interest; and

(5) recommendations on the most effective qualifications, training programs (including e-learning training), and performance incentive approaches to address the needs of the future projected aviation safety regulatory system in the anticipated budgetary environment.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review required under subsection (a).

Subtitle E—International Aviation

SEC. 241. PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.

Section 40104 of title 49, United States Code, is amended by adding at the end the following:

''(d) PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.—The Secretary shall take appropriate actions to—

''(1) promote United States aerospace-related safety standards abroad;

''(2) facilitate and vigorously defend approvals of United States aerospace products and services abroad;

''(3) with respect to bilateral partners, utilize bilateral safety agreements and other mechanisms to improve validation of United States certificated aeronautical products, services, and appliances and enhance mutual acceptance in order to eliminate redundancies and unnecessary costs; and

''(4) with respect to the aeronautical safety authorities of a foreign country, streamline validation and coordination processes.''.

SEC. 242. BILATERAL EXCHANGES OF SAFETY OVERSIGHT RESPONSIBILITIES.

Section 44701(e) of title 49, United States Code, is amended by adding at the end the following:

''(5) FOREIGN AIRWORTHINESS DIRECTIVES.—

''(A) ACCEPTANCE.—Subject to subparagraph (D), the Administrator may accept an airworthiness directive, as defined in section 39.3 of title 14, Code of Federal Regulations, issued by an aeronautical safety authority of a foreign country, and leverage that authority's regulatory process, if—

''(i) the country is the state of design for the product that is the subject of the airworthiness directive;

''(ii) the United States has a bilateral safety agreement relating to aircraft certification with the country;

''(iii) as part of the bilateral safety agreement with the country, the Administrator has determined that such aeronautical safety authority has an aircraft certification system relating to safety that produces a level of safety equivalent to the level produced by the system of the Federal Aviation Administration;

''(iv) the aeronautical safety authority of the country utilizes an open and transparent notice and comment process in the issuance of airworthiness directives; and

''(v) the airworthiness directive is necessary to provide for the safe operation of the aircraft subject to the directive.

''(B) ALTERNATIVE APPROVAL PROCESS.—Notwithstanding subparagraph (A), the Administrator may issue a Federal Aviation Administration airworthiness directive instead of accepting an airworthiness directive otherwise eligible for acceptance under such subparagraph, if the Administrator determines that such issuance is necessary for safety or operational reasons due to the complexity or unique features of the Federal Aviation Administration airworthiness directive or the United States aviation system.

''(C) ALTERNATIVE MEANS OF COMPLIANCE.—The Administrator may—

''(i) accept an alternative means of compliance, with respect to an airworthiness directive accepted under subparagraph (A), that was approved by the aeronautical safety authority of the foreign country that issued the airworthiness directive; or

''(ii) notwithstanding subparagraph (A), and at the request of any person affected by an airworthiness directive accepted under such subparagraph, approve an alternative means of compliance with respect to the airworthiness directive.

''(D) LIMITATION.—The Administrator may not accept an airworthiness directive issued by an aeronautical safety authority of a foreign country if the airworthiness directive addresses matters other than those involving the safe operation of an aircraft.''.

SEC. 243. FAA LEADERSHIP ABROAD.

(a) IN GENERAL.—To promote United States aerospace safety standards, reduce redundant regulatory activity, and facilitate acceptance of FAA design and production approvals abroad, the Administrator shall—

(1) attain greater expertise in issues related to dispute resolution, intellectual property, and export control laws to better support FAA certification and other aerospace regulatory activities abroad;

(2) work with United States companies to more accurately track the amount of time it takes foreign authorities, including bilateral partners, to validate United States certificated aeronautical products;

(3) provide assistance to United States companies that have experienced significantly long foreign validation wait times;

(4) work with foreign authorities, including bilateral partners, to collect and analyze data to determine the timeliness of the acceptance and validation of FAA design and production approvals by foreign authorities and the acceptance and validation of foreign-certified products by the FAA;

(5) establish appropriate benchmarks and metrics to measure the success of bilateral aviation safety agreements and to reduce the validation time for United States certificated aeronautical products abroad; and

(6) work with foreign authorities, including bilateral partners, to improve the timeliness of the acceptance and validation of FAA design and production approvals by foreign authorities and the acceptance and validation of foreign-certified products by the FAA.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) describes the FAA's strategic plan for international engagement;

(2) describes the structure and responsibilities of all FAA offices that have international responsibilities, including the Aircraft Certification Office, and all the activities conducted by those offices related to certification and production;

(3) describes current and forecasted staffing and travel needs for the FAA's international engagement activities, including the needs of the Aircraft Certification Office in the current and forecasted budgetary environment;

(4) provides recommendations, if appropriate, to improve the existing structure and personnel and travel policies supporting the FAA's international engagement activities, including the activities of the Aviation Certification Office, to better support the growth of United States aerospace exports; and

(5) identifies cost-effective policy initiatives, regulatory initiatives, or legislative initiatives needed to improve and enhance the timely acceptance of United States aerospace products abroad.

(c) INTERNATIONAL TRAVEL.—The Administrator, or the Administrator's designee, may authorize international travel for any FAA employee, without the approval of any other person or entity, if the Administrator determines that the travel is necessary—

(1) to promote United States aerospace safety standards; or

(2) to support expedited acceptance of FAA design and production approvals.

SEC. 244. REGISTRATION, CERTIFICATION, AND RELATED FEES.

Section 45305 of title 49, United States Code, is amended—

(1) in subsection (a) by striking ''Subject to subsection (b)'' and inserting ''Subject to subsection (c)'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

''(b) CERTIFICATION SERVICES.—Subject to subsection (c), and notwithstanding section 45301(a), the Administrator may establish and collect a fee from a foreign government or entity for services related to certification, regardless of where the services are provided, if the fee—

''(1) is established and collected in a manner consistent with aviation safety agreements; and

''(2) does not exceed the estimated costs of the services.''.

TITLE III—SAFETY

Subtitle A—General Provisions

SEC. 301. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the FAA.

(2) FAA.—The term ''FAA'' means the Federal Aviation Administration.

SEC. 302. FAA TECHNICAL TRAINING.

(a) E-LEARNING TRAINING PILOT PROGRAM.—Not later than 90 days after the date of enactment of this Act, the Administrator, in collaboration with the exclusive bargaining representatives of covered FAA personnel, shall establish an e-learning training pilot program in accordance with the requirements of this section.

(b) CURRICULUM.—The pilot program shall—

(1) include a recurrent training curriculum for covered FAA personnel to ensure that the covered FAA personnel receive instruction on the latest aviation technologies, processes, and procedures;

(2) focus on providing specialized technical training for covered FAA personnel, as determined necessary by the Administrator;

(3) include training courses on applicable regulations of the Federal Aviation Administration; and

(4) consider the efficacy of instructor-led online training.

(c) PILOT PROGRAM TERMINATION.—The pilot program shall terminate 1 year after the date of establishment of the pilot program.

(d) E-LEARNING TRAINING PROGRAM.—Upon termination of the pilot program, the Administrator shall assess and establish or update an e-learning training program that incorporates lessons learned for covered FAA personnel as a result of the pilot program.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED FAA PERSONNEL.—The term ''covered FAA personnel'' means airway transportation systems specialists and aviation safety inspectors of the Federal Aviation Administration.

(2) E-LEARNING TRAINING.—The term ''e-learning training'' means learning utilizing electronic technologies to access educational curriculum outside of a traditional classroom.

SEC. 303. SAFETY CRITICAL STAFFING.

(a) UPDATE OF FAA'S SAFETY CRITICAL STAFFING MODEL.—Not later than 270 days after the date of enactment of this Act, the Administrator shall update the safety critical staffing model of the Administration to determine the number of aviation safety inspectors that will be needed to fulfill the safety oversight mission of the Administration.

(b) AUDIT BY DOT INSPECTOR GENERAL.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Administrator has updated the safety critical staffing model under subsection (a), the Inspector General of the Department of Transportation shall conduct an audit of the staffing model.

(2) CONTENTS.—The audit shall include, at a minimum—

(A) a review of the assumptions and methodologies used in devising and implementing the staffing model to assess the adequacy of the staffing model in predicting the number of aviation safety inspectors needed—

(i) to properly fulfill the mission of the Administration; and

(ii) to meet the future growth of the aviation industry; and

(B) a determination on whether the staffing model takes into account the Administration's authority to fully utilize designees.

(3) REPORT ON AUDIT.—

(A) REPORT TO SECRETARY.—Not later than 30 days after the date of completion of the audit, the Inspector General shall submit to the Secretary a report on the results of the audit.

(B) REPORT TO CONGRESS.—Not later than 60 days after the date of receipt of the report, the Secretary shall submit to the appropriate committees of Congress a copy of the report, together with, if appropriate, a description of any actions taken or to be taken to address the results of the audit.

SEC. 304. INTERNATIONAL EFFORTS REGARDING TRACKING OF CIVIL AIRCRAFT.

The Administrator shall exercise leadership on creating a global approach to improving aircraft tracking by working with—

(1) foreign counterparts of the Administrator in the International Civil Aviation Organization and its subsidiary organizations;

(2) other international organizations and fora; and

(3) the private sector.

SEC. 305. AIRCRAFT DATA ACCESS AND RETRIEVAL SYSTEMS.

(a) ASSESSMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall initiate an assessment of aircraft data access and retrieval systems for part 121 air carrier aircraft that are used in extended overwater operations to—

(1) determine if the systems provide improved access and retrieval of aircraft data and cockpit voice recordings in the event of an aircraft accident; and

(2) assess the cost effectiveness of each system assessed.

(b) SYSTEMS TO BE EXAMINED.—The systems to be examined under this section shall include, at a minimum—

(1) various methods for improving detection and retrieval of flight data, including—

(A) low-frequency underwater locating devices; and

(B) extended battery life for underwater locating devices;

(2) automatic deployable flight recorders;

(3) emergency locator transmitters;

(4) triggered transmission of flight data and other satellite-based solutions;

(5) distress-mode tracking; and

(6) protections against disabling flight recorder systems.

(c) REPORT.—Not later than 1 year after the date of initiation of the assessment, the Administrator shall submit to the appropriate committees of Congress a report on the results of the assessment.

(d) PART 121 AIR CARRIER DEFINED.—In this section, the term ''part 121 air carrier'' means an air carrier with authority to conduct operations under part 121 of title 14, Code of Federal Regulations.

SEC. 306. ADVANCED COCKPIT DISPLAYS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall initiate a review of heads-up display systems, heads-down display systems employing synthetic vision systems, and enhanced vision systems (in this section referred to as ''HUD systems'', ''SVS'', and ''EVS'', respectively).

(b) CONTENTS.—The review shall—

(1) evaluate the impacts of single- and dual-installed HUD systems, SVS, and EVS on the safety and efficiency of aircraft operations within the national airspace system; and

(2) review a sufficient quantity of commercial aviation accidents or incidents in order to evaluate if HUD systems, SVS, or EVS would have produced a better outcome in each accident or incident.

(c) CONSULTATION.—In conducting the review, the Administrator shall consult with aviation manufacturers, representatives of pilot groups, aviation safety organizations, and any government agencies the Administrator considers appropriate.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the review, the actions the Administrator plans to take with respect to the systems reviewed, and the associated timeline for such actions.

SEC. 307. EMERGENCY MEDICAL EQUIPMENT ON PASSENGER AIRCRAFT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall evaluate and revise, as appropriate, regulations in part 121 of title 14, Code of Federal Regulations, regarding emergency medical equipment, including the contents of first-aid kits, applicable to all certificate holders operating passenger aircraft under that part.

(b) CONSIDERATION.—In carrying out subsection (a), the Administrator shall consider whether the minimum contents of approved emergency medical kits, including approved first-aid kits, include appropriate medications and equipment to meet the emergency medical needs of children and pregnant women.

SEC. 308. FAA AND NTSB REVIEW OF GENERAL AVIATION SAFETY.

(a) STUDY REQUIRED.—Not later than 30 days after the date of enactment of this Act, the Administrator, in coordination with the Chairman of the National Transportation Safety Board, shall initiate a study of general aviation safety.

(b) STUDY CONTENTS.—The study required under subsection (a) shall include—

(1) a review of all general aviation accidents since 2000, including a review of—

(A) the number of such accidents;

(B) the number of injuries and fatalities, including with respect to both occupants of aircraft and individuals on the ground, as a result of such accidents;

(C) the number of such accidents investigated by the National Transportation Safety Board;

(D) the number of such accidents investigated by the FAA; and

(E) a summary of the factual findings and probable cause determinations with respect to such accidents;

(2) an assessment of the most common probable cause determinations issued for general aviation accidents since 2000;

(3) an assessment of the most common facts analyzed by the FAA and the National Transportation Safety Board in the course of investigations of general aviation accidents since 2000, including operational details;

(4) a review of the safety recommendations of the National Transportation Safety Board

related to general aviation accidents since 2000;

(5) an assessment of the responses of the FAA and the general aviation community to the safety recommendations of the National Transportation Safety Board related to general aviation accidents since 2000;

(6) an assessment of the most common general aviation safety issues;

(7) a review of the total costs to the Federal Government to conduct investigations of general aviation accidents over the last 10 years; and

(8) other matters the Administrator or the Chairman considers appropriate.

(c) RECOMMENDATIONS AND ACTIONS TO ADDRESS GENERAL AVIATION SAFETY.—Based on the results of the study required under subsection (a), the Administrator, in consultation with the Chairman, shall make such recommendations, including with respect to regulations and enforcement activities, as the Administrator considers necessary to—

(1) address general aviation safety issues identified under the study;

(2) protect persons and property on the ground; and

(3) improve the safety of general aviation operators in the United States.

(d) AUTHORITY.—Notwithstanding any other provision of law, the Administrator shall have the authority to undertake actions to address the recommendations made under subsection (c).

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study required under subsection (a), including the recommendations described in subsection (c).

(f) GENERAL AVIATION DEFINED.—In this section, the term ''general aviation'' means aircraft operation for personal, recreational, or other noncommercial purposes.

SEC. 309. CALL TO ACTION AIRLINE ENGINE SAFETY REVIEW.

(a) CALL TO ACTION AIRLINE ENGINE SAFETY REVIEW.—Not later than 90 days after the date of enactment of this Act, the Administrator shall initiate a Call to Action safety review on airline engine safety in order to bring stakeholders together to share best practices and implement actions to address airline engine safety.

(b) CONTENTS.—The Call to Action safety review required pursuant to subsection (a) shall include—

(1) a review of Administration regulations, guidance, and directives related to airline engines during design and production, including the oversight of those processes;

(2) a review of Administration regulations, guidance, and directives related to airline engine operation and maintenance and the oversight of those processes;

(3) a review of reportable accidents and incidents involving airline engines during calendar years 2014 through 2018, including any identified contributing factors to the reportable accident or incident; and

(4) a process for stakeholders, including inspectors, manufacturers, maintenance providers, airlines, labor, and aviation safety experts, to provide feedback and share best practices.

(c) REPORT AND RECOMMENDATIONS.—Not later than 90 days after the conclusion of the Call to Action safety review pursuant to subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the results of the review and any recommendations for actions or best practices to improve airline engine safety.

SEC. 310. SENSE OF CONGRESS ON ACCESS TO AIR CARRIER FLIGHT DECKS.

It is the sense of Congress that the Administrator should collaborate with other aviation authorities to advance a global standard for access to air carrier flight decks and redundancy requirements consistent with the flight deck access and redundancy requirements in the United States.

SEC. 311. PART 135 ACCIDENT AND INCIDENT DATA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) determine, in collaboration with the National Transportation Safety Board and part 135 industry stakeholders, what, if any, additional data should be reported as part of an accident or incident notice—

(A) to more accurately measure the safety of on-demand part 135 aircraft activity;

(B) to pinpoint safety problems; and

(C) to form the basis for critical research and analysis of general aviation issues; and

(2) provide a briefing to the appropriate committees of Congress on the findings under paragraph (1), including a description of any additional data to be collected, a timeframe for implementing the additional data collection, and any potential obstacles to implementation.

(b) DEFINITION OF PART 135.—In this section, the term ''part 135'' means part 135 of title 14, Code of Federal Regulations.

SEC. 312. SENSE OF CONGRESS; PILOT IN COMMAND AUTHORITY.

It is the sense of Congress that the pilot in command of an aircraft is directly responsible for, and is the final authority as to, the operation of that aircraft, as set forth in section 91.3(a) of title 14, Code of Federal Regulations (or any successor regulation thereto).

SEC. 313. REPORT ON CONSPICUITY NEEDS FOR SURFACE VEHICLES OPERATING ON THE AIRSIDE OF AIR CARRIER SERVED AIRPORTS.

(a) STUDY REQUIRED.—The Administrator shall carry out a study on the need for the FAA to prescribe conspicuity standards for surface vehicles operating on the airside of the categories of airports that air carriers serve as specified in subsection (b).

(b) COVERED AIRPORTS.—The study required by subsection (a) shall cover, at a minimum, 1 large hub airport, 1 medium hub airport, and 1 small hub airport, as those terms are defined in section 40102 of title 49, United States Code.

(c) REPORT TO CONGRESS.—Not later than July 1, 2019, the Administrator shall submit to the appropriate committees of Congress a report setting forth the results of the study required by subsection (a), including such recommendations as the Administrator considers appropriate regarding the need for the Administration to prescribe conspicuity standards as described in subsection (a).

SEC. 314. HELICOPTER AIR AMBULANCE OPERATIONS DATA AND REPORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in collaboration with helicopter air ambulance industry stakeholders, shall assess the availability of information to the general public related to the location of heliports and helipads used by helicopters providing air ambulance services, including helipads and helipads outside of those listed as part of any existing databases of Airport Master Record (5010) forms.

(b) REQUIREMENTS.—Based on the assessment under subsection (a), the Administrator shall—

(1) update, as necessary, any existing guidance on what information is included in the current databases of Airport Master Record (5010) forms to include information related to heliports and helipads used by helicopters providing air ambulance services; or

(2) develop, as appropriate and in collaboration with helicopter air ambulance industry stakeholders, a new database of heliports and helipads used by helicopters providing air ambulance services.

(c) REPORTS.—

(1) ASSESSMENT REPORT.—Not later than 30 days after the date the assessment under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress a report on the assessment, including any recommendations on how to make information related to the location of heliports and helipads used by helicopters providing air ambulance services available to the general public.

(2) IMPLEMENTATION REPORT.—Not later than 30 days after completing action under paragraph (1) or paragraph (2) of subsection (b), the Administrator shall submit to the appropriate committees of Congress a report on such action.

(d) INCIDENT AND ACCIDENT DATA.—Section 44731 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''not later than 1 year after the date of enactment of this section, and annually thereafter'' and inserting ''annually'';

(B) in paragraph (2), by striking ''flights and hours flown, by registration number, during which helicopters operated by the certificate holder were providing helicopter air ambulance services'' and inserting ''hours flown by the helicopters operated by the certificate holder'';

(C) in paragraph (3)—

(i) by striking ''of flight'' and inserting ''of patients transported and the number of patient transport'';

(ii) by inserting ''or'' after ''interfacility transport,''; and

(iii) by striking '', or ferry or repositioning flight'';

(D) in paragraph (5)—

(i) by striking ''flights and''; and

(ii) by striking ''while providing air ambulance services''; and

(E) by amending paragraph (6) to read as follows:

''(6) The number of hours flown at night by helicopters operated by the certificate holder.'';

(2) in subsection (d)—

(A) by striking ''Not later than 2 years after the date of enactment of this section, and annually thereafter, the Administrator shall submit'' and inserting ''The Administrator shall submit annually''; and

(B) by adding at the end the following: ''The report shall include the number of accidents experienced by helicopter air ambulance operations, the number of fatal accidents experienced by helicopter air ambulance operations, and the rate, per 100,000 flight hours, of accidents and fatal accidents experienced by operators providing helicopter air ambulance services.'';

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting after subsection (d) the following:

''(e) IMPLEMENTATION.—In carrying out this section, the Administrator, in collaboration with part 135 certificate holders providing helicopter air ambulance services, shall—

''(1) propose and develop a method to collect and store the data submitted under subsection (a), including a method to protect the confidentiality of any trade secret or proprietary information submitted; and

''(2) ensure that the database under subsection (c) and the report under subsection (d) include data and analysis that will best inform efforts to improve the safety of helicopter air ambulance operations.''.

SEC. 315. AVIATION RULEMAKING COMMITTEE FOR PART 135 PILOT REST AND DUTY RULES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall convene an aviation rulemaking committee to review, and develop findings and recommendations regarding, pilot rest and duty rules under part 135 of title 14, Code of Federal Regulations.

(b) DUTIES.—The Administrator shall—

(1) not later than 2 years after the date of enactment of this Act, submit to the appropriate committees of Congress a report based on the findings of the aviation rulemaking committee; and

(2) not later than 1 year after the date of submission of the report under paragraph (1), issue a notice of proposed rulemaking based on any consensus recommendations reached by the aviation rulemaking committee.

(c) COMPOSITION.—The aviation rulemaking committee shall consist of members appointed by the Administrator, including—

(1) representatives of industry;

(2) representatives of aviation labor organizations, including collective bargaining units representing pilots who are covered by part 135 of title 14, Code of Federal Regulations, and subpart K of part 91 of such title; and

(3) aviation safety experts with specific knowledge of flight crewmember education and training requirements under part 135 of such title.

(d) CONSIDERATIONS.—The Administrator shall direct the aviation rulemaking committee to consider—

(1) recommendations of prior part 135 rulemaking committees;

(2) accommodations necessary for small businesses;

(3) scientific data derived from aviation-related fatigue and sleep research;

(4) data gathered from aviation safety reporting programs;

(5) the need to accommodate the diversity of operations conducted under part 135, including the unique duty and rest time requirements of air ambulance pilots; and

(6) other items, as appropriate.

SEC. 316. REPORT ON OBSOLETE TEST EQUIPMENT.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the National Test Equipment Program of the FAA (in this section referred to as the ''Program'').

(b) CONTENTS.—The report shall include—

(1) a list of all known outstanding requests for test equipment, cataloged by type and location, under the Program;

(2) a description of the current method under the Program of ensuring calibrated equipment is in place for utilization;

(3) a plan by the Administrator for appropriate inventory of such equipment;

(4) the Administrator's recommendations for increasing multifunctionality in future test equipment and all known and foreseeable manufacturer technological advances; and

(5) a plan to replace, as appropriate, obsolete test equipment throughout the service areas.

SEC. 317. HELICOPTER FUEL SYSTEM SAFETY.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

''§ 44737. Helicopter fuel system safety

''(a) PROHIBITION.—

''(1) IN GENERAL.—A person may not operate a covered rotorcraft in United States airspace unless the design of the rotorcraft is certified by the Administrator of the Federal Aviation Administration to—

''(A) comply with the requirements applicable to the category of the rotorcraft under paragraphs (1), (2), (3), (5), and (6) of section 27.952(a), section 27.952(c), section 27.952(f), section 27.952(g), section 27.963(g) (but allowing for a minimum puncture force of 250 pounds if successfully drop tested in-structure), and section 27.975(b) or paragraphs (1), (2), (3), (5), and (6) of section 29.952(a), section 29.952(c), section 29.952(f), section 29.952(g), section 29.963(b) (but allowing for a minimum puncture force of 250 pounds if successfully drop tested in-structure), and 29.975(a)(7) of title 14, Code of Federal Regulations, as in effect on the date of enactment of this section; or

''(B) employ other means acceptable to the Administrator to provide an equivalent level of fuel system crash resistance.

''(2) COVERED ROTORCRAFT DEFINED.—In this subsection, the term 'covered rotorcraft' means a rotorcraft not otherwise required to comply with section 27.952, section 27.963, and section 27.975, or section 29.952, section 29.963, and section 29.975 of title 14, Code of Federal Regulations as in effect on the date of enactment of this section for which manufacture was completed, as determined by the Administrator, on or after the date that is 18 months after the date of enactment of this section.

''(b) ADMINISTRATIVE PROVISIONS.—The Administrator shall—

''(1) expedite the certification and validation of United States and foreign type designs and retrofit kits that improve fuel system crashworthiness; and

''(2) not later than 180 days after the date of enactment of this section, and periodically thereafter, issue a bulletin to—

''(A) inform rotorcraft owners and operators of available modifications to improve fuel system crashworthiness; and

''(B) urge that such modifications be installed as soon as practicable.

''(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the operation of a rotorcraft by the Department of Defense.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

''44737. Helicopter fuel system safety.''.

SEC. 318. APPLICABILITY OF MEDICAL CERTIFICATION STANDARDS TO OPERATORS OF AIR BALLOONS.

(a) SHORT TITLE.—This section may be cited as the ''Commercial Balloon Pilot Safety Act of 2018''.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall revise section 61.3(c) of title 14, Code of Federal Regulations (relating to second-class medical certificates), to apply to an operator of an air balloon to the same extent such regulations apply to a pilot flight crewmember of other aircraft.

(c) AIR BALLOON DEFINED.—In this section, the term ''air balloon'' has the meaning given the term ''balloon'' in section 1.1 of title 14, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SEC. 319. DESIGNATED PILOT EXAMINER REFORMS.

(a) IN GENERAL.—The Administrator shall assign to the Aviation Rulemaking Advisory Committee (in this section referred to as the ''Committee'') the task of reviewing all regulations and policies related to designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations. The Committee shall focus on the processes and requirements by which the FAA selects, trains, and deploys individuals as designated pilot examiners, and provide recommendations with respect to the regulatory and policy changes necessary to ensure an adequate number of designated pilot examiners are deployed and available to perform their duties. The Committee also shall make recommendations with respect to the regulatory and policy changes if necessary to allow a designated pilot examiner perform a daily limit of 3 new check rides with no limit for partial check rides and to serve as a designed pilot examiner without regard to any individual managing office.

(b) ACTION BASED ON RECOMMENDATIONS.—Not later than 1 year after receiving recommendations under subsection (a), the Administrator shall take such action as the Administrator considers appropriate with respect to those recommendations.

SEC. 320. VOLUNTARY REPORTS OF OPERATIONAL OR MAINTENANCE ISSUES RELATED TO AVIATION SAFETY.

(a) IN GENERAL.—There shall be a presumption that an individual's voluntary report of an operational or maintenance issue related to aviation safety under an aviation safety action program meets the criteria for acceptance as a valid report under such program.

(b) DISCLAIMER REQUIRED.—Any dissemination, within the participating organization, of a report that was submitted and accepted under an aviation safety action program pursuant to the presumption under subsection (a), but that has not undergone review by an event review committee, shall be accompanied by a disclaimer stating that the report—

(1) has not been reviewed by an event review committee tasked with reviewing such reports; and

(2) may subsequently be determined to be ineligible for inclusion in the aviation safety action program.

(c) REJECTION OF REPORT.—

(1) IN GENERAL.—A report described under subsection (a) shall be rejected from an aviation safety action program if, after a review of the report, an event review committee tasked with reviewing such report, or the Federal Aviation Administration member of the event review committee in the case that the review committee does not reach consensus, determines that the report fails to meet the criteria for acceptance under such program.

(2) PROTECTIONS.—In any case in which a report of an individual described under subsection (a) is rejected under paragraph (1)—

(A) the enforcement-related incentive offered to the individual for making such a report shall not apply; and

(B) the protection from disclosure of the report itself under section 40123 of title 49, United States Code, shall not apply.

(3) AVIATION SAFETY ACTION PROGRAM DEFINED.—In this section, the term ''aviation safety action program'' means a program established in accordance with Federal Aviation Administration Advisory Circular 120–66B, issued November 15, 2002 (including any similar successor advisory circular), to allow an individual to voluntarily disclose operational or maintenance issues related to aviation safety.

SEC. 321. EVALUATION REGARDING ADDITIONAL GROUND BASED TRANSMITTERS.

The Administrator shall conduct an evaluation of providing additional ground based transmitters for Automatic Dependent Surveillance–Broadcasts (ADS–B) to provide a minimum operational network in Alaska along major flight routes.

SEC. 322. IMPROVED SAFETY IN RURAL AREAS.

The Administrator shall permit an air carrier operating pursuant to part 135 of title 14, Code of Federal Regulations, to operate to a destination with a published approach, in a noncontiguous State under instrument flight

rules and conduct an instrument approach without a destination Meteorological Aerodrome Report (METAR) if a current Area Forecast, supplemented by noncertified local weather observations (such as weather cameras and human observations) is available, and an alternate airport that has a weather report is specified. The operator shall have approved procedures for departure and en route weather evaluation.

SEC. 323. EXIT ROWS.

(a) REVIEW.—The Administrator shall conduct a review of current safety procedures regarding unoccupied exit rows on a covered aircraft in passenger air transportation during all stages of flight.

(b) CONSULTATION.—In carrying out the review, the Administrator shall consult with air carriers, aviation manufacturers, and labor stakeholders.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the review.

(d) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means an aircraft operating under part 121 of title 14, Code of Federal Regulations.

SEC. 324. COMPTROLLER GENERAL REPORT ON FAA ENFORCEMENT POLICY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall complete a study, and report to the appropriate committees of Congress on the results thereof, on the effectiveness of Order 8000.373, Federal Aviation Administration Compliance Philosophy, announced on June 26, 2015. Such study shall include information about—

(1) whether reports of safety incidents increased following the order;

(2) whether reduced enforcement penalties increased the overall number of safety incidents that occurred; and

(3) whether FAA enforcement staff registered complaints about reduced enforcement reducing compliance with safety regulations.

SEC. 325. ANNUAL SAFETY INCIDENT REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 5 years, the Administrator, shall submit to the appropriate committees of Congress a report regarding part 121 airline safety oversight.

(b) CONTENTS.—The annual report shall include—

(1) a description of the Federal Aviation Administration's safety oversight process to ensure the safety of the traveling public;

(2) a description of risk-based oversight methods applied to ensure aviation safety, including to specific issues addressed in the year preceding the report that in the determination of the Administrator address safety risk; and

(3) in the instance of specific reviews of air carrier performance to safety regulations, a description of cases where the timelines for recurrent reviews are advanced.

SEC. 326. AIRCRAFT AIR QUALITY.

(a) EDUCATIONAL MATERIALS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall, in consultation with relevant stakeholders, establish and make available on a publicly available Internet website of the Administration, educational materials for flight attendants, pilots, and aircraft maintenance technicians on how to respond to incidents on board aircraft involving smoke or fumes.

(b) REPORTING OF INCIDENTS OF SMOKE OR FUMES ON BOARD AIRCRAFT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall, in consultation with relevant stakeholders, issue guidance for flight attendants, pilots, and aircraft maintenance technicians to report incidents of smoke or fumes on board an aircraft operated by a commercial air carrier and with respect to the basis on which commercial air carriers shall report such incidents through the Service Difficulty Reporting System.

(c) RESEARCH TO DEVELOP TECHNIQUES TO MONITOR BLEED AIR QUALITY.—Not later than 180 days after the date of enactment of this Act, the Administrator shall commission a study by the Airliner Cabin Environment Research Center of Excellence—

(1) to identify and measure the constituents and levels of constituents resulting from bleed air in the cabins of a representative set of commercial aircraft in operation of the United States;

(2) to assess the potential health effects of such constituents on passengers and cabin and flight deck crew;

(3) to identify technologies suitable to provide reliable and accurate warning of bleed air contamination, including technologies to effectively monitor the aircraft air supply system when the aircraft is in flight; and

(4) to identify potential techniques to prevent fume events.

(d) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the feasibility, efficacy, and cost-effectiveness of certification and installation of systems to evaluate bleed air quality.

(e) PILOT PROGRAM.—The FAA may conduct a pilot program to evaluate the effectiveness of technologies identified in subsection (c).

SEC. 327. APPROACH CONTROL RADAR.

The Administrator shall—

(1) identify airports that are currently served by FAA towers with nonradar approach and departure control (type 4 classification in the Federal Aviation Administration OPSNET); and

(2) develop an implementation plan, which takes into account budgetary and flight volume considerations, to provide an airport identified under paragraph (1), if appropriate, with approach control radar.

SEC. 328. REPORT ON AIRLINE AND PASSENGER SAFETY.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on airline and passenger safety.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) the average age of commercial aircraft owned and operated by United States air carriers;

(2) the over-all use of planes, including average lifetime of commercial aircraft;

(3) the number of hours aircraft are in flight over the life of the aircraft and the average number of hours on domestic and international flights, respectively;

(4) the impact of metal fatigue on aircraft usage and safety;

(5) a review on contractor assisted maintenance of commercial aircraft; and

(6) a re-evaluation of the rules on inspection of aging airplanes.

SEC. 329. PERFORMANCE-BASED STANDARDS.

The Administrator shall, to the maximum extent possible and consistent with Federal law, and based on input by the public, ensure that regulations, guidance, and policies issued by the FAA on and after the date of enactment of this Act are issued in the form of performance-based standards, providing an equal or higher level of safety.

SEC. 330. REPORT AND RECOMMENDATIONS ON CERTAIN AVIATION SAFETY RISKS.

Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) identifies safety risks associated with power outages at airports caused by weather or other factors, and recommends actions to improve resilience of aviation communication, navigation, and surveillance systems in the event of such outages; and

(2) reviews alerting mechanisms, devices, and procedures for enhancing the situational awareness of pilots and air traffic controllers in the event of a failure or an irregularity of runway lights, and provides recommendations on the further implementation of such mechanisms, devices, or procedures.

SEC. 331. REVIEW OF FAA'S AVIATION SAFETY INFORMATION ANALYSIS AND SHARING SYSTEM.

(a) AUDIT BY DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL.—Not later than 90 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate a follow-up review of the FAA's Aviation Safety Information Analysis and Sharing (ASIAS) system to assess FAA's efforts and plans to improve the system.

(b) REVIEW.—The review shall include, at a minimum, an evaluation of FAA's efforts to improve the ASIAS system's predictive capabilities and solutions developed to more widely disseminate results of ASIAS data analyses, as well as an update on previous inspector general recommendations to improve this safety analysis and sharing system.

(c) REPORT.—The inspector general shall submit to the appropriate committees of Congress a report on the results of the review carried out under this section and any recommendations to improve FAA's ASIAS system.

SEC. 332. AIRPORT RESCUE AND FIREFIGHTING.

(a) FIREFIGHTING FOAM.—Not later than 3 years after the date of enactment of this Act, the Administrator, using the latest version of National Fire Protection Association 403, ''Standard for Aircraft Rescue and Fire-Fighting Services at Airports'', and in coordination with the Administrator of the Environmental Protection Agency, aircraft manufacturers and airports, shall not require the use of fluorinated chemicals to meet the performance standards referenced in chapter 6 of AC No: 150/5210–6D and acceptable under 139.319(l) of title 14, Code of Federal Regulations.

(b) TRAINING FACILITIES.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress—

(1) a report on the number and sufficiency of aircraft rescue and firefighting training facilities in each FAA region; and

(2) a plan, if appropriate, to address any coverage gaps identified in the report.

SEC. 333. SAFE AIR TRANSPORTATION OF LITHIUM CELLS AND BATTERIES.

(a) HARMONIZATION WITH ICAO TECHNICAL INSTRUCTIONS.—

(1) ADOPTION OF ICAO INSTRUCTIONS.—

(A) IN GENERAL.—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall conform United States regulations on the air transport of lithium cells and batteries with the lithium cells and battery requirements in the 2015–2016 edition of the International Civil Aviation Organization's (referred to in this subsection as ''ICAO'') Technical Instructions (to include all addenda), including the revised standards adopted by ICAO which became effective on April 1, 2016 and any further revisions adopted by ICAO prior to the effective date of the FAA Reauthorization Act of 2018.

(B) FURTHER PROCEEDINGS.—Beginning on the date the revised regulations under subparagraph (A) are published in the Federal Register, any lithium cell and battery rulemaking action or update commenced on or after that date shall continue to comply with the requirements under section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(2) REVIEW OF OTHER REGULATIONS.—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), the Secretary of Transportation may initiate a review of other existing regulations regarding the air transportation, including passenger-carrying and cargo aircraft, of lithium batteries and cells.

(b) MEDICAL DEVICE BATTERIES.—

(1) IN GENERAL.—For United States applicants, the Secretary of Transportation shall consider and either grant or deny, not later than 45 days after receipt of an application, an application submitted in compliance with part 107 of title 49, Code of Federal Regulations, for special permits or approvals for air transportation of lithium ion cells or batteries specifically used by medical devices. Not later than 30 days after the date of application, the Pipeline and Hazardous Materials Safety Administration shall provide a draft special permit to the Federal Aviation Administration based on the application. The Federal Aviation Administration shall conduct an on-site inspection for issuance of the special permit not later than 20 days after the date of receipt of the draft special permit from the Pipeline and Hazardous Materials Safety Administration.

(2) LIMITED EXCEPTIONS TO RESTRICTIONS ON AIR TRANSPORTATION OF MEDICAL DEVICE BATTERIES.—The Secretary shall issue limited exceptions to the restrictions on transportation of lithium ion and lithium metal batteries to allow the shipment on a passenger aircraft of not more than 2 replacement batteries specifically used for a medical device if—

(A) the intended destination of the batteries is not serviced daily by cargo aircraft if a battery is required for medically necessary care; and

(B) with regard to a shipper of lithium ion or lithium metal batteries for medical devices that cannot comply with a charge limitation in place at the time, each battery is—

(i) individually packed in an inner packaging that completely encloses the battery;

(ii) placed in a rigid outer packaging; and

(iii) protected to prevent a short circuit.

(3) MEDIAL DEVICE DEFINED.—In this subsection, the term ''medical device'' means an instrument, apparatus, implement, machine, contrivance, implant, or in vitro reagent, including any component, part, or accessory thereof, which is intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment, or prevention of disease, of a person.

(4) SAVINGS CLAUSE.—Nothing in this subsection shall be construed as expanding or constricting any other authority the Secretary of Transportation has under section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(c) LITHIUM BATTERY SAFETY WORKING GROUP.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall establish a lithium battery safety working group (referred to as the ''working group'' in this section) to promote and coordinate efforts related to the promotion of the safe manufacture, use, and transportation of lithium batteries and cells.

(2) DUTIES.—The working group shall coordinate and facilitate the transfer of knowledge and expertise among the following Federal agencies:

(A) The Department of Transportation.

(B) The Consumer Product Safety Commission.

(C) The National Institute on Standards and Technology.

(D) The Food and Drug Administration.

(3) MEMBERS.—The Secretary shall appoint not more than 8 members to the working group with expertise in the safe manufacture, use, or transportation of lithium batteries and cells.

(4) SUBCOMMITTEES.—The Secretary, or members of the working group, may—

(A) establish working group subcommittees to focus on specific issues related to the safe manufacture, use, or transportation of lithium batteries and cells; and

(B) include in a subcommittee the participation of nonmember stakeholders with expertise in areas that the Secretary or members consider necessary.

(5) REPORT.—Not later than 1 year after the date it is established, the working group shall—

(A) identify and assess—

(i) additional ways to decrease the risk of fires and explosions from lithium batteries and cells;

(ii) additional ways to ensure uniform transportation requirements for both bulk and individual batteries; and

(iii) new or existing technologies that may reduce the fire and explosion risk of lithium batteries and cells; and

(B) transmit to the appropriate committees of Congress a report on the assessments conducted under subparagraph (A), including any legislative recommendations to effectuate the safety improvements described in clauses (i) through (iii) of that subparagraph.

(6) TERMINATION.—The working group, and any working group subcommittees, shall terminate 90 days after the date the report is transmitted under paragraph (5).

(d) LITHIUM BATTERY AIR SAFETY ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish, in accordance with the requirements of the Federal Advisory Committee Act (5 U.S.C. App.), a lithium ion and lithium metal battery air safety advisory committee (in this subsection referred to as the ''Committee'').

(2) DUTIES.—The Committee shall—

(A) facilitate communication between manufacturers of lithium ion and lithium metal cells and batteries, manufacturers of products incorporating both large and small lithium ion and lithium metal batteries, air carriers, and the Federal Government regarding the safe air transportation of lithium ion and lithium metal cells and batteries and the effectiveness and economic and social impacts of the regulation of such transportation;

(B) provide the Secretary, the Federal Aviation Administration, and the Pipeline and Hazardous Materials Safety Administration with timely information about new lithium ion and lithium metal battery technology and transportation safety practices and methodologies;

(C) provide a forum for the Secretary to provide information on and to discuss the activities of the Department of Transportation relating to lithium ion and lithium metal battery transportation safety, the policies underlying the activities, and positions to be advocated in international forums;

(D) provide a forum for the Secretary to provide information and receive advice on—

(i) activities carried out throughout the world to communicate and enforce relevant United States regulations and the ICAO Technical Instructions; and

(ii) the effectiveness of the activities;

(E) provide advice and recommendations to the Secretary with respect to lithium ion and lithium metal battery air transportation safety, including how best to implement activities to increase awareness of relevant requirements and their importance to travelers and shippers; and

(F) review methods to decrease the risk posed by air shipment of undeclared hazardous materials and efforts to educate those who prepare and offer hazardous materials for shipment via air transport.

(3) MEMBERSHIP.—The Committee shall be composed of the following members:

(A) Individuals appointed by the Secretary to represent—

(i) large volume manufacturers of lithium ion and lithium metal cells and batteries;

(ii) domestic manufacturers of lithium ion and lithium metal batteries or battery packs;

(iii) manufacturers of consumer products powered by lithium ion and lithium metal batteries;

(iv) manufacturers of vehicles powered by lithium ion and lithium metal batteries;

(v) marketers of products powered by lithium ion and lithium metal batteries;

(vi) cargo air service providers based in the United States;

(vii) passenger air service providers based in the United States;

(viii) pilots and employees of air service providers described in clauses (vi) and (vii);

(ix) shippers of lithium ion and lithium metal batteries for air transportation;

(x) manufacturers of battery-powered medical devices or batteries used in medical devices; and

(xi) employees of the Department of Transportation, including employees of the Federal Aviation Administration and the Pipeline and Hazardous Materials Safety Administration.

(B) Representatives of such other Government departments and agencies as the Secretary determines appropriate.

(C) Any other individuals the Secretary determines are appropriate to comply with Federal law.

(4) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the establishment of the Committee, the Committee shall submit to the Secretary and the appropriate committees of Congress a report that—

(i) describes and evaluates the steps being taken in the private sector and by international regulatory authorities to implement and enforce requirements relating to the safe transportation by air of bulk shipments of lithium ion cells and batteries; and

(ii) identifies any areas of enforcement or regulatory requirements for which there is consensus that greater attention is needed.

(B) INDEPENDENT STATEMENTS.—Each member of the Committee shall be provided an opportunity to submit an independent statement of views with the report submitted pursuant to subparagraph (A).

(5) MEETINGS.—

(A) IN GENERAL.—The Committee shall meet at the direction of the Secretary and at least twice a year.

(B) PREPARATION FOR ICAO MEETINGS.—Notwithstanding subparagraph (A), the Secretary shall convene a meeting of the Committee in connection with and in advance of each meeting of the International Civil Aviation Organization, or any of its panels or working groups, addressing the safety of air transportation of lithium ion and lithium metal batteries to brief Committee members on positions to be taken by the United States at such meeting and provide Committee members a meaningful opportunity to comment.

(6) TERMINATION.—The Committee shall terminate on the date that is 6 years after the date on which the Committee is established.

(7) TERMINATION OF FUTURE OF AVIATION ADVISORY COMMITTEE.—The Future of Aviation Advisory Committee shall terminate on the date on which the lithium ion battery air safety advisory committee is established.

(e) COOPERATIVE EFFORTS TO ENSURE COMPLIANCE WITH SAFETY REGULATIONS.—

(1) IN GENERAL.—The Secretary of Transportation, in coordination with appropriate Federal agencies, shall carry out cooperative efforts to ensure that shippers who offer lithium ion and lithium metal batteries for air transport to or from the United States comply with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(2) COOPERATIVE EFFORTS.—The cooperative efforts the Secretary shall carry out pursuant to paragraph (1) include the following:

(A) Encouraging training programs at locations outside the United States from which substantial cargo shipments of lithium ion or lithium metal batteries originate for manufacturers, freight forwarders, and other shippers and potential shippers of lithium ion and lithium metal batteries.

(B) Working with Federal, regional, and international transportation agencies to ensure enforcement of U.S. Hazardous Materials Regulations and ICAO Technical Instructions with respect to shippers who offer noncompliant shipments of lithium ion and lithium metal batteries.

(C) Sharing information, as appropriate, with Federal, regional, and international transportation agencies regarding noncompliant shipments.

(D) Pursuing a joint effort with the international aviation community to develop a process to obtain assurances that appropriate enforcement actions are taken to reduce the likelihood of noncompliant shipments, especially with respect to jurisdictions in which enforcement activities historically have been limited.

(E) Providing information in brochures and on the internet in appropriate foreign languages and dialects that describes the actions required to comply with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(F) Developing joint efforts with the international aviation community to promote a better understanding of the requirements of and methods of compliance with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(3) REPORTING.—Not later than 120 days after the date of enactment of this Act, and annually thereafter for 2 years, the Secretary shall submit to the appropriate committees of Congress a report on compliance with the policy set forth in subsection (e) and the cooperative efforts carried out, or planned to be carried out, under this subsection.

(f) PACKAGING IMPROVEMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with interested stakeholders, shall submit to the appropriate committees of Congress an evaluation of current practices for the packaging of lithium ion batteries and cells for air transportation, including recommendations, if any, to improve the packaging of such batteries and cells for air transportation in a safe, efficient, and cost-effective manner.

(g) DEPARTMENT OF TRANSPORTATION POLICY ON INTERNATIONAL REPRESENTATION.—

(1) IN GENERAL.—It shall be the policy of the Department of Transportation to support the participation of industry and labor stakeholders in all panels and working groups of the dangerous goods panel of the ICAO and any other international test or standard setting organization that considers proposals on the safety or transportation of lithium ion and lithium metal batteries in which the United States participates.

(2) PARTICIPATION.—The Secretary of Transportation shall request that as part of the ICAO deliberations in the dangerous goods panel on these issues, that appropriate experts on issues under consideration be allowed to participate.

(h) DEFINITIONS.—In this section, the following definitions apply:

(1) ICAO TECHNICAL INSTRUCTIONS.—The term ''ICAO Technical Instructions'' has the meaning given that term in section 828(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(2) U.S. HAZARDOUS MATERIALS REGULATIONS.—The term ''U.S. Hazardous Materials Regulations'' means the regulations in parts 100 through 177 of title 49, Code of Federal Regulations (including amendments adopted after the date of enactment of this Act).

SEC. 334. RUNWAY SAFETY.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on improving runway safety.

(b) CONTENTS.—In the report required under this section, the Administrator shall—

(1) review the relative benefits and risks of requiring the use of runway awareness and advisory systems in turbine-powered airplanes with a maximum takeoff weight greater than 19,000 pounds;

(2) review systems capable of detecting wrong-surface alignment to determine whether the capability exists to detect imminent wrong-surface landings at each airport where such a system is in use;

(3) describe information gathered from the use of the Airport Surface Surveillance Capability system at San Francisco International Airport since July 2017;

(4) assess available technologies to determine whether it is feasible, cost-effective, and appropriate to install and deploy, at any airport, systems to provide a direct warning capability to flight crews or air traffic controllers, or both, of potential runway incursions; and

(5) describe FAA efforts to develop metrics that would allow the FAA to determine whether runway incursions are increasing and to assess the effectiveness of implemented runway safety initiatives.

(c) CONSULTATION.—The Administrator shall consult with the National Transportation Safety Board in developing the report required under this section.

SEC. 335. FLIGHT ATTENDANT DUTY PERIOD LIMITATIONS AND REST REQUIREMENTS.

(a) MODIFICATION OF FINAL RULE.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall modify the final rule of the Federal Aviation Administration published in the Federal Register on August 19, 1994 (59 Fed. Reg. 42974; relating to flight attendant duty period limitations and rest requirements) in accordance with the requirements of this subsection.

(2) CONTENTS.—The final rule, as modified under paragraph (1), shall ensure that—

(A) a flight attendant scheduled to a duty period of 14 hours or less is given a scheduled rest period of at least 10 consecutive hours; and

(B) the rest period is not reduced under any circumstances.

(b) FATIGUE RISK MANAGEMENT PLAN.—

(1) SUBMISSION OF PLAN BY PART 121 AIR CARRIERS.—Not later than 90 days after the date of enactment of this Act, each air carrier operating under part 121 of title 14, Code of Federal Regulations (in this section referred to as a ''part 121 air carrier''), shall submit to the Administrator of the Federal Aviation Administration for review and acceptance a fatigue risk management plan for the carrier's flight attendants.

(2) CONTENTS OF PLAN.—A fatigue risk management plan submitted by a part 121 air carrier under paragraph (1) shall include the following:

(A) Current flight time and duty period limitations.

(B) A rest scheme consistent with such limitations that enables the management of flight attendant fatigue, including annual training to increase awareness of—

(i) fatigue;

(ii) the effects of fatigue on flight attendants; and

(iii) fatigue countermeasures.

(C) Development and use of a methodology that continually assesses the effectiveness of implementation of the plan, including the ability of the plan—

(i) to improve alertness; and

(ii) to mitigate performance errors.

(3) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Administrator shall review and accept or reject each fatigue risk management plan submitted under this subsection. If the Administrator rejects a plan, the Administrator shall provide suggested modifications for resubmission of the plan.

(4) PLAN UPDATES.—

(A) IN GENERAL.—A part 121 air carrier shall update its fatigue risk management plan under paragraph (1) every 2 years and submit the update to the Administrator for review and acceptance.

(B) REVIEW.—Not later than 1 year after the date of submission of a plan update under subparagraph (A), the Administrator shall review and accept or reject the update. If the Administrator rejects an update, the Administrator shall provide suggested modifications for resubmission of the update.

(5) COMPLIANCE.—A part 121 air carrier shall comply with the fatigue risk management plan of the air carrier that is accepted by the Administrator under this subsection.

(6) CIVIL PENALTIES.—A violation of this subsection by a part 121 air carrier shall be treated as a violation of chapter 447 of title 49, United States Code, for purposes of the application of civil penalties under chapter 463 of that title.

SEC. 336. SECONDARY COCKPIT BARRIERS.

(a) SHORT TITLE.—This section may be cited as the ''Saracini Aviation Safety Act of 2018''.

(b) REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue an order requiring installation of a secondary cockpit barrier on each new aircraft that is manufactured for delivery to a passenger air carrier in the United States operating under the provisions of part 121 of title 14, Code of Federal Regulations.

SEC. 337. AIRCRAFT CABIN EVACUATION PROCEDURES.

(a) REVIEW.—The Administrator of the Federal Aviation Administration shall review—

(1) evacuation certification of transport-category aircraft used in air transportation, with regard to—

(A) emergency conditions, including impacts into water;

(B) crew procedures used for evacuations under actual emergency conditions;

(C) any relevant changes to passenger demographics and legal requirements, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), that affect emergency evacuations; and

(D) any relevant changes to passenger seating configurations, including changes to seat width, padding, reclining, size, pitch, leg room, and aisle width; and

(2) recent accidents and incidents in which passengers evacuated such aircraft.

(b) CONSULTATION; REVIEW OF DATA.—In conducting the review under subsection (a), the Administrator shall—

(1) consult with the National Transportation Safety Board, transport-category aircraft manufacturers, air carriers, and other relevant experts and Federal agencies, including groups representing passengers, airline crew members, maintenance employees, and emergency responders; and

(2) review relevant data with respect to evacuation certification of transport-category aircraft.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a) and related recommendations, if any, including recommendations for revisions to the assumptions and methods used for assessing evacuation certification of transport-category aircraft.

SEC. 338. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) each air carrier should have in place policies and procedures to address sexual misconduct, including policies and procedures to—

(B) facilitate the reporting of sexual misconduct to appropriate law enforcement agencies;

(C) communicate to personnel and passengers of the air carrier the rights of such individuals with respect to sexual misconduct;

(D) train personnel of the air carrier to recognize and respond appropriately to, and to notify the appropriate law enforcement agency of, sexual misconduct; and

(E) ensure other appropriate actions are undertaken to respond effectively to sexual misconduct; and

(2) individuals who perpetrate sexual misconduct should be held accountable under all applicable Federal and State laws.

SEC. 339. CIVIL PENALTIES FOR INTERFERENCE.

(a) INTERFERENCE WITH CABIN OR FLIGHT CREW.—Section 46318(a) of title 49, United States Code, is amended—

(1) by inserting ''or sexually'' after ''physically'' each place it appears; and

(2) by striking ''$25,000'' and inserting ''$35,000''.

SEC. 339A. NATIONAL IN-FLIGHT SEXUAL MISCONDUCT TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—The Secretary of Transportation shall establish a task force, to be known as the ''National In-Flight Sexual Misconduct Task Force'' (referred to in this section as ''Task Force'') to—

(1) review current practices, protocols and requirements of air carriers in responding to allegations of sexual misconduct by passengers onboard aircraft, including training, reporting and data collection; and

(2) provide recommendations on training, reporting and data collection regarding allegations of sexual misconduct occurring on passenger airline flights that are informed by the review of information described in paragraph (1) and subsection (c)(5) on passengers who have experienced sexual misconduct onboard aircraft.

(b) MEMBERSHIP.—The Task Force shall be composed of, at a minimum, representatives from—

(1) Department of Transportation;

(2) Department of Justice, including the Federal Bureau of Investigation, Office of Victims for Crimes, and the Office on Violence Against Women;

(3) National organizations that specialize in providing services to sexual assault victims;

(4) labor organizations that represent flight attendants;

(5) labor organizations that represent pilots;

(6) airports;

(7) air carriers;

(8) State and local law enforcement agencies; and

(9) such other Federal agencies and stakeholder organizations as the Secretary of Transportation considers appropriate.

(c) PURPOSE OF TASK FORCE.—The purpose of the Task Force shall be to—

(1) issue recommendations for addressing allegations of sexual misconduct by passengers onboard aircraft, including airline employee and contractor training;

(2) issue recommendations on effective ways for passengers involved in incidents of alleged sexual misconduct to report such allegation of sexual misconduct;

(3) issue recommendations on how to most effectively provide data on instances of alleged sexual misconduct onboard aircraft and to whom the data collected should be reported in a manner that protects the privacy and confidentiality of individuals involved in incidents of alleged sexual misconduct and precludes the release of data that publically identifies an individual air carrier to enable better understanding of the frequency and severity of such misconduct;

(4) issue recommendations for flight attendants, pilots, and other appropriate airline personnel on law enforcement notification in incidents of alleged sexual misconduct;

(5) review and utilize first-hand accounts from passengers who have experienced sexual misconduct onboard aircraft; and

(6) other matters deemed necessary by the Task Force.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Task Force shall submit a report with its recommendations and findings developed pursuant to subsection (c) to the Secretary of Transportation.

(e) PLAN.—Not later than 180 days after receiving the report required under subsection (d) the Secretary of Transportation, in coordination with relevant federal agencies, shall submit to appropriate committees of Congress a plan to address the recommendations in the report required under subsection (d). The Secretary of Transportation shall make changes to guidance, policies and regulations, as necessary, within 1 year of submitting the plan required in this subsection.

(f) REGULATIONS.—Not later than 1 year after submitting the plan required in this subsection, the Secretary of Transportation may issue regulations as deemed necessary to require each air carrier and other covered entity to develop a policy concerning sexual misconduct in accordance with the recommendations and findings of the Task Force under subsection (c).

(g) SUNSET.—The Task Force established pursuant to subsection (a) shall terminate upon the submission of the report pursuant to subsection (d).

SEC. 339B. REPORTING PROCESS FOR SEXUAL MISCONDUCT ONBOARD AIRCRAFT.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Attorney General, in coordination with relevant Federal agencies, shall establish a streamlined process, based on the plan required under section 339A(e) of this Act, for individuals involved in incidents of alleged sexual misconduct onboard aircraft to report such allegations of sexual misconduct to law enforcement in a manner that protects the privacy and confidentiality of individuals involved in such allegations.

(b) AVAILABILITY OF REPORTING PROCESS.—The process for reporting established under subsection (a) shall be made available to the public on the primary Internet websites of—

(1) the Office for Victims of Crime and the Office on Violence Against Women of the Department of Justice;

(2) the Federal Bureau of Investigation; and

(3) the Department of Transportation.

Subtitle B—Unmanned Aircraft Systems

SEC. 341. DEFINITIONS; INTEGRATION OF CIVIL UNMANNED AIRCRAFT SYSTEMS INTO NATIONAL AIRSPACE SYSTEM.

(a) IN GENERAL.—Part A of subtitle VII of title 49, United States Code, is amended by inserting after chapter 447 the following:

''CHAPTER 448—UNMANNED AIRCRAFT SYSTEMS

''§ 44801. Definitions

''In this chapter, the following definitions apply:

''(1) ACTIVELY TETHERED UNMANNED AIRCRAFT SYSTEM.—The term 'actively tethered unmanned aircraft system' means an unmanned aircraft system in which the unmanned aircraft component—

''(A) weighs 4.4 pounds or less, including payload but not including the tether;

''(B) is physically attached to a ground station with a taut, appropriately load-rated tether that provides continuous power to the unmanned aircraft and is unlikely to be separated from the unmanned aircraft; and

''(C) is controlled and retrieved by such ground station through physical manipulation of the tether.

''(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(3) ARCTIC.—The term 'Arctic' means the United States zone of the Chukchi Sea, Beaufort Sea, and Bering Sea north of the Aleutian chain.

''(4) CERTIFICATE OF WAIVER; CERTIFICATE OF AUTHORIZATION.—The terms 'certificate of waiver' and 'certificate of authorization' mean a Federal Aviation Administration grant of approval for a specific flight operation.

''(5) COUNTER-UAS SYSTEM.—The term 'counter-UAS system' means a system or device capable of lawfully and safely disabling, disrupting, or seizing control of an unmanned aircraft or unmanned aircraft system.

''(6) PERMANENT AREAS.—The term 'permanent areas' means areas on land or water that provide for launch, recovery, and operation of small unmanned aircraft.

''(7) PUBLIC UNMANNED AIRCRAFT SYSTEM.—The term 'public unmanned aircraft system' means an unmanned aircraft system that meets the qualifications and conditions required for operation of a public aircraft.

''(8) SENSE AND AVOID CAPABILITY.—The term 'sense and avoid capability' means the capability of an unmanned aircraft to remain a safe distance from and to avoid collisions with other airborne aircraft, structures on the ground, and other objects.

''(9) SMALL UNMANNED AIRCRAFT.—The term 'small unmanned aircraft' means an unmanned aircraft weighing less than 55

pounds, including the weight of anything attached to or carried by the aircraft.

''(10) TEST RANGE.—The term 'test range' means a defined geographic area where research and development are conducted as authorized by the Administrator of the Federal Aviation Administration, and includes any of the 6 test ranges established by the Administrator under section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as in effect on the day before the date of enactment of the FAA Reauthorization Act of 2018, and any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009.

''(11) UNMANNED AIRCRAFT.—The term 'unmanned aircraft' means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

''(12) UNMANNED AIRCRAFT SYSTEM.—The term 'unmanned aircraft system' means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system.

''(13) UTM.—The term 'UTM' means an unmanned aircraft system traffic management system or service.

''§ 44802. Integration of civil unmanned aircraft systems into national airspace system

''(a) REQUIRED PLANNING FOR INTEGRATION.—

''(1) COMPREHENSIVE PLAN.—Not later than November 10, 2012, the Secretary of Transportation, in consultation with representatives of the aviation industry, Federal agencies that employ unmanned aircraft systems technology in the national airspace system, and the unmanned aircraft systems industry, shall develop a comprehensive plan to safely accelerate the integration of civil unmanned aircraft systems into the national airspace system.

''(2) CONTENTS OF PLAN.—The plan required under paragraph (1) shall contain, at a minimum, recommendations or projections on—

''(A) the rulemaking to be conducted under subsection (b), with specific recommendations on how the rulemaking will—

''(i) define the acceptable standards for operation and certification of civil unmanned aircraft systems;

''(ii) ensure that any civil unmanned aircraft system includes a sense-and-avoid capability; and

''(iii) establish standards and requirements for the operator and pilot of a civil unmanned aircraft system, including standards and requirements for registration and licensing;

''(B) the best methods to enhance the technologies and subsystems necessary to achieve the safe and routine operation of civil unmanned aircraft systems in the national airspace system;

''(C) a phased-in approach to the integration of civil unmanned aircraft systems into the national airspace system;

''(D) a timeline for the phased-in approach described under subparagraph (C);

''(E) creation of a safe airspace designation for cooperative manned and unmanned flight operations in the national airspace system;

''(F) establishment of a process to develop certification, flight standards, and air traffic requirements for civil unmanned aircraft systems at test ranges where such systems are subject to testing;

''(G) the best methods to ensure the safe operation of civil unmanned aircraft systems and public unmanned aircraft systems simultaneously in the national airspace system; and

''(H) incorporation of the plan into the annual NextGen Implementation Plan document (or any successor document) of the Federal Aviation Administration.

''(3) DEADLINE.—The plan required under paragraph (1) shall provide for the safe integration of civil unmanned aircraft systems into the national airspace system as soon as practicable, but not later than September 30, 2015.

''(4) REPORT TO CONGRESS.—Not later than February 14, 2013, the Secretary shall submit to Congress a copy of the plan required under paragraph (1).

''(5) ROADMAP.—Not later than February 14, 2013, the Secretary shall approve and make available in print and on the Administration's internet website a 5-year roadmap for the introduction of civil unmanned aircraft systems into the national airspace system, as coordinated by the Unmanned Aircraft Program Office of the Administration. The Secretary shall update, in coordination with the Administrator of the National Aeronautics and Space Administration (NASA) and relevant stakeholders, including those in industry and academia, the roadmap annually. The roadmap shall include, at a minimum—

''(A) cost estimates, planned schedules, and performance benchmarks, including specific tasks, milestones, and timelines, for unmanned aircraft systems integration into the national airspace system, including an identification of—

''(i) the role of the unmanned aircraft systems test ranges established under subsection (c) and the Unmanned Aircraft Systems Center of Excellence;

''(ii) performance objectives for unmanned aircraft systems that operate in the national airspace system; and

''(iii) research and development priorities for tools that could assist air traffic controllers as unmanned aircraft systems are integrated into the national airspace system, as appropriate;

''(B) a description of how the Administration plans to use research and development, including research and development conducted through NASA's Unmanned Aircraft Systems Traffic Management initiatives, to accommodate, integrate, and provide for the evolution of unmanned aircraft systems in the national airspace system;

''(C) an assessment of critical performance abilities necessary to integrate unmanned aircraft systems into the national airspace system, and how these performance abilities can be demonstrated; and

''(D) an update on the advancement of technologies needed to integrate unmanned aircraft systems into the national airspace system, including decisionmaking by adaptive systems, such as sense-and-avoid capabilities and cyber physical systems security.

''(b) RULEMAKING.—Not later than 18 months after the date on which the plan required under subsection (a)(1) is submitted to Congress under subsection (a)(4), the Secretary shall publish in the Federal Register—

''(1) a final rule on small unmanned aircraft systems that will allow for civil operation of such systems in the national airspace system, to the extent the systems do not meet the requirements for expedited operational authorization under section 44807;

''(2) a notice of proposed rulemaking to implement the recommendations of the plan required under subsection (a)(1), with the final rule to be published not later than 16 months after the date of publication of the notice; and

''(3) an update to the Administration's most recent policy statement on unmanned aircraft systems, contained in Docket No. FAA–2006–25714.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CHAPTERS.—The table of chapters for subtitle VII of title 49, United States Code, is amended by inserting after the item relating to chapter 447 the following:

''448 . Unmanned aircraft systems ..... 44801''.

(2) REPEAL.—Section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 342. UPDATE OF FAA COMPREHENSIVE PLAN.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation shall update the comprehensive plan described in section 44802 of title 49, United States Code, to develop a concept of operations for the integration of unmanned aircraft into the national airspace system.

(b) CONSIDERATIONS.—In carrying out the update under subsection (a), the Secretary shall consider, at a minimum—

(1) the potential use of UTM and other technologies to ensure the safe and lawful operation of unmanned aircraft in the national airspace system;

(2) the appropriate roles, responsibilities, and authorities of government agencies and the private sector in identifying and reporting unlawful or harmful operations and operators of unmanned aircraft;

(3) the use of models, threat assessments, probabilities, and other methods to distinguish between lawful and unlawful operations of unmanned aircraft; and

(4) appropriate systems, training, intergovernmental processes, protocols, and procedures to mitigate risks and hazards posed by unlawful or harmful operations of unmanned aircraft systems.

(c) CONSULTATION.—The Secretary shall carry out the update under subsection (a) in consultation with representatives of the aviation industry, Federal agencies that employ unmanned aircraft systems technology in the national airspace system, and the unmanned aircraft systems industry.

(d) PROGRAM ALIGNMENT REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress, a report that describes a strategy to—

(1) avoid duplication;

(2) leverage capabilities learned across programs;

(3) support the safe integration of UAS into the national airspace; and

(4) systematically and timely implement or execute—

(A) commercially-operated Low Altitude Authorization and Notification Capability;

(B) the Unmanned Aircraft System Integration Pilot Program; and

(C) the Unmanned Traffic Management Pilot Program.

SEC. 343. UNMANNED AIRCRAFT TEST RANGES.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''§ 44803. Unmanned aircraft test ranges

''(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall carry out and update, as appropriate, a program for the use of the test ranges to facilitate the safe integration of unmanned aircraft systems into the national airspace system.

''(b) PROGRAM REQUIREMENTS.—In carrying out the program under subsection (a), the Administrator shall—

''(1) designate airspace for safely testing the integration of unmanned flight operations in the national airspace system;

''(2) develop operational standards and air traffic requirements for unmanned flight operations at test ranges;

''(3) coordinate with, and leverage the resources of, the National Aeronautics and Space Administration and the Department of Defense;

''(4) address both civil and public unmanned aircraft systems;

''(5) ensure that the program is coordinated with relevant aspects of the Next Generation Air Transportation System;

''(6) provide for verification of the safety of unmanned aircraft systems and related navigation procedures as it relates to continued development of standards for integration into the national airspace system;

''(7) engage test range operators, as necessary and within available resources, in projects for research, development, testing, and evaluation of unmanned aircraft systems to facilitate the Federal Aviation Administration's development of standards for the safe integration of unmanned aircraft into the national airspace system, which may include solutions for—

''(A) developing and enforcing geographic and altitude limitations;

''(B) providing for alerts by the manufacturer of an unmanned aircraft system regarding any hazards or limitations on flight, including prohibition on flight as necessary;

''(C) sense and avoid capabilities;

''(D) beyond-visual-line-of-sight operations, nighttime operations, operations over people, operation of multiple small unmanned aircraft systems, and unmanned aircraft systems traffic management, or other critical research priorities; and

''(E) improving privacy protections through the use of advances in unmanned aircraft systems technology;

''(8) coordinate periodically with all test range operators to ensure test range operators know which data should be collected, what procedures should be followed, and what research would advance efforts to safely integrate unmanned aircraft systems into the national airspace system;

''(9) streamline to the extent practicable the approval process for test ranges when processing unmanned aircraft certificates of waiver or authorization for operations at the test sites;

''(10) require each test range operator to protect proprietary technology, sensitive data, or sensitive research of any civil or private entity when using that test range without the need to obtain an experimental or special airworthiness certificate;

''(11) allow test range operators to receive Federal funding, other than from the Federal Aviation Administration, including in-kind contributions, from test range participants in the furtherance of research, development, and testing objectives.

''(c) WAIVERS.—In carrying out this section the Administrator may waive the requirements of section 44711 of title 49, United States Code, including related regulations, to the extent consistent with aviation safety.

''(d) REVIEW OF OPERATIONS BY TEST RANGE OPERATORS.—The operator of each test range under subsection (a) shall—

''(1) review the operations of unmanned aircraft systems conducted at the test range, including—

''(A) ongoing or completed research; and

''(B) data regarding operations by private and public operators; and

''(2) submit to the Administrator, in such form and manner as specified by the Administrator, the results of the review, including recommendations to further enable private research and development operations at the test ranges that contribute to the Federal Aviation Administration's safe integration of unmanned aircraft systems into the national airspace system, on a quarterly basis until the program terminates.

''(e) TESTING.—The Secretary of Transportation may authorize an operator of a test range described in subsection (a) to administer testing requirements established by the Administrator for unmanned aircraft systems operations.

''(f) COLLABORATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—The Administrator may use the other transaction authority under section 106(l)(6) and enter into collaborative research and development agreements, to direct research related to unmanned aircraft systems, including at any test range under subsection (a), and in coordination with the Center of Excellence for Unmanned Aircraft Systems.

''(g) USE OF CENTER OF EXCELLENCE FOR UNMANNED AIRCRAFT SYSTEMS.—The Administrator, in carrying out research necessary to implement the consensus safety standards requirements in section 44805 shall, to the maximum extent practicable, leverage the research and testing capacity and capabilities of the Center of Excellence for Unmanned Aircraft Systems and the test ranges.

''(h) TERMINATION.—The program under this section shall terminate on September 30, 2023.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448, as added by this Act, is further amended by adding at the end the following:

''44803. Unmanned aircraft system test ranges.''.

SEC. 344. SMALL UNMANNED AIRCRAFT IN THE ARCTIC.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''§ 44804. Small unmanned aircraft in the Arctic

''(a) IN GENERAL.—The Secretary of Transportation shall develop a plan and initiate a process to work with relevant Federal agencies and national and international communities to designate permanent areas in the Arctic where small unmanned aircraft may operate 24 hours per day for research and commercial purposes.

''(b) PLAN CONTENTS.—The plan under subsection (a) shall include the development of processes to facilitate the safe operation of small unmanned aircraft beyond the visual line of sight.

''(c) REQUIREMENTS.—Each permanent area designated under subsection (a) shall enable over-water flights from the surface to at least 2,000 feet in altitude, with ingress and egress routes from selected coastal launch sites.

''(d) AGREEMENTS.—To implement the plan under subsection (a), the Secretary may enter into an agreement with relevant national and international communities.

''(e) AIRCRAFT APPROVAL.—

''(1) IN GENERAL.—Subject to paragraph (2), not later than 1 year after the entry into force of an agreement necessary to effectuate the purposes of this section, the Secretary shall work with relevant national and international communities to establish and implement a process for approving the use of a small unmanned aircraft in the designated permanent areas in the Arctic without regard to whether the small unmanned aircraft is used as a public aircraft, a civil aircraft, or a model aircraft.

''(2) EXISTING PROCESS.—The Secretary may implement an existing process to meet the requirements under paragraph (1).''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''44804. Small unmanned aircraft in the Arctic.''.

SEC. 345. SMALL UNMANNED AIRCRAFT SAFETY STANDARDS.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''§ 44805. Small Unmanned aircraft safety standards

''(a) FAA PROCESS FOR ACCEPTANCE AND AUTHORIZATION.—The Administrator of the Federal Aviation Administration shall establish a process for—

''(1) accepting risk-based consensus safety standards related to the design, production, and modification of small unmanned aircraft systems;

''(2) authorizing the operation of small unmanned aircraft system make and model designed, produced, or modified in accordance with the consensus safety standards accepted under paragraph (1);

''(3) authorizing a manufacturer to self-certify a small unmanned aircraft system make or model that complies with consensus safety standards accepted under paragraph (1); and

''(4) certifying a manufacturer of small unmanned aircraft systems, or an employee of such manufacturer, that has demonstrated compliance with the consensus safety standards accepted under paragraph (1) and met any other qualifying criteria, as determined by the Administrator, to alternatively satisfy the requirements of paragraph (1).

''(b) CONSIDERATIONS.—Before accepting consensus safety standards under subsection (a), the Administrator of the Federal Aviation Administration shall consider the following:

''(1) Technologies or standards related to geographic limitations, altitude limitations, and sense and avoid capabilities.

''(2) Using performance-based requirements.

''(3) Assessing varying levels of risk posed by different small unmanned aircraft systems and their operation and tailoring performance-based requirements to appropriately mitigate risk.

''(4) Predetermined action to maintain safety in the event that a communications link between a small unmanned aircraft and its operator is lost or compromised.

''(5) Detectability and identifiability to pilots, the Federal Aviation Administration, and air traffic controllers, as appropriate.

''(6) Means to prevent tampering with or modification of any system, limitation, or other safety mechanism or standard under this section or any other provision of law, including a means to identify any tampering or modification that has been made.

''(7) Consensus identification standards under section 2202 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615).

''(8) To the extent not considered previously by the consensus body that crafted consensus safety standards, cost-benefit and risk analyses of consensus safety standards that may be accepted pursuant to subsection (a) for newly designed small unmanned aircraft systems.

''(9) Applicability of consensus safety standards to small unmanned aircraft systems that are not manufactured commercially.

''(10) Any technology or standard related to small unmanned aircraft systems that promotes aviation safety.

''(11) Any category of unmanned aircraft systems that should be exempt from the consensus safety standards based on risk factors.

''(e) NONAPPLICABILITY OF OTHER LAWS.—The process for authorizing the operation of small unmanned aircraft systems under subsection (a) may allow for operation of any applicable small unmanned aircraft systems within the national airspace system without requiring—

''(1) airworthiness certification requirements under section 44704 of this title; or

''(2) type certification under part 21 of title 14, Code of Federal Regulations.

''(f) REVOCATION.—The Administrator may suspend or revoke the authorizations in subsection (a) if the Administrator determines that the manufacturer or the small unmanned aircraft system is no longer in compliance with the standards accepted by the Administrator under subsection (a)(1) or with the manufacturer's statement of compliance under subsection (h).

''(g) REQUIREMENTS.—With regard to an authorization under the processes in subsection (a), the Administrator may require a manufacturer of small unmanned aircraft systems to provide the Federal Aviation Administration with the following:

''(1) The aircraft system's operating instructions.

''(2) The aircraft system's recommended maintenance and inspection procedures.

''(3) The manufacturer's statement of compliance described in subsection (h).

''(4) Upon request, a sample aircraft to be inspected by the Federal Aviation Administration to ensure compliance with the consensus safety standards accepted by the Administrator under subsection (a).

''(h) MANUFACTURER'S STATEMENT OF COMPLIANCE FOR SMALL UAS.—A manufacturer's statement of compliance shall—

''(1) identify the aircraft make, model, range of serial numbers, and any applicable consensus safety standards used and accepted by the Administrator;

''(2) state that the aircraft make and model meets the provisions of the consensus safety standards identified in paragraph (1);

''(3) state that the aircraft make and model conforms to the manufacturer's design data and is manufactured in a way that ensures consistency across units in the production process in order to meet the applicable consensus safety standards accepted by the Administrator;

''(4) state that the manufacturer will make available to the Administrator, operators, or customers—

''(A) the aircraft's operating instructions, which conform to the consensus safety standards identified in paragraph (1); and

''(B) the aircraft's recommended maintenance and inspection procedures, which conform to the consensus safety standards identified in paragraph (1);

''(5) state that the manufacturer will monitor safety-of-flight issues and take action to ensure it meets the consensus safety standards identified in paragraph (1) and report these issues and subsequent actions to the Administrator;

''(6) state that at the request of the Administrator, the manufacturer will provide reasonable access for the Administrator to its facilities for the purposes of overseeing compliance with this section; and

''(7) state that the manufacturer, in accordance with the consensus safety standards accepted by the Federal Aviation Administration, has—

''(A) ground and flight tested random samples of the aircraft;

''(B) found the sample aircraft performance acceptable; and

''(C) determined that the make and model of aircraft is suitable for safe operation.

''(i) PROHIBITIONS.—

''(1) FALSE STATEMENTS OF COMPLIANCE.—It shall be unlawful for any person to knowingly submit a statement of compliance described in subsection (h) that is fraudulent or intentionally false.

''(2) INTRODUCTION INTO INTERSTATE COMMERCE.—Unless the Administrator determines operation of an unmanned aircraft system may be conducted without an airworthiness certificate or permission, authorization, or approval under subsection (a), it shall be unlawful for any person to knowingly introduce or deliver for introduction into interstate commerce any small unmanned aircraft system that is manufactured after the date that the Administrator accepts consensus safety standards under this section unless—

''(A) the make and model has been authorized for operation under subsection (a); or

''(B) the aircraft has alternatively received design and production approval issued by the Federal Aviation Administration.

''(j) EXCLUSIONS.—The Administrator may exempt from the requirements of this section small unmanned aircraft systems that are not capable of navigating beyond the visual line of sight of the operator through advanced flight systems and technology, if the Administrator determines that such an exemption does not pose a risk to the safety of the national airspace system.''.

(b) UNMANNED AIRCRAFT SYSTEMS RESEARCH FACILITY.—The Center of Excellence for Unmanned Aircraft Systems shall establish an unmanned aircraft systems research facility to study appropriate safety standards for unmanned aircraft systems and to validate such standards, as directed by the Administrator of the Federal Aviation Administration, consistent with section 44805 of title 49, United States Code, as added by this section.

(c) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''44805. Small unmanned aircraft safety standards.''.

SEC. 346. PUBLIC UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''§ 44806. Public unmanned aircraft systems

''(a) GUIDANCE.—The Secretary of Transportation shall issue guidance regarding the operation of a public unmanned aircraft system—

''(1) to streamline and expedite the process for the issuance of a certificate of authorization or a certificate of waiver;

''(2) to facilitate the capability of public agencies to develop and use test ranges, subject to operating restrictions required by the Federal Aviation Administration, to test and operate public unmanned aircraft systems; and

''(3) to provide guidance on a public agency's responsibilities when operating an unmanned aircraft without a civil airworthiness certificate issued by the Administration.

''(b) AGREEMENTS WITH GOVERNMENT AGENCIES.—

''(1) IN GENERAL.—The Secretary shall enter into an agreement with each appropriate public agency to simplify the process for issuing a certificate of waiver or a certificate of authorization with respect to an application for authorization to operate a public unmanned aircraft system in the national airspace system.

''(2) CONTENTS.—An agreement under paragraph (1) shall—

''(A) with respect to an application described in paragraph (1)—

''(i) provide for an expedited review of the application;

''(ii) require a decision by the Administrator on approval or disapproval not later than 60 business days after the date of submission of the application; and

''(iii) allow for an expedited appeal if the application is disapproved;

''(B) allow for a one-time approval of similar operations carried out during a fixed period of time; and

''(C) allow a government public safety agency to operate an unmanned aircraft weighing 4.4 pounds or less if that unmanned aircraft is operated—

''(i) within or beyond the visual line of sight of the operator;

''(ii) less than 400 feet above the ground;

''(iii) during daylight conditions;

''(iv) within Class G airspace; and

''(v) outside of 5 statute miles from any airport, heliport, seaplane base, spaceport, or other location with aviation activities.

''(c) PUBLIC ACTIVELY TETHERED UNMANNED AIRCRAFT SYSTEMS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall permit the use of, and may issue guidance regarding, the use of public actively tethered unmanned aircraft systems that are—

''(A) operated at an altitude of less than 150 feet above ground level;

''(B) operated—

''(i) within class G airspace; or

''(ii) at or below the ceiling depicted on the Federal Aviation Administration's published UAS facility maps for class B, C, D, or E surface area airspace;

''(C) not flown directly over non-participating persons;

''(D) operated within visual line of sight of the operator; and

''(E) operated in a manner that does not interfere with and gives way to any other aircraft.

''(2) REQUIREMENTS.—Public actively tethered unmanned aircraft systems may be operated —

''(A) without any requirement to obtain a certificate of authorization, certificate of waiver, or other approval by the Federal Aviation Administration;

''(B) without requiring airman certification under section 44703 of this title or any rule or regulation relating to airman certification; and

''(C) without requiring airworthiness certification under section 44704 of this title or any rule or regulation relating to aircraft certification.

''(3) SAFETY STANDARDS.—Public actively tethered unmanned aircraft systems operated within the scope of the guidance issued pursuant to paragraph (1) shall be exempt from the requirements of section 44805 of this title.

''(4) SAVINGS PROVISION.—Nothing in this subsection shall be construed to preclude the Administrator of the Federal Aviation Administration from issuing new regulations for public actively tethered unmanned aircraft systems in order to ensure the safety of the national airspace system.

''(d) FEDERAL AGENCY COORDINATION TO ENHANCE THE PUBLIC HEALTH AND SAFETY CAPABILITIES OF PUBLIC UNMANNED AIRCRAFT SYSTEMS.—The Administrator shall assist Federal civilian Government agencies that operate unmanned aircraft systems within civil-

controlled airspace, in operationally deploying and integrating sense and avoid capabilities, as necessary to operate unmanned aircraft systems safely within the national airspace system.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''44806. Public unmanned aircraft systems.''.

(2) PUBLIC UNMANNED AIRCRAFT SYSTEMS.—Section 334 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

(3) FACILITATING INTERAGENCY COOPERATION.—Section 2204(a) of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 615) is amended by striking ''section 334(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)'' and inserting ''section 44806 of title 49, United States Code''.

SEC. 347. SPECIAL AUTHORITY FOR CERTAIN UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''§ 44807. Special authority for certain unmanned aircraft systems

''(a) IN GENERAL.—Notwithstanding any other requirement of this chapter, the Secretary of Transportation shall use a risk-based approach to determine if certain unmanned aircraft systems may operate safely in the national airspace system notwithstanding completion of the comprehensive plan and rulemaking required by section 44802 or the guidance required by section 44806.

''(b) ASSESSMENT OF UNMANNED AIRCRAFT SYSTEMS.—In making the determination under subsection (a), the Secretary shall determine, at a minimum—

''(1) which types of unmanned aircraft systems, if any, as a result of their size, weight, speed, operational capability, proximity to airports and populated areas, operation over people, and operation within or beyond the visual line of sight, or operation during the day or night, do not create a hazard to users of the national airspace system or the public; and

''(2) whether a certificate under section 44703 or section 44704 of this title, or a certificate of waiver or certificate of authorization, is required for the operation of unmanned aircraft systems identified under paragraph (1) of this subsection.

''(c) REQUIREMENTS FOR SAFE OPERATION.—If the Secretary determines under this section that certain unmanned aircraft systems may operate safely in the national airspace system, the Secretary shall establish requirements for the safe operation of such aircraft systems in the national airspace system, including operation related to research, development, and testing of proprietary systems.

''(d) SUNSET.—The authority under this section for the Secretary to determine if certain unmanned aircraft systems may operate safely in the national airspace system terminates effective September 30, 2023.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448, as added by this Act, is further amended by adding at the end the following:

''44807. Special authority for certain unmanned aircraft systems.''.

(2) SPECIAL RULES FOR CERTAIN UNMANNED AIRCRAFT SYSTEMS.—Section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

SEC. 348. CARRIAGE OF PROPERTY BY SMALL UNMANNED AIRCRAFT SYSTEMS FOR COMPENSATION OR HIRE.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''§ 44808. Carriage of property by small unmanned aircraft systems for compensation or hire

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator of the Federal Aviation Administration shall update existing regulations to authorize the carriage of property by operators of small unmanned aircraft systems for compensation or hire within the United States.

''(b) CONTENTS.—Any rulemaking conducted under subsection (a) shall provide for the following:

''(1) Use performance-based requirements.

''(2) Consider varying levels of risk to other aircraft and to persons and property on the ground posed by different unmanned aircraft systems and their operation and tailor performance-based requirements to appropriately mitigate risk.

''(3) Consider the unique characteristics of highly automated, small unmanned aircraft systems.

''(4) Include requirements for the safe operation of small unmanned aircraft systems that, at a minimum, address—

''(A) airworthiness of small unmanned aircraft systems;

''(B) qualifications for operators and the type and nature of the operations;

''(C) operating specifications governing the type and nature of the unmanned aircraft system air carrier operations; and

''(D) the views of State, local, and tribal officials related to potential impacts of the carriage of property by operators of small unmanned aircraft systems for compensation or hire within the communities to be served.

''(5) SMALL UAS.—The Secretary may amend part 298 of title 14, Code of Federal Regulations, to update existing regulations to establish economic authority for the carriage of property by small unmanned aircraft systems for compensation or hire. Such authority shall only require—

''(A) registration with the Department of Transportation;

''(B) authorization from the Federal Aviation Administration to conduct operations; and

''(C) compliance with chapters 401, 411, and 417.

''(6) AVAILABILITY OF CURRENT CERTIFICATION PROCESSES.—Pending completion of the rulemaking required in subsection (a) of this section, a person may seek an air carrier operating certificate and certificate of public convenience and necessity, or an exemption from such certificate, using existing processes.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''44808. Carriage of property by small unmanned aircraft systems for compensation or hire.''.

SEC. 349. EXCEPTION FOR LIMITED RECREATIONAL OPERATIONS OF UNMANNED AIRCRAFT.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''§ 44809. Exception for limited recreational operations of unmanned aircraft

''(a) IN GENERAL.—Except as provided in subsection (e), and notwithstanding chapter 447 of title 49, United States Code, a person may operate a small unmanned aircraft without specific certification or operating authority from the Federal Aviation Administration if the operation adheres to all of the following limitations:

''(1) The aircraft is flown strictly for recreational purposes.

''(2) The aircraft is operated in accordance with or within the programming of a community-based organization's set of safety guidelines that are developed in coordination with the Federal Aviation Administration.

''(3) The aircraft is flown within the visual line of sight of the person operating the aircraft or a visual observer co-located and in direct communication with the operator.

''(4) The aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft.

''(5) In Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, the operator obtains prior authorization from the Administrator or designee before operating and complies with all airspace restrictions and prohibitions.

''(6) In Class G airspace, the aircraft is flown from the surface to not more than 400 feet above ground level and complies with all airspace restrictions and prohibitions.

''(7) The operator has passed an aeronautical knowledge and safety test described in subsection (g) and maintains proof of test passage to be made available to the Administrator or law enforcement upon request.

''(8) The aircraft is registered and marked in accordance with chapter 441 of this title and proof of registration is made available to the Administrator or a designee of the Administrator or law enforcement upon request.

''(b) OTHER OPERATIONS.—Unmanned aircraft operations that do not conform to the limitations in subsection (a) must comply with all statutes and regulations generally applicable to unmanned aircraft and unmanned aircraft systems.

''(c) OPERATIONS AT FIXED SITES.—

''(1) OPERATING PROCEDURE REQUIRED.—Persons operating unmanned aircraft under subsection (a) from a fixed site within Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, or a community-based organization conducting a sanctioned event within such airspace, shall make the location of the fixed site known to the Administrator and shall establish a mutually agreed upon operating procedure with the air traffic control facility.

''(2) UNMANNED AIRCRAFT WEIGHING MORE THAN 55 POUNDS.—A person may operate an unmanned aircraft weighing more than 55 pounds, including the weight of anything attached to or carried by the aircraft, under subsection (a) if—

''(A) the unmanned aircraft complies with standards and limitations developed by a community-based organization and approved by the Administrator; and

''(B) the aircraft is operated from a fixed site as described in paragraph (1).

''(d) UPDATES.—

''(1) IN GENERAL.—The Administrator, in consultation with government, stakeholders, and community-based organizations, shall initiate a process to periodically update the operational parameters under subsection (a), as appropriate.

''(2) CONSIDERATIONS.—In updating an operational parameter under paragraph (1), the Administrator shall consider—

''(A) appropriate operational limitations to mitigate risks to aviation safety and national security, including risk to the uninvolved public and critical infrastructure;

''(B) operations outside the membership, guidelines, and programming of a community-based organization;

''(C) physical characteristics, technical standards, and classes of aircraft operating under this section;

''(D) trends in use, enforcement, or incidents involving unmanned aircraft systems;

''(E) ensuring, to the greatest extent practicable, that updates to the operational parameters correspond to, and leverage, advances in technology; and

''(F) equipage requirements that facilitate safe, efficient, and secure operations and further integrate all unmanned aircraft into the national airspace system.

''(3) SAVINGS CLAUSE.—Nothing in this subsection shall be construed as expanding the authority of the Administrator to require a person operating an unmanned aircraft under this section to seek permissive authority of the Administrator, beyond that required in subsection (a) of this section, prior to operation in the national airspace system.

''(e) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue an enforcement action against a person operating any unmanned aircraft who endangers the safety of the national airspace system.

''(f) EXCEPTIONS.—Nothing in this section prohibits the Administrator from promulgating rules generally applicable to unmanned aircraft, including those unmanned aircraft eligible for the exception set forth in this section, relating to—

''(1) updates to the operational parameters for unmanned aircraft in subsection (a);

''(2) the registration and marking of unmanned aircraft;

''(3) the standards for remotely identifying owners and operators of unmanned aircraft systems and associated unmanned aircraft; and

''(4) other standards consistent with maintaining the safety and security of the national airspace system.

''(g) AERONAUTICAL KNOWLEDGE AND SAFETY TEST.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Administrator, in consultation with manufacturers of unmanned aircraft systems, other industry stakeholders, and community-based organizations, shall develop an aeronautical knowledge and safety test, which can then be administered electronically by the Administrator, a community-based organization, or a person designated by the Administrator.

''(2) REQUIREMENTS.—The Administrator shall ensure the aeronautical knowledge and safety test is designed to adequately demonstrate an operator's—

''(A) understanding of aeronautical safety knowledge; and

''(B) knowledge of Federal Aviation Administration regulations and requirements pertaining to the operation of an unmanned aircraft system in the national airspace system.

''(h) COMMUNITY-BASED ORGANIZATION DEFINED.—In this section, the term 'community-based organization' means a membership-based association entity that—

''(1) is described in section 501(c)(3) of the Internal Revenue Code of 1986;

''(2) is exempt from tax under section 501(a) of the Internal Revenue Code of 1986;

''(3) the mission of which is demonstrably the furtherance of model aviation;

''(4) provides a comprehensive set of safety guidelines for all aspects of model aviation addressing the assembly and operation of model aircraft and that emphasize safe aeromodelling operations within the national airspace system and the protection and safety of individuals and property on the ground, and may provide a comprehensive set of safety rules and programming for the operation of unmanned aircraft that have the advanced flight capabilities enabling active, sustained, and controlled navigation of the aircraft beyond visual line of sight of the operator;

''(5) provides programming and support for any local charter organizations, affiliates, or clubs; and

''(6) provides assistance and support in the development and operation of locally designated model aircraft flying sites.

''(i) RECOGNITION OF COMMUNITY-BASED ORGANIZATIONS.—In collaboration with aeromodelling stakeholders, the Administrator shall publish an advisory circular within 180 days of the date of enactment of this section that identifies the criteria and process required for recognition of community-based organizations.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

''44809. Exception for limited recreational operations of unmanned aircraft.''.

(2) REPEAL.—Section 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 350. USE OF UNMANNED AIRCRAFT SYSTEMS AT INSTITUTIONS OF HIGHER EDUCATION.

(a) EDUCATIONAL AND RESEARCH PURPOSES.—For the purposes of section 44809 of title 49, United States Code, as added by this Act, a ''recreational purpose'' as distinguished in subsection (a)(1) of such section shall include an unmanned aircraft system operated by an institution of higher education for educational or research purposes.

(b) UPDATES.—In updating an operational parameter under subsection (d)(1) of such section for unmanned aircraft systems operated by an institution of higher education for educational or research purposes, the Administrator shall consider—

(1) use of small unmanned aircraft systems and operations at an accredited institution of higher education, for educational or research purposes, as a component of the institution's curricula or research;

(2) the development of streamlined, risk-based operational approval for unmanned aircraft systems operated by institutions of higher education; and

(3) the airspace and aircraft operators that may be affected by such operations at the institution of higher education.

(c) DEADLINE FOR ESTABLISHMENT OF PROCEDURES AND STANDARDS.—Not later than 270 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration may establish regulations, procedures, and standards, as necessary, to facilitate the safe operation of unmanned aircraft systems operated by institutions of higher education for educational or research purposes.

(d) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given to that term by section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) EDUCATIONAL OR RESEARCH PURPOSES.—The term ''education or research purposes'', with respect to the operation of an unmanned aircraft system by an institution of higher education, includes—

(A) instruction of students at the institution;

(B) academic or research related uses of unmanned aircraft systems that have been approved by the institution, including Federal research;

(C) activities undertaken by the institution as part of research projects, including research projects sponsored by the Federal Government; and

(D) other academic activities approved by the institution.

(e) STATUTORY CONSTRUCTION.—

(1) ENFORCEMENT.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue an enforcement action against a person operating any unmanned aircraft who endangers the safety of the national airspace system.

(2) REGULATIONS AND STANDARDS.—Nothing in this section prohibits the Administrator from promulgating any rules or standards consistent with maintaining the safety and security of the national airspace system.

SEC. 351. UNMANNED AIRCRAFT SYSTEMS INTEGRATION PILOT PROGRAM.

(a) AUTHORITY.—The Secretary of Transportation may establish a pilot program to enable enhanced drone operations as required in the October 25, 2017 Presidential Memorandum entitled ''Unmanned Aircraft Systems Integration Pilot Program'' and described in 82 Federal Register 50301.

(b) APPLICATIONS.—The Secretary shall accept applications from State, local, and Tribal governments, in partnership with unmanned aircraft system operators and other private-sector stakeholders, to test and evaluate the integration of civil and public UAS operations into the low-altitude national airspace system.

(c) OBJECTIVES.—The purpose of the pilot program is to accelerate existing UAS integration plans by working to solve technical, regulatory, and policy challenges, while enabling advanced UAS operations in select areas subject to ongoing safety oversight and cooperation between the Federal Government and applicable State, local, or Tribal jurisdictions, in order to—

(1) accelerate the safe integration of UAS into the NAS by testing and validating new concepts of beyond visual line of sight operations in a controlled environment, focusing on detect and avoid technologies, command and control links, navigation, weather, and human factors;

(2) address ongoing concerns regarding the potential security and safety risks associated with UAS operating in close proximity to human beings and critical infrastructure by ensuring that operators communicate more effectively with Federal, State, local, and Tribal law enforcement to enable law enforcement to determine if a UAS operation poses such a risk;

(3) promote innovation in and development of the United States unmanned aviation industry, especially in sectors such as agriculture, emergency management, inspection, and transportation safety, in which there are significant public benefits to be gained from the deployment of UAS; and

(4) identify the most effective models of balancing local and national interests in UAS integration.

(d) APPLICATION SUBMISSION.—The Secretary shall establish application requirements and require applicants to include the following information:

(1) Identification of the airspace to be used, including shape files and altitudes.

(2) Description of the types of planned operations.

(3) Identification of stakeholder partners to test and evaluate planned operations.

(4) Identification of available infrastructure to support planned operations.

(5) Description of experience with UAS operations and regulations.

(6) Description of existing UAS operator and any other stakeholder partnerships and experience.

(7) Description of plans to address safety, security, competition, privacy concerns, and community outreach.

(e) MONITORING AND ENFORCEMENT OF LIMITATIONS.—

(1) IN GENERAL.—Monitoring and enforcement of any limitations enacted pursuant to this pilot project shall be the responsibility of the jurisdiction.

(2) SAVINGS PROVISION.—Nothing in paragraph (1) may be construed to prevent the Secretary from enforcing Federal law.

(3) EXAMPLES OF LIMITATIONS.—Limitations under this section may include—

(A) prohibiting flight during specified morning and evening rush hours or only permitting flight during specified hours such as daylight hours, sufficient to ensure reasonable airspace access;

(B) establishing designated take-off and landing zones, limiting operations over moving locations or fixed site public road and parks, sidewalks or private property based on zoning density, or other land use considerations;

(C) requiring notice to public safety or zoning or land use authorities before operating; and

(D) prohibiting operations in connection with community or sporting events that do not remain in one place (for example, parades and running events).

(f) SELECTION CRITERIA.—In making determinations, the Secretary shall evaluate whether applications meet or exceed the following criteria:

(1) Overall economic, geographic, and climatic diversity of the selected jurisdictions.

(2) Overall diversity of the proposed models of government involvement.

(3) Overall diversity of the UAS operations to be conducted.

(4) The location of critical infrastructure.

(5) The involvement of commercial entities in the proposal and their ability to advance objectives that may serve the public interest as a result of further integration of UAS into the NAS.

(6) The involvement of affected communities in, and their support for, participating in the pilot program.

(7) The commitment of the governments and UAS operators involved in the proposal to comply with requirements related to national defense, homeland security, and public safety and to address competition, privacy, and civil liberties concerns.

(8) The commitment of the governments and UAS operators involved in the proposal to achieve the following policy objectives:

(A) Promoting innovation and economic development.

(B) Enhancing transportation safety.

(C) Enhancing workplace safety.

(D) Improving emergency response and search and rescue functions.

(E) Using radio spectrum efficiently and competitively.

(g) IMPLEMENTATION.—The Secretary shall use the data collected and experience gained over the course of this pilot program to—

(1) identify and resolve technical challenges to UAS integration;

(2) address airspace use to safely and efficiently integrate all aircraft;

(3) inform operational standards and procedures to improve safety (for example, detect and avoid capabilities, navigation and altitude performance, and command and control link);

(4) inform FAA standards that reduce the need for waivers (for example, for operations over human beings, night operations, and beyond visual line of sight); and

(5) address competing interests regarding UAS operational expansion, safety, security, roles and responsibilities of non-Federal Government entities, and privacy issues.

(h) NOTIFICATION.—Prior to initiating any additional rounds of agreements with State, local, or Tribal governments as part of the pilot program established under subsection (a), the Secretary shall notify the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations in the Senate.

(i) SUNSET.—The pilot program established under subsection (a) shall terminate 3 years after the date on which the memorandum referenced in subsection (a) is signed by the President.

(j) SAVINGS CLAUSE.— Nothing in this section shall affect any proposals, selections, imposition of conditions, operations, or other decisions made—

(1) under the pilot program developed by the Secretary of Transportation pursuant to the Presidential memorandum titled ''Unmanned Aircraft Systems Integration Pilot Program'', as published in the Federal Register on October 30, 2017 (82 Fed. Reg. 50301); and

(2) prior to the date of enactment of this Act.

(k) DEFINITIONS.—In this section:

(1) The term ''Lead Applicant'' means an eligible State, local or Tribal government that has submitted a timely application.

(2) The term ''NAS'' means the low-altitude national airspace system.

(3) The term ''UAS'' means unmanned aircraft system.

SEC. 352. PART 107 TRANSPARENCY AND TECHNOLOGY IMPROVEMENTS.

(a) TRANSPARENCY.—Not later than 30 days after the date of enactment of this Act, the Administrator shall publish on the FAA website a representative sample of the safety justifications, offered by applicants for small unmanned aircraft system waivers and airspace authorizations, that have been approved by the Administration for each regulation waived or class of airspace authorized, except that any published justification shall not reveal proprietary or commercially sensitive information.

(b) TECHNOLOGY IMPROVEMENTS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall revise the online waiver and certificates of authorization processes—

(1) to provide real time confirmation that an application filed online has been received by the Administration; and

(2) to provide an applicant with an opportunity to review the status of the applicant's application.

SEC. 353. EMERGENCY EXEMPTION PROCESS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the use of unmanned aircraft systems by civil and public operators—

(1) is an increasingly important tool in response to a catastrophe, disaster, or other emergency;

(2) helps facilitate emergency response operations, such as firefighting and search and rescue; and

(3) helps facilitate post-catastrophic response operations, such as utility and infrastructure restoration efforts and the safe and prompt processing, adjustment, and payment of insurance claims.

(b) UPDATES.—The Administrator shall, as necessary, update and improve the Special Government Interest process described in chapter 7 of Federal Aviation Administration Order JO 7200.23A to ensure that civil and public operators, including local law enforcement agencies and first responders, continue to use unmanned aircraft system operations quickly and efficiently in response to a catastrophe, disaster, or other emergency.

(c) BEST PRACTICES.—The Administrator shall develop best practices for the use of unmanned aircraft systems by States and localities to respond to a catastrophe, disaster, or other emergency response and recovery operation.

SEC. 354. TREATMENT OF UNMANNED AIRCRAFT OPERATING UNDERGROUND.

An unmanned aircraft system that is operated underground for mining purposes shall not be subject to regulation or enforcement by the FAA under title 49, United States Code.

SEC. 355. PUBLIC UAS OPERATIONS BY TRIBAL GOVERNMENTS.

(a) PUBLIC UAS OPERATIONS BY TRIBAL GOVERNMENTS.—Section 40102(a)(41) of title 49, United States Code, is amended by adding at the end the following:

''(F) An unmanned aircraft that is owned and operated by, or exclusively leased for at least 90 continuous days by, an Indian Tribal government, as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), except as provided in section 40125(b).''.

(b) CONFORMING AMENDMENT.—Section 40125(b) of title 49, United States Code, is amended by striking ''or (D)'' and inserting ''(D), or (F)''.

SEC. 356. AUTHORIZATION OF APPROPRIATIONS FOR KNOW BEFORE YOU FLY CAMPAIGN.

There are authorized to be appropriated to the Administrator of the Federal Aviation Administration $1,000,000 for each of fiscal years 2019 through 2023, out of funds made available under section 106(k), for the Know Before You Fly educational campaign or similar public informational efforts intended to broaden unmanned aircraft systems safety awareness.

SEC. 357. UNMANNED AIRCRAFT SYSTEMS PRIVACY POLICY.

It is the policy of the United States that the operation of any unmanned aircraft or unmanned aircraft system shall be carried out in a manner that respects and protects personal privacy consistent with the United States Constitution and Federal, State, and local law.

SEC. 358. UAS PRIVACY REVIEW.

(a) REVIEW.—The Comptroller General of the United States, in consideration of relevant efforts led by the National Telecommunications and Information Administration, shall carry out a review of the privacy issues and concerns associated with the operation of unmanned aircraft systems in the national airspace system.

(b) CONSULTATION.—In carrying out the review, the Comptroller General shall—

(1) consult with the Department of Transportation and the National Telecommunications and Information Administration of the Department of Commerce on its ongoing efforts responsive to the Presidential memorandum titled ''Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems'' and dated February 15, 2015;

(2) examine and identify the existing Federal, State, or relevant local laws that address an individual's personal privacy;

(3) identify specific issues and concerns that may limit the availability of civil or criminal legal remedies regarding inappropriate operation of unmanned aircraft systems in the national airspace system;

(4) identify any deficiencies in Federal, State, or local privacy protections; and

(5) provide recommendations to address any limitations and deficiencies identified in paragraphs (3) and (4).

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the results of the review required under subsection (a).

SEC. 359. STUDY ON FIRE DEPARTMENT AND EMERGENCY SERVICE AGENCY USE OF UNMANNED AIRCRAFT SYSTEMS.

(a) STUDY.—

(1) IN GENERAL.—The Administrator shall conduct a study on the use of unmanned aircraft systems by fire departments and emergency service agencies. Such study shall include an analysis of—

(A) how fire departments and emergency service agencies currently use unmanned aircraft systems;

(B) obstacles to greater use of unmanned aircraft systems by fire departments and emergency service agencies;

(C) the best way to provide outreach to support greater use of unmanned aircraft systems by fire departments and emergency service agencies;

(D) laws or regulations that present barriers to career, combination, and volunteer fire departments' ability to use unmanned aircraft systems;

(E) training and certifications required for the use of unmanned aircraft systems by fire departments and emergency service agencies;

(F) airspace limitations and concerns in the use of unmanned aircraft systems by fire departments and emergency service agencies;

(G) roles of unmanned aircraft systems in the provision of fire and emergency services;

(H) technological challenges to greater adoption of unmanned aircraft systems by fire departments and emergency service agencies; and

(I) other issues determined appropriate by the Administrator.

(2) CONSULTATION.—In conducting the study under paragraph (1), the Administrator shall consult with national fire and emergency service organizations.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the study conducted under subsection (a), including the Administrator's findings, conclusions, and recommendations.

SEC. 360. STUDY ON FINANCING OF UNMANNED AIRCRAFT SERVICES.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on appropriate fee mechanisms to recover the costs of—

(1) the regulation and safety oversight of unmanned aircraft and unmanned aircraft systems; and

(2) the provision of air navigation services to unmanned aircraft and unmanned aircraft systems.

(b) CONSIDERATIONS.—In carrying out the study, the Comptroller General shall consider, at a minimum—

(1) any recommendations of Task Group 3 of the Drone Advisory Committee chartered by the Federal Aviation Administration on August 31, 2016;

(2) the total annual costs incurred by the Federal Aviation Administration for the regulation and safety oversight of activities related to unmanned aircraft;

(3) the annual costs attributable to various types, classes, and categories of unmanned aircraft activities;

(4) air traffic services provided to unmanned aircraft operating under instrument flight rules, excluding public aircraft;

(5) the number of full-time Federal Aviation Administration employees dedicated to unmanned aircraft programs;

(6) the use of privately operated UTM and other privately operated unmanned aircraft systems;

(7) the projected growth of unmanned aircraft operations for various applications and the estimated need for regulation, oversight, and other services;

(8) the number of small businesses involved in the various sectors of the unmanned aircraft industry and operating as primary users of unmanned aircraft; and

(9) any best practices or policies utilized by jurisdictions outside the United States relating to partial or total recovery of regulation and safety oversight costs related to unmanned aircraft and other emergent technologies.

(c) REPORT TO CONGRESS.—Not later than 180 days after initiating the study, the Comptroller General shall submit to the appropriate committees of Congress a report containing recommendations on appropriate fee mechanisms to recover the costs of regulating and providing air navigation services to unmanned aircraft and unmanned aircraft systems.

SEC. 361. REPORT ON UAS AND CHEMICAL AERIAL APPLICATION.

Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report evaluating which aviation safety requirements under part 137 of title 14, Code of Federal Regulations, should apply to unmanned aircraft system operations engaged in aerial spraying of chemicals for agricultural purposes.

SEC. 362. SENSE OF CONGRESS REGARDING UNMANNED AIRCRAFT SAFETY.

It is the sense of Congress that—

(1) the unauthorized operation of unmanned aircraft near airports presents a serious hazard to aviation safety;

(2) a collision between an unmanned aircraft and a conventional aircraft in flight could jeopardize the safety of persons aboard the aircraft and on the ground;

(3) Federal aviation regulations, including sections 91.126 through 91.131 of title 14, Code of Federal Regulations, prohibit unauthorized operation of an aircraft in controlled airspace near an airport;

(4) Federal aviation regulations, including section 91.13 of title 14, Code of Federal Regulations, prohibit the operation of an aircraft in a careless or reckless manner so as to endanger the life or property of another;

(5) the Administrator should pursue all available civil and administrative remedies available to the Administrator, including referrals to other government agencies for criminal investigations, with respect to persons who operate unmanned aircraft in an unauthorized manner;

(6) the Administrator should—

(A) place particular priority in continuing measures, including partnering with nongovernmental organizations and State and local agencies, to educate the public about the dangers to public safety of operating unmanned aircraft over areas that have temporary flight restrictions in place, for purposes such as wildfires, without appropriate authorization; and

(B) partner with State and local agencies to effectively enforce relevant laws so that unmanned aircrafts do not interfere with the efforts of emergency responders;

(7) the Administrator should place particular priority on continuing measures, including partnerships with nongovernmental organizations, to educate the public about the dangers to the public safety of operating unmanned aircraft near airports without the appropriate approvals or authorizations; and

(8) manufacturers and retail sellers of small unmanned aircraft systems should take steps to educate consumers about the safe and lawful operation of such systems.

SEC. 363. PROHIBITION REGARDING WEAPONS.

(a) IN GENERAL.—Unless authorized by the Administrator, a person may not operate an unmanned aircraft or unmanned aircraft system that is equipped or armed with a dangerous weapon.

(b) DANGEROUS WEAPON DEFINED.—In this section, the term ''dangerous weapon'' has the meaning given that term in section 930(g)(2) of title 18, United States Code.

(c) PENALTY.—A person who violates this section is liable to the United States Government for a civil penalty of not more than $25,000 for each violation.

SEC. 364. U.S. COUNTER-UAS SYSTEM REVIEW OF INTERAGENCY COORDINATION PROCESSES.

(a) IN GENERAL.—Not later than 60 days after that date of enactment of this Act, the Administrator, in consultation with government agencies currently authorized to operate Counter-Unmanned Aircraft System (C-UAS) systems within the United States (including the territories and possessions of the United States), shall initiate a review of the following:

(1) The process the Administration is using for interagency coordination of C-UAS activity pursuant to a relevant Federal statute authorizing such activity within the United States (including the territories and possessions of the United States).

(2) The standards the Administration is utilizing for operation of a C-UAS systems pursuant to a relevant Federal statute authorizing such activity within the United States (including the territories and possessions of the United States), including whether the following criteria are being taken into consideration in the development of the standards:

(A) Safety of the national airspace.

(B) Protecting individuals and property on the ground.

(C) Non-interference with avionics of manned aircraft, and unmanned aircraft, operating legally in the national airspace.

(D) Non-interference with air traffic control systems.

(E) Adequate coordination procedures and protocols with the Federal Aviation Administration during the operation of C-UAS systems.

(F) Adequate training for personnel operating C-UAS systems.

(G) Assessment of the efficiency and effectiveness of the coordination and review processes to ensure national airspace safety while minimizing bureaucracy.

(H) Best practices for the consistent operation of C-UAS systems to the maximum extent practicable.

(I) Current airspace authorization information shared by automated approval processes for airspace authorizations, such as the Low Altitude Authorization and Notification Capability.

(J) Such other matters the Administrator considers necessary for the safe and lawful operation of C-UAS systems.

(3) Similar interagency coordination processes already used for other matters that may be used as a model for improving the interagency coordination for the usage of C-UAS systems.

(b) REPORT.—Not later than 180 days after the date upon which the review in subsection (a) is initiated, the Administrator shall submit to the Committee on Transportation and

Infrastructure of the House of Representatives, the Committee on Armed Services of the House of Representatives, and the Committee on Commerce, Science, and Transportation in the Senate, and the Committee on Armed Services of the Senate, a report on the Administration's activities related to C-UAS systems, including—

(1) any coordination with Federal agencies and States, subdivisions and States, political authorities of at least 2 States that operate C-UAS systems;

(2) an assessment of the standards being utilized for the operation of a counter-UAS systems within the United States (including the territories and possessions of the United States);

(3) an assessment of the efficiency and effectiveness of the interagency coordination and review processes to ensure national airspace safety while minimizing bureaucracy; and

(4) a review of any additional authorities needed by the Federal Aviation Administration to effectively oversee the management of C-UAS systems within the United States (including the territories and possessions of the United States).

SEC. 365. COOPERATION RELATED TO CERTAIN COUNTER-UAS TECHNOLOGY.

In matters relating to the use of systems in the national airspace system intended to mitigate threats posed by errant or hostile unmanned aircraft system operations, the Secretary of Transportation shall consult with the Secretary of Defense to streamline deployment of such systems by drawing upon the expertise and experience of the Department of Defense in acquiring and operating such systems consistent with the safe and efficient operation of the national airspace system.

SEC. 366. STRATEGY FOR RESPONDING TO PUBLIC SAFETY THREATS AND ENFORCEMENT UTILITY OF UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a comprehensive strategy to provide outreach to State and local governments and provide guidance for local law enforcement agencies and first responders with respect to—

(1) how to identify and respond to public safety threats posed by unmanned aircraft systems; and

(2) how to identify and take advantage of opportunities to use unmanned aircraft systems to enhance the effectiveness of local law enforcement agencies and first responders.

(b) RESOURCES.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a publicly available Internet website that contains resources for State and local law enforcement agencies and first responders seeking—

(1) to respond to public safety threats posed by unmanned aircraft systems; and

(2) to identify and take advantage of opportunities to use unmanned aircraft systems to enhance the effectiveness of local law enforcement agencies and public safety response efforts.

(c) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ''unmanned aircraft system'' has the meaning given that term in section 44801 of title 49, United States Code, as added by this Act.

SEC. 367. INCORPORATION OF FEDERAL AVIATION ADMINISTRATION OCCUPATIONS RELATING TO UNMANNED AIRCRAFT INTO VETERANS EMPLOYMENT PROGRAMS OF THE ADMINISTRATION.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with the Secretary of Veterans Affairs, the Secretary of Defense, and the Secretary of Labor, shall determine whether occupations of the Administration relating to unmanned aircraft systems technology and regulations can be incorporated into the Veterans' Employment Program of the Administration, particularly in the interaction between such program and the New Sights Work Experience Program and the Vet-Link Cooperative Education Program.

SEC. 368. PUBLIC UAS ACCESS TO SPECIAL USE AIRSPACE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue guidance for the expedited and timely access to special use airspace for public unmanned aircraft systems in order to assist Federal, State, local, or tribal law enforcement organizations in conducting law enforcement, emergency response, or for other activities.

SEC. 369. APPLICATIONS FOR DESIGNATION.

Section 2209 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615) is amended—

(1) in subsection (b)(1)(C)(i), by striking ''and distribution facilities and equipment'' and inserting ''distribution facilities and equipment, and railroad facilities''; and

(2) by adding at the end the following:

''(e) DEADLINES.—

''(1) Not later than March 31, 2019, the Administrator shall publish a notice of proposed rulemaking to carry out the requirements of this section.

''(2) Not later than 12 months after publishing the notice of proposed rulemaking under paragraph (1), the Administrator shall issue a final rule.''.

SEC. 370. SENSE OF CONGRESS ON ADDITIONAL RULEMAKING AUTHORITY.

It is the sense of Congress that—

(1) beyond visual line of sight operations, nighttime operations, and operations over people of unmanned aircraft systems have tremendous potential—

(A) to enhance both commercial and academic use;

(B) to spur economic growth and development through innovative applications of this emerging technology; and

(C) to improve emergency response efforts as it relates to assessing damage to critical infrastructure such as roads, bridges, and utilities, including water and power, ultimately speeding response time;

(2) advancements in miniaturization of safety technologies, including for aircraft weighing under 4.4 pounds, have increased economic opportunities for using unmanned aircraft systems while reducing kinetic energy and risk compared to unmanned aircraft that may weigh 4.4 pounds or more, but less than 55 pounds;

(3) advancements in unmanned technology will have the capacity to ultimately improve manned aircraft safety; and

(4) integrating unmanned aircraft systems safely into the national airspace, including beyond visual line of sight operations, nighttime operations on a routine basis, and operations over people should remain a top priority for the Federal Aviation Administration as it pursues additional rulemakings under the amendments made by this section.

SEC. 371. ASSESSMENT OF AIRCRAFT REGISTRATION FOR SMALL UNMANNED AIRCRAFT.

(a) EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall enter into an agreement with the National Academy of Public Administration, to estimate and assess compliance with and the effectiveness of the registration of small unmanned aircraft systems by the Federal Aviation Administration pursuant to the interim final rule issued on December 16, 2015, titled ''Registration and Marking Requirements for Small Unmanned Aircraft'' (80 Fed. Reg. 78593).

(b) METRICS.—Upon receiving the assessment, the Secretary shall, to the extent practicable, develop metrics to measure compliance with the interim final rule described in subsection (a), and any subsequent final rule, including metrics with respect to—

(1) the levels of compliance with the interim final rule and any subsequent final rule;

(2) the number of enforcement actions taken by the Administration for violations of or noncompliance with the interim final rule and any subsequent final rule, together with a description of the actions; and

(3) the effect of the interim final rule and any subsequent final rule on compliance with any fees associated with the use of small unmanned aircraft systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the to the appropriate committees of Congress a report containing—

(1) the results of the assessment required under subsection (a);

(2) the metrics required under subsection (b) and how the Secretary will track these metrics; and

(3) recommendations to Congress for improvements to the registration process for small unmanned aircraft, if necessary.

SEC. 372. ENFORCEMENT.

(a) UAS SAFETY ENFORCEMENT.—The Administrator of the Federal Aviation Administration shall establish a pilot program to utilize available remote detection or identification technologies for safety oversight, including enforcement actions against operators of unmanned aircraft systems that are not in compliance with applicable Federal aviation laws, including regulations.

(b) REPORTING.—As part of the pilot program, the Administrator shall establish and publicize a mechanism for the public and Federal, State, and local law enforcement to report suspected operation of unmanned aircraft in violation of applicable Federal laws and regulations.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018, and annually thereafter through the duration of the pilot program established in subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the following:

(1) The number of unauthorized unmanned aircraft operations detected in restricted airspace, including in and around airports, together with a description of such operations.

(2) The number of enforcement cases brought by the Federal Aviation Administration or other Federal agencies for unauthorized operation of unmanned aircraft detected through the program, together with a description of such cases.

(3) Recommendations for safety and operational standards for unmanned aircraft detection and mitigation systems.

(4) Recommendations for any legislative or regulatory changes related to mitigation or detection or identification of unmanned aircraft systems.

(d) SUNSET.—The pilot program established in subsection (a) shall terminate on September 30, 2023.

(e) CIVIL PENALTIES.—Section 46301 of title 49, United States Code, is amended—

(1) in subsection (a)(1)(A), by inserting ''chapter 448,'' after ''chapter 447 (except sections 44717 and 44719–44723),'';

(2) in subsection (a)(5)(A)(i), by inserting ''chapter 448,'' after ''chapter 447 (except sections 44717–44723),'';

(3) in subsection (d)(2), by inserting ''chapter 448,'' after ''chapter 447 (except sections 44717 and 44719–44723),''; and

(4) in subsection (f)(1)(A)(i), by inserting ''chapter 448,'' after ''chapter 447 (except sections 44717 and 44719–44723),''.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue an enforcement action for a violation of this subtitle or any other applicable provision of aviation safety law or regulation using remote detection or identification or other technology following the sunset of the pilot program.

SEC. 373. FEDERAL AND LOCAL AUTHORITIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study on the relative roles of the Federal Government, State, local and Tribal governments in the regulation and oversight of low-altitude operations of unmanned aircraft systems in the national airspace system; and

(2) submit to the appropriate committees of Congress a report on the study, including the Comptroller General's findings and conclusions.

(b) CONTENTS.—The study under subsection (a) shall review the following:

(1) The current state of the law with respect to Federal authority over low-altitude operations of unmanned aircraft systems in the national airspace system.

(2) The current state of the law with respect to State, local, and Tribal authority over low-altitude operations of unmanned aircraft systems in the national airspace system.

(3) Potential gaps between authorities under paragraphs (1) and (2).

(4) The degree of regulatory consistency required among the Federal Government, State governments, local governments, and Tribal governments for the safe and financially viable growth and development of the unmanned aircraft industry.

(5) The interests of Federal, State, local, and Tribal governments affected by low-altitude operations of unmanned aircraft systems and the authorities of those governments to protect such interests.

(6) The infrastructure requirements necessary for monitoring the low-altitude operations of small unmanned aircraft and enforcing applicable laws.

SEC. 374. SPECTRUM.

(a) REPORT.—Not later than 270 days after the date of enactment of this Act, and after consultation with relevant stakeholders, the Administrator of the Federal Aviation Administration, the National Telecommunications and Information Administration, and the Federal Communications Commission, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives a report—

(1) on whether unmanned aircraft systems operations should be permitted, but not required, to operate on spectrum that was recommended for allocation for AM(R)S and control links for UAS by the World Radio Conferences in 2007 (L-band, 960-1164 MHz) and 2012 (C-band, 5030-5091 MHz), on an unlicensed, shared, or exclusive basis, for operations within the UTM system or outside of such a system;

(2) that addresses any technological, statutory, regulatory, and operational barriers to the use of such spectrum; and

(3) that, if it is determined that some spectrum frequencies are not suitable for beyond-visual-line-of-sight operations by unmanned aircraft systems, includes recommendations of other spectrum frequencies that may be appropriate for such operations.

(b) NO EFFECT ON OTHER SPECTRUM.—The report required under subsection (a) does not prohibit or delay use of any licensed spectrum to satisfy control links, tracking, diagnostics, payload communications, collision avoidance, and other functions for unmanned aircraft systems operations.

SEC. 375. FEDERAL TRADE COMMISSION AUTHORITY.

(a) IN GENERAL.—A violation of a privacy policy by a person that uses an unmanned aircraft system for compensation or hire, or in the furtherance of a business enterprise, in the national airspace system shall be an unfair and deceptive practice in violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)).

(b) DEFINITIONS.—In this section, the terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 44801 of title 49, United States Code.

SEC. 376. PLAN FOR FULL OPERATIONAL CAPABILITY OF UNMANNED AIRCRAFT SYSTEMS TRAFFIC MANAGEMENT.

(a) IN GENERAL.—In conjunction with completing the requirements of section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note), subject to subsection (b) of this section, the Administrator, in coordination with the Administrator of the National Aeronautics and Space Administration, and in consultation with unmanned aircraft systems industry stakeholders, shall develop a plan to allow for the implementation of unmanned aircraft systems traffic management (UTM) services that expand operations beyond visual line of sight, have full operational capability, and ensure the safety and security of all aircraft.

(b) COMPLETION OF UTM SYSTEM PILOT PROGRAM.—The Administrator shall ensure that the UTM system pilot program, as established in section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note), is conducted to meet the following objectives of a comprehensive UTM system by the conclusion of the pilot program:

(1) In cooperation with the National Aeronautics and Space Administration and manned and unmanned aircraft industry stakeholders, allow testing of unmanned aircraft operations, of increasing volumes and density, in airspace above test ranges, as such term is defined in section 44801 of title 49, United States Code, as well as other sites determined by the Administrator to be suitable for UTM testing, including those locations selected under the pilot program required in the October 25, 2017, Presidential Memorandum entitled, ''Unmanned Aircraft Systems Integration Pilot Program'' and described in 82 Federal Register 50301.

(2) Permit the testing of various remote identification and tracking technologies evaluated by the Unmanned Aircraft Systems Identification and Tracking Aviation Rulemaking Committee.

(3) Where the particular operational environment permits, permit blanket waiver authority to allow any unmanned aircraft approved by a UTM system pilot program selectee to be operated under conditions currently requiring a case-by-case waiver under part 107, title 14, Code of Federal Regulations, provided that any blanket waiver addresses risks to airborne objects as well as persons and property on the ground.

(c) IMPLEMENTATION PLAN CONTENTS.—The plan required by subsection (a) shall—

(1) include the development of safety standards to permit, authorize, or allow the use of UTM services, which may include the demonstration and validation of such services at the test ranges, as defined in section 44801 of title 49, United States Code, or other sites as authorized by the Administrator;

(2) outline the roles and responsibilities of industry and government in establishing UTM services that allow applicants to conduct commercial and noncommercial operations, recognizing the primary private sector role in the development and implementation of the Low Altitude Authorization and Notification Capability and future expanded UTM services;

(3) include an assessment of various components required for necessary risk reduction and mitigation in relation to the use of UTM services, including—

(A) remote identification of both cooperative and non-cooperative unmanned aircraft systems in the national airspace system;

(B) deconfliction of cooperative unmanned aircraft systems in the national airspace system by such services;

(C) the manner in which the Federal Aviation Administration will conduct oversight of UTM systems, including interfaces between UTM service providers and air traffic control;

(D) the need for additional technologies to detect cooperative and non-cooperative aircraft;

(E) collaboration and coordination with air traffic control, or management services and technologies to ensure the safety oversight of manned and unmanned aircraft, including—

(i) the Federal Aviation Administration responsibilities to collect and disseminate relevant data to UTM service providers; and

(ii) data exchange protocols to share UAS operator intent, operational approvals, operational restraints, and other data necessary to ensure safety or security of the National Airspace System;

(F) the potential for UTM services to manage unmanned aircraft systems carrying either cargo, payload, or passengers, weighing more than 55 pounds, and operating at altitudes higher than 400 feet above ground level; and

(G) cybersecurity protections, data integrity, and national and homeland security benefits; and

(4) establish a process for—

(A) accepting applications for operation of UTM services in the national airspace system;

(B) setting the standards for independent private sector validation and verification that the standards for UTM services established pursuant to paragraph (1) enabling operations beyond visual line of sight, have been met by applicants; and

(C) notifying the applicant, not later than 120 days after the Administrator receives a complete application, with a written approval, disapproval, or request to modify the application.

(d) SAFETY STANDARDS.—In developing the safety standards in subsection (c)(1), the Administrator—

(1) shall require that UTM services help ensure the safety of unmanned aircraft and other aircraft operations that occur primarily or exclusively in airspace 400 feet above ground level and below, including operations conducted under a waiver issued pursuant to subpart D of part 107 of title 14, Code of Federal Regulations;

(2) shall consider, as appropriate—

(A) protection of persons and property on the ground;

(B) remote identification and tracking of aircraft;

(C) collision avoidance with respect to obstacles and non-cooperative aircraft;

(D) deconfliction of cooperative aircraft and integration of other relevant airspace considerations;

(E) right of way rules, inclusive of UAS operations;

(F) safe and reliable coordination between air traffic control and other systems operated in the national airspace system;

(G) detection of non-cooperative aircraft;

(H) geographic and local factors including but not limited to terrain, buildings and structures;

(I) aircraft equipage; and

(J) qualifications, if any, necessary to operate UTM services; and

(3) may establish temporary flight restrictions or other means available such as a certificate of waiver or authorization (COA) for demonstration and validation of UTM services.

(e) REVOCATION.—The Administrator may revoke the permission, authorization, or approval for the operation of UTM services if the Administrator determines that the services or its operator are no longer in compliance with applicable safety standards.

(f) LOW-RISK AREAS.—The Administrator shall establish expedited procedures for approval of UTM services operated in—

(1) airspace away from congested areas; or

(2) other airspace above areas in which operations of unmanned aircraft pose low risk, as determined by the Administrator.

(g) CONSULTATION.—In carrying out this section, the Administrator shall consult with other Federal agencies, as appropriate.

(h) SENSE OF CONGRESS.—It is the sense of Congress that, in developing the safety standards for UTM services, the Federal Aviation Administration shall consider ongoing research and development efforts on UTM services conducted by—

(1) the National Aeronautics and Space Administration in partnership with industry stakeholders;

(2) the UTM System pilot program required by section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note); and

(3) the participants in the pilot program required in the October 25, 2017, Presidential Memorandum entitled, ''Unmanned Aircraft Systems Integration Pilot Program'' and described in 82 Federal Register 50301.

(i) DEADLINE.—Not later than 1 year after the date of conclusion of the UTM pilot program established in section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note), the Administrator shall—

(1) complete the plan required by subsection (a);

(2) submit the plan to—

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

(B) the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) publish the plan on a publicly accessible Internet website of the Federal Aviation Administration.

SEC. 377. EARLY IMPLEMENTATION OF CERTAIN UTM SERVICES.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall, upon request of a UTM service provider, determine if certain UTM services may operate safely in the national airspace system before completion of the implementation plan required by section 376.

(b) ASSESSMENT OF UTM SERVICES.—In making the determination under subsection (a), the Administrator shall assess, at a minimum, whether the proposed UTM services, as a result of their operational capabilities, reliability, intended use, areas of operation, and the characteristics of the aircraft involved, will maintain the safety and efficiency of the national airspace system and address any identified risks to manned or unmanned aircraft and persons and property on the ground.

(c) REQUIREMENTS FOR SAFE OPERATION.—If the Administrator determines that certain UTM services may operate safely in the national airspace system, the Administrator shall establish requirements for their safe operation in the national airspace system.

(d) EXPEDITED PROCEDURES.—The Administrator shall provide expedited procedures for making the assessment and determinations under this section where the UTM services will be provided primarily or exclusively in airspace above areas in which the operation of unmanned aircraft poses low risk, including but not limited to croplands and areas other than congested areas.

(e) CONSULTATION.—In carrying out this section, the Administrator shall consult with other Federal agencies, as appropriate.

(f) PREEXISTING UTM SERVICES APPROVALS.—Nothing in this Act shall affect or delay approvals, waivers, or exemptions granted by the Administrator for UTM services already in existence or approved by the Administrator prior to the date of enactment of this Act, including approvals under the Low Altitude Authorization and Notification Capability.

SEC. 378. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) each person that uses an unmanned aircraft system for compensation or hire, or in the furtherance of a business enterprise, except those operated for purposes protected by the First Amendment of the Constitution, should have a written privacy policy consistent with section 357 that is appropriate to the nature and scope of the activities regarding the collection, use, retention, dissemination, and deletion of any data collected during the operation of an unmanned aircraft system;

(2) each privacy policy described in paragraph (1) should be periodically reviewed and updated as necessary; and

(3) each privacy policy described in paragraph (1) should be publicly available.

SEC. 379. COMMERCIAL AND GOVERNMENTAL OPERATORS.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Administrator shall, to the extent practicable and consistent with applicable law, make available in a single location on the website of the Department of Transportation:

(1) Any certificate of waiver or authorization issued by the Administration to Federal, State, tribal or local governments for the operation of unmanned aircraft systems within 30 days of issuance of such certificate of waiver or authorization.

(2) A spreadsheet of UAS registrations, including the city, state, and zip code of each registered drone owner, on its website that is updated once per quarter each calendar year.

(3) Summary descriptions and general purposes of public unmanned aircraft operations, including the locations where such unmanned aircraft may generally operate.

(4) Summary descriptions of common civil unmanned aircraft operations.

(5) The expiration date of any authorization of public or civil unmanned aircraft operations.

(6) Links to websites of State agencies that enforce any applicable privacy laws.

(7) For any unmanned aircraft system, except with respect to any operation protected by the First Amendment to the Constitution of the United States, that will collect personally identifiable information about individuals, including the use of facial recognition—

(A) the circumstance under which the system will be used;

(B) the specific kinds of personally identifiable information that the system will collect about individuals; and

(C) how the information referred to in subparagraph (B), and the conclusions drawn from such information, will be used, disclosed, and otherwise handled, including—

(i) how the collection or retention of such information that is unrelated to the specific use will be minimized;

(ii) under what circumstances such information might be sold, leased, or otherwise provided to third parties;

(iii) the period during which such information will be retained;

(iv) when and how such information, including information no longer relevant to the specified use, will be destroyed; and

(v) steps that will be used to protect against the unauthorized disclosure of any information or data, such as the use of encryption methods and other security features.

(8) With respect to public unmanned aircraft systems—

(A) the locations where the unmanned aircraft system will operate;

(B) the time during which the unmanned aircraft system will operate;

(C) the general purpose of the flight; and

(D) the technical capabilities that the unmanned aircraft system possesses.

(b) EXCEPTIONS.—The Administrator shall not disclose information pursuant to subsection (a) if the Administrator determines that the release of such information—

(1) is not applicable;

(2) is not practicable, including when the information is not available to the Administrator;

(3) is not in compliance with applicable law;

(4) would compromise national defense, homeland security or law enforcement activity;

(5) would be withheld pursuant to an exception of the section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''); or

(6) is otherwise contrary to the public interest.

(c) SUNSET.—This section will cease to be effective on the date that is the earlier of—

(1) the date of publication of a Notice of Proposed Rulemaking or guidance regarding remote identification standards under section 2202 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615); or

(2) September 30, 2023.

SEC. 380. TRANSITION LANGUAGE.

(a) REGULATIONS.—Notwithstanding the repeals under sections 341, 348, 347, and 383 of this Act, all orders, determinations, rules, regulations, permits, grants, and contracts, which have been issued under any law described under subsection (b) of this section before the effective date of this Act shall continue in effect until modified or revoked by the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration, as applicable, by a court of competent jurisdiction, or by operation of law other than this Act.

(b) LAWS DESCRIBED.—The laws described under this subsection are as follows:

(1) Section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(2) Section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(3) Section 334 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(4) Section 2206 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615).

(c) EFFECT ON PENDING PROCEEDINGS.—This Act shall not affect administrative or judicial proceedings pending on the effective date of this Act.

SEC. 381. UNMANNED AIRCRAFT SYSTEMS IN RESTRICTED BUILDINGS OR GROUNDS.

Section 1752 of title 18, United States Code, is amended by adding after subsection (a)(4) the following:

''(5) knowingly and willfully operates an unmanned aircraft system with the intent to knowingly and willfully direct or otherwise cause such unmanned aircraft system to enter or operate within or above a restricted building or grounds;''.

SEC. 382. PROHIBITION.

(a) AMENDMENT.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

''§ 40A. Operation of unauthorized unmanned aircraft over wildfires

''(a) IN GENERAL.—Except as provided in subsection (b), an individual who operates an unmanned aircraft and knowingly or recklessly interferes with a wildfire suppression, or law enforcement or emergency response efforts related to a wildfire suppression, shall be fined under this title, imprisoned for not more than 2 years, or both.

''(b) EXCEPTIONS.—This section does not apply to the operation of an unmanned aircraft conducted by a unit or agency of the United States Government or of a State, tribal, or local government (including any individual conducting such operation pursuant to a contract or other agreement entered into with the unit or agency) for the purpose of protecting the public safety and welfare, including firefighting, law enforcement, or emergency response.

''(c) DEFINITIONS.—In this section, the following definitions apply:

''(1) UNMANNED AIRCRAFT.—The term 'unmanned aircraft' has the meaning given the term in section 44801 of title 49, United States Code.

''(2) WILDFIRE.—The term 'wildfire' has the meaning given that term in section 2 of the Emergency Wildfire Suppression Act (42 U.S.C. 1856m).

''(3) WILDFIRE SUPPRESSION.—The term 'wildfire suppression' means an effort to contain, extinguish, or suppress a wildfire.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 40 the following:

''40A. Operation of unauthorized unmanned aircraft over wildfires.''.

SEC. 383. AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION AND ENFORCEMENT.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as amended by this Act, is further amended by inserting at the end the following:

''§ 44810. Airport safety and airspace hazard mitigation and enforcement

''(a) COORDINATION.—The Administrator of the Federal Aviation Administration shall work with the Secretary of Defense, the Secretary of Homeland Security, and the heads of other relevant Federal departments and agencies for the purpose of ensuring that technologies or systems that are developed, tested, or deployed by Federal departments and agencies to detect and mitigate potential risks posed by errant or hostile unmanned aircraft system operations do not adversely impact or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the national airspace system.

''(b) PLAN.—

''(1) IN GENERAL.—The Administrator shall develop a plan for the certification, permitting, authorizing, or allowing of the deployment of technologies or systems for the detection and mitigation of unmanned aircraft systems.

''(2) CONTENTS.—The plan shall provide for the development of policies, procedures, or protocols that will allow appropriate officials of the Federal Aviation Administration to utilize such technologies or systems to take steps to detect and mitigate potential airspace safety risks posed by unmanned aircraft system operations.

''(3) AVIATION RULEMAKING COMMITTEE.—The Administrator shall charter an aviation rulemaking committee to make recommendations for such a plan and any standards that the Administrator determines may need to be developed with respect to such technologies or systems. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to an aviation rulemaking committee chartered under this paragraph.

''(4) NON-DELEGATION.—The plan shall not delegate any authority granted to the Administrator under this section to other Federal, State, local, territorial, or tribal agencies, or an airport sponsor, as defined in section 47102 of title 49, United States Code.

''(c) AIRSPACE HAZARD MITIGATION PROGRAM.—In order to test and evaluate technologies or systems that detect and mitigate potential aviation safety risks posed by unmanned aircraft, the Administrator shall deploy such technologies or systems at 5 airports, including 1 airport that ranks in the top 10 of the FAA's most recent Passenger Boarding Data.

''(d) AUTHORITY.—Under the testing and evaluation in subsection (c), the Administrator shall use unmanned aircraft detection and mitigation systems to detect and mitigate the unauthorized operation of an unmanned aircraft that poses a risk to aviation safety.

''(e) AIP FUNDING ELIGIBILITY.—Upon the certification, permitting, authorizing, or allowing of such technologies and systems that have been successfully tested under this section, an airport sponsor may apply for a grant under subchapter I of chapter 471 to purchase an unmanned aircraft detection and mitigation system. For purposes of this subsection, purchasing an unmanned aircraft detection and mitigation system shall be considered airport development (as defined in section 47102).

''(f) BRIEFING.—The Administrator shall annually brief the appropriate committees of Congress, including the Committee on Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, on the implementation of this section.

''(g) APPLICABILITY OF OTHER LAWS.—Section 46502 of this title, section 32 of title 18, United States Code (commonly known as the Aircraft Sabotage Act), section 1031 of title 18, United States Code (commonly known as the Computer Fraud and Abuse Act of 1986), sections 2510–2522 of title 18, United States Code (commonly known as the Wiretap Act), and sections 3121–3127 of title 18, United States Code (commonly known as the Pen/Trap Statute), shall not apply to activities authorized by the Administrator pursuant to subsection (c) and (d).

''(h) SUNSET.—This section ceases to be effective September 30, 2023.

''(i) NON-DELEGATION.—The Administrator shall not delegate any authority granted to the Administrator under this section to other Federal, State, local, territorial, or tribal agencies, or an airport sponsor, as defined in section 47102 of title 49, United States Code. The Administrator may partner with other Federal agencies under this section, subject to any restrictions contained in such agencies' authority to operate counter unmanned aircraft systems.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448, as amended by this Act, is further amended by inserting at the end the following:

''44810. Airport safety and airspace hazard mitigation and enforcement.''.

(2) PILOT PROJECT FOR AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION.—Section 2206 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 384. UNSAFE OPERATION OF UNMANNED AIRCRAFT.

(a) IN GENERAL.—Chapter 2 of title 18, United States Code, is amended by inserting after section 39A the following:

''§ 39B. Unsafe operation of unmanned aircraft

''(a) OFFENSE.—Any person who operates an unmanned aircraft and:

''(1) Knowingly interferes with, or disrupts the operation of, an aircraft carrying 1 or more occupants operating in the special aircraft jurisdiction of the United States, in a manner that poses an imminent safety hazard to such occupants, shall be punished as provided in subsection (c).

''(2) Recklessly interferes with, or disrupts the operation of, an aircraft carrying 1 or more occupants operating in the special aircraft jurisdiction of the United States, in a manner that poses an imminent safety hazard to such occupants, shall be punished as provided in subsection (c).

''(b) OPERATION OF UNMANNED AIRCRAFT IN CLOSE PROXIMITY TO AIRPORTS.—

''(1) IN GENERAL.—Any person who, without authorization, knowingly operates an unmanned aircraft within a runway exclusion zone shall be punished as provided in subsection (c).

''(2) RUNWAY EXCLUSION ZONE DEFINED.—In this subsection, the term 'runway exclusion zone' means a rectangular area—

''(A) centered on the centerline of an active runway of an airport immediately around which the airspace is designated as class B, class C, or class D airspace at the surface under part 71 of title 14, Code of Federal Regulations; and

''(B) the length of which extends parallel to the runway's centerline to points that are 1 statute mile from each end of the runway and the width of which is ½ statute mile.

''(c) PENALTY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the punishment for an offense under subsections (a) or (b) shall be a fine under this title, imprisonment for not more than 1 year, or both.

''(2) SERIOUS BODILY INJURY OR DEATH.—Any person who:

''(A) Causes serious bodily injury or death during the commission of an offense under subsection (a)(2) shall be fined under this title, imprisoned for a term of up to 10 years, or both.

''(B) Causes, or attempts or conspires to cause, serious bodily injury or death during the commission of an offense under subsections (a)(1) and (b) shall be fined under this title, imprisoned for any term of years or for life, or both.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 39A the following:

''39B. Unsafe operation of unmanned aircraft.''.

Subtitle C—General Aviation Safety

SEC. 391. SHORT TITLE.

This subtitle may be cited as the ''Fairness for Pilots Act''.

SEC. 392. EXPANSION OF PILOT'S BILL OF RIGHTS.

(a) NOTIFICATION OF INVESTIGATION.—Subsection (b) of section 2 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended—

(1) in paragraph (2)(A), by inserting ''and the specific activity on which the investigation is based'' after ''nature of the investigation'';

(2) in paragraph (3), by striking ''timely''; and

(3) in paragraph (5), by striking ''section 44709(c)(2)'' and inserting ''section 44709(e)(2)''.

(b) RELEASE OF INVESTIGATIVE REPORTS.—Section 2 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is further amended by adding at the end the following:

''(f) RELEASE OF INVESTIGATIVE REPORTS.—

''(1) IN GENERAL.—

''(A) EMERGENCY ORDERS.—In any proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator issues an emergency order under subsections (d) and (e) of section 44709, section 44710, or section 46105(c) of title 49, United States Code, or another order that takes effect immediately, the Administrator shall provide, upon request, to the individual holding the airman certificate the releasable portion of the investigative report at the time the Administrator issues the order. If the complete Report of Investigation is not available at the time of the request, the Administrator shall issue all portions of the report that are available at the time and shall provide the full report not later than 5 days after its completion.

''(B) OTHER ORDERS.—In any nonemergency proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator notifies the certificate holder of a proposed certificate action under subsections (b) and (c) of section 44709 or section 44710 of title 49, United States Code, the Administrator shall, upon the written request of the covered certificate holder and at any time after that notification, provide to the covered certificate holder the releasable portion of the investigative report.

''(2) MOTION FOR DISMISSAL.—If the Administrator does not provide the releasable portions of the investigative report to the individual holding the airman certificate subject to the proceeding referred to in paragraph (1) by the time required by that paragraph, the individual may move to dismiss the complaint of the Administrator or for other relief and, unless the Administrator establishes good cause for the failure to provide the investigative report or for a lack of timeliness, the administrative law judge shall order such relief as the judge considers appropriate.

''(3) RELEASABLE PORTION OF INVESTIGATIVE REPORT.—For purposes of paragraph (1), the releasable portion of an investigative report is all information in the report, except for the following:

''(A) Information that is privileged.

''(B) Information that constitutes work product or reflects internal deliberative process.

''(C) Information that would disclose the identity of a confidential source.

''(D) Information the disclosure of which is prohibited by any other provision of law.

''(E) Information that is not relevant to the subject matter of the proceeding.

''(F) Information the Administrator can demonstrate is withheld for good cause.

''(G) Sensitive security information, as defined in section 15.5 of title 49, Code of Federal Regulations (or any corresponding similar ruling or regulation).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prevent the Administrator from releasing to an individual subject to an investigation described in subsection (b)(1)—

''(A) information in addition to the information included in the releasable portion of the investigative report; or

''(B) a copy of the investigative report before the Administrator issues a complaint.''.

SEC. 393. NOTIFICATION OF REEXAMINATION OF CERTIFICATE HOLDERS.

(a) IN GENERAL.—Section 44709(a) of title 49, United States Code, is amended—

(1) by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—The Administrator'';

(2) by adding at the end the following:

''(2) NOTIFICATION OF REEXAMINATION OF AIRMAN.—Before taking any action to reexamine an airman under paragraph (1) the Administrator shall provide to the airman—

''(A) a reasonable basis, described in detail, for requesting the reexamination; and

''(B) any information gathered by the Federal Aviation Administration, that the Administrator determines is appropriate to provide, such as the scope and nature of the requested reexamination, that formed the basis for that justification.''.

SEC. 394. EXPEDITING UPDATES TO NOTAM PROGRAM.

(a) IN GENERAL.—Beginning on the date that is 180 days after the date of enactment of this Act, the Administrator may not take any enforcement action against any individual for a violation of a NOTAM (as defined in section 3 of the Pilot's Bill of Rights (49 U.S.C. 44701 note)) until the Administrator certifies to the appropriate committees of Congress that the Administrator has complied with the requirements of section 3 of the Pilot's Bill of Rights, as amended by this section.

(b) AMENDMENTS.—Section 3 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1162; 49 U.S.C. 44701 note) is amended—

(1) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''this Act'' and inserting ''the Fairness for Pilots Act''; and

(ii) by striking ''begin'' and inserting ''complete the implementation of'';

(B) by amending subparagraph (B) to read as follows:

''(B) to continue developing and modernizing the NOTAM repository, in a public central location, to maintain and archive all NOTAMs, including the original content and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment, in a manner that is Internet-accessible, machine-readable, and searchable;'';

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

(D) by adding at the end the following:

''(D) to specify the times during which temporary flight restrictions are in effect and the duration of a designation of special use airspace in a specific area.''; and

(2) by amending subsection (d) to read as follows:

''(d) DESIGNATION OF REPOSITORY AS SOLE SOURCE FOR NOTAMS.—

''(1) IN GENERAL.—The Administrator—

''(A) shall consider the repository for NOTAMs under subsection (a)(2)(B) to be the sole location for airmen to check for NOTAMs; and

''(B) may not consider a NOTAM to be announced or published until the NOTAM is included in the repository for NOTAMs under subsection (a)(2)(B).

''(2) PROHIBITION ON TAKING ACTION FOR VIOLATIONS OF NOTAMS NOT IN REPOSITORY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), beginning on the date that the repository under subsection (a)(2)(B) is final and published, the Administrator may not take any enforcement action against an airman for a violation of a NOTAM during a flight if—

''(i) that NOTAM is not available through the repository before the commencement of the flight; and

''(ii) that NOTAM is not reasonably accessible and identifiable to the airman.

''(B) EXCEPTION FOR NATIONAL SECURITY.—Subparagraph (A) shall not apply in the case of an enforcement action for a violation of a NOTAM that directly relates to national security.''.

SEC. 395. ACCESSIBILITY OF CERTAIN FLIGHT DATA.

(a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by inserting after section 47124 the following:

''§ 47124a. Accessibility of certain flight data

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATION.—The term 'Administration' means the Federal Aviation Administration.

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Aviation Administration.

''(3) APPLICABLE INDIVIDUAL.—The term 'applicable individual' means an individual who is the subject of an investigation initiated by the Administrator related to a covered flight record.

''(4) CONTRACT TOWER.—The term 'contract tower' means an air traffic control tower providing air traffic control services pursuant to a contract with the Administration under section 47124.

''(5) COVERED FLIGHT RECORD.—The term 'covered flight record' means any air traffic data (as defined in section 2(b)(4)(B) of the Pilot's Bill of Rights (49 U.S.C. 44703 note)), created, maintained, or controlled by any program of the Administration, including any program of the Administration carried out by employees or contractors of the Administration, such as contract towers, flight service stations, and controller training programs.

''(b) PROVISION OF COVERED FLIGHT RECORD TO ADMINISTRATION.—

''(1) REQUESTS.—Whenever the Administration receives a written request for a covered flight record from an applicable individual and the covered flight record is not in the possession of the Administration, the Administrator shall request the covered flight record from the contract tower or other contractor of the Administration in possession of the covered flight record.

''(2) PROVISION OF RECORDS.—Any covered flight record created, maintained, or controlled by a contract tower or another contractor of the Administration that maintains covered flight records shall be provided to the Administration if the Administration requests the record pursuant to paragraph (1).

''(3) NOTICE OF PROPOSED CERTIFICATE ACTION.—If the Administrator has issued, or subsequently issues, a Notice of Proposed Certificate Action relying on evidence contained in the covered flight record and the individual who is the subject of an investigation has requested the record, the Administrator shall promptly produce the record and

extend the time the individual has to respond to the Notice of Proposed Certificate Action until the covered flight record is provided.

''(c) IMPLEMENTATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Fairness for Pilots Act, the Administrator shall promulgate regulations or guidance to ensure compliance with this section.

''(2) COMPLIANCE BY CONTRACTORS.—

''(A) IN GENERAL.—Compliance with this section by a contract tower or other contractor of the Administration that maintains covered flight records shall be included as a material term in any contract between the Administration and the contract tower or contractor entered into or renewed on or after the date of enactment of the Fairness for Pilots Act.

''(B) NONAPPLICABILITY.—Subparagraph (A) shall not apply to any contract or agreement in effect on the date of enactment of the Fairness for Pilots Act unless the contract or agreement is renegotiated, renewed, or modified after that date.

''(d) PROTECTION OF CERTAIN DATA.—The Administrator of the Federal Aviation Administration may withhold information that would otherwise be required to be made available under section only if—

''(1) the Administrator determines, based on information in the possession of the Administrator, that the Administrator may withhold the information in accordance with section 552a of title 5, United States Code; or

''(2) the information is submitted pursuant to a voluntary safety reporting program covered by section 40123 of title 49, United States Code.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47124 the following:

''47124a. Accessibility of certain flight data.''.

SEC. 396. AUTHORITY FOR LEGAL COUNSEL TO ISSUE CERTAIN NOTICES.

Not later than 90 days after the date of enactment of this Act, the Administrator shall designate the appropriate legal counsel of the Administration as an appropriate official for purposes of section 13.11 of title 14, Code of Federal Regulations.

TITLE IV—AIR SERVICE IMPROVEMENTS

Subtitle A—Airline Customer Service Improvements

SEC. 401. DEFINITIONS.

In this title:

(1) COVERED AIR CARRIER.—The term ''covered air carrier'' means an air carrier or a foreign air carrier as those terms are defined in section 40102 of title 49, United States Code.

(2) ONLINE SERVICE.—The term ''online service'' means any service available over the internet, or that connects to the internet or a wide-area network.

(3) TICKET AGENT.—The term ''ticket agent'' has the meaning given the term in section 40102 of title 49, United States Code.

SEC. 402. RELIABLE AIR SERVICE IN AMERICAN SAMOA.

Section 40109(g) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking subparagraph (C) and inserting the following:

''(C) review the exemption at least every 30 days (or, in the case of an exemption that is necessary to provide and sustain air transportation in American Samoa between the islands of Tutuila and Manu'a, at least every 180 days) to ensure that the unusual circumstances that established the need for the exemption still exist.''; and

(2) by striking paragraph (3) and inserting the following:

''(3) RENEWAL OF EXEMPTIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may renew an exemption (including renewals) under this subsection for not more than 30 days.

''(B) EXCEPTION.—The Secretary may renew an exemption (including renewals) under this subsection that is necessary to provide and sustain air transportation in American Samoa between the islands of Tutuila and Manu'a for not more than 180 days.

''(4) CONTINUATION OF EXEMPTIONS.—An exemption granted by the Secretary under this subsection may continue for not more than 5 days after the unusual circumstances that established the need for the exemption cease.''.

SEC. 403. CELL PHONE VOICE COMMUNICATION BAN.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end the following:

''§ 41725. Prohibition on certain cell phone voice communications

''(a) PROHIBITION.—The Secretary of Transportation shall issue regulations—

''(1) to prohibit an individual on an aircraft from engaging in voice communications using a mobile communications device during a flight of that aircraft in scheduled passenger interstate or intrastate air transportation; and

''(2) that exempt from the prohibition described in paragraph (1) any—

''(A) member of the flight crew on duty on an aircraft;

''(B) flight attendant on duty on an aircraft; and

''(C) Federal law enforcement officer acting in an official capacity.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) FLIGHT.—The term 'flight' means, with respect to an aircraft, the period beginning when the aircraft takes off and ending when the aircraft lands.

''(2) MOBILE COMMUNICATIONS DEVICE.—

''(A) IN GENERAL.—The term 'mobile communications device' means any portable wireless telecommunications equipment utilized for the transmission or reception of voice data.

''(B) LIMITATION.—The term 'mobile communications device' does not include a phone installed on an aircraft.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41724 the following:

''41725. Prohibition on certain cell phone voice communications.''.

SEC. 404. IMPROVED NOTIFICATION OF INSECTICIDE USE.

Section 42303(b) of title 49, United States Code, is amended to read as follows:

''(b) REQUIRED DISCLOSURES.—An air carrier, foreign air carrier, or ticket agent selling, in the United States, a ticket for a flight in foreign air transportation to a country listed on the internet website established under subsection (a) shall—

''(1) disclose, on its own internet website or through other means, that the destination country may require the air carrier or foreign air carrier to treat an aircraft passenger cabin with insecticides prior to the flight or to apply an aerosol insecticide in an aircraft cabin used for such a flight when the cabin is occupied with passengers; and

''(2) refer the purchaser of the ticket to the internet website established under subsection (a) for additional information.''.

SEC. 405. CONSUMER COMPLAINTS HOTLINE.

Section 42302 of title 49, United States Code, is amended by adding at the end the following:

''(d) USE OF NEW TECHNOLOGIES.—The Secretary shall periodically evaluate the benefits of using mobile phone applications or other widely used technologies to provide new means for air passengers to communicate complaints in addition to the telephone number established under subsection (a) and shall provide such new means as the Secretary determines appropriate.''.

SEC. 406. CONSUMER INFORMATION ON ACTUAL FLIGHT TIMES.

(a) STUDY.—The Secretary of Transportation shall conduct a study on the feasibility and advisability of modifying regulations contained in section 234.11 of title 14, Code of Federal Regulations, to ensure that—

(1) a reporting carrier (including its contractors), during the course of a reservation or ticketing discussion or other inquiry, discloses to a consumer upon reasonable request the projected period between the actual wheels-off and wheels-on times for a reportable flight; and

(2) a reporting carrier displays, on the public internet website of the carrier, information on the actual wheels-off and wheels-on times during the most recent calendar month for a reportable flight.

(b) DEFINITIONS.—In this section, the terms ''reporting carrier'' and ''reportable flight'' have the meanings given those terms in section 234.2 of title 14, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 407. TRAINING POLICIES REGARDING RACIAL, ETHNIC, AND RELIGIOUS NONDISCRIMINATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress and the Secretary of Transportation a report describing—

(1) each air carrier's training policy for its employees and contractors regarding racial, ethnic, and religious nondiscrimination; and

(2) how frequently an air carrier is required to train new employees and contractors because of turnover in positions that require such training.

(b) BEST PRACTICES.—After the date the report is submitted under subsection (a), the Secretary shall develop and disseminate to air carriers best practices necessary to improve the training policies described in subsection (a), based on the findings of the report and in consultation with—

(1) passengers of diverse racial, ethnic, and religious backgrounds;

(2) national organizations that represent impacted communities;

(3) air carriers;

(4) airport operators; and

(5) contract service providers.

SEC. 408. TRAINING ON HUMAN TRAFFICKING FOR CERTAIN STAFF.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 44738. Training on human trafficking for certain staff

''In addition to other training requirements, each air carrier shall provide training to ticket counter agents, gate agents, and other air carrier workers whose jobs require regular interaction with passengers on recognizing and responding to potential human trafficking victims.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''44738. Training on human trafficking for certain staff.''.

SEC. 409. PROHIBITIONS AGAINST SMOKING ON PASSENGER FLIGHTS.

Section 41706 of title 49, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) ELECTRONIC CIGARETTES.—

''(1) INCLUSION.—The use of an electronic cigarette shall be treated as smoking for purposes of this section.

''(2) ELECTRONIC CIGARETTE DEFINED.—In this section, the term 'electronic cigarette' means a device that delivers nicotine to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.''.

SEC. 410. REPORT ON BAGGAGE REPORTING REQUIREMENTS.

Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall—

(1) study and publicize for comment a cost-benefit analysis to air carriers and consumers of changing the baggage reporting requirements of section 234.6 of title 14, Code of Federal Regulations, before the implementation of such requirements; and

(2) submit a report on the findings of the cost-benefit analysis to the appropriate committees of Congress.

SEC. 411. ENFORCEMENT OF AVIATION CONSUMER PROTECTION RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to consider and evaluate Department of Transportation enforcement of aviation consumer protection rules.

(b) CONTENTS.—The study under subsection (a) shall include an evaluation of—

(1) available enforcement mechanisms;

(2) any obstacles to enforcement; and

(3) trends in Department of Transportation enforcement actions.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the study, including the Comptroller General's findings, conclusions, and recommendations.

SEC. 412. STROLLERS.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 41726. Strollers

''(a) IN GENERAL.—Except as provided in subsection (b), a covered air carrier shall not deny a passenger the ability to check a stroller at the departure gate if the stroller is being used by a passenger to transport a child traveling on the same flight as the passenger.

''(b) EXCEPTION.—Subsection (a) shall not apply in instances where the size or weight of the stroller poses a safety or security risk.

''(c) COVERED AIR CARRIER DEFINED.—In this section, the term 'covered air carrier' means an air carrier or a foreign air carrier as those terms are defined in section 40102 of title 49, United States Code.''.

(b) TABLE OF CONTENTS.—The analysis for chapter 417 of title 49, United States Code, is further amended by inserting after the item relating to section 41725 the following:

''41726. Strollers.''.

SEC. 413. CAUSES OF AIRLINE DELAYS OR CANCELLATIONS.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Administrator of the Federal Aviation Administration, shall review the categorization of delays and cancellations with respect to air carriers that are required to report such data.

(2) CONSIDERATIONS.—In conducting the review under paragraph (1), the Secretary shall consider, at a minimum—

(A) whether delays and cancellations were the result of—

(i) decisions or matters within the control or within the discretion of the Federal Aviation Administration, including ground stop or delay management programs in response to adverse weather conditions;

(ii) business decisions or other matters within the air carrier's control or discretion in response to adverse weather conditions, including efforts to disrupt the travel of the fewest number of passengers; or

(iii) other factors;

(B) if the data indicate whether and to what extent delays and cancellations attributed by an air carrier to weather disproportionately impact service to smaller airports and communities;

(C) whether it is an unfair or deceptive practice for an air carrier to inform a passenger that a flight is delayed or cancelled due to weather alone when other factors are involved;

(D) limitations, if any, in the Federal Aviation Administration air traffic control systems that reduce the capacity or efficiency of the national airspace system during adverse weather events; and

(E) relevant analytical work by academic institutions.

(3) CONSULTATION.—The Secretary may consult air carriers and the Advisory Committee for Aviation Consumer Protection, established under section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note), to assist in conducting the review and providing recommendations on improving the quality and quantity of information provided to passengers adversely affected by a cancellation or delay.

(b) REPORT.—Not later than 90 days after the date the review under subsection (a) is complete, the Secretary shall submit to the appropriate committees of Congress a report on the review under subsection (a), including any recommendations.

(c) SAVINGS PROVISION.—Nothing in this section shall be construed as affecting or penalizing—

(1) the decision of an air carrier to maximize its system capacity during weather-related events to accommodate the greatest number of passengers; or

(2) any decisions of an air carrier or the Federal Aviation Administration in any matter related to or affecting the safety of any person.

SEC. 414. INVOLUNTARY CHANGES TO ITINERARIES.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review the rate at which air carriers change passenger itineraries more than 24 hours before departure, where the new itineraries involve additional stops or depart 3 hours earlier or later than originally scheduled and compensation or other suitable air transportation is not offered. In conducting the review, the Secretary shall consider the compensation and alternative travel options provided or offered by the air carrier in such situations.

(2) CONSULTATION.—The Secretary may consult with air carriers and the Advisory Committee for Aviation Consumer Protection, established under section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note), to assist in conducting the review and providing recommendations.

(b) REPORT.—Not later than 90 days after the date the review under subsection (a) is complete, the Secretary shall submit to appropriate committees of Congress a report on the review under subsection (a).

SEC. 415. EXTENSION OF ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.

Section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note) is amended in subsection (h) by striking ''2018'' and inserting ''2023''.

SEC. 416. ONLINE ACCESS TO AVIATION CONSUMER PROTECTION INFORMATION.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall—

(1) complete an evaluation of the aviation consumer protection portion of the Department of Transportation's public internet website to identify any changes to the user interface, including the interface presented to individuals accessing the website from a mobile device, that will improve usability, accessibility, consumer satisfaction, and website performance;

(2) in completing the evaluation under paragraph (1)—

(A) consider the best practices of other Federal agencies with effective websites; and

(B) consult with the Federal Web Managers Council;

(3) develop a plan, including an implementation timeline, for—

(A) making the changes identified under paragraph (1); and

(B) making any necessary changes to that portion of the website that will enable a consumer, in a manner that protects the privacy of consumers and employees, to—

(i) access information regarding each complaint filed with the Aviation Consumer Protection Division of the Department of Transportation;

(ii) search the complaints described in clause (i) by the name of the air carrier, the dates of departure and arrival, the airports of origin and departure, and the type of complaint; and

(iii) determine the date a complaint was filed and the date a complaint was resolved; and

(4) submit the evaluation and plan to appropriate committees of Congress.

SEC. 417. PROTECTION OF PETS ON AIRPLANES.

(a) PROHIBITION.—Chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

''§ 44739. Pets on airplanes

''(a) PROHIBITION.—It shall be unlawful for any person to place a live animal in an overhead storage compartment of an aircraft operated under part 121 of title 14, Code of Federal Regulations.

''(b) CIVIL PENALTY.—The Administrator may impose a civil penalty under section 46301 for each violation of this section.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

''44739. Pets on airplanes.''.

SEC. 418. ADVISORY COMMITTEE ON AIR AMBULANCE AND PATIENT BILLING.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Health and Human Services, shall establish an advisory committee for the purpose of reviewing options to improve the disclosure of charges and fees

for air medical services, better inform consumers of insurance options for such services, and protect consumers from balance billing.

(b) COMPOSITION OF THE ADVISORY COMMITTEE.—The advisory committee shall be composed of the following members:

(1) The Secretary of Transportation, or the Secretary's designee.

(2) The Secretary of Health and Human Services, or the Secretary's designee.

(3) One representative, to be appointed by the Secretary of Transportation, of each of the following:

(A) Each relevant Federal agency, as determined by the Secretary of Transportation.

(B) State insurance regulators

(C) Health insurance providers.

(D) Patient advocacy groups.

(E) Consumer advocacy groups.

(F) Physician specializing in emergency, trauma, cardiac, or stroke.

(4) Three representatives, to be appointed by the Secretary of Transportation, to represent the various segments of the air ambulance industry.

(5) Additional three representatives not covered under paragraphs (1) through (4), as determined necessary and appropriate by the Secretary.

(c) CONSULTATION.—The advisory committee shall, as appropriate, consult with relevant experts and stakeholders not captured in (b) while conducting its review.

(d) RECOMMENDATIONS.—The advisory committee shall make recommendations with respect to disclosure of charges and fees for air ambulance services and insurance coverage, consumer protection and enforcement authorities of both the Department of Transportation and State authorities, and the prevention of balance billing to consumers. The recommendations shall address, at a minimum—

(1) the costs, benefits, practicability, and impact on all stakeholders of clearly distinguishing between charges for air transportation services and charges for non-air transportation services in bills and invoices, including the costs, benefits, and practicability of—

(A) developing cost-allocation methodologies to separate charges for air transportation services from charges for non-air transportation services; and

(B) formats for bills and invoices that clearly distinguish between charges for air transportation services and charges for non-air transportation services;

(2) options, best practices, and identified standards to prevent instances of balance billing such as improving network and contract negotiation, dispute resolution between health insurance and air medical service providers, and explanation of insurance coverage and subscription programs to consumers;

(3) steps that can be taken by State legislatures, State insurance regulators, State attorneys general, and other State officials as appropriate, consistent with current legal authorities regarding consumer protection;

(4) recommendations made by the Comptroller General study, GAO–17–637, including what additional data from air ambulance providers and other sources should be collected by the Department of Transportation to improve its understanding of the air ambulance market and oversight of the air ambulance industry for the purposes of pursuing action related to unfair or deceptive practices or unfair methods of competition, which may include—

(A) cost data;

(B) standard charges and payments received per transport;

(C) whether the provider is part of a hospital-sponsored program, municipality-sponsored program, hospital-independent partnership (hybrid) program, or independent program;

(D) number of transports per base and helicopter;

(E) market shares of air ambulance providers inclusive of any parent or holding companies;

(F) any data indicating the extent of competition among air ambulance providers on the basis of price and service;

(G) prices assessed to consumers and insurers for air transportation and any non-transportation services provided by air ambulance providers; and

(H) financial performance of air ambulance providers;

(5) definitions of all applicable terms that are not defined in statute or regulations; and

(6) other matters as determined necessary or appropriate.

(e) REPORT.—Not later than 180 days after the date of the first meeting of the advisory committee, the advisory committee shall submit to the Secretary of Transportation, the Secretary of Health and Human Services, and the appropriate committees of Congress a report containing the recommendations made under subsection (d).

(f) RULEMAKING.—Upon receipt of the report under subsection (e), the Secretary of Transportation shall consider the recommendations of the advisory committee and issue regulations or other guidance as deemed necessary—

(1) to require air ambulance providers to regularly report data to the Department of Transportation;

(2) to increase transparency related to Department of Transportation actions related to consumer complaints; and

(3) to provide other consumer protections for customers of air ambulance providers.

(g) ELIMINATION OF ADVISORY COUNCIL ON TRANSPORTATION STATISTICS.—The Advisory Council on Transportation Statistics shall terminate on the date of enactment of this Act.

SEC. 419. AIR AMBULANCE COMPLAINTS TO THE DEPARTMENT OF TRANSPORTATION.

(a) CONSUMER COMPLAINTS.—Section 42302 of title 49, United States Code, is further amended—

(1) in subsection (a) by inserting ''(including transportation by air ambulance (as defined by the Secretary of Transportation))'' after ''air transportation''; and

(2) by adding at the end the following:

''(e) AIR AMBULANCE PROVIDERS.—Each air ambulance provider shall include the hotline telephone number, link to the Internet website established under subsection (a), and contact information for the Aviation Consumer Advocate established under section 425 on—

''(1) any invoice, bill, or other communication provided to a passenger or customer of the provider; and

''(2) its Internet Web site, and any related mobile device application.''.

(b) UNFAIR AND DECEPTIVE PRACTICES AND UNFAIR METHODS OF COMPETITION.—Section 41712(a) of title 49, United States Code, is amended by inserting ''air ambulance consumer (as defined by the Secretary of Transportation),'' after ''foreign air carrier,'' in the first place it appears.

SEC. 420. REPORT TO CONGRESS ON AIR AMBULANCE OVERSIGHT.

(a) IN GENERAL.—Not later than 180 days after submission of the report required under section 418, the Secretary of Transportation shall submit a report to the appropriate committees of Congress on air ambulance oversight.

(b) CONTENTS OF REPORT.—The report required under subsection (a) shall include—

(1) a description of how the Secretary will conduct oversight of air ambulance providers, including the information sources the Secretary will use to conduct such oversight; and

(2) a timeline for the issuance of any guidance concerning unfair and deceptive practices among air ambulance providers, including guidance for States and political subdivisions of States to refer such matters to the Secretary.

SEC. 421. REFUNDS FOR OTHER FEES THAT ARE NOT HONORED BY A COVERED AIR CARRIER.

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall promulgate regulations that require each covered air carrier to promptly provide a refund to a passenger of any ancillary fees paid for services related to air travel that the passenger does not receive, including on the passenger's scheduled flight, on a subsequent replacement itinerary if there has been a rescheduling, or for a flight not taken by the passenger.

SEC. 422. ADVANCE BOARDING DURING PREGNANCY .

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall review air carrier policies regarding traveling during pregnancy and, if appropriate, may revise regulations, as the Secretary considers necessary, to require an air carrier to offer advance boarding of an aircraft to a pregnant passenger who requests such assistance.

SEC. 423. CONSUMER COMPLAINT PROCESS IMPROVEMENT.

(a) IN GENERAL.—Section 42302(c) of title 49, United States Code is amended—

(1) in the matter preceding paragraph (1), by striking ''An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats'' and inserting ''Each air carrier and foreign air carrier'';

(2) in paragraph (1), by striking ''air carrier'' and inserting ''carrier''; and

(3) in paragraph (2), by striking ''air carrier'' and inserting ''carrier''.

(b) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall promulgate regulations to implement the requirements of section 42302 of title 49, United States Code, as amended by this Act.

SEC. 424. AVIATION CONSUMER ADVOCATE.

(a) IN GENERAL.—The Secretary of Transportation shall review aviation consumer complaints received that allege a violation of law and, as appropriate, pursue enforcement or corrective actions that would be in the public interest.

(b) CONSIDERATIONS.—In considering which cases to pursue for enforcement or corrective action under subsection (a), the Secretary shall consider—

(1) the Air Carrier Access Act of 1986 (Public Law 99–435; 100 Stat. 1080);

(2) unfair and deceptive practices by air carriers (including air ambulance operators), foreign air carriers, and ticket agents;

(3) the terms and conditions agreed to between passengers and air carriers (including air ambulance operators), foreign air carriers, or ticket agents;

(4) aviation consumer protection and tarmac delay contingency planning requirements for both airports and airlines;

(5) protection of air ambulance consumers; and

(6) any other applicable law.

(c) AVIATION CONSUMER ADVOCATE.—

(1) IN GENERAL.—Within the Aviation Consumer Protection Division of the Department of Transportation, there shall be an Aviation Consumer Advocate.

(2) FUNCTIONS.—The Aviation Consumer Advocate shall—

(A) assist consumers in resolving carrier service complaints filed with the Aviation Consumer Protection Division;

(B) review the resolution by the Department of Transportation of carrier service complaints;

(C) identify and recommend actions the Department can take to improve the enforcement of aviation consumer protection rules, protection of air ambulance consumers, and resolution of carrier service complaints; and

(D) identify and recommend regulations and policies that can be amended to more effectively resolve carrier service complaints.

(d) ANNUAL REPORTS.—The Secretary, through the Aviation Consumer Advocate, shall submit to the appropriate committees of Congress an annual report summarizing the following:

(1) The total number of annual complaints received by the Department, including the number of complaints by the name of each air carrier and foreign air carrier.

(2) The total number of annual complaints by category of complaint.

(3) The number of complaints referred in the preceding year for enforcement or corrective action by the Department.

(4) Any recommendations under paragraphs (2)(C) and (2)(D) of subsection (c).

(5) Such other data as the Aviation Consumer Advocate considers appropriate.

(e) SUNSET ON REPORTING REQUIREMENT.—The reporting requirement of subsection (d) shall terminate on September 30, 2023.

SEC. 425. TICKETS ACT.

(a) SHORT TITLE.—This section may be cited as the ''Transparency Improvements and Compensation to Keep Every Ticketholder Safe Act of 2018'' or the ''TICKETS Act''.

(b) BOARDED PASSENGERS.—Beginning on the date of enactment of this Act, a covered air carrier may not deny a revenue passenger traveling on a confirmed reservation permission to board, or involuntarily remove that passenger from the aircraft, once a revenue passenger has—

(1) checked in for the flight prior to the check-in deadline; and

(2) had their ticket or boarding pass collected or electronically scanned and accepted by the gate agent.

(c) LIMITATIONS.—The prohibition pursuant to subsection (b) shall not apply when—

(1) there is a safety, security, or health risk with respect to that revenue passenger or there is a safety or security issue requiring removal of a revenue passenger; or

(2) the revenue passenger is engaging in behavior that is obscene, disruptive, or otherwise unlawful.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit or otherwise affect the responsibility or authority of a pilot in command of an aircraft under section 121.533 of title 14, Code of Federal Regulations, or limit any penalty under section 46504 of title 49, United States Code.

(e) INVOLUNTARY DENIED BOARDING COMPENSATION.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule to revise part 250 of title 14, Code of Federal Regulations, to clarify that—

(1) there is not a maximum level of compensation an air carrier or foreign air carrier may pay to a passenger who is involuntarily denied boarding as the result of an oversold flight;

(2) the compensation levels set forth in that part are the minimum levels of compensation an air carrier or foreign air carrier must pay to a passenger who is involuntarily denied boarding as the result of an oversold flight; and

(3) an air carrier or foreign air carrier must proactively offer to pay compensation to a passenger who is voluntarily or involuntarily denied boarding on an oversold flight, rather than waiting until the passenger requests the compensation.

(f) GAO REPORT ON OVERSALES.—

(1) IN GENERAL.—The Comptroller General of the United States shall review airline policies and practices related to oversales of flights.

(2) CONSIDERATIONS.—In conducting the review under paragraph (1), the Comptroller General shall examine—

(A) the impact on passengers as a result of an oversale, including increasing or decreasing the costs of passenger air transportation;

(B) economic and operational factors which result in oversales;

(C) whether, and if so how, the incidence of oversales varies depending on markets;

(D) potential consequences on the limiting of oversales; and

(E) best practices on how oversale policies can be communicated to passengers at airline check-in desks and airport gates.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the review under paragraph (2).

(g) GATE NOTICE OF POLICIES.—The Secretary may provide guidance on how these policies should be communicated at covered air carrier check-in desks and airport gates.

SEC. 426. REPORT ON AVAILABILITY OF LAVATORIES ON COMMERCIAL AIRCRAFT.

Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report assessing—

(1) the availability of functional lavatories on commercial aircraft

(2) the extent to which flights take off without functional lavatories;

(3) the ability of passengers with disabilities to access lavatories on commercial aircraft;

(4) the extent of complaints to the Department of Transportation and air carriers related to lavatories and efforts they have taken to address complaints; and

(5) the extent to which air carriers are reducing the size and number of lavatories to add more seats and whether this creates passenger lavatory access issues.

SEC. 427. CONSUMER PROTECTION REQUIREMENTS RELATING TO LARGE TICKET AGENTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule to require large ticket agents to adopt minimum customer service standards.

(b) PURPOSE.—The purpose of the final rule shall be to ensure that, to the extent feasible, there is a consistent level of consumer protection regardless of where consumers purchase air fares and related air transportation services.

(c) STANDARDS.—In issuing the final rule, the Secretary shall consider, to the extent feasible, establishing standards consistent with all customer service and disclosure requirements applicable to covered air carriers under this title and associated regulations.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) TICKET AGENT.—

(A) IN GENERAL.—Subject to subparagraph (B), the term ''ticket agent'' has the meaning given that term in section 40102(a) of title 49, United States Code.

(B) INCLUSION.—The term ''ticket agent'' includes a person who acts as an intermediary involved in the sale of air transportation directly or indirectly to consumers, including by operating an electronic airline information system, if the person—

(i) holds the person out as a source of information about, or reservations for, the air transportation industry; and

(ii) receives compensation in any way related to the sale of air transportation.

(2) LARGE TICKET AGENT.—The term ''large ticket agent'' means a ticket agent with annual revenues of $100,000,000 or more.

(e) ENFORCEMENT.—No large ticket agent may be found in noncompliance of any standard or requirement adopted in the final rule required by this section if—

(1) the large ticket agent is unable to meet the new standard or requirement due to the lack of information or data from the covered air carrier and the information is required for the large ticket agent to comply with such standard or requirement; or

(2) the sale of air transportation is made by a large ticket agent pursuant to a specific corporate or government fare management contract.

SEC. 428. WIDESPREAD DISRUPTIONS.

(a) IN GENERAL.—Chapter 423 of title 49, United States Code, is amended by adding at the end the following:

''§ 42304. Widespread disruptions

''(a) GENERAL REQUIREMENTS.—In the event of a widespread disruption, a covered air carrier shall immediately publish, via a prominent link on the air carrier's public internet website, a clear statement indicating whether, with respect to a passenger of the air carrier whose travel is interrupted as a result of the widespread disruption, the air carrier will—

''(1) provide for hotel accommodations;

''(2) arrange for ground transportation;

''(3) provide meal vouchers;

''(4) arrange for air transportation on another air carrier or foreign air carrier to the passenger's destination; and

''(5) provide for sleeping facilities inside the airport terminal.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) WIDESPREAD DISRUPTION.—The term 'widespread disruption' means, with respect to a covered air carrier, the interruption of all or the overwhelming majority of the air carrier's systemwide flight operations, including flight delays and cancellations, as the result of the failure of 1 or more computer systems or computer networks of the air carrier.

''(2) COVERED AIR CARRIER.—The term 'covered air carrier' means an air carrier that provides scheduled passenger air transportation by operating an aircraft that as originally designed has a passenger capacity of 30 or more seats.

''(c) SAVINGS PROVISION.—Nothing in this section may be construed to modify, abridge, or repeal any obligation of an air carrier under section 42301.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 423 of title 49, United States Code, is amended by adding at the end the following:

''42304. Widespread disruptions.''.

SEC. 429. PASSENGER RIGHTS.

(a) GUIDELINES.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall require each covered air carrier to submit a summarized 1-page document that describes the rights of passengers in air transportation, including guidelines for the following:

(1) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight delays of various lengths.

(2) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight diversions.

(3) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight cancellations.

(4) Compensation for mishandled baggage, including delayed, damaged, pilfered, or lost baggage.

(5) Voluntary relinquishment of a ticketed seat due to overbooking or priority of other passengers.

(6) Involuntary denial of boarding and forced removal for whatever reason, including for safety and security reasons.

(b) FILING OF SUMMARIZED GUIDELINES.—Not later than 90 days after each air carrier submits its guidelines to the Secretary under subsection (a), the air carrier shall make available such 1-page document in a prominent location on its website.

Subtitle B—Aviation Consumers With Disabilities

SEC. 431. AVIATION CONSUMERS WITH DISABILITIES STUDY.

(a) STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study that includes—

(1) a review of airport accessibility best practices for individuals with disabilities, including best practices that improve infrastructure facilities and communications methods, including those related to wayfinding, amenities, and passenger care;

(2) a review of air carrier and airport training policies related to section 41705 of title 49, United States Code;

(3) a review of air carrier training policies related to properly assisting passengers with disabilities; and

(4) a review of accessibility best practices that exceed those recommended under Public Law 90–480 (popularly known as the Architectural Barriers Act of 1968; 42 U.S.C. 4151 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Air Carrier Access Act of 1986 (Public Law 99–435; 100 Stat. 1080 et seq.), and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(b) REPORT.—Not later than 1 year after the date the Comptroller General initiates the study under subsection (a), the Comptroller General shall submit to the Secretary of Transportation and the appropriate committees of Congress a report on the study, including findings and recommendations.

SEC. 432. STUDY ON IN-CABIN WHEELCHAIR RESTRAINT SYSTEMS.

(a) STUDY.—Not later than 2 years after the date of enactment of this Act, the Architectural and Transportation Barriers Compliance Board, in consultation with the Secretary of Transportation, aircraft manufacturers, air carriers, and disability advocates, shall conduct a study to determine—

(1) the feasibility of in-cabin wheelchair restraint systems; and

(2) if feasible, the ways in which individuals with significant disabilities using wheelchairs, including power wheelchairs, can be accommodated with in-cabin wheelchair restraint systems.

(b) REPORT.—Not later than 1 year after the initiation of the study under subsection (a), the Architectural and Transportation Barriers Compliance Board shall submit to the appropriate committees of Congress a report on the findings of the study.

SEC. 433. IMPROVING WHEELCHAIR ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES .

Following the receipt of the report required under section 2107 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 622), the Secretary of Transportation shall develop, if appropriate, specific recommendations regarding improvements to wheelchair assistance provided by air carriers and recommendations on how training programs by air carriers can address consumer complaints regarding wheelchair assistance.

SEC. 434. AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.

(a) AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.—The Secretary of Transportation shall develop a document, to be known as the ''Airline Passengers with Disabilities Bill of Rights'', using plain language to describe the basic protections and responsibilities of covered air carriers, their employees and contractors, and people with disabilities under the section 41705 of title 49, United States Code.

(b) CONTENT.—In developing the Airline Passengers with Disabilities Bill of Rights under subsection (a), the Secretary shall include, at a minimum, plain language descriptions of protections and responsibilities provided in law related to the following:

(1) The right of passengers with disabilities to be treated with dignity and respect.

(2) The right of passengers with disabilities to receive timely assistance, if requested, from properly trained covered air carrier and contractor personnel.

(3) The right of passengers with disabilities to travel with wheelchairs, mobility aids, and other assistive devices, including necessary medications and medical supplies, including stowage of such wheelchairs, aids, and devices.

(4) The right of passengers with disabilities to receive seating accommodations, if requested, to accommodate a disability.

(5) The right of passengers with disabilities to receive announcements in an accessible format.

(6) The right of passengers with disabilities to speak with a complaint resolution officer or to file a complaint with a covered air carrier or the Department of Transportation.

(c) RULE OF CONSTRUCTION.—The development of the Airline Passengers with Disabilities Bill of Rights under subsections (a) and (b) shall not be construed as expanding or restricting the rights available to passengers with disabilities on the day before the date of the enactment of this Act pursuant to any statute or regulation.

(d) CONSULTATIONS.—In developing the Airline Passengers with Disabilities Bill of Rights under subsection (a), the Secretary of Transportation shall consult with stakeholders, including disability organizations and covered air carriers and their contractors.

(e) DISPLAY.—Each covered air carrier shall include the Airline Passengers with Disabilities Bill of Rights—

(1) on a publicly available internet website of the covered air carrier; and

(2) in any pre-flight notifications or communications provided to passengers who alert the covered air carrier in advance of the need for accommodations relating to a disability.

(f) TRAINING.—Covered air carriers and contractors of covered air carriers shall submit to the Secretary of Transportation plans that ensure employees of covered air carriers and their contractors receive training on the protections and responsibilities described in the Airline Passengers with Disabilities Bill of Rights. The Secretary shall review such plans to ensure the plans address the matters described in subsection (b).

SEC. 435. SENSE OF CONGRESS REGARDING EQUAL ACCESS FOR INDIVIDUALS WITH DISABILITIES.

It is the sense of Congress that—

(1) the aviation industry and every relevant stakeholder must work to ensure that every individual who experiences a disability has equal access to air travel;

(2) as technology and ease of travel continue to advance, accessibility must be a priority; and

(3) accommodations must—

(A) extend to every airport and service or facility of an air carrier; and

(B) be inclusive of every disability.

SEC. 436. CIVIL PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES.

Section 46301(a) of title 49, United States Code, is amended by adding at the end the following:

''(7) PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES.—

''(A) PENALTY FOR BODILY HARM OR DAMAGE TO WHEELCHAIR OR OTHER MOBILITY AID.—The amount of a civil penalty assessed under this section for a violation of section 41705 that involves damage to a passenger's wheelchair or other mobility aid or injury to a passenger with a disability may be increased above the otherwise applicable maximum amount under this section for a violation of section 41705 to an amount not to exceed 3 times the maximum penalty otherwise allowed.

''(B) EACH ACT CONSTITUTES SEPARATE OFFENSE.—Notwithstanding paragraph (2), a separate violation of section 41705 occurs for each act of discrimination prohibited by that section.''.

SEC. 437. HARMONIZATION OF SERVICE ANIMAL STANDARDS.

(a) RULEMAKING.—The Secretary of Transportation shall conduct a rulemaking proceeding—

(1) to define the term ''service animal'' for purposes of air transportation; and

(2) to develop minimum standards for what is required for service and emotional support animals carried in aircraft cabins.

(b) CONSIDERATIONS.—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum—

(1) whether to align the definition of ''service animal'' with the definition of that term in regulations of the Department of Justice implementing the Americans with Disabilities Act of 1990 (Public Law 101–336);

(2) reasonable measures to ensure pets are not claimed as service animals, such as—

(A) whether to require photo identification for a service animal identifying the type of animal, the breed of animal, and the service the animal provides to the passenger;

(B) whether to require documentation indicating whether or not a service animal was trained by the owner or an approved training organization;

(C) whether to require, from a licensed physician, documentation indicating the mitigating task or tasks a service animal provides to its owner; and

(D) whether to allow a passenger to be accompanied by more than 1 service animal;

(3) reasonable measures to ensure the safety of all passengers, such as—

(A) whether to require health and vaccination records for a service animal; and

(B) whether to require third-party proof of behavioral training for a service animal;

(4) the impact additional requirements on service animals could have on access to air transportation for passengers with disabilities; and

(5) if impacts on access to air transportation for passengers with disabilities are found, ways to eliminate or mitigate those impacts.

(c) FINAL RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section.

SEC. 438. REVIEW OF PRACTICES FOR TICKETING, PRE-FLIGHT SEAT ASSIGNMENTS, AND STOWING OF ASSISTIVE DEVICES FOR PASSENGERS WITH DISABILITIES.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 30 days after the first meeting of the advisory committee on the air travel needs of passengers with disabilities established in section 439 (referred to in this section as the ''Advisory Committee''), the Secretary of Transportation shall direct the Advisory Committee to review current regulations with respect to practices for ticketing, pre-flight seat assignments, and stowing of assistive devices for passengers with disabilities.

(2) RECOMMENDATIONS.—In carrying out the review under paragraph (1), the Advisory Committee shall, at a minimum, provide recommendations on whether current regulations should be modified or prescribed to—

(A) provide accommodations for passengers with disabilities, if requested, in ticketing and pre-flight assignments;

(B) require covered air carriers to provide priority access to bulkhead seating to passengers with disabilities who need access to features of those seats due to disabilities regardless of class of service of ticket purchased; and

(C) ensure passengers with disabilities are able to stow assistive devices without cost.

(b) REPORT.—Not later than 6 months after the date of their first meeting, the Advisory Committee shall submit to the Secretary of Transportation and the appropriate committees of Congress a report on the review conducted under subsection (a)(1), including the recommendations developed under subsection (a)(2).

SEC. 439. ADVISORY COMMITTEE ON THE AIR TRAVEL NEEDS OF PASSENGERS WITH DISABILITIES.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish an advisory committee on issues related to the air travel needs of passengers with disabilities (referred to in this section as the ''Advisory Committee'').

(b) DUTIES.—The Advisory Committee shall—

(1) identify and assess the disability-related access barriers encountered by passengers with disabilities;

(2) determine the extent to which the programs and activities of the Department of Transportation are addressing the barriers identified in paragraph (1);

(3) recommend consumer protection improvements to the air travel experience of passengers with disabilities;

(4) advise the Secretary with regard to the implementation of section 41705 of title 49, United States Code; and

(5) conduct such activities as the Secretary considers necessary to carry out this section.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be composed of at least 1 representative of each of the following groups:

(A) Passengers with disabilities.

(B) National disability organizations.

(C) Air carriers.

(D) Airport operators.

(E) Contractor service providers.

(F) Aircraft manufacturers.

(G) Wheelchair manufacturers.

(H) National veterans organizations representing disabled veterans.

(2) APPOINTMENT.—The Secretary of Transportation shall appoint each member of the Advisory Committee.

(3) VACANCIES.—A vacancy in the Advisory Committee shall be filled in the manner in which the original appointment was made.

(d) CHAIRPERSON.—The Secretary of Transportation shall designate, from among the members appointed under subsection (c), an individual to serve as chairperson of the Advisory Committee.

(e) TRAVEL EXPENSES.—Members of the Advisory Committee shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(f) REPORTS.—

(1) IN GENERAL.—Not later than 14 months after the date of establishment of the Advisory Committee, and annually thereafter, the Advisory Committee shall submit to the Secretary of Transportation a report on the needs of passengers with disabilities in air travel, including—

(A) an assessment of existing disability-related access barriers, and any emerging disability-related access barriers that will likely be an issue in the next 5 calendar years;

(B) an evaluation of the extent to which the Department of Transportation's programs and activities are eliminating disability-related access barriers;

(C) a description of the Advisory Committee's actions;

(D) a description of improvements related to the air travel experience of passengers with disabilities; and

(E) any recommendations for legislation, administrative action, or other action that the Advisory Committee considers appropriate.

(2) REPORT TO CONGRESS.—Not later than 60 days after the date the Secretary receives the report under paragraph (1), the Secretary shall submit to the appropriate committees of Congress a copy of the report, including any additional findings or recommendations that the Secretary considers appropriate.

(g) TERMINATION.—The Advisory Committee established under this section shall terminate on September 30, 2023.

(h) TERMINATION OF THE NEXT GENERATION AIR TRANSPORTATION SYSTEM SENIOR POLICY COMMITTEE.—The Next Generation Air Transportation System Senior Policy Committee established by the Secretary of Transportation shall terminate on the date of the initial appointment of the members of the Advisory Committee.

SEC. 440. REGULATIONS ENSURING ASSISTANCE FOR PASSENGERS WITH DISABILITIES IN AIR TRANSPORTATION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall—

(1) review, and if necessary revise, applicable regulations to ensure that passengers with disabilities who request assistance while traveling in air transportation receive dignified, timely, and effective assistance at airports and on aircraft from trained personnel; and

(2) review, and if necessary revise, applicable regulations related to covered air carrier training programs for air carrier personnel, including contractors, who provide physical assistance to passengers with disabilities to ensure that training under such programs—

(A) occurs on an annual schedule for all new and continuing personnel charged with providing physical assistance; and

(B) includes, as appropriate, instruction by personnel, with hands-on training for employees who physically lift or otherwise physically assist passengers with disabilities, including the use of relevant equipment.

(b) TYPES OF ASSISTANCE.—The assistance referred to subsection (a)(1) may include requests for assistance in boarding or deplaning an aircraft, requests for assistance in connecting between flights, and other similar or related requests, as appropriate.

SEC. 441. TRANSPARENCY FOR DISABLED PASSENGERS.

The compliance date of the final rule, dated November 2, 2016, on the reporting of data for mishandled baggage and wheelchairs in aircraft cargo compartments (81 Fed. Reg. 76300) shall be effective not later than 60 days after the date of enactment of this Act.

Subtitle C—Small Community Air Service

SEC. 451. ESSENTIAL AIR SERVICE AUTHORIZATION.

(a) IN GENERAL.—Section 41742(a)(2) of title 49, United States Code, is amended by striking ''$150,000,000 for fiscal year 2011'' and all that follows before ''to carry out'' and inserting ''$155,000,000 for fiscal year 2018, $158,000,000 for fiscal year 2019, $161,000,000 for fiscal year 2020, $165,000,000 for fiscal year 2021, $168,000,000 for fiscal year 2022, and $172,000,000 for fiscal year 2023''.

(b) SEASONAL SERVICE.—The Secretary of Transportation may consider the flexibility of current operational dates and airport accessibility to meet local community needs when issuing requests for proposal of essential air service at seasonal airports.

SEC. 452. STUDY ON ESSENTIAL AIR SERVICE REFORM.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the effects of section 6 of the Airport and Airway Extension Act of 2011, Part IV (Public Law 112–27), section 421 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95), and other relevant Federal laws enacted after 2010, including the amendments made by those laws, on the Essential Air Service program.

(2) SCOPE.—In conducting the study under paragraph (1), the Comptroller General shall analyze, at a minimum—

(A) the impact of each relevant Federal law, including the amendments made by each law, on the Essential Air Service program;

(B) what actions communities and air carriers have taken to reduce ticket prices or increase enplanements as a result of each law;

(C) the issuance of waivers by the Secretary under section 41731(e) of title 49, United States Code;

(D) whether budgetary savings resulted from each law; and

(E) options for further reform of the Essential Air Service program.

(b) REQUIRED ANALYSIS ON COMMUNITIES.—In carrying out subsection (a)(2)(E) the Comptroller General shall include, for each option for further reform, an analysis of the impact on local economies of communities with airports receiving Essential Air Service funding, access to air travel for residents of rural communities and the impact to local businesses in such communities.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

SEC. 453. AIR TRANSPORTATION TO NONELIGIBLE PLACES.

(a) DEFINITIONS.—Section 41731(a)(1)(A)(ii) of title 49, United States Code, is amended by striking ''Wendell H. Ford Aviation Investment and Reform Act for the 21st Century,'' and inserting ''FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190),''.

(b) PROGRAM SUNSET.—Section 41736 of title 49, United States Code, is amended by adding at the end the following:

''(h) SUNSET.—

''(1) PROPOSALS.—No proposal under subsection (a) may be accepted by the Secretary after the date of enactment of this subsection.

''(2) PROGRAM.—The Secretary may not provide any compensation under this section after the date that is 2 years after the date of enactment of this subsection.''.

SEC. 454. INSPECTOR GENERAL REVIEW OF SERVICE AND OVERSIGHT OF UNSUBSIDIZED CARRIERS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the

inspector general of the Department of Transportation shall conduct and complete a review of orders issued by the Department of Transportation from 2005 through the date of enactment of this Act to determine whether the carriers providing unsubsidized service provided basic essential air service, and whether the Department conducted sufficient oversight of carriers providing unsubsidized service to ensure air service quality and community satisfaction.

(b) CONTENTS.—The review shall include, at a minimum—

(1) a review of the Department's efforts to communicate to the community served by the unsubsidized carrier on any material air service changes; and

(2) a review of the Department's efforts to closely monitor the quality of air service provided by the unsubsidized carrier and request proposals for basic essential air service if necessary.

(c) REPORT.—Not later than 30 days after the date of completion of the review, the inspector general shall submit to the appropriate committees of Congress a report on the results of the review.

SEC. 455. SMALL COMMUNITY AIR SERVICE.

(a) ELIGIBILITY.—Section 41743(c) of title 49, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) SIZE.—On the date of submission of the relevant application under subsection (b), the airport serving the community or consortium—

''(A) is not larger than a small hub airport, as determined using the Department of Transportation's most recently published classification; and

''(B) has—

''(i) insufficient air carrier service; or

''(ii) unreasonably high air fares.'';

(2) by striking paragraph (4) and inserting the following:

''(4) OVERALL LIMIT.—

''(A) IN GENERAL.—No more than 40 communities or consortia of communities, or a combination thereof, may be selected to participate in the program in each year for which funds are appropriated for the program.

''(B) SAME PROJECTS.—Except as provided in subparagraph (C), no community, consortia of communities, or combination thereof may participate in the program in support of the same project more than once in a 10-year period, but any community, consortia of communities, or combination thereof may apply, subsequent to such participation, to participate in the program in support of a different project at any time.

''(C) EXCEPTION.—The Secretary may waive the limitation under subparagraph (B) related to projects that are the same if the Secretary determines that the community or consortium spent little or no money on its previous project or encountered industry or environmental challenges, due to circumstances that were reasonably beyond the control of the community or consortium.'';

(3) in paragraph (5)—

(A) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(B) by inserting after subparagraph (D) the following:

''(E) the assistance will be used to help restore scheduled passenger air service that has been terminated;''.

(b) AUTHORITY TO MAKE AGREEMENTS.—Section 41743(e)(1) of title 49, United States Code, is amended by adding at the end the following: ''The Secretary may amend the scope of a grant agreement at the request of the community or consortium and any participating air carrier, and may limit the scope of a grant agreement to only the elements using grant assistance or to only the elements achieved, if the Secretary determines that the amendment is reasonably consistent with the original purpose of the project.''

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 41743(e)(2) of title 49, United States Code, is amended to read as follows:

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $10,000,000 for each of fiscal years 2018 through 2023 to carry out this section. Such sums shall remain available until expended.''.

SEC. 456. WAIVERS.

Section 41732 is amended by adding at the end the following:

''(c) WAIVERS.—Notwithstanding section 41733(e), upon request by an eligible place, the Secretary may waive, in whole or in part, subsections (a) and (b) of this section or subsections (a) through (c) of section 41734. A waiver issued under this subsection shall remain in effect for a limited period of time, as determined by the Secretary.''.

SEC. 457. EXTENSION OF FINAL ORDER ESTABLISHING MILEAGE ADJUSTMENT ELIGIBILITY.

Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking ''2018'' and inserting ''2023''.

SEC. 458. REDUCTION IN SUBSIDY-PER-PASSENGER.

Section 426 of the FAA Modernization and Reform Act of 2012 (126 Stat. 98) is amended by adding at the end the following:

''(d) REDUCTION IN SUBSIDY-PER-PASSENGER.—

''(1) IN GENERAL.—The Secretary shall waive application of the subsidy-per-passenger cap described under subsection (c) if the Secretary finds that the community's subsidy-per-passenger for a fiscal year is lower than the subsidy-per-passenger for any of the 3 previous fiscal years.

''(2) EXCEPTION.—The Secretary shall waive application of the subsidy-per-passenger cap if the subsidy-per-passenger for a fiscal year is less than 10 percent higher than the highest subsidy-per-passenger from any of the 3 previous fiscal years. The Secretary may only waive application of the subsidy-per-passenger cap under this paragraph once per community.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the Secretary's ability under subsection (c) to waive application of the subsidy-per-passenger cap.''.

TITLE V—MISCELLANEOUS

SEC. 501. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATION.—The term ''Administration'' means the Federal Aviation Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the FAA.

(3) ADS–B.—The term ''ADS–B'' means automatic dependent surveillance-broadcast.

(4) ADS–B OUT.—The term ''ADS–B Out'' means automatic dependent surveillance-broadcast with the ability to transmit information from the aircraft to ground stations and to other equipped aircraft.

(5) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(6) NEXTGEN.—The term ''NextGen'' means the Next Generation Air Transportation System.

SEC. 502. REPORT ON AIR TRAFFIC CONTROL MODERNIZATION.

(a) FAA REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report describing the multiyear effort of the Administration to modernize the air transportation system (in this section referred to as the ''modernization effort''), including—

(1) the number of years that the modernization effort has been underway as of the date of the report;

(2) the total amount of money expended on the modernization effort as of the date of the report (including a description of how that amount was calculated);

(3) the net present value of the benefits reported from aircraft operators resulting from the money expended on the modernization effort as of the date of the report;

(4) a definition for NextGen, including a description of any changes to that definition that occurred between 2003 and the date of the report;

(5) the net present value of the money expended on NextGen as of the date of the report if such money had been deposited into a Government trust fund instead of being expended on NextGen;

(6) a description of the benefits promised and benefits delivered with respect to NextGen as of the date of the report;

(7) any changes to the benefits promised with respect to NextGen between the date on which NextGen began and the date of the report;

(8) a description of each program or project that comprises NextGen, including—

(A) when the program or project was initiated;

(B) the total budget for the program or project;

(C) the initial budget for the program or project;

(D) the acquisition program baseline for the program or project;

(E) whether the program or project has ever breached the acquisition program baseline and, if so, a description of when, why, and how the breach was resolved;

(F) whether the program or project has been re-baselined or divided into smaller segments and, if so, a description of when, why, and the impact to the cost of the program or project;

(G) the initial schedule for the program or project;

(H) whether the program or project was delayed and, if so, a description of how long, why, and the impact to the cost of the program or project;

(I) whether the Administration changed any contract term or deliverable for the program or project and, if so, a description of the change, why it happened, and the impact to the cost of the program or project;

(J) benefits promised with respect to the program or project at initiation;

(K) benefits delivered with respect to the program or project as of the date of the report;

(L) whether the program or project was cancelled and, if so, a description of why and when;

(M) for cancelled programs or projects, whether there were any costs associated with the decision to cancel and, if so, a description of the amount of the costs (including for both the Administration and the private sector);

(N) the metrics, milestones, and deadlines set for the program or project and how the Administration tracked and ensured compliance with those metrics, milestones, and deadlines;

(O) how the Administration conducted oversight of the program or project and any related stakeholder collaboration efforts;

(P) the status of the program or project as of the date of the report; and

(Q) an assessment of the key risks to the full implementation of the program and a description of how the Administration is mitigating, or plans to mitigate, those risks;

(9) the date upon which, or milestone by which, the Administration anticipates NextGen will be complete; and

(10) any lessons learned during the NextGen effort, and whether, how, and to what effect those lessons have been applied.

(b) INSPECTOR GENERAL REPORT.—Not later than 270 days after the date on which the report required under subsection (a) is submitted, the inspector general of the Department of Transportation shall review the report and submit to the appropriate committees of Congress a statement of the inspector general that—

(1) determines the accuracy of the information reported;

(2) describes any concerns with the accuracy of the information reported;

(3) summarizes concerns raised by the inspector general, the Government Accountability Office, and other sources with respect to the Administration's implementation and oversight of NextGen since the date on which NextGen began;

(4) describes—

(A) any pertinent recommendations made by the inspector general related to the Administration's implementation and oversight of NextGen since the date on which NextGen began; and

(B) whether and how the Administration addressed the recommendations; and

(5) provides any other information that the inspector general determines is appropriate.

SEC. 503. RETURN ON INVESTMENT REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the date that each NextGen program has a positive return on investment, the Administrator shall submit to the appropriate committees of Congress a report on the status of each NextGen program, including the most recent NextGen priority list under subsection (c).

(b) CONTENTS.—The report under subsection (a) shall include, for each NextGen program—

(1) an estimate of the date the program will have a positive return on investment;

(2) an explanation for any delay in the delivery of expected benefits from previously published estimates on delivery of such benefits, in implementing or utilizing the program;

(3) an estimate of the completion date;

(4) an assessment of the long-term and near-term user benefits of the program for—

(A) the Federal Government; and

(B) the users of the national airspace system; and

(5) a description of how the program directly contributes to a safer and more efficient air traffic control system.

(c) NEXTGEN PRIORITY LIST.—Based on the assessment under subsection (a), the Administrator shall—

(1) develop, in coordination with the NextGen Advisory Committee and considering the need for a balance between long-term and near-term user benefits, a prioritization of the NextGen programs;

(2) annually update the priority list under paragraph (1); and

(3) prepare budget submissions to reflect the current status of NextGen programs and projected returns on investment for each NextGen program.

(d) DEFINITION OF RETURN ON INVESTMENT.—In this section, the term ''return on investment'' means the cost associated with technologies that are required by law or policy as compared to the financial benefits derived from such technologies by a government or a user of airspace.

(e) REPEAL OF NEXTGEN PRIORITIES.—Section 202 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 504. AIR TRAFFIC CONTROL OPERATIONAL CONTINGENCY PLANS.

(a) AIR TRAFFIC CONTROL OPERATIONAL CONTINGENCY PLANS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall review the Administration's air traffic control operational contingency plans (FAA Order JO 1900.47E), and, as the Administrator considers appropriate, update such plans, to address potential air traffic facility outages that could have a major impact on the operation of the national airspace system, including the most recent findings and recommendations in the report under subsection (c).

(b) UPDATES.—Not later than 60 days after the date the air traffic control operational contingency plans are reviewed under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the review, including any recommendations for ensuring air traffic facility outages do not have a major impact on the operation of the national airspace system.

(c) RESILIENCY RECOMMENDATIONS.—Not later than 180 days after the date of enactment of this Act, and periodically thereafter as the Administrator considers appropriate, the Administrator shall convene NextGen program officials to evaluate, expedite, and complete a report on how planned NextGen capabilities can enhance the resiliency and continuity of national airspace system operations and mitigate the impact of future air traffic control disruptions.

SEC. 505. 2020 ADS-B OUT MANDATE PLAN.

The Administrator, in collaboration with the NextGen Advisory Committee, shall—

(1) not later than 90 days after the date of enactment of this Act—

(A) identify any known and potential barriers to compliance with the 2020 ADS–B Out mandate under section 91.225 of title 14, Code of Federal Regulations;

(B) develop a plan to address the known barriers identified in paragraph (1), including a schedule for—

(i) periodically reevaluating the potential barriers identified in paragraph (1); and

(ii) developing solutions and implementing actions to address the known and potential barriers; and

(C) submit the plan to the appropriate committees of Congress; and

(2) not later than 90 days after the date the plan is submitted under paragraph (1), submit to the appropriate committees of Congress a report on the progress made toward meeting the 2020 ADS–B Out mandate.

SEC. 506. SECURING AIRCRAFT AVIONICS SYSTEMS.

(a) IN GENERAL.—The Administrator shall consider, where appropriate, revising Federal Aviation Administration regulations regarding airworthiness certification—

(1) to address cybersecurity for avionics systems, including software components; and

(2) to require that aircraft avionics systems used for flight guidance or aircraft control be secured against unauthorized access via passenger in-flight entertainment systems through such means as the Administrator determines appropriate to protect the avionics systems from unauthorized external and internal access.

(b) CONSIDERATION.—In carrying out subsection (a), the Administrator shall consider the recommendations of the Aircraft Systems Information Security Protection Working Group under section 2111 of the FAA Extension Safety and Security Act of 2016 (Public Law 114–190; 130 Stat. 615).

SEC. 507. HUMAN FACTORS.

(a) IN GENERAL.—In order to avoid having to subsequently modify products and services developed as a part of NextGen, the Administrator shall—

(1) recognize and incorporate, in early design phases of all relevant NextGen programs, the human factors and procedural and airspace implications of stated goals and associated technical changes; and

(2) ensure that a human factors specialist, separate from the research and certification groups, is directly involved with the NextGen approval process.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 508. PROGRAMMATIC RISK MANAGEMENT.

To better inform the Administration's decisions regarding the prioritization of efforts and allocation of resources for NextGen, the Administrator shall—

(1) solicit input from specialists in probability and statistics to identify and prioritize the programmatic and implementation risks to NextGen; and

(2) develop a method to manage and mitigate the risks identified in paragraph (1).

SEC. 509. REVIEW OF FAA STRATEGIC CYBERSECURITY PLAN.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall initiate a review of the comprehensive and strategic framework of principles and policies (referred to in this section as the ''framework'') developed pursuant to section 2111 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44903 note).

(b) CONTENTS.—In undertaking the review under subsection (a), the Administrator shall—

(1) assess the degree to which the framework identifies and addresses known cybersecurity risks associated with the aviation system;

(2) review existing short- and long-term objectives for addressing cybersecurity risks to the national airspace system; and

(3) assess the Administration's level of engagement and coordination with aviation stakeholders and other appropriate agencies, organizations, or groups with which the Administration consults to carry out the framework.

(c) UPDATES.—Upon completion of the review under subsection (a), the Administrator shall modify the framework, as appropriate, to address any deficiencies identified by the review.

(d) REPORT TO CONGRESS.—Not later than 180 days after initiating the review required by subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the results of the review, including a description of any modifications made to the framework.

SEC. 510. CONSOLIDATION AND REALIGNMENT OF FAA SERVICES AND FACILITIES.

(a) PURPOSE AND INPUT.—Section 804(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended—

(1) in paragraph (2) by striking ''The purpose of the report shall be—'' and all that follows through ''(B) to reduce'' and inserting ''The purpose of the report shall be to reduce''; and

(2) by striking paragraph (4) and inserting the following:

''(4) INPUT.—The report shall be prepared by the Administrator (or the Administrator's designee) with the participation of—

''(A) representatives of labor organizations representing air traffic control system employees of the FAA; and

''(B) industry stakeholders.''.

(b) MILITARY OPERATIONS EXCLUSION.—Section 804 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(e) MILITARY OPERATIONS EXCLUSION.—

''(1) IN GENERAL.—The Administrator may not realign or consolidate a combined TRACON and tower with radar facility of the FAA under this section if, in 2015, the total annual military operations at the facility comprised at least 40 percent of the total annual TRACON operations at the facility.

''(2) TRACON DEFINED.—In this subsection, the term 'TRACON' means terminal radar approach control.''.

SEC. 511. FAA REVIEW AND REFORM.

(a) AGENCY REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a detailed analysis of any actions taken to address the findings and recommendations included in the report required under section 812(d) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 106 note), including—

(1) consolidating, phasing-out, or eliminating duplicative positions, programs, roles, or offices;

(2) eliminating or streamlining wasteful practices;

(3) eliminating or phasing-out redundant, obsolete, or unnecessary functions;

(4) reforming and streamlining inefficient processes so that the activities of the Administration are completed in an expedited and efficient manner; and

(5) reforming or eliminating ineffectual or outdated policies.

(b) ADDITIONAL REVIEW.—Not later than 18 months after the date of enactment of this Act, the Administrator shall undertake and complete a thorough review of each program, office, and organization within the Administration to identify—

(1) duplicative positions, programs, roles, or offices;

(2) wasteful practices;

(3) redundant, obsolete, or unnecessary functions;

(4) inefficient processes; and

(5) ineffectual or outdated policies.

(c) ACTIONS TO STREAMLINE AND REFORM FAA.—Not later than 60 days after the date of completion of the review under subsection (b), the Administrator shall undertake such actions as may be necessary to address the findings of the Administrator under such subsection.

(d) REPORT TO CONGRESS.—Not later than 120 days after the date of completion of the review under subsection (b), the Administrator shall submit to the appropriate committees of Congress a report on the actions taken by the Administrator pursuant to subsection (c), including any recommendations for legislative or administrative actions.

SEC. 512. AIR SHOWS.

On an annual basis, the Administrator shall work with representatives of Administration-approved air shows, the general aviation community, and stadiums and other large outdoor events and venues to identify and resolve, to the maximum extent practicable, scheduling conflicts between Administration-approved air shows and large outdoor events and venues where—

(1) flight restrictions will be imposed pursuant to section 521 of title V of division F of Public Law 108–199 (118 Stat. 343); or

(2) any other restriction will be imposed pursuant to Federal Aviation Administration Flight Data Center Notice to Airmen 4/3621 (or any successor notice to airmen).

SEC. 513. PART 91 REVIEW, REFORM, AND STREAMLINING.

(a) ESTABLISHMENT OF TASK FORCE.—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish a task force comprised of representatives of the general aviation industry who regularly perform part 91 operations, labor unions (including those representing FAA aviation safety inspectors and FAA aviation safety engineers), manufacturers, and the Government to—

(1) conduct an assessment of the FAA oversight and authorization processes and requirements for aircraft under part 91; and

(2) make recommendations to streamline the applicable authorization and approval processes, improve safety, and reduce regulatory cost burdens and delays for the FAA and aircraft owners and operators who operate pursuant to part 91.

(b) CONTENTS.—In conducting the assessment and making recommendations under subsection (a), the task force shall consider—

(1) process reforms and improvements to allow the FAA to review and approve applications in a fair and timely fashion;

(2) the appropriateness of requiring an authorization for each experimental aircraft rather than using a broader all-makes-and-models approach;

(3) ways to improve the timely response to letters of authorization applications for aircraft owners and operators who operate pursuant to part 91, including setting deadlines and granting temporary or automatic authorizations if deadlines are missed by the FAA;

(4) methods for enhancing the effective use of delegation systems;

(5) methods for training the FAA's field office employees in risk-based and safety management system oversight; and

(6) such other matters related to streamlining part 91 authorization and approval processes as the task force considers appropriate.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the task force's assessment.

(2) CONTENTS.—The report shall include an explanation of how the Administrator will—

(A) implement the recommendations of the task force;

(B) measure progress in implementing the recommendations; and

(C) measure the effectiveness of the implemented recommendations.

(d) IMPLEMENTATION OF RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Administrator shall implement the recommendations made under this section.

(e) DEFINITION.—In this section, the term ''part 91'' means part 91 of title 14, Code of Federal Regulations.

(f) APPLICABLE LAW.—Public Law 92–463 shall not apply to the task force.

(g) SUNSET.—The task force shall terminate on the day the Administrator submits the report required under subsection (c).

SEC. 514. AIRCRAFT LEASING.

Section 44112(b) of title 49, United States Code, is amended—

(1) by striking ''on land or water''; and

(2) by inserting ''operational'' before ''control''.

SEC. 515. PILOTS SHARING FLIGHT EXPENSES WITH PASSENGERS.

(a) GUIDANCE.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall make publicly available, in a clear and concise format, advisory guidance that describes how a pilot may share flight expenses with passengers in a manner consistent with Federal law, including regulations.

(2) EXAMPLES INCLUDED.—The guidance shall include examples of—

(A) flights for which pilots and passengers may share expenses;

(B) flights for which pilots and passengers may not share expenses;

(C) the methods of communication that pilots and passengers may use to arrange flights for which expenses are shared; and

(D) the methods of communication that pilots and passengers may not use to arrange flights for which expenses are shared.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date on which guidance is made publicly available under subsection (a), the Comptroller General of the United States shall submit to the appropriate committees of Congress a report analyzing Federal policy with respect to pilots sharing flight expenses with passengers.

(2) EVALUATIONS INCLUDED.—The report submitted under paragraph (1) shall include an evaluation of—

(A) the rationale for such Federal policy;

(B) safety and other concerns related to pilots sharing flight expenses with passengers; and

(C) benefits related to pilots sharing flight expenses with passengers.

SEC. 516. TERMINAL AERODROME FORECAST.

(a) IN GENERAL.—The Administrator shall permit a covered air carrier to operate to or from a location in a noncontiguous State without a Terminal Aerodrome Forecast or Meteorological Aerodrome Report if—

(1) such location is determined to be under visual meteorological conditions;

(2) a current Area Forecast, supplemented by other local weather observations or reports, is available; and

(3) an alternate airport that has an available Terminal Aerodrome Forecast and weather report is specified.

(b) PROCEDURES.—A covered air carrier shall—

(1) have approved procedures for dispatch or release and enroute weather evaluation; and

(2) operate under instrument flight rules enroute to the destination.

(c) LIMITATION.—Without a written finding of necessity, based on objective and historical evidence of imminent threat to safety, the Administrator shall not promulgate any operation specification, policy, or guidance document pursuant to this section that is more restrictive than, or requires procedures that are not expressly stated in, the regulations.

(d) COVERED AIR CARRIER DEFINED.—In this section, the term ''covered air carrier'' means an air carrier operating in a noncontiguous State under part 121 of title 14, Code of Federal Regulations.

SEC. 517. PUBLIC AIRCRAFT ELIGIBLE FOR LOGGING FLIGHT TIMES.

The Administrator shall issue regulations modifying section 61.51(j)(4) of title 14, Code of Federal Regulations, so as to include aircraft under the direct operational control of forestry and fire protection agencies as public aircraft eligible for logging flight times.

SEC. 518. AIRCRAFT REGISTRY OFFICE.

The Administrator shall designate employees at the Aircraft Registry Office in Oklahoma City, Oklahoma, as excepted employees in the event of a shutdown or emergency furlough to ensure that the office remains

open for the duration of the lapse in Federal Government appropriations to the Federal Aviation Administration.

SEC. 519. FAA DATA TRANSPARENCY.

Section 45303 of title 49, United States Code, is amended by adding at the end the following:

''(g) DATA TRANSPARENCY.—

''(1) AIR TRAFFIC SERVICES INITIAL DATA REPORT.—

''(A) INITIAL REPORT.—Not later than 6 months after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator and the Chief Operating Officer of the Air Traffic Organization shall, based upon the most recently available full fiscal year data, complete the following calculations for each segment of air traffic services users:

''(i) The total costs allocable to the use of air traffic services for that segment during such fiscal year.

''(ii) The total revenues received from that segment during such fiscal year.

''(B) VALIDATION OF MODEL.—

''(i) REVIEW AND DETERMINATION.—Not later than 3 months after completion of the initial report required under subparagraph (A), the inspector general of the Department of Transportation shall review and determine the validity of the model used by the Administrator and the Chief Operating Officer to complete the calculations required under subparagraph (A).

''(ii) VALIDATION PROCESS.—In the event that the inspector general determines that the model used by the Administrator and the Chief Operating Officer to complete the calculations required by subparagraph (A) is not valid—

''(I) the inspector general shall provide the Administrator and Chief Operating Officer recommendations on how to revise the model;

''(II) the Administrator and the Chief Operating Officer shall complete the calculations required by subparagraph (A) utilizing the revised model and resubmit the revised initial report required under subparagraph (A) to the inspector general; and

''(III) not later than 3 months after completion of the revised initial report required under subparagraph (A), the inspector general shall review and determine the validity of the revised model used by the Administrator and the Chief Operating Officer to complete the calculations required by subparagraph (A).

''(iii) ACCESS TO DATA.—The Administrator and the Chief Operating Officer shall provide the inspector general of the Department of Transportation with unfettered access to all data produced by the cost accounting system operated and maintained pursuant to subsection (e).

''(C) REPORT TO CONGRESS.—Not later than 60 days after completion of the review and receiving a determination that the model used is valid under subparagraph (B), the Administrator and the Chief Operating Officer shall submit to the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on Finance of the Senate a report describing the results of the calculations completed under subparagraph (A).

''(D) PUBLICATION.—Not later than 60 days after submission of the report required under subparagraph (C), the Administrator and Chief Operating Officer shall publish the initial report, including any revision thereto if required as a result of the validation process for the model.

''(2) AIR TRAFFIC SERVICES BIENNIAL DATA REPORTING.—

''(A) BIENNIAL DATA REPORTING.—Not later than March 31, 2019, and biennially thereafter for 8 years, the Administrator and the Chief Operating Officer shall, using the validated model, complete the following calculations for each segment of air traffic services users for the most recent full fiscal year:

''(i) The total costs allocable to the use of the air traffic services for that segment.

''(ii) The total revenues received from that segment.

''(B) REPORT TO CONGRESS.—Not later than 15 days after completing the calculations under subparagraph (A), the Administrator and the Chief Operating Officer shall complete and submit to the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on Finance of the Senate a report containing the results of such calculations.

''(C) PUBLICATION.—Not later than 60 days after completing the calculations pursuant to subparagraph (A), the Administrator and the Chief Operating Officer shall publish the results of such calculations.

''(3) SEGMENTS OF AIR TRAFFIC SERVICES USERS.—

''(A) IN GENERAL.—For purposes of this subsection, each of the following shall constitute a separate segment of air traffic services users:

''(i) Passenger air carriers conducting operations under part 121 of title 14, Code of Federal Regulations.

''(ii) All-cargo air carriers conducting operations under part 121 of such title.

''(iii) Operators covered by part 125 of such title.

''(iv) Air carriers and operators of piston-engine aircraft operating under part 135 of such title.

''(v) Air carriers and operators of turbine-engine aircraft operating under part 135 of such title.

''(vi) Foreign air carriers providing passenger air transportation.

''(vii) Foreign air carriers providing all-cargo air transportation.

''(viii) Operators of turbine-engine aircraft operating under part 91 of such title, excluding those operating under subpart (K) of such part.

''(ix) Operators of piston-engine aircraft operating under part 91 of such title, excluding those operating under subpart (K) of such part.

''(x) Operators covered by subpart (K) of part 91 of such title.

''(xi) Operators covered by part 133 of such title.

''(xii) Operators covered by part 136 of such title.

''(xiii) Operators covered by part 137 of such title.

''(xiv) Operators of public aircraft that qualify under section 40125.

''(xv) Operators of aircraft that neither take off from, nor land in, the United States.

''(B) ADDITIONAL SEGMENTS.—The Secretary may identify and include additional segments of air traffic users under subparagraph (A) as revenue and air traffic services cost data become available for that additional segment of air traffic services users.

''(4) DEFINITIONS.—For purposes of this subsection:

''(A) AIR TRAFFIC SERVICES.—The term 'air traffic services' means services—

''(i) used for the monitoring, directing, control, and guidance of aircraft or flows of aircraft and for the safe conduct of flight, including communications, navigation, and surveillance services and provision of aeronautical information; and

''(ii) provided directly, or contracted for, by the Federal Aviation Administration.

''(B) AIR TRAFFIC SERVICES USER.—The term 'air traffic services user' means any individual or entity using air traffic services provided directly, or contracted for, by the Federal Aviation Administration within United States airspace or international airspace delegated to the United States.''.

SEC. 520. INTRA-AGENCY COORDINATION.

Not later than 120 days after the date of enactment of this Act, the Administrator shall implement a policy that—

(1) designates the Associate Administrator for Commercial Space Transportation as the primary liaison between the commercial space transportation industry and the Administration;

(2) recognizes the necessity of, and set forth processes for, launch license and permit holder coordination with the Air Traffic Organization on matters including—

(A) the use of air navigation facilities;

(B) airspace safety; and

(C) planning of commercial space launch and launch support activities;

(3) designates a single point of contact within the Air Traffic Organization who is responsible for—

(A) maintaining letters of agreement between a launch license or permit holder and a Federal Aviation Administration facility;

(B) making such letters of agreement available to the Associate Administrator for Commercial Space Transportation;

(C) ensuring that a facility that has entered into such a letter of agreement is aware of and fulfills its responsibilities under the letter; and

(D) liaising between the Air Traffic Organization and the Associate Administrator for Commercial Space Transportation on any matter relating to such a letter of agreement; and

(4) requires the Associate Administrator for Commercial Space Transportation to facilitate, upon the request of a launch license or permit holder—

(A) coordination between a launch license and permit holder and the Air Traffic Organization; and

(B) the negotiation of letters of agreement between a launch license or permit holder and a Federal Aviation Administration facility or the Air Traffic Organization.

SEC. 521. ADMINISTRATIVE SERVICES FRANCHISE FUND.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this section, the inspector general of the Department of Transportation shall initiate an audit of the Administrative Services Franchise Fund of the FAA (in this section referred to as the ''Franchise Fund'').

(b) CONSIDERATIONS.—In conducting the audit pursuant to subsection (a), the inspector general shall—

(1) review the history, intended purpose, and objectives of the Franchise Fund;

(2) describe and assess each program, service, or activity that uses the Franchise Fund, including—

(A) the agencies or government bodies that use each program, service, or activity;

(B) the number of employees, including full-time equivalents and contractors, associated with each program, service, or activity;

(C) the costs associated with the employees described in subparagraph (B) and the extent to which such costs are covered by Federal appropriations or Franchise Fund revenue;

(D) the revenue, expenses, and profits or losses associated with each program, service, or activity;

(E) overhead rates associated with each program, service, or activity; and

(F) a breakdown of the revenue collected from services provided to the FAA, Department of Transportation, other Federal entities, and non-Federal entities;

(3) assess the FAA's governance and oversight of the Franchise Fund and the programs, service, and activities that use the Franchise Fund, including the use of internal and publicly available performance metrics;

(4) evaluate the current and historical unobligated and unexpended balances of the Franchise Fund; and

(5) assess the degree to which FAA policies and controls associated with the Franchise Fund conform with generally accepted accounting principles, Federal policies, best practices, or other guidance relating to revolving funds.

(c) REPORT.—Not later than 180 days after the date of initiation of the audit described in subsection (a), the inspector general shall submit to the appropriate committees of Congress a report on the results of the audit, including findings and recommendations.

SEC. 522. AUTOMATIC DEPENDENT SURVEILLANCE-BROADCAST.

(a) REPEAL.—Subsection (b) of section 211 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is repealed.

(b) REQUIREMENT.—The Administrator shall ensure that any regulation issued pursuant to such subsection has no force or effect.

SEC. 523. CONTRACT WEATHER OBSERVERS.

Section 2306(b) of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 641) is amended by striking ''2018'' and inserting ''2023''.

SEC. 524. REGIONS AND CENTERS.

(a) IN GENERAL.—Section 44507 of title 49, United States Code, is amended—

(1) by striking the section heading and inserting ''**Regions and centers**'';

(2) by striking ''The Civil Aeromedical Institute'' and inserting the following:

''(a) CIVIL AEROMEDICAL INSTITUTE.—The Civil Aeromedical Institute''; and

(3) by adding at the end the following:

''(b) WILLIAM J. HUGHES TECHNICAL CENTER.—The Secretary of Transportation shall define the roles and responsibilities of the William J. Hughes Technical Center in a manner that is consistent with the defined roles and responsibilities of the Civil Aeromedical Institute under subsection (a).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 445 of title 49, United States Code, is amended by striking the item relating to section 44507 and inserting the following:

''44507. Regions and centers.''.

SEC. 525. GEOSYNTHETIC MATERIALS.

The Administrator, to the extent practicable, shall encourage the use of durable, resilient, and sustainable materials and practices, including the use of geosynthetic materials and other innovative technologies, in carrying out the activities of the Federal Aviation Administration.

SEC. 526. NATIONAL AIRMAIL MUSEUM.

(a) FINDINGS.—Congress finds that—

(1) in 1930, commercial airmail carriers began operations at Smith Field in Fort Wayne, Indiana;

(2) the United States lacks a national museum dedicated to airmail; and

(3) the airmail hangar at Smith Field in Fort Wayne, Indiana—

(A) will educate the public on the role of airmail in aviation history; and

(B) honor the role of the hangar in the history of the Nation's airmail service.

(b) DESIGNATION.—

(1) IN GENERAL.—The airmail museum located at the Smith Field in Fort Wayne, Indiana, is designated as the ''National Airmail Museum''.

(2) EFFECT OF DESIGNATION.—The national museum designated by this section is not a unit of the National Park System and the designation of the National Airmail Museum shall not require or permit Federal funds to be expended for any purpose related to that national memorial.

SEC. 527. STATUS OF AGREEMENT BETWEEN FAA AND LITTLE ROCK PORT AUTHORITY.

(a) BRIEFING REQUIREMENT.—Not later than 30 days after the date of enactment of this Act, the Administrator shall provide to the appropriate committees of Congress a briefing on the agreement between the FAA and the Little Rock Port Authority to relocate the Little Rock Very High Frequency Omnidirectional Range with Collocated Tactical Air Control and Navigation (LIT VORTAC).

(b) BRIEFING CONTENTS.—The briefing required under subsection (a) shall include the following:

(1) The status of the efforts by the Federal Aviation Administration to relocate the LIT VORTAC.

(2) The long-term and short-term budget projections for the relocation project.

(3) A description of and timeline for each phase of the relocation project.

(4) A description of and explanation for the required location radius.

(5) A description of work completed by the Federal Aviation Administration as of the date of the briefing.

SEC. 528. BRIEFING ON AIRCRAFT DIVERSIONS FROM LOS ANGELES INTERNATIONAL AIRPORT TO HAWTHORNE MUNICIPAL AIRPORT.

Not later than 1 year after the date of the enactment of this Act, the Administrator shall provide a briefing to appropriate committees of Congress on diversions of aircraft from Los Angeles International Airport to Hawthorne Municipal Airport, also known as Jack Northrop Field, in the City of Hawthorne, California. This briefing shall cover at least the previous one-year period and include the total number of aircraft diversions, the average number of diversions per day, the types of aircraft diverted, and the reasons for the diversions.

SEC. 529. TFR REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act (except as described in subsection (d)), the Administrator shall submit to the appropriate committees of Congress a report containing the results of the study described in subsection (b).

(b) RECOMMENDATIONS.—The Administrator shall make recommendations based on—

(1) an analysis of—

(A) the economic effects of temporary flight restrictions, particularly temporary flight restrictions issued pursuant to section 91.141 of title 14, Code of Federal Regulations, on airports or aviation-related businesses located or based in an area covered by the temporary flight restriction; and

(B) potential options and recommendations for mitigating identified negative economic effects on airports or aviation-related businesses located or based in an area frequently covered by a temporary flight restriction; and

(2) an analysis of the potential for using security procedures similar to those described in the Maryland Three Program (allowing properly vetted private pilots to fly to, from, or between the three general aviation airports closest to the National Capital Region) during temporary flight restrictions in the following airports:

(A) Solberg Airport.

(B) Somerset Airport.

(C) Palm Beach County Park Airport (also known as Lantana Airport).

(c) COLLABORATION.—In making the recommendations described in subsection (b), the Administrator shall consult with—

(1) industry stakeholders; and

(2) the head of any other agency that, in the Administrator's determination, is a stakeholder agency.

(d) SPECIAL DEADLINE.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the portion of the study described in subsection (b)(1)(A).

SEC. 530. AIR TRAFFIC SERVICES AT AVIATION EVENTS.

(a) REQUIREMENT TO PROVIDE SERVICES AND RELATED SUPPORT.—The Administrator shall provide air traffic services and aviation safety support for large, multiday aviation events, including airshows and fly-ins, where the average daily number of manned operations were 1,000 or greater in at least one of the preceding two years, without the imposition or collection of any fee, tax, or other charge for that purpose. Amounts for the provision of such services and support shall be derived from amounts appropriated or otherwise available for the Administration.

(b) DETERMINATION OF SERVICES AND SUPPORT TO BE PROVIDED.—In determining the services and support to be provided for an aviation event for purposes of subsection (a), the Administrator shall take into account the following:

(1) The services and support required to meet levels of activity at prior events, if any, similar to the event.

(2) The anticipated need for services and support at the event.

SEC. 531. APPLICATION OF VETERANS' PREFERENCE TO FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.

Section 40122(g)(2)(B) of title 49, United States Code, is amended—

(1) by inserting ''3304(f), to the extent consistent with the Federal Aviation Administration's status as an excepted service agency,'' before ''3308-3320''; and

(2) by inserting ''3330a, 3330b, 3330c, and 3330d,'' before ''relating''.

SEC. 532. CLARIFICATION OF REQUIREMENTS FOR LIVING HISTORY FLIGHTS.

(a) IN GENERAL.—Notwithstanding any other law or regulation, in administering sections 61.113(c), 91.9, 91.315, 91.319(a)(1), 91.319(a)(2), 119.5(g), and 119.21(a) of title 14, Code of Federal Regulations (or any successor regulations), the Administrator shall allow an aircraft owner or operator to accept monetary or in-kind donations for a flight operated by a living history flight experience provider, if the aircraft owner or operator has—

(1) volunteered to provide such transportation; and

(2) notified any individual that will be on the flight, at the time of inquiry about the flight, that the flight operation is for charitable purposes and is not subject to the same requirements as a commercial flight.

(b) CONDITIONS TO ENSURE PUBLIC SAFETY.—The Administrator, consistent with current standards of the Administration for such operations, shall impose minimum standards with respect to training and flight hours for operations conducted by an owner or operator of an aircraft providing living history flight experience operations, including mandating that the pilot in command of such aircraft hold a commercial pilot certificate with instrument rating and be current and qualified with respect to all ratings or

authorizations applicable to the specific aircraft being flown to ensure the safety of flight operations described in subsection (a).

(c) LIVING HISTORY FLIGHT EXPERIENCE PROVIDER DEFINED.—In this section, the term ''living history flight experience provider'' means an aircraft owner, aircraft operator, or organization that provides, arranges, or otherwise fosters living history flight experiences for the purpose of fulfilling its mission.

SEC. 533. REVIEW AND REFORM OF FAA PERFORMANCE MANAGEMENT SYSTEM.

(a) ESTABLISHMENT OF ADVISORY PANEL.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation shall establish an advisory panel comprising no more than 7 independent, nongovernmental experts in budget, finance, or personnel management to review and evaluate the effectiveness of the FAA's personnel management system and performance management program for employees not covered by collective bargaining agreements.

(b) REVIEW, EVALUATION, AND RECOMMENDATIONS.—The advisory panel shall, at a minimum—

(1) review all appropriate FAA orders, policies, procedures, guidance, and the Human Resources Policy Manual;

(2) review any applicable reports regarding FAA's personnel management system, including reports of the Department of Transportation Office of Inspector General, Government Accountability Office, and National Academy of Public Administration, and determine the status of recommendations made in those reports;

(3) review the personnel management system of any other agency or governmental entity with a similar system to the FAA for best practices with regard to personnel management;

(4) assess the unique personnel authorities granted to the FAA, determine whether the FAA has taken full advantage of those authorities, and identify those authorities the FAA has not fully taken advantage of;

(5) review and determine the overall effectiveness of the FAA's compensation, bonus pay, performance metrics, and evaluation processes for employees not covered by collective bargaining agreements;

(6) review whether existing performance metrics and bonus pay practices align with the FAA's mission and significantly improve the FAA's provision of air traffic services, implementation of air traffic control modernization initiatives, and accomplishment of other FAA operational objectives;

(7) identify the highest, lowest, and average complete compensation for each position of employees not covered by collective bargaining agreements;

(8) survey interested parties and stakeholders, including representatives of the aviation industry, for their views and recommendations regarding improvements to the FAA's personnel management system and performance management program;

(9) develop recommendations to address the findings of the work done pursuant to paragraphs (1) through (7), and to address views and recommendations raised by interested parties pursuant to paragraph (8); and

(10) develop recommendations to improve the FAA's personnel management system and performance management program, including the compensation, bonus pay, performance metrics, and evaluation processes, for employees not covered by collective bargaining agreements.

(c) REPORT.—Not later than 1 year after initiating the review and evaluation pursuant to subsection (a), the advisory panel shall submit a report on the results of the review and evaluation and its recommendations to the Secretary, the Administrator, the appropriate committees of Congress.

(d) REPORT TO CONGRESS.—Not later than 3 months after submittal of the report pursuant to subsection (c), the Administrator shall transmit to the appropriate committees of Congress a report summarizing the findings of the advisory panel that—

(1) contains an explanation of how the Administrator will implement the recommendations of the advisory panel and measure the effectiveness of the recommendations; and

(2) specifies any recommendations that the Administrator will not implement and the reasons for not implementing such recommendations.

(e) SUNSET.—The advisory panel shall terminate on the date that is 60 days after the transmittal of the report pursuant to subsection (d).

SEC. 534. NEXTGEN DELIVERY STUDY.

(a) STUDY.—Not later than 180 days after the enactment of this Act, the inspector general of the Department of Transportation shall initiate a study of the potential impacts of a significantly delayed, significantly diminished, or completely failed delivery of the Next Generation Air Transportation System modernization initiative by the Federal Aviation Administration, including impacts to the air traffic control system and the national airspace system as a whole.

(b) SCOPE OF STUDY.—In carrying out the study under subsection (a), the inspector general shall assess the Administration's performance related to the NextGen modernization initiative, including—

(1) the potential impacts on the operational efficiency of our aviation system;

(2) an analysis of potential economic losses and stranded investments directly related to NextGen;

(3) an analysis of the potential impacts to our international competitiveness in aviation innovation;

(4) an analysis of the main differences that would be seen in our air traffic control system;

(5) the potential impacts on the flying public, including potential impacts to flight times, fares, and delays in the air and on the ground;

(6) the effects on supply chains reliant on air transportation of cargo;

(7) the potential impacts on the long-term benefits promised by NextGen;

(8) an analysis of the potential impacts on aircraft noise and flight paths;

(9) the potential changes in separation standards, fuel consumption, flight paths, block times, and landing procedures or lack thereof;

(10) the potential impacts on aircraft taxi times and aircraft emissions or lack thereof;

(11) a determination of the total potential costs and logistical challenges of the failure of NextGen, including a comparison of the potential loss of the return on public and private sector investment related to NextGen, as compared to other available investment alternatives, between December 12, 2003, and the date of enactment of this Act; and

(12) other matters arising in the course of the study.

(c) REPORT.—Not later than 1 year after the date of initiation of the study under subsection (a), the inspector general shall submit to the appropriate committees of Congress a report on the results of the study.

SEC. 535. STUDY ON ALLERGIC REACTIONS.

Not later than 120 days after the date of enactment of this Act, the Administrator shall—

(1) study the prevalence of allergic reactions on board flights, whether airlines universally report reactions to the Federal Aviation Administration, and the frequency of first aid inventory checks to ensure medicine to prevent anaphylactic shock is in an aircraft; and

(2) submit a report to the Committees on Transportation and Infrastructure, Energy and Commerce, and Appropriations of the House of Representatives and the Committees on Commerce, Science, and Transportation, Health, Education, Labor, and Pensions, and Appropriations of the Senate.

SEC. 536. OXYGEN MASK DESIGN STUDY.

Not later than 180 days after the date of enactment of this Act, the Administrator shall conduct a study to review and evaluate the design and effectiveness of commercial aircraft oxygen masks. In conducting the study, the Administrator shall determine whether the current design of oxygen masks is adequate, and whether changes to the design could increase correct passenger usage of the masks.

SEC. 537. AIR CARGO STUDY.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall begin a study of international air cargo services among the United States and Central American, South American, and Caribbean Basin countries, that—

(1) analyzes the supply of and demand for air cargo transportation services among the United States and Central American, South American, and Caribbean Basin countries;

(2) analyzes the supply of and demand for air cargo transportation services between—

(A) the United States, Central American, South American, and Caribbean Basin countries; and

(B) African and European countries;

(3) identifies the busiest routes in terms of cargo capacity and frequency of air service;

(4) identifies any air carrier or foreign air carrier hubs in Central American, South American, and Caribbean Basin countries at which a significant amount of air cargo is sorted, handled, or consolidated for transportation to or from the United States;

(5) identifies any air carrier or foreign air carrier hubs in the United States at which a significant amount of air cargo is sorted, handled, or consolidated for transportation to or from Central American, South American, and Caribbean Basin countries.

(6) identifies any significant gaps in the air cargo services or cargo air carrier networks—

(A) among the countries described in paragraph (2)(A);

(B) between such countries and African countries; and

(C) between such countries and European countries; and

(7) assesses the possible impact of the establishment of an air carrier hub in Puerto Rico at which air cargo is sorted, handled, or consolidated for transportation to or from the United States, including the impact on—

(A) the employment rate and economy of Puerto Rico;

(B) domestic and foreign air transportation of cargo;

(C) United States competitiveness in the air transportation of cargo;

(D) air cargo operations at other airports in the United States; and

(E) domestic air carrier employment.

(b) REPORT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study described in subsection (a).

(c) DEFINITION.—In this section, the term ''Caribbean Basin countries'' has the same meaning given the term ''Caribbean Basin country'' in section 501 of the Food for Peace Act (7 U.S.C. 1737).

SEC. 538. SENSE OF CONGRESS ON PREVENTING THE TRANSPORTATION OF DISEASE-CARRYING MOSQUITOES AND OTHER INSECTS ON COMMERCIAL AIRCRAFT.

It is the sense of Congress that the Secretary of Transportation and the Secretary of Agriculture should, in coordination and consultation with the World Health Organization, develop a framework and guidance for the use of safe, effective, and nontoxic means of preventing the transportation of disease-carrying mosquitoes and other insects on commercial aircraft.

SEC. 539. TECHNICAL CORRECTIONS.

(a) AIRPORT CAPACITY ENHANCEMENT PROJECTS AT CONGESTED AIRPORTS.—Section 40104(c) of title 49, United States Code, is amended by striking ''section 47176'' and inserting ''section 47175''.

(b) PASSENGER FACILITY CHARGES.—Section 40117(a)(5) of title 49, United States Code, is amended by striking ''charge or charge'' and inserting ''charge''.

(c) OVERFLIGHTS OF NATIONAL PARKS.—Section 40128(a)(3) of title 49, United States Code, is amended by striking ''under part 91 of the title 14,'' and inserting ''under part 91 of title 14,''.

(d) PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN FOREIGN AIR CARRIER ACCIDENTS.—Section 41313(c)(16) of title 49, United States Code, is amended by striking ''An assurance that the foreign air carrier'' and inserting ''An assurance that''.

(e) OPERATIONS OF CARRIERS.—The analysis for chapter 417 of title 49, United States Code, is amended by striking the item relating to section 41718 and inserting the following:

''41718. Special rules for Ronald Reagan Washington National Airport.''.

(f) SCHEDULES FOR CERTAIN TRANSPORTATION OF MAIL.—Section 41902(a) of title 49, United States Code, is amended by striking ''section 41906'' and inserting ''section 41905''.

(g) WEIGHING MAIL.—Section 41907 of title 49, United States Code, is amended by striking ''and'' and all that follows through ''administrative'' and inserting ''and administrative''.

(h) STRUCTURES INTERFERING WITH AIR COMMERCE OR NATIONAL SECURITY.—Section 44718(b)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A) by striking ''air navigation facilities and equipment'' and inserting ''air or space navigation facilities and equipment''; and

(2) in subparagraph (A)—

(A) in clause (v) by striking ''and'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the impact on launch and reentry for launch and reentry vehicles arriving or departing from a launch site or reentry site licensed by the Secretary of Transportation; and''.

(i) FLIGHT ATTENDANT CERTIFICATION.—Section 44728 of title 49, United States Code, is amended—

(1) in subsection (c), by striking ''chapter'' and inserting ''title''; and

(2) in subsection (d)(3), by striking ''is'' and inserting ''be''.

(j) FEES INVOLVING AIRCRAFT NOT PROVIDING AIR TRANSPORTATION.—Section 45302 of title 49, United States Code, is amended by striking ''44703(f)(2)'' each place it appears and inserting ''44703(g)(2)''.

(k) SCHEDULE OF FEES.—Section 45301(a)(1) of title 49, United States Code, is amended by striking ''United States government'' and inserting ''United States Government''.

(l) CLASSIFIED EVIDENCE.—Section 46111(g)(2)(A) of title 49, United States Code, is amended by striking ''(18 U.S.C. App.)'' and inserting ''(18 U.S.C. App.))''.

(m) CHAPTER 465.—The analysis for chapter 465 of title 49, United States Code, is amended by striking the following item:

''46503. Repealed.''.

(n) ALLOWABLE COST STANDARDS.—Section 47110(b)(2) of title 49, United States Code, is amended—

(1) in subparagraph (B), by striking ''compatability'' and inserting ''compatibility''; and

(2) in subparagraph (D)(i), by striking ''climactic'' and inserting ''climatic''.

(o) DEFINITION OF QUALIFIED HUBZONE SMALL BUSINESS CONCERN.—Section 47113(a)(3) of title 49, United States Code, is amended by striking ''(15 U.S.C. 632(o))'' and inserting ''(15 U.S.C. 632(p))''.

(p) SPECIAL APPORTIONMENT CATEGORIES.—Section 47117(e)(1)(B) is amended by striking ''at least'' and inserting ''At least''.

(q) SOLICITATION AND CONSIDERATION OF COMMENTS.—Section 47171(l) of title 49, United States Code, is amended by striking ''4371'' and inserting ''4321''.

(r) OPERATIONS AND MAINTENANCE.—Section 48104 is amended by striking ''(a) AUTHORIZATION OF APPROPRIATIONS.—the'' and inserting ''The''.

(s) ADJUSTMENTS TO COMPENSATION FOR SIGNIFICANTLY INCREASED COSTS.—Section 426 of the FAA Modernization and Reform Act of 2012 is amended—

(1) in subsection (a) (49 U.S.C. 41737 note) by striking ''Secretary'' and inserting ''Secretary of Transportation''; and

(2) in subsection (c) (49 U.S.C. 41731 note) by striking ''the Secretary may waive'' and inserting ''the Secretary of Transportation may waive''.

(t) AIRCRAFT DEPARTURE QUEUE MANAGEMENT PILOT PROGRAM.—Section 507(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44505 note) is amended by striking ''section 48101(a)'' and inserting ''section 48101(a) of title 49, United States Code,''.

SEC. 540. REPORT ON ILLEGAL CHARTER FLIGHTS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the appropriate committees of Congress an analysis of reports filed during the 10-year period preceding such date of enactment through the illegal charter hotline of the FAA and other sources that includes—

(1) what followup action the Department of Transportation or the Administration takes when a report of illegal charter operations is received;

(2) how the Department of Transportation or the Administration decides to allocate resources;

(3) challenges the Department of Transportation or the Administration face in identifying illegal operators; and

(4) recommendations for improving the efforts of the Department of Transportation or the Administration to combat illegal charter carrier operations.

SEC. 541. USE OF NASA'S SUPER GUPPY AIRCRAFT FOR COMMERCIAL TRANSPORT.

Notwithstanding section 40125 of title 49, United States Code, the Aero Spacelines Super Guppy Turbine B-377-SGT aircraft, serial number 0004, may be used to provide the transport, for compensation or hire, of oversized space launch vehicle components or oversized spacecraft components while continuing to qualify as a public aircraft operation pursuant to section 40102(a)(41)(A) of title 49, United States Code, if—

(1) the aircraft is owned and operated by the National Aeronautics and Space Administration;

(2) commercial operation is limited to operations conducted wholly in United States airspace; and

(3) no commercially available domestic air transport alternative exists.

SEC. 542. PROHIBITED AIRSPACE ASSESSMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation, in coordination with appropriate Federal agencies, shall conduct an assessment on the security of United States prohibited airspace designated by the Federal Aviation Administration, with a focus on permanent prohibited airspace (in this section referred to as ''United States prohibited airspace'').

(b) MINIMUM COMPONENTS.—The assessment developed under subsection (a) shall be unclassified but may contain a classified annex. It shall, at a minimum, include—

(1) a summary of the number and types of violations of United States prohibited airspace and historical trends of such numbers and types;

(2) an assessment of the processes used to establish United States prohibited airspace;

(3) an assessment of manned and unmanned aircraft, current and future, with the ability to penetrate United States prohibited airspace undetected;

(4) an assessment of the current and future capabilities of the United States to mitigate threats to United States prohibited airspace;

(5) recommendations on how to improve security of United States prohibited airspace; and

(6) a process to modify section 99.7 of title 14, Code of Federal Regulations, to expand the Administrator's authority to establish temporary flight restrictions in cooperation with State and local law enforcement agencies, or as required for purposes of national security, homeland security, or law enforcement support.

SEC. 543. REPORT ON MULTIAGENCY USE OF AIRSPACE AND ENVIRONMENTAL REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary of Defense, shall submit to the covered committees of Congress a report documenting efforts made toward improving processes to resolve persistent challenges for special use airspace requests in support of, or associated with, short notice testing requirements at Major Range and Test Facility Bases, including the establishment of temporary military operations areas used for conducting short-term, scheduled exercises.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) Analysis of previous efforts to streamline internal processes associated with the designation of temporary military operations areas at Major Range and Test Facility Bases and the use of such areas for scheduled exercises.

(2) Analysis of progress made to ensure consistency of environmental review, including impact analysis, associated environmental studies, or consultation, while complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other environmental requirements.

(3) Identification of challenges, if any, in complying with the National Environmental Policy Act of 1969.

(4) A description of airspace requirements, current test and training needs statements completed during the 10-year period preceding the report, and future 5-year requirements, including all temporary military operating areas, special use airspaces, instrument routes, visual routes, and unfulfilled user requirements.

(5) Proposed options and solutions to overcome identified challenges, if any, including identifying whether—

(A) a solution or solutions can be incorporated within the existing Federal Aviation Administration and Department of Defense Memorandum of Understanding; or

(B) changes to current law are required.

(c) DEFINITIONS.—In this section:

(1) COVERED COMMITTEES OF CONGRESS.—The term ''covered committees of Congress'' means—

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

(B) the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives.

(2) MAJOR RANGE AND TEST FACILITY BASE.—The term ''Major Range and Test Facility Base'' has the meaning given the term in section 196(i) of title 10, United States Code.

(3) SPECIAL USE AIRSPACE.—The term ''special use airspace'' means certain designations of airspace designated by the Federal Aviation Administration, as administered by the Secretary of Defense.

SEC. 544. AGENCY PROCUREMENT REPORTING REQUIREMENTS.

Section 40110(d) of title 49, United States Code, is amended by adding at the end the following:

''(5) ANNUAL REPORT ON THE PURCHASE OF FOREIGN MANUFACTURED ARTICLES.—

''(A) REPORT.—(i) Not later than 90 days after the end of the fiscal year, the Secretary of Transportation shall submit a report to Congress on the dollar amount of acquisitions subject to the Buy American Act made by the agency from entities that manufacture the articles, materials, or supplies outside of the United States in such fiscal year.

''(ii) The report required by clause (i) shall only include acquisitions with total value exceeding the micro-purchase level.

''(B) CONTENTS.—The report required by subparagraph (A) shall separately indicate—

''(i) the dollar value of any articles, materials, or supplies purchased that were manufactured outside of the United States; and

''(ii) a summary of the total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States.

''(C) AVAILABILITY OF REPORT.—The Secretary shall make the report under subparagraph (A) publicly available on the agency's website not later than 30 days after submission to Congress.''.

SEC. 545. FAA ORGANIZATIONAL REFORM.

(a) CHIEF TECHNOLOGY OFFICER.—Section 106(s) of title 49, United States Code, is amended to read as follows:

''(s) CHIEF TECHNOLOGY OFFICER.—

''(1) IN GENERAL.—

''(A) APPOINTMENT.—There shall be a Chief Technology Officer appointed by the Chief Operating Officer. The Chief Technology Officer shall report directly to the Chief Operating Officer.

''(B) MINIMUM QUALIFICATIONS.—The Chief Technology Officer shall have—

''(i) at least 10 years experience in engineering management or another relevant technical management field; and

''(ii) knowledge of or experience in the aviation industry.

''(C) REMOVAL.—The Chief Technology Officer shall serve at the pleasure of the Administrator.

''(D) RESTRICTION.—The Chief Technology Officer may not also be the Deputy Administrator.

''(2) RESPONSIBILITIES.—The responsibilities of the Chief Technology Officer shall include—

''(A) ensuring the proper operation, maintenance, and cybersecurity of technology systems relating to the air traffic control system across all program offices of the Administration;

''(B) coordinating the implementation, operation, maintenance, and cybersecurity of technology programs relating to the air traffic control system with the aerospace industry and other Federal agencies;

''(C) reviewing and providing advice to the Secretary, the Administrator, and the Chief Operating Officer on the Administration's budget, cost-accounting system, and benefit-cost analyses with respect to technology programs relating to the air traffic control system;

''(D) consulting with the Administrator on the Capital Investment Plan of the Administration prior to its submission to Congress;

''(E) developing an annual air traffic control system technology operation and maintenance plan that is consistent with the annual performance targets established under paragraph (4); and

''(F) ensuring that the air traffic control system architecture remains, to the maximum extent practicable, flexible enough to incorporate future technological advances developed and directly procured by aircraft operators.

''(3) COMPENSATION.—

''(A) IN GENERAL.—The Chief Technology Officer shall be paid at an annual rate of basic pay to be determined by the Administrator, in consultation with the Chief Operating Officer. The annual rate may not exceed the annual compensation paid under section 102 of title 3. The Chief Technology Officer shall be subject to the postemployment provisions of section 207 of title 18 as if the position of Chief Technology Officer were described in section 207(c)(2)(A)(i) of that title.

''(B) BONUS.—In addition to the annual rate of basic pay authorized by subparagraph (A), the Chief Technology Officer may receive a bonus for any calendar year not to exceed 30 percent of the annual rate of basic pay, based upon the Administrator's evaluation of the Chief Technology Officer's performance in relation to the performance targets established under paragraph (4).

''(4) ANNUAL PERFORMANCE TARGETS.—

''(A) IN GENERAL.—The Administrator and the Chief Operating Officer, in consultation with the Chief Technology Officer, shall establish measurable annual performance targets for the Chief Technology Officer in key operational areas.

''(B) REPORT.—The Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the annual performance targets established under subparagraph (A).

''(5) ANNUAL PERFORMANCE REPORT.—The Chief Technology Officer shall prepare and transmit to the Secretary of Transportation, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate an annual report containing—

''(A) detailed descriptions and metrics of how successful the Chief Technology Officer was in meeting the annual performance targets established under paragraph (4); and

''(B) other information as may be requested by the Administrator and the Chief Operating Officer.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 709(a)(3)(L) of the Vision 100–Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended by striking ''Chief NextGen Officer'' and inserting ''Chief Technology Officer''.

(2) Section 804(a)(4)(A) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended by striking ''Chief NextGen Officer'' and inserting ''Chief Technology Officer''.

SEC. 546. FAA CIVIL AVIATION REGISTRY UPGRADE.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete covered upgrades of the Administration's Civil Aviation Registry (in this section referred to as the ''Registry'').

(b) COVERED UPGRADE DEFINED.—In this section, the term ''covered upgrades'' means—

(1) the digitization of nondigital Registry information, including paper documents, microfilm images, and photographs, from an analog or nondigital format to a digital format;

(2) the digitalization of Registry manual and paper-based processes, business operations, and functions by leveraging digital technologies and a broader use of digitized data;

(3) the implementation of systems allowing a member of the public to submit any information or form to the Registry and conduct any transaction with the Registry by electronic or other remote means; and

(4) allowing more efficient, broader, and remote access to the Registry.

(c) APPLICABILITY.—The requirements of subsection (a) shall apply to the entire Civil Aviation Registry, including the Aircraft Registration Branch and the Airmen Certification Branch.

(d) MANUAL SURCHARGE.—Chapter 453 of title 49, United States Code, is amended by adding at the end the following:

''§ 45306. Manual surcharge

''(a) IN GENERAL.—Not later 3 years after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator shall impose and collect a surcharge on a Civil Aviation Registry transaction that—

''(1) is conducted in person at the Civil Aviation Registry;

''(2) could be conducted, as determined by the Administrator, with the same or greater level of efficiency by electronic or other remote means; and

''(3) is not related to research or other noncommercial activities.

''(b) MAXIMUM SURCHARGE.—A surcharge imposed and collected under subsection (a) shall not exceed twice the maximum fee the Administrator is authorized to charge for the registration of an aircraft, not used to provide air transportation, after the transfer of ownership under section 45302(b)(2).

''(c) CREDIT TO ACCOUNT AND AVAILABILITY.—Monies collected from a surcharge imposed under subsection (a) shall be treated as monies collected under section 45302 and subject to the terms and conditions set forth in section 45302(d).''.

(e) REPORT.—Not later than 1 year after date of enactment of this Act, and annually thereafter until the covered upgrades required under subsection (a) are complete, the Administrator shall submit a report to the appropriate committees of Congress describing—

(1) the schedule for the covered upgrades to the Registry;

(2) the office responsible for the implementation of the such covered upgrades;

(3) the metrics being used to measure progress in implementing the covered upgrades; and

(4) the status of the covered upgrades as of the date of the report.

SEC. 547. ENHANCED AIR TRAFFIC SERVICES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the

Administrator shall establish a pilot program to provide air traffic control services on a preferential basis to aircraft equipped with certain NextGen avionics that—

(1) lasts at least 2 years; and

(2) operates in at least 3 suitable airports.

(b) DURATION OF DAILY SERVICE.—The air traffic control services provided under the pilot program established under subsection (a) shall occur for at least 3 consecutive hours between 0600 and 2200 local time during each day of the pilot program.

(c) AIRPORT SELECTION.—The Administrator shall designate airports for participation in the pilot program after consultation with aircraft operators, manufacturers, and airport sponsors.

(d) DEFINITIONS.—

(1) CERTAIN NEXTGEN AVIONICS.—The term ''certain NextGen avionics'' means those avionics and related software designated by the Administrator after consultations with aircraft operators and manufacturers.

(2) PREFERENTIAL BASIS.—The term ''preferential basis'' means—

(A) prioritizing aircraft equipped with certain NextGen avionics during a Ground Delay Program by assigning them fewer minutes of delay relative to other aircraft based upon principles established after consultation with aircraft operators and manufacturers; or

(B) sequencing aircraft equipped with certain NextGen avionics ahead of other aircraft in the Traffic Flow Management System to the maximum extent consistent with safety.

(e) SUNSET.—The pilot program established under subsection (a) shall terminate on September 30, 2023.

(f) REPORT.—Not later than 90 days after the date on which the pilot program terminates, the Administrator shall submit to the appropriate committees of Congress a report on the results of the pilot program.

SEC. 548. SENSE OF CONGRESS ON ARTIFICIAL INTELLIGENCE IN AVIATION.

It is the sense of Congress that the Administration should, in consultation with appropriate Federal agencies and industry stakeholders, periodically review the use or proposed use of artificial intelligence technologies within the aviation system and assess whether the Administration needs a plan regarding artificial intelligence standards and best practices to carry out its mission.

SEC. 549. STUDY ON CYBERSECURITY WORKFORCE OF FAA.

(a) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall enter into an agreement with the National Academy of Sciences to conduct a study on the cybersecurity workforce of the Administration in order to develop recommendations to increase the size, quality, and diversity of such workforce, including cybersecurity researchers and specialists.

(b) REPORT TO CONGRESS.—Not later than 180 days after the completion of the study conducted under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the results of such study.

SEC. 550. TREATMENT OF MULTIYEAR LESSEES OF LARGE AND TURBINE-POWERED MULTIENGINE AIRCRAFT.

The Secretary of Transportation shall revise such regulations as may be necessary to ensure that multiyear lessees and owners of large and turbine-powered multiengine aircraft are treated equally for purposes of joint ownership policies of the FAA.

SEC. 551. EMPLOYEE ASSAULT PREVENTION AND RESPONSE PLANS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each air carrier operating under part 121 of title 14, Code of Federal Regulations (in this section referred to as a ''part 121 air carrier''), shall submit to the Administrator for review and acceptance an Employee Assault Prevention and Response Plan related to the customer service agents of the air carrier and that is developed in consultation with the labor union representing such agents.

(b) CONTENTS OF PLAN.—An Employee Assault Prevention and Response Plan submitted under subsection (a) shall include the following:

(1) Reporting protocols for air carrier customer service agents who have been the victim of a verbal or physical assault.

(2) Protocols for the immediate notification of law enforcement after an incident of verbal or physical assault committed against an air carrier customer service agent.

(3) Protocols for informing Federal law enforcement with respect to violations of section 46503 of title 49, United States Code.

(4) Protocols for ensuring that a passenger involved in a violent incident with a customer service agent of an air carrier is not allowed to move through airport security or board an aircraft until appropriate law enforcement has had an opportunity to assess the incident and take appropriate action.

(5) Protocols for air carriers to inform passengers of Federal laws protecting Federal, airport, and air carrier employees who have security duties within an airport.

(c) EMPLOYEE TRAINING.—A part 121 air carrier shall conduct initial and recurrent training for all employees, including management, of the air carrier with respect to the plan required under subsection (a), which shall include training on de-escalating hostile situations, written protocols on dealing with hostile situations, and the reporting of relevant incidents.

(d) STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study of crimes of violence (as defined in section 16 of title 18, United States Code) committed against airline customer service representatives while they are performing their duties and on airport property; and

(2) submit the findings of the study, including any recommendations, to the appropriate committees of Congress.

(e) GAP ANALYSIS.—The study required under subsection (d) shall include a gap analysis to determine if State and local laws and resources are adequate to deter or otherwise address the crimes of violence described in subsection (a) and recommendations on how to address any identified gaps.

SEC. 552. STUDY ON TRAINING OF CUSTOMER-FACING AIR CARRIER EMPLOYEES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall conduct a study on the training received by customer-facing employees of air carriers.

(b) CONTENTS.—The study shall include—

(1) an analysis of the training received by customer-facing employees with respect to the management of disputes on aircraft;

(2) an examination of how institutions of higher learning, in coordination with air carriers, customer-facing employees and their representatives, consumer advocacy organizations, and other stakeholders, could—

(A) review such training and related practices;

(B) produce recommendations; and

(C) if determined appropriate, provide supplemental training; and

(3) the effectiveness of air carriers' Employee Assault Prevention and Response Plans required under section 551.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the results of the study.

SEC. 553. AUTOMATED WEATHER OBSERVING SYSTEMS POLICY.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall—

(1) update automated weather observing systems standards to maximize the use of new technologies that promote the reduction of equipment or maintenance cost for non-Federal automated weather observing systems, including the use of remote monitoring and maintenance, unless demonstrated to be ineffective;

(2) review, and if necessary update, existing policies in accordance with the standards developed under paragraph (1); and

(3) establish a process under which appropriate onsite airport personnel or an aviation official may, with appropriate manufacturer training or alternative training as determined by the Administrator, be permitted to conduct the minimum triannual preventative maintenance checks under the advisory circular for non-Federal automated weather observing systems (AC 150/5220–16E) and any other similar, successor checks.

(b) PERMISSION.—Permission to conduct the minimum triannual preventative maintenance checks described under subsection (a)(3) and any similar, successor checks shall not be withheld but for specific cause.

(c) STANDARDS.—In updating the standards under subsection (a)(1), the Administrator shall—

(1) ensure the standards are performance-based;

(2) use risk analysis to determine the accuracy of the automated weather observing systems outputs required for pilots to perform safe aircraft operations; and

(3) provide a cost-benefit analysis to determine whether the benefits outweigh the cost for any requirement not directly related to safety.

(d) AIP ELIGIBILITY OF AWOS EQUIPMENT.—

(1) IN GENERAL.—Notwithstanding any other law, the Administrator is authorized to and shall waive any positive benefit-cost ratio requirement for automated weather-observing system equipment under subchapter I of chapter 471, of title 49, United States Code, if—

(A) the airport sponsor or State, as applicable, certifies that a grant for such automated weather observing systems equipment under that chapter will assist an applicable airport to respond to regional emergency needs, including medical, firefighting, and search and rescue needs;

(B) the Secretary determines, after consultation with the airport sponsor or State, as applicable, that the placement of automated weather-observing equipment at the airport will not cause unacceptable radio frequency congestion; and

(C) the other requirements under that chapter are met.

(2) APPLICABILITY TO LOW POPULATION DENSITY STATES.—This subsection is applicable only to airports located in states with a population density, based on the most recent decennial census, of 50 or fewer persons per square mile.

(e) REPORT.—Not later than September 30, 2025, the Administrator shall submit to the appropriate committees of Congress a report on the implementation of the requirements under this section.

SEC. 554. PRIORITIZING AND SUPPORTING THE HUMAN INTERVENTION MOTIVATION STUDY (HIMS) PROGRAM AND THE FLIGHT ATTENDANT DRUG AND ALCOHOL PROGRAM (FADAP).

(a) IN GENERAL.—The Administration shall continue to prioritize and support the

Human Intervention Motivation Study (HIMS) program for flight crewmembers and the Flight Attendant Drug and Alcohol Program (FADAP) for flight attendants.

(b) STUDY AND RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary of Transportation shall enter into an agreement with the Transportation Research Board (in this subsection referred to as the ''Board'') under which the Board shall—

(A) conduct a study on the Human Intervention Motivation Study (HIMS) program, the Flight Attendant Drug and Alcohol Program (FADAP), and any other drug and alcohol programs within the other modal administrations within the Department of Transportation;

(B) to the extent justified by the findings from the study described in subparagraph (A), make recommendations to the Federal Aviation Administration and other administrations within the Department of Transportation on how to implement programs, or changes to existing programs, that seek to help transportation workers get treatment for drug and alcohol abuse and return to work; and

(C) upon the completion of the study described in subparagraph (A), submit to the appropriate committees of Congress a report on such study, including the Board's findings, conclusions, and recommendations.

(2) REQUIREMENT.—In conducting the study under paragraph (1), the Board shall identify—

(A) best policies and practices within existing programs; and

(B) best prevention, early intervention, and return to work practices specifically around prescription medication abuse, with a special emphasis on employee use of opioids.

SEC. 555. COST-EFFECTIVENESS ANALYSIS OF EQUIPMENT RENTAL.

(a) AGENCY ANALYSIS OF EQUIPMENT ACQUISITION.—

(1) IN GENERAL.—Except as provided for under subsection (d), the head of each executive agency shall acquire equipment using the method of acquisition most advantageous to the Federal Government based on a case-by-case analysis of comparative costs and other factors, including those factors listed in section 7.401 of the Federal Acquisition Regulation.

(2) METHODS OF ACQUISITION.—The methods of acquisition to be compared in the analysis under paragraph (1) shall include, at a minimum, purchase, short-term rental or lease, long-term rental or lease, interagency acquisition, and acquisition agreements with a State or a local government as described in subsection (c).

(3) AMENDMENT OF FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to implement the requirement of this subsection, including a determination of the factors for executive agencies to consider for purposes of performing the analysis under paragraph (1).

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the requirements of chapter 37 of title 41, United States Code, section 2305 of title 10, United States Code, or section 1535 of title 31, United States Code.

(b) DATE OF IMPLEMENTATION.—The analysis described in subsection (a) shall be applied to contracts for the acquisition of equipment entered into on or after the date that the Federal Acquisition Regulation is amended pursuant to paragraph (3) of such subsection.

(c) ACQUISITION AGREEMENTS WITH STATES OR LOCAL GOVERNMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, including chapter 37 of title 41, United States Code, the Small Business Act (15 U.S.C. 631 et seq.), and section 2305 of title 10, United States Code, the head of an executive agency may enter into an acquisition agreement authorized by this section directly with a State or a local government if the agency head determines that the agreement otherwise satisfies the requirements of subsection (a)(1).

(2) TERMS AND CONDITIONS.—Any agreement under paragraph (1) shall contain such terms and conditions as the head of the agency deems necessary or appropriate to protect the interests of the United States.

(d) EXCEPTIONS.—The analysis otherwise required under subsection (a) is not required—

(1) when the President has issued an emergency declaration or a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) in other emergency situations if the agency head makes a determination that obtaining such equipment is necessary in order to protect human life or property; or

(3) when otherwise authorized by law.

(e) STUDY OF AGENCY ANALYSES.—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 Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a comprehensive report on the decisions made by the executive agencies with the highest levels of acquisition spending, and a sample of executive agencies with lower levels of acquisition spending, to acquire high-value equipment by lease, rental, or purchase pursuant to subpart 7.4 of the Federal Acquisition Regulation.

(f) DEFINITIONS.—In this section:

(1) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given that term in section 102 of title 40, United States Code.

(2) INTERAGENCY ACQUISITION.—The term ''interagency acquisition'' has the meaning given that term in section 2.101 of the Federal Acquisition Regulation.

(3) STATE.—The term ''State'' has the meaning given the term in section 6501 of title 31, United States Code.

(4) LOCAL GOVERNMENT.—The term ''local government'' means any unit of local government within a State, including a county, municipality, city, borough, town, township, parish, local public authority, school district, special district, intrastate district, council of governments, or regional or interstate government entity, and any agency or instrumentality of a local government.

SEC. 556. AIRCRAFT REGISTRATION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall initiate a rulemaking to increase the duration of aircraft registrations for noncommercial general aviation aircraft to 7 years.

(b) CONSIDERATIONS.—In promulgating the notice of proposed rulemaking described in subsection (a), the Administrator may consider any events, circumstances, changes in any ownership entity or structure, or other condition that would necessitate renewal prior to the expiration of an aircraft registration.

SEC. 557. REQUIREMENT TO CONSULT WITH STAKEHOLDERS IN DEFINING SCOPE AND REQUIREMENTS FOR FUTURE FLIGHT SERVICE PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Administrator shall consult with stakeholders in defining the scope and requirements for any new Future Flight Service Program of the Administration to be used in a competitive source selection for the next flight service contract with the Administration.

SEC. 558. FEDERAL AVIATION ADMINISTRATION PERFORMANCE MEASURES AND TARGETS.

(a) PERFORMANCE MEASURES.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish performance measures relating to the management of the Administration, which shall, at a minimum, include measures to assess—

(1) the timely and cost-effective completion of projects; and

(2) the effectiveness of the Administration in achieving the goals described in section 47171 of title 49, United States Code.

(b) PERFORMANCE TARGETS.—Not later than 180 days after the date on which the Secretary establishes performance measures in accordance with subsection (a), the Secretary shall establish performance targets relating to each of the measures described in that subsection.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the inspector general of the Department of Transportation shall submit to the appropriate committees of Congress a report describing the progress of the Secretary in meeting the performance targets established under subsection (b).

SEC. 559. REPORT ON PLANS FOR AIR TRAFFIC CONTROL FACILITIES IN THE NEW YORK CITY AND NEWARK REGION.

Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the Administration's staffing and scheduling plans for air traffic control facilities in the New York City and Newark region for the 1-year period beginning on such date of enactment.

SEC. 560. WORK PLAN FOR THE NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA AIRSPACE PROJECT.

Not later than 90 days after the date of enactment of this Act, the Administrator shall develop and publish in the Federal Register a work plan for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Project.

SEC. 561. ANNUAL REPORT ON INCLUSION OF DISABLED VETERAN LEAVE IN PERSONNEL MANAGEMENT SYSTEM.

Not later than 1 year after the date of enactment of this Act, and not less frequently than annually there after until the date that is 5 years after the date of enactment of this Act, the Administrator shall publish on a publicly accessible internet website a report on—

(1) the effect of the amendments made by subsections (a) and (b) of section 2 of the Federal Aviation Administration Veteran Transition Improvement Act of 2016 (Public Law 114–242), on the Administration's work force; and

(2) the number of disabled veterans benefitting from such subsections.

SEC. 562. ENHANCED SURVEILLANCE CAPABILITY.

Not later than 120 days after the date of enactment of this Act, the Administrator shall identify and implement a strategy to—

(1) advance near-term and long-term uses of enhanced surveillance systems, such as space-based ADS–B, within United States airspace or international airspace delegated to the United States;

(2) exercise leadership on setting global standards for the separation of aircraft in oceanic airspace by working with—

(A) foreign counterparts of the Administrator in the International Civil Aviation Organization and its subsidiary organizations;

(B) other international organizations and fora; and

(C) the private sector; and

(3) ensure the participation of the Administration in the analysis of trials of enhanced surveillance systems, such as space-based ADS–B, performed by foreign air navigation service providers in North Atlantic airspace.

SEC. 563. ACCESS OF AIR CARRIERS TO INFORMATION ABOUT APPLICANTS TO BE PILOTS FROM NATIONAL DRIVER REGISTER.

Section 30305(b)(8) of title 49, United States Code, is amended to read as follows:

''(8)(A) An individual who is seeking employment by an air carrier as a pilot may request the chief driver licensing official of a State to provide information about the individual under subsection (a) of this section to the prospective employer of the individual, the authorized agent of the prospective employer, or the Secretary of Transportation.

''(B) An air carrier that is the prospective employer of an individual described in subparagraph (A), or an authorized agent of such an air carrier, may request and receive information about that individual from the National Driver Register through an organization approved by the Secretary for purposes of requesting, receiving, and transmitting such information directly to the prospective employer of such an individual or the authorized agent of the prospective employer. This paragraph shall be carried out in accordance with paragraphs (2) and (11) of section 44703(h) and the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

''(C) Information may not be obtained from the National Driver Register under this paragraph if the information was entered in the Register more than 5 years before the request unless the information is about a revocation or suspension still in effect on the date of the request.''.

SEC. 564. REGULATORY REFORM.

Section 106(p)(5) of title 49, United States Code, is amended—

(1) by striking ''Committee, or'' and inserting ''Committee,''; and

(2) by striking the period at the end and inserting '', or such aerospace rulemaking committees as the Secretary shall designate.''.

SEC. 565. AVIATION FUEL.

(a) USE OF UNLEADED AVIATION GASOLINE.—The Administrator shall allow the use of an unleaded aviation gasoline in an aircraft as a replacement for a leaded gasoline if the Administrator—

(1) determines that the unleaded aviation gasoline qualifies as a replacement for an approved leaded gasoline;

(2) identifies the aircraft and engines that are eligible to use the qualified replacement unleaded gasoline; and

(3) adopts a process (other than the traditional means of certification) to allow eligible aircraft and engines to operate using qualified replacement unleaded gasoline in a manner that ensures safety.

(b) TIMING.—The Administrator shall adopt the process described in subsection (a)(3) not later than 180 days after the later of—

(1) the date on which the Administration completes the Piston Aviation Fuels Initiative; or

(2) the date on which the American Society for Testing and Materials publishes a production specification for an unleaded aviation gasoline.

(c) TYPE CERTIFICATION.—Existing regulatory mechanisms by which an unleaded aviation gasoline can be approved for use in an engine or aircraft by Type or Supplemental Type Certificate for individual aircraft and engine types or by Approved Model List Supplemental Type Certificate providing coverage for a broad range of applicable types of aircraft or engines identified in the application shall continue to be fully available as a means of approving and bringing an unleaded aviation gasoline into general use in the United States. Such approvals shall be issued when the Administrator finds that the aircraft or engine performs properly and meets the applicable regulations and minimum standards under the normal certification process.

SEC. 566. RIGHT TO PRIVACY WHEN USING AIR TRAFFIC CONTROL SYSTEM.

Notwithstanding any other provision of law, the Administrator shall, upon request of a private aircraft owner or operator, block the registration number of the aircraft of the owner or operator from any public dissemination or display, except in data made available to a Government agency, for the noncommercial flights of the owner or operator.

SEC. 567. FEDERAL AVIATION ADMINISTRATION WORKFORCE REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review to assess the workforce and training needs of the FAA in the anticipated budgetary environment.

(b) CONTENTS.—In conducting the review, the Comptroller General shall—

(1) identify the long-term workforce and training needs of the FAA workforce;

(2) assess the impact of automation, digitalization, and artificial intelligence on the FAA workforce;

(3) analyze the skills and qualifications required of the FAA workforce for successful performance in the current and future projected aviation environment;

(4) review current performance incentive policies of the FAA, including awards for performance;

(5) analyze ways in which the FAA can work with industry and labor, including labor groups representing the FAA workforce, to establish knowledge-sharing opportunities between the FAA and the aviation industry regarding new equipment and systems, best practices, and other areas of interest; and

(6) develop recommendations on the most effective qualifications, training programs (including e-learning training), and performance incentive approaches to address the needs of the future projected aviation regulatory system in the anticipated budgetary environment.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review.

SEC. 568. REVIEW OF APPROVAL PROCESS FOR USE OF LARGE AIR TANKERS AND VERY LARGE AIR TANKERS FOR WILDLAND FIREFIGHTING.

(a) REVIEW AND IMPROVEMENT OF CURRENT APPROVAL PROCESS.—The Chief of the Forest Service, in consultation with the Administrator, shall conduct a review of the process used by the Forest Service to approve the use of large air tankers and very large air tankers for wildland firefighting for the purpose of—

(1) determining the current effectiveness, safety, and consistency of the approval process;

(2) developing recommendations for improving the effectiveness, safety, and consistency of the approval process; and

(3) assisting in developing standardized next-generation requirements for air tankers used for firefighting.

(b) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Chief of the Forest Service shall submit to Congress a report describing the outcome of the review conducted under subsection (a).

SEC. 569. FAA TECHNICAL WORKFORCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) identify and assess barriers to attracting, developing, training, and retaining a talented workforce in the areas of systems engineering, architecture, systems integration, digital communications, and cybersecurity;

(2) develop a comprehensive plan to attract, develop, train, and retain talented individuals in those fields; and

(3) identify existing authorities available to the Administrator, through personnel reform, to attract, develop, and retain this talent.

(b) REPORT.—The Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 570. STUDY ON AIRPORT CREDIT ASSISTANCE.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary of Transportation shall conduct a review to determine whether a Federal credit assistance program would be beneficial and feasible for airport-related projects as defined in section 40117(a) of title 49, United States Code.

(2) CONSIDERATIONS.—In carrying out the review under paragraph (1), the Secretary may consider—

(A) expanding eligibility under an existing Federal credit assistance program to include such projects; and

(B) establishing a new credit assistance program for such projects.

(b) REPORT.—Not later than 270 days after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on the Environment and Public Works of the Senate a report on the results of the review carried out under subsection (a). The report shall include a description of—

(1) the benefits and other effects;

(2) potential projects;

(3) the budgetary impacts, including an estimate of—

(A) the average annual loan volume;

(B) the average subsidy rate; and

(C) any loss of Federal revenue;

(4) impacts on existing programs;

(5) the administrative costs; and

(6) any personnel changes.

SEC. 571. SPECTRUM AVAILABILITY.

(a) FINDINGS.—Congress makes the following findings:

(1) The Spectrum Pipeline Act of 2015 (47 U.S.C. 921 note) requires the Secretary of Commerce to identify 30 megahertz of electromagnetic spectrum below the frequency of 3 gigahertz to be reallocated to non-Federal use, to shared Federal and non-Federal use, or to a combination thereof.

(2) The Spectrum Pipeline Act of 2015 (47 U.S.C. 921 note) authorized the Director of the Office of Management and Budget to use amounts made available through the Spectrum Relocation Fund to make payments to Federal entities for research and development, engineering studies, economic analyses, and other activities intended to improve the efficiency and effectiveness of Federal spectrum use in order to make such spectrum available for reallocation for non-Federal use, for shared Federal and non-Federal use, or for a combination thereof.

(3) The Federal Aviation Administration, in coordination with the Department of Commerce, the Department of Defense, and

the Department of Homeland Security, established the Spectrum Efficient National Surveillance Radar (referred to in this section as ''SENSR'') Program to assess the feasibility of consolidating certain long-range, short-range, and weather radar systems in order to make available the 1300–1350 megahertz band.

(4) The SENSR Program received approval and approximately $71,500,000 from Office of Management and Budget on June 2, 2017, to proceed with Phase I of the SENSR Spectrum Pipeline Plan, which will focus on requirements and concept development as well as documenting expected costs and information for all impacted Federal spectrum systems.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the SENSR Program of the FAA should continue its assessment of the feasibility of making the 1300–1350 megahertz band of electromagnetic spectrum available for non-Federal use.

SEC. 572. SPECIAL REVIEW RELATING TO AIR SPACE CHANGES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Federal Aviation Management Advisory Council established under section 106(p) of title 49, United States Code (in this section referred to as the ''Council'') shall initiate a special review of the Federal Aviation Administration.

(b) REVIEW.—The special review of the Administration required under subsection (a) shall consist of the following:

(1) A review of the practices and procedures of the Federal Aviation Administration for developing proposals with respect to changes in regulations, policies, or guidance of the Federal Aviation Administration relating to airspace that affect airport operations, airport capacity, the environment, or communities in the vicinity of airports, including an assessment of the extent to which there is consultation, or a lack of consultation, with respect to such proposals—

(A) between and among the affected elements of the Federal Aviation Administration, including the Air Traffic Organization, the Office of Airports, the Flight Standards Service, the Office of NextGen, and the Office of Energy and Environment; and

(B) between the Federal Aviation Administration and affected entities, including airports, aircraft operators, communities, and State and local governments.

(2) Recommendations for revisions to such practices and procedures to improve communications and coordination between and among affected elements of the Federal Aviation Administration and with other affected entities with respect to proposals described in paragraph (1) and the potential effects of such proposals.

(c) CONSULTATION.—In conducting the special review, the Council shall consult with—

(1) air carriers, including passenger and cargo air carriers;

(2) general aviation, including business aviation and fixed wing aircraft and rotorcraft;

(3) airports of various sizes and types;

(4) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code; and

(5) State aviation officials.

(d) REPORT REQUIRED.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the special review conducted by the Council, including a description of the comments, recommendations, and dissenting views received from the Council and a description of how the Administrator plans to implement the recommendations of the Council.

SEC. 573. REIMBURSEMENT FOR IMMIGRATION INSPECTIONS.

Section 286(i) of the Immigration and Nationality Act (8 U.S.C. 1356(i)) is amended—

(1) by inserting '', train,'' after ''commercial aircraft''; and

(2) by inserting '', rail line,'' after ''airport''.

SEC. 574. FAA EMPLOYEES IN GUAM.

(a) IN GENERAL.—The Secretary of Transportation shall use existing authorities to negotiate an agreement that shall be renegotiated after no sooner than 3 years with the Secretary of Defense—

(1) to authorize Federal Aviation Administration employees assigned to Guam, their spouses, and their dependent children access to Department of Defense health care facilities located in Guam on a space available basis; and

(2) to provide for payments by the Federal Aviation Administration to the Department of Defense for the administrative and any other costs associated with—

(A) enrolling Federal Aviation Administration employees assigned to Guam, their spouses, and their dependent children in any Department of Defense health care facility necessary to allow access pursuant to paragraph (1); and

(B) third-party billing for any medical costs incurred as a result of Federal Aviation Administration employees, their spouses, or their dependent children accessing and receiving medical treatment or services at a Department of Defense health care facility located in Guam.

(b) FUNDS SUBJECT TO APPROPRIATIONS.—Funds for payments by the Federal Aviation Administration described in subsection (a)(2) are subject to the availability of amounts specifically provided in advance for that purpose in appropriations Acts.

(c) REPORT ON ACCESS TO FACILITIES OF THE DEPARTMENT OF DEFENSE IN GUAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation and the Secretary of Defense shall jointly submit a report to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Commerce of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives on eligibility for and access to Department of Defense support facilities by Federal Aviation Administration employees in the U.S. territory of Guam.

(2) SCOPE.—The report required under paragraph (1) shall:

(A) Evaluate the ability of Department of Defense support facilities in Guam to adequately serve current military personnel and dependent populations.

(B) Determine how any substantial increases to military personnel and dependent populations in Guam would impact the ability of existing Department of Defense support facilities to provide services for military personnel and dependents stationed in Guam.

(C) Provide recommendations on any improvements to existing Department of Defense facilities which may be needed to ensure those facilities in Guam can support an increased population of military personnel and dependent population in Guam.

(D) Consider the impact of expanded access to Department of Defense support facilities in Guam to Federal Aviation Administration employees and their families on the ability of those facilities to provide services to military personnel and their families.

(E) Recognize the Federal Aviation Administration's vital role as the sole provider of radar air traffic control services for aircraft traversing into and out of the airspace near and above Guam the vast majority of which are military operations, Department of Defense aircraft, or other aircraft traveling to Guam in order to interact with Department of Defense facilities.

(F) Review the existing authorities authorizing eligibility and access for non-military personnel and their dependents to Department of Defense support facilities, including health care facilities, commissaries, and exchanges, outside the continental United States.

(G) Determine the applicability of those existing authorities to Department of Defense support facilities in the U.S. territory of Guam.

(H) Outline the specific conditions on Guam, which may necessitate access to Department of Defense support facilities in Guam by Federal Aviation Administration personnel and their families.

(I) Determine any changes in laws or regulations that may be necessary to authorize Federal Aviation Administration employees and their families access to Department of Defense health care facilities, commissaries, and exchanges in Guam.

SEC. 575. GAO STUDY ON AIRLINE COMPUTER NETWORK DISRUPTIONS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report containing a review of the following:

(1) Direct and indirect effects on passengers, if any, resulting from significant computer network disruptions of part 121 (of title 49, Code of Federal Regulations) air carriers between January 1, 2014, and the date of enactment of this section, including—

(A) systemwide delays;

(B) flight cancellations; and

(C) disrupted or broken itineraries.

(2) An estimate of any expenses incurred by passengers during significant computer network disruptions, including—

(A) meals, lodging, and ancillary expenses per persons;

(B) late hotel check-in or car rental fees;

(C) missed cruise-ship departures; and

(D) lost productivity.

(3) Air carriers' contracts of carriage and interline agreements to determine if and how air carriers accommodate passengers affected by significant computer network disruptions on other air carriers or foreign air carriers.

(4) Whether passengers who have been displaced by significant computer network disruptions are furnished with alternative transportation aboard another air carrier or foreign air carrier.

(5) Costs incurred by airports, if any, to meet the essential needs of passengers, including increased demands on utilities, food concessionaires, restroom facilities, and security staffing, during significant computer network disruptions.

(6) Other costs, if any, incurred by passengers, airports, and other entities as a direct result of significant computer network disruptions.

(7) Processes, plans, and redundancies in place at air carriers to respond to and recover from such network disruptions.

SEC. 576. TOWER MARKING.

Section 2110 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44718 note) is amended to read as follows:

''SEC. 2110. TOWER MARKING.

''(a) APPLICATION.—

''(1) IN GENERAL.—Except as provided by paragraph (2), not later than 18 months after the date of enactment of the FAA Reauthorization Act of 2018 or the date of availability of the database developed by the Administrator pursuant to subsection (c), whichever is later, all covered towers shall be either—

''(A) clearly marked consistent with applicable guidance in the advisory circular of the FAA issued December 4, 2015 (AC 70/7460-IL); or

''(B) included in the database described in subsection (c).

''(2) METEOROLOGICAL EVALUATION TOWER.—A covered tower that is a meteorological evaluation tower shall be subject to the requirements of subparagraphs (A) and (B) of paragraph (1).

''(b) DEFINITIONS.—

''(1) IN GENERAL.—In this section, the following definitions apply:

''(A) COVERED TOWER.—

''(i) IN GENERAL.—The term 'covered tower' means a structure that—

''(I) is a meteorological evaluation tower, a self-standing tower, or tower supported by guy wires and ground anchors;

''(II) is 10 feet or less in diameter at the above-ground base, excluding concrete footing;

''(III) at the highest point of the structure is at least 50 feet above ground level;

''(IV) at the highest point of the structure is not more than 200 feet above ground level;

''(V) has accessory facilities on which an antenna, sensor, camera, meteorological instrument, or other equipment is mounted; and

''(VI) is located on land that is—

''(aa) in a rural area; and

''(bb) used for agricultural purposes or immediately adjacent to such land.

''(ii) EXCLUSIONS.—The term 'covered tower' does not include any structure that—

''(I) is adjacent to a house, barn, electric utility station, or other building;

''(II) is within the curtilage of a farmstead or adjacent to another building or visible structure;

''(III) supports electric utility transmission or distribution lines;

''(IV) is a wind-powered electrical generator with a rotor blade radius that exceeds 6 feet;

''(V) is a street light erected or maintained by a Federal, State, local, or tribal entity;

''(VI) is designed and constructed to resemble a tree or visible structure other than a tower;

''(VII) is an advertising billboard;

''(VIII) is located within the right-of-way of a rail carrier, including within the boundaries of a rail yard, and is used for a railroad purpose;

''(IX)(aa) is registered with the Federal Communications Commission under the Antenna Structure Registration program set forth under part 17 of title 47, Code of Federal Regulations; and

''(bb) is determined by the Administrator to pose no hazard to air navigation; or

''(X) has already mitigated any hazard to aviation safety in accordance with Federal Aviation Administration guidance or as otherwise approved by the Administrator.

''(B) RURAL AREA.—The term 'rural area' has the meaning given the term in section 609(a)(5) of the Public Utility Regulatory Policies Act of 1978 (7 U.S.C. 918c(a)(5)).

''(C) AGRICULTURAL PURPOSES.—The term 'agricultural purposes' means farming in all its branches and the cultivation and tillage of the soil, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities performed by a farmer or on a farm, or on pasture land or rangeland.

''(2) OTHER DEFINITIONS.—The Administrator shall define such other terms as may be necessary to carry out this section.

''(c) DATABASE.—The Administrator shall—

''(1) develop a new database, or if appropriate use an existing database that meets the requirements under this section, that contains the location and height of each covered tower that, pursuant to subsection (a), the owner or operator of such tower elects not to mark (unless the Administrator has determined that there is a significant safety risk requiring that the tower be marked), except that meteorological evaluation towers shall be marked and contained in the database;

''(2) keep the database current to the extent practicable;

''(3) ensure that any proprietary information in the database is protected from disclosure in accordance with law;

''(4) ensure that, by virtue of accessing the database, users agree and acknowledge that information in the database—

''(A) may only be used for aviation safety purposes; and

''(B) may not be disclosed for purposes other than aviation safety, regardless of whether or not the information is marked or labeled as proprietary or with a similar designation;

''(5) ensure that the tower information in the database is de-identified and that the information only includes the location and height of covered towers and whether the tower has guy wires;

''(6) ensure that information in the dataset is encrypted at rest and in transit and is protected from unauthorized access and acquisition;

''(7) ensure that towers excluded from the definition of covered tower under subsection (d)(1)(B)(ii)(VIII) must be registered by its owner in the database;

''(8) ensure that a tower to be included in the database pursuant to subsection (c)(1) and constructed after the date on which the database is fully operational is submitted by its owner to the FAA for inclusion in the database before its construction;

''(9) ensure that pilots who intend to conduct low-altitude operations in locations described in subsection (b)(1)(A)(i)(VI) consult the relevant parts of the database before conducting such operations; and

''(10) make the database available for use not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018.

''(d) EXCLUSION AND WAIVER AUTHORITIES.—As part of a rulemaking conducted pursuant to this section, the Administrator—

''(1) may exclude a class, category, or type of tower that is determined by the Administrator, after public notice and comment, to not pose a hazard to aviation safety;

''(2) shall establish a process to waive specific covered towers from the marking requirements under this section as required under the rulemaking if the Administrator later determines such tower or towers do not pose a hazard to aviation safety;

''(3) shall consider, in establishing exclusions and granting waivers under this subsection, factors that may sufficiently mitigate risks to aviation safety, such as the length of time the tower has been in existence or alternative marking methods or technologies that maintains a tower's level of conspicuousness to a degree which adequately maintains the safety of the airspace; and

''(4) shall consider excluding towers located in a State that has enacted tower marking requirements according to the Federal Aviation Administration's recommended guidance for the voluntary marking of meteorological evaluation towers erected in remote and rural areas that are less than 200 feet above ground level to enhance the conspicuity of the towers for low level agricultural operations in the vicinity of those towers.

''(e) PERIODIC REVIEW.—The Administrator shall, in consultation with the Federal Communications Commission, periodically review any regulations or guidance regarding the marking of covered towers issued pursuant to this section and update them as necessary, consistent with this section, and in the interest of safety of low-altitude aircraft operations.

''(f) FCC REGULATIONS.—The Federal Communications Commission shall amend section 17.7 of title 47, Code of Federal Regulations, to require a notification to the Federal Aviation Administration for any construction or alteration of an antenna structure, as defined in section 17.2(a) of title 47, Code of Federal Regulations, that is a covered tower as defined by this section.''.

SEC. 577. MINIMUM DIMENSIONS FOR PASSENGER SEATS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and after providing notice and an opportunity for comment, the Administrator of the Federal Aviation Administration shall issue regulations that establish minimum dimensions for passenger seats on aircraft operated by air carriers in interstate air transportation or intrastate air transportation, including minimums for seat pitch, width, and length, and that are necessary for the safety of passengers.

(b) DEFINITIONS.—The definitions contained in section 40102(a) of title 49, United States Code, apply to this section.

SEC. 578. JUDICIAL REVIEW FOR PROPOSED ALTERNATIVE ENVIRONMENTAL REVIEW AND APPROVAL PROCEDURES.

Section 330 of title 23, United States Code, is amended—

(1) in subsection (a)(2), by striking ''5 States'' and inserting ''2 States''; and

(2) in subsection (e)—

(A) in paragraph (2)(A), by striking ''2 years'' and inserting ''150 days as set forth in section 139(l)''; and

(B) in paragraph (3)(B)(i), by striking ''2 years'' and inserting ''150 days as set forth in section 139(l)''.

SEC. 579. REGULATORY STREAMLINING.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final regulation revising section 121.333(c)(3) of title 14, Code of Federal Regulations, to apply only to flight altitudes above flight level 410.

SEC. 580. SPACEPORTS.

(a) SENSE OF CONGRESS ON STATE SPACEPORT CONTRIBUTIONS.—It is the Sense of Congress that—

(1) State and local government-owned or -operated spaceports have contributed hundreds of millions of dollars in infrastructure improvements to the national space launch infrastructure, providing the United States Government and commercial customers with world-class space launch and processing infrastructure that is necessary to support continued American leadership in space;

(2) State and local government-owned or –operated spaceports play a critical role in providing resiliency and redundancy in the national launch infrastructure to support national security and civil government capabilities, and should be recognized as a critical infrastructure in Federal strategy and planning;

(3) continued State and local government investments at launch and reentry facilities should be encouraged and to the maximum extent practicable supported in Federal policies, planning and infrastructure investment considerations, including through Federal, State, and local partnerships;

(4) Federal investments in space infrastructure should enable partnerships between Federal agencies and state and local spaceports to modernize and enable expanded

21st century space transportation infrastructure, especially multi-modal networks needed for robust space transportation that support national security, civil, and commercial launch customers; and

(5) States and local governments that have made investments to build, maintain, operate, and improve capabilities for national security, civil, and commercial customers should be commended for their infrastructure contributions to launch and reentry sites, and encouraged through a variety of programs and policies to continue these investments in the national interest.

(b) ESTABLISHMENT OF OFFICE OF SPACEPORTS.—

(1) ESTABLISHMENT OF OFFICE OF SPACEPORTS.—Title 51, United States Code, is amended by adding at the end of subtitle V the following:

"CHAPTER 515—OFFICE OF SPACEPORTS

"§ 51501. Establishment of Office of Spaceports

''(a) ESTABLISHMENT OF OFFICE.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation shall identify, within the Office of Commercial Space Transportation, a centralized policy office to be known as the Office of Spaceports.

''(b) FUNCTIONS.—The Office of Spaceports shall—

''(1) support licensing activities for operation of launch and reentry sites;

''(2) develop policies that promote infrastructure improvements at spaceports;

''(3) provide technical assistance and guidance to spaceports;

''(4) promote United States spaceports within the Department; and

''(5) strengthen the Nation's competitiveness in commercial space transportation infrastructure and increase resilience for the Federal Government and commercial customers.

''(c) RECOGNITION.—In carrying out the functions assigned in subsection (b), the Secretary shall recognize the unique needs and distinctions of spaceports that host—

''(1) launches to or reentries from orbit; and

''(2) are involved in suborbital launch activities.

''(d) DIRECTOR.—The head of the Office of the Associate Administrator for Commercial Space Transportation shall designate a Director of the Office of Spaceports.

''(e) DEFINITION.—In this section the term 'spaceport' means a launch or reentry site that is operated by an entity licensed by the Secretary of Transportation.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters of title 51, United State Code, is amended by adding at the end of subtitle V the following:

''515. Office of Spaceports ..... 51501''.

(c) REPORT ON NATIONAL SPACEPORTS POLICY.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) A robust network of space transportation infrastructure, including spaceports, is vital to the growth of the domestic space industry and America's competitiveness and access to space.

(B) Non-Federal spaceports have significantly increased the space transportation infrastructure of the United States through significant investments by State and local governments, which have encouraged greater private investment.

(C) These spaceports have led to the development of a growing number of orbital and suborbital launch and reentry sites that are available to the national security, civil, and commercial space customers at minimal cost to the Federal Government.

(D) The Federal Government, led by the Secretary of Transportation, should seek to promote the growth, resilience, and capabilities of this space transportation infrastructure through policies and through partnerships with State and local governments.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall submit to Congress a report that—

(A) evaluates the Federal Government's national security and civil space transportation demands and the needs of the United States and international commercial markets;

(B) proposes policies and programs designed to ensure a robust and resilient orbital and suborbital spaceport infrastructure to serve and capitalize on these space transportation opportunities;

(C) reviews the development and investments made by international competitors in foreign spaceports, to the extent practicable;

(D) makes recommendations on how the Federal Government can support, encourage, promote, and facilitate greater investments in infrastructure at spaceports; and

(E) considers and makes recommendations about how spaceports can fully support and enable the national space policy.

(3) UPDATES TO THE REPORT.—Not later than 3 years after the date of enactment of this Act and every 2 years until December 2024, the Secretary shall—

(A) update the previous report prepared under this subsection; and

(B) submit the updated report to Congress.

(4) CONSULTATIONS REQUIRED.—In preparing the reports required by this subsection, the Secretary shall consult with individuals including—

(A) the Secretary of Defense;

(B) the Secretary of Commerce;

(C) the Administrator of the National Aeronautics and Space Administration; and

(D) interested persons at spaceports, State and local governments, and industry.

(d) REPORT ON SPACE TRANSPORTATION INFRASTRUCTURE MATCHING GRANTS.—

(1) GAO STUDY AND REPORT.—The Comptroller General of the United States shall conduct a study regarding spaceport activities carried out pursuant to chapters 509 and 511 of title 51, United States Code, including—

(A) an assessment of potential mechanisms to provide Federal support to spaceports, including the airport improvement program established under subchapter I of chapter 471 of title 49, United States Code, and the program established under chapter 511 of title 51, United States Code;

(B) recommendations for potential funding options; and

(C) any necessary changes to improve the spaceport application review process.

(2) CONSULTATION.—In carrying out the study described in paragraph (1), the Comptroller General shall consult with sources from each component of the commercial space transportation sector, including interested persons in industry and government officials at the Federal, State, and local levels.

(3) USER-FUNDED SPACEPORTS.—In reviewing funding options, the Comptroller General shall distinguish between spaceports that are funded by users and those that are not.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing results of the study conducted under paragraph (1).

(e) DEFINITION.—In this section, the term ''spaceport'' means a launch or reentry site that is operated by an entity licensed by the Secretary of Transportation.

SEC. 581. SPECIAL RULE FOR CERTAIN AIRCRAFT OPERATIONS (SPACE SUPPORT VEHICLES).

(a) SPACE SUPPORT VEHICLE DEFINITIONS.—Section 50902 of title 51, United States Code, is amended—

(1) by redesignating paragraphs (21) through (25) as paragraphs (23) through (27), respectively; and

(2) by inserting after paragraph (20) the following:

''(21) 'space support vehicle flight' means a flight in the air that—

''(A) is not a launch or reentry; but

''(B) is conducted by a space support vehicle.

''(22) 'space support vehicle' means a vehicle that is—

''(A) a launch vehicle;

''(B) a reentry vehicle; or

''(C) a component of a launch or reentry vehicle.''.

(b) SPECIAL RULE FOR CERTAIN AIRCRAFT OPERATIONS.—

(1) IN GENERAL.—Chapter 447, of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

"§ 44737. Special rule for certain aircraft operations.

''(a) IN GENERAL.—The operator of an aircraft with a special airworthiness certification in the experimental category may—

''(1) operate the aircraft for the purpose of conducting a space support vehicle flight (as that term is defined in chapter 50902 of title 51); and

''(2) conduct such flight under such certificate carrying persons or property for compensation or hire —

''(A) notwithstanding any rule or term of a certificate issued by the Administrator of the Federal Aviation Administration that would prohibit flight for compensation or hire; or

''(B) without obtaining a certificate issued by the Administrator to conduct air carrier or commercial operations.

''(b) LIMITED APPLICABILITY.—Subsection (a) shall apply only to a space support vehicle flight that satisfies each of the following:

''(1) (1) The aircraft conducting the space support vehicle flight—

''(A) takes flight and lands at a single site that is operated by an entity licensed for operation under chapter 509 of title 51;

''(B) is owned or operated by a launch or reentry vehicle operator licensed under chapter 509 of title 51, or on behalf of a launch or reentry vehicle operator licensed under chapter 509 of title 51;

''(C) is a launch vehicle, a reentry vehicle, or a component of a launch or reentry vehicle licensed for operations pursuant to chapter 509 of title 51; and

''(D) is used only to simulate space flight conditions in support of—

''(i) training for potential space flight participants, government astronauts, or crew (as those terms are defined in chapter 509 of title 51);

''(ii) the testing of hardware to be used in space flight; or

''(iii) research and development tasks, which require the unique capabilities of the aircraft conducting the flight.

''(c) RULES OF CONSTRUCTION.—

''(1) SPACE SUPPORT VEHICLES.—Section 44711(a)(1) shall not apply to a person conducting a space support vehicle flight under this section only to the extent that a term of the experimental certificate under which the person is operating the space support vehicle prohibits the carriage of persons or property for compensation or hire.

''(2) AUTHORITY OF ADMINISTRATOR.—Nothing in this section shall be construed to limit

the authority of the Administrator of the Federal Aviation Administration to exempt a person from a regulatory prohibition on the carriage of persons or property for compensation or hire subject to terms and conditions other than those described in this section''.

(2) TECHNICAL AMENDMENT.—The table of contents of 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''Sec. 44737. Special rule for certain aircraft operations.''.

(3) RULE OF CONSTRUCTION RELATING TO ROLE OF NASA.—Nothing in this subsection shall be construed as limiting the ability of National Aeronautics and Space Administration (NASA) to place conditions on or otherwise qualify the operations of NASA contractors providing NASA services.

SEC. 582. PORTABILITY OF REPAIRMAN CERTIFICATES.

(a) IN GENERAL.—The Administrator shall assign to the Aviation Rulemaking Advisory Committee the task of making recommendations with respect to the regulatory and policy changes, as appropriate, to allow a repairman certificate issued under section 65.101 of title 14, Code of Federal Regulations, to be portable from one employing certificate holder to another.

(b) ACTION BASED ON RECOMMENDATIONS.—Not later than 1 year after receiving recommendations under subsection (a), the Administrator may take such action as the Administrator considers appropriate with respect to those recommendations.

SEC. 583. UNDECLARED HAZARDOUS MATERIALS PUBLIC AWARENESS CAMPAIGN.

(a) IN GENERAL.—The Secretary of Transportation shall carry out a public awareness campaign to reduce the amount of undeclared hazardous materials traveling through air commerce.

(b) CAMPAIGN REQUIREMENTS.—The public awareness campaign required under subsection (a) shall do the following:

(1) Focus on targeting segments of the hazardous materials industry with high rates of undeclared shipments through air commerce and educate air carriers, shippers, manufacturers, and other relevant stakeholders of such segments on properly packaging and classifying such shipments.

(2) Educate the public on proper ways to declare and ship hazardous materials, examples of everyday items that are considered hazardous materials, and penalties associated with intentional shipments of undeclared hazardous materials.

(c) INTERAGENCY WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall establish an interagency working group to promote collaboration and engagement between the Department of Transportation and other relevant agencies, and develop recommendations and guidance on how best to conduct the public awareness campaign required under subsection (a).

(2) DUTIES.—The interagency working group shall consult with relevant stakeholders, including cargo air carriers, passenger air carriers, and labor organizations representing pilots for cargo and passenger air carriers operating under part 121 of title 14, Code of Federal Regulations.

(d) UPDATE.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall provide to the appropriate committees of Congress an update on the status of the public awareness campaign required under subsection (a).

SEC. 584. LIABILITY PROTECTION FOR VOLUNTEER PILOTS WHO FLY FOR THE PUBLIC BENEFIT.

Section 4 of the Volunteer Protection Act of 1997 (42 U.S.C. 14503) is amended—

(1) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(2) in subsection (a), by striking ''subsections (b) and (d)'' and inserting ''subsections (b), (c), and (e)''; and

(3) by inserting after subsection (a) the following:

''(b) LIABILITY PROTECTION FOR PILOTS THAT FLY FOR PUBLIC BENEFIT.—Except as provided in subsections (c) and (e), no volunteer of a volunteer pilot nonprofit organization that arranges flights for public benefit shall be liable for harm caused by an act or omission of the volunteer on behalf of the organization if, at the time of the act or omission, the volunteer—

''(1) was operating an aircraft in furtherance of the purpose of, and acting within the scope of the volunteer's responsibilities on behalf of, the nonprofit organization to provide patient and medical transport (including medical transport for veterans), disaster relief, humanitarian assistance, or other similar charitable missions;

''(2) was properly licensed and insured for the operation of the aircraft;

''(3) was in compliance with all requirements of the Federal Aviation Administration for recent flight experience; and

''(4) did not cause the harm through willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the volunteer.''; and

(4) in subsection (g)(2), as redesignated, by striking ''(e)'' and inserting ''(f)''.

TITLE VI—AVIATION WORKFORCE

Subtitle A—Youth in Aviation

SEC. 601. STUDENT OUTREACH REPORT.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report that describes the Administration's existing outreach efforts, such as the STEM Aviation and Space Education Outreach Program, to elementary and secondary students who are interested in careers in science, technology, engineering, art, and mathematics—

(1) to prepare and inspire such students for aviation and aeronautical careers; and

(2) to mitigate an anticipated shortage of pilots and other aviation professionals.

SEC. 602. YOUTH ACCESS TO AMERICAN JOBS IN AVIATION TASK FORCE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a Youth Access to American Jobs in Aviation Task Force (in this section referred to as the ''Task Force'').

(b) DUTIES.—Not later than 12 months after its establishment under subsection (a), the Task Force shall develop and submit to the Administrator recommendations and strategies for the Administration to—

(1) facilitate and encourage high school students in the United States, beginning in their junior year, to enroll in and complete career and technical education courses, including STEM, that would prepare them to enroll in a course of study related to an aviation career at an institution of higher education, including a community college or trade school;

(2) facilitate and encourage the students described in paragraph (1) to enroll in a course of study related to an aviation career, including aviation manufacturing, engineering and maintenance, at an institution of higher education, including a community college or trade school; and

(3) identify and develop pathways for students who complete a course of study described in paragraph (2) to secure registered apprenticeships, workforce development programs, or careers in the aviation industry of the United States.

(c) CONSIDERATIONS.—When developing recommendations and strategies under subsection (b), the Task Force shall—

(1) identify industry trends that encourage or discourage youth in the United States from pursuing careers in aviation;

(2) consider how the Administration; air carriers; aircraft, powerplant, and avionics manufacturers; aircraft repair stations; and other aviation stakeholders can coordinate efforts to support youth in pursuing careers in aviation;

(3) identify methods of enhancing aviation apprenticeships, job skills training, mentorship, education, and outreach programs that are exclusive to youth in the United States; and

(4) identify potential sources of government and private sector funding, including grants and scholarships, that may be used to carry out the recommendations and strategies described in subsection (b) and to support youth in pursuing careers in aviation.

(d) REPORT.—Not later than 30 days after submission of the recommendations and strategies under subsection (b), the Task Force shall submit to the appropriate committees of Congress a report outlining such recommendations and strategies.

(e) COMPOSITION OF TASK FORCE.—The Administrator shall appoint members of the Task Force, including representatives from the following:

(1) Air carriers.

(2) Aircraft, powerplant, and avionics manufacturers.

(3) Aircraft repair stations.

(4) Local educational agencies or high schools.

(5) Institutions of higher education, including community colleges and aviation trade schools.

(6) Such other aviation and educational stakeholders and experts as the Administrator considers appropriate.

(f) PERIOD OF APPOINTMENT.—Members shall be appointed to the Task Force for the duration of the existence of the Task Force.

(g) COMPENSATION.—Task Force members shall serve without compensation.

(h) SUNSET.—The Task Force shall terminate upon the submittal of the report pursuant to subsection (d).

(i) DEFINITION OF STEM.—The term ''STEM'' means—

(1) science, technology, engineering, and mathematics; and

(2) other career and technical education subjects that build on the subjects described in paragraph (1).

Subtitle B—Women in Aviation

SEC. 611. SENSE OF CONGRESS REGARDING WOMEN IN AVIATION.

It is the sense of Congress that the aviation industry should explore all opportunities, including pilot training, science, technology, engineering, and mathematics education, and mentorship programs, to encourage and support female students and aviators to pursue a career in aviation.

SEC. 612. SUPPORTING WOMEN'S INVOLVEMENT IN THE AVIATION FIELD.

(a) ADVISORY BOARD.—To encourage women and girls to enter the field of aviation, the Administrator of the Federal Aviation Administration shall create and facilitate the Women in Aviation Advisory Board (referred to in this section as the ''Board''), with the objective of promoting organizations and programs that are providing education, training, mentorship, outreach, and recruitment of women into the aviation industry.

(b) COMPOSITION.—The Board shall consist of members whose diverse background and

expertise allow them to contribute balanced points of view and ideas regarding the strategies and objectives set forth in subsection (f).

(c) SELECTION.—Not later than 9 months after the date of enactment of this Act, the Administrator shall appoint members of the Board, including representatives from the following:

(1) Major airlines and aerospace companies.

(2) Nonprofit organizations within the aviation industry.

(3) Aviation business associations.

(4) Engineering business associations.

(5) United States Air Force Auxiliary, Civil Air Patrol.

(6) Institutions of higher education and aviation trade schools.

(d) PERIOD OF APPOINTMENT.—Members shall be appointed to the Board for the duration of the existence of the Board.

(e) COMPENSATION.—Board members shall serve without compensation.

(f) DUTIES.—Not later than 18 months after the date of enactment of this Act, the Board shall present a comprehensive plan for strategies the Administration can take, which include the following objectives:

(1) Identifying industry trends that directly or indirectly encourage or discourage women from pursuing careers in aviation.

(2) Coordinating the efforts of airline companies, nonprofit organizations, and aviation and engineering associations to facilitate support for women pursuing careers in aviation.

(3) Creating opportunities to expand existing scholarship opportunities for women in the aviation industry.

(4) Enhancing aviation training, mentorship, education, and outreach programs that are exclusive to women.

(g) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Board shall submit a report outlining the comprehensive plan for strategies pursuant to subsection (f) to the Administrator and the appropriate committees of Congress.

(2) AVAILABILITY ONLINE.—The Administrator shall make the report publicly available online and in print.

(h) SUNSET.—The Board shall terminate upon the submittal of the report pursuant to subsection (g).

Subtitle C—Future of Aviation Workforce

SEC. 621. AVIATION AND AEROSPACE WORKFORCE OF THE FUTURE.

(a) FINDINGS.—Congress finds that—

(1) in 2016, United States air carriers carried a record high number of passengers on domestic flights, 719 million passengers;

(2) the United States aerospace and defense industry employed 1.7 million workers in 2015, or roughly 2 percent of the Nation's total employment base;

(3) the average salary of an employee in the aerospace and defense industry is 44 percent above the national average;

(4) in 2015, the aerospace and defense industry contributed nearly $202.4 billion in value added to the United States economy;

(5) an effective aviation industry relies on individuals with unique skill sets, many of which can be directly obtained through career and technical education opportunities; and

(6) industry and the Federal Government have taken some actions to attract qualified individuals to careers in aviation and aerospace and to retain qualified individuals in such careers.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) public and private education institutions should make available to students and parents information on approved programs of study and career pathways, including career exploration, work-based learning opportunities, dual and concurrent enrollment opportunities, and guidance and advisement resources;

(2) public and private education institutions should partner with aviation and aerospace companies to promote career paths available within the industry and share information on the unique benefits and opportunities the career paths offer;

(3) aviation companies, including air carriers, manufacturers, commercial space companies, unmanned aircraft system companies, and repair stations, should create opportunities, through apprenticeships or other mechanisms, to attract young people to aviation and aerospace careers and to enable individuals to gain the critical skills needed to thrive in such professions; and

(4) the Federal Government should consider the needs of men and women interested in pursuing careers in the aviation and aerospace industry, the long-term personnel needs of the aviation and aerospace industry, and the role of aviation in the United States economy in the creation and administration of educational and financial aid programs.

SEC. 622. AVIATION AND AEROSPACE WORKFORCE OF THE FUTURE STUDY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study—

(1) to evaluate the current and future supply of individuals in the aviation and aerospace workforce;

(2) to identify the factors influencing the supply of individuals pursuing a career in the aviation or aerospace industry, including barriers to entry into the workforce; and

(3) to identify methods to increase the future supply of individuals in the aviation and aerospace workforce, including best practices or programs to incentivize, recruit, and retain young people in aviation and aerospace professions.

(b) CONSULTATION.—The Comptroller General shall conduct the study in consultation with—

(1) appropriate Federal agencies; and

(2) the aviation and aerospace industry, institutions of higher education, and labor stakeholders.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study and related recommendations.

SEC. 623. SENSE OF CONGRESS ON HIRING VETERANS.

It is the sense of Congress that the aviation industry, including certificate holders under parts 121, 135, and 145 of title 14, Code of Federal Regulations, should hire more of the Nation's veterans.

SEC. 624. AVIATION MAINTENANCE INDUSTRY TECHNICAL WORKFORCE.

(a) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule to modernize training programs at aviation maintenance technician schools governed by part 147 of title 14, Code of Federal Regulations.

(b) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Administrator shall coordinate with government, educational institutions, labor organizations representing aviation maintenance workers, and businesses to develop and publish guidance or model curricula for aviation maintenance technician schools referred to in subsection (a) to ensure workforce readiness for industry needs, including curricula related to training in avionics, troubleshooting, and other areas of industry needs.

(c) REVIEW AND PERIODIC UPDATES.—The Administrator shall—

(1) ensure training programs referred to in subsection (a) are revised and updated in correlation with aviation maintenance technician airman certification standards as necessary to reflect current technology and maintenance practices; and

(2) publish updates to the guidance or model curricula required under subsection (b) at least once every 2 years, as necessary, from the date of initial publication.

(d) REPORT TO CONGRESS.—If the Administrator does not issue such final rule by the deadline specified in subsection (a), the Administrator shall, not later than 30 days after such deadline, submit to the appropriate committees of Congress a report containing—

(1) an explanation as to why such final rule was not issued by such deadline; and

(2) a schedule for issuing such final rule .

(e) STUDY.—The Comptroller General of the United States shall conduct a study on technical workers in the aviation maintenance industry.

(f) CONTENTS.—In conducting the study under subsection (e), the Comptroller General shall—

(1) analyze the current Standard Occupational Classification system with regard to the aviation profession, particularly technical workers in the aviation maintenance industry;

(2) analyze how changes to the Federal employment classification of aviation maintenance industry workers might affect government data on unemployment rates and wages;

(3) analyze how changes to the Federal employment classification of aviation maintenance industry workers might affect projections for future aviation maintenance industry workforce needs and project technical worker shortfalls;

(4) analyze the impact of Federal regulation, including Federal Aviation Administration oversight of certification, testing, and education programs, on employment of technical workers in the aviation maintenance industry;

(5) develop recommendations on how Federal Aviation Administration regulations and policies could be improved to modernize training programs at aviation maintenance technical schools and address aviation maintenance industry needs for technical workers;

(6) develop recommendations for better coordinating actions by government, educational institutions, and businesses to support workforce growth in the aviation maintenance industry; and

(7) develop recommendations for addressing the needs for government funding, private investment, equipment for training purposes, and other resources necessary to strengthen existing training programs or develop new training programs to support workforce growth in the aviation industry.

(g) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study.

(h) DEFINITIONS.—In this section, the following definitions apply:

(1) AVIATION MAINTENANCE INDUSTRY.—The term ''aviation maintenance industry'' means repair stations certificated under part 145 of title 14, Code of Federal Regulations.

(2) TECHNICAL WORKER.—The term ''technical worker'' means an individual authorized under part 43 of title 14, Code of Federal Regulations, to maintain, rebuild, alter, or perform preventive maintenance on an aircraft, airframe, aircraft engine, propeller, appliance, or component part or employed by

an entity so authorized to perform such a function.

SEC. 625. AVIATION WORKFORCE DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—The Secretary of Transportation shall establish—

(1) a program to provide grants for eligible projects to support the education of future aircraft pilots and the development of the aircraft pilot workforce; and

(2) a program to provide grants for eligible projects to support the education and recruitment of aviation maintenance technical workers and the development of the aviation maintenance workforce.

(b) PROJECT GRANTS.—

(1) IN GENERAL.—Out of amounts made available under section 48105 of title 49, United States Code, not more than $5,000,000 for each of fiscal years 2019 through 2023 is authorized to be expended to provide grants under the program established under subsection (a)(1), and $5,000,000 for each of fiscal years 2019 through 2023 is authorized to provide grants under the program established under subsection (a)(2).

(2) DOLLAR AMOUNT LIMIT.—Not more than $500,000 shall be available for any 1 grant in any 1 fiscal year under the programs established under subsection (a).

(c) ELIGIBLE APPLICATIONS.—

(1) An application for a grant under the program established under subsection (a)(1) shall be submitted, in such form as the Secretary may specify, by—

(A) an air carrier, as defined in section 40102 of title 49, United States Code, or a labor organization representing aircraft pilots;

(B) an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U. S. C. 1001)) or a high school or secondary school (as defined in section 7801 of the Higher Education Act of 1965 (20 U.S.C. 7801));

(C) a flight school that provides flight training, as defined in part 61 of title 14, Code of Federal Regulations, or that holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations; or

(D) a State or local governmental entity.

(2) An application for a grant under the pilot program established under subsection (a)(2) shall be submitted, in such form as the Secretary may specify, by—

(A) a holder of a certificate issued under part 21, 121, 135, or 145 of title 14, Code of Federal Regulations or a labor organization representing aviation maintenance workers;

(B) an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a high school or secondary school (as defined in section 7801 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); and

(C) a State or local governmental entity.

(d) ELIGIBLE PROJECTS.—

(1) For purposes of the program established under subsection (a)(1), an eligible project is a project—

(A) to create and deliver curriculum designed to provide high school students with meaningful aviation education that is designed to prepare the students to become aircraft pilots, aerospace engineers, or unmanned aircraft systems operators; or

(B) to support the professional development of teachers using the curriculum described in subparagraph (A).

(2) For purposes of the pilot program established under subsection (a)(2), an eligible project is a project—

(A) to establish new educational programs that teach technical skills used in aviation maintenance, including purchasing equipment, or to improve existing such programs;

(B) to establish scholarships or apprenticeships for individuals pursuing employment in the aviation maintenance industry;

(C) to support outreach about careers in the aviation maintenance industry to—

(i) primary, secondary, and post-secondary school students; or

(ii) to communities underrepresented in the industry;

(D) to support educational opportunities related to aviation maintenance in economically disadvantaged geographic areas;

(E) to support transition to careers in aviation maintenance, including for members of the Armed Forces; or

(F) to otherwise enhance aviation maintenance technical education or the aviation maintenance industry workforce.

(e) GRANT APPLICATION REVIEW.—In reviewing and selecting applications for grants under the programs established under subsection (a), the Secretary shall—

(1) prior to selecting among competing applications, consult, as appropriate, with representatives of aircraft repair stations, design and production approval holders, air carriers, labor organizations, business aviation, general aviation, educational institutions, and other relevant aviation sectors; and

(2) ensure that the applications selected for projects established under subsection (a)(1) will allow participation from a diverse collection of public and private schools in rural, suburban, and urban areas.

Subtitle D—Unmanned Aircraft Systems Workforce

SEC. 631. COMMUNITY AND TECHNICAL COLLEGE CENTERS OF EXCELLENCE IN SMALL UNMANNED AIRCRAFT SYSTEM TECHNOLOGY TRAINING.

(a) DESIGNATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Education and the Secretary of Labor, shall establish a process to designate consortia of public, 2-year institutions of higher education as Community and Technical College Centers of Excellence in Small Unmanned Aircraft System Technology Training (in this section referred to as the ''Centers of Excellence'').

(b) FUNCTIONS.—A Center of Excellence designated under subsection (a) shall have the capacity to train students for career opportunities in industry and government service related to the use of small unmanned aircraft systems.

(c) EDUCATION AND TRAINING REQUIREMENTS.—In order to be designated as a Center of Excellence under subsection (a), a consortium shall be able to address education and training requirements associated with various types of small unmanned aircraft systems, components, and related equipment, including with respect to—

(1) multirotor and fixed-wing small unmanned aircraft;

(2) flight systems, radio controllers, components, and characteristics of such aircraft;

(3) routine maintenance, uses and applications, privacy concerns, safety, and insurance for such aircraft;

(4) hands-on flight practice using small unmanned aircraft systems and computer simulator training;

(5) use of small unmanned aircraft systems in various industry applications and local, State, and Federal government programs and services, including in agriculture, law enforcement, monitoring oil and gas pipelines, natural disaster response and recovery, fire and emergency services, and other emerging areas;

(6) Federal policies concerning small unmanned aircraft;

(7) dual credit programs to deliver small unmanned aircraft training opportunities to secondary school students; or

(8) training with respect to sensors and the processing, analyzing, and visualizing of data collected by small unmanned aircraft.

(d) COLLABORATION.—Each Center of Excellence shall seek to collaborate with institutions participating in the Alliance for System Safety of UAS through Research Excellence of the Federal Aviation Administration and with the test ranges defined under section 44801 of title 49, United States Code, as added by this Act.

(e) INSTITUTION OF HIGHER EDUCATION.—In this section, the term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

SEC. 632. COLLEGIATE TRAINING INITIATIVE PROGRAM FOR UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a collegiate training initiative program relating to unmanned aircraft systems by making new agreements or continuing existing agreements with institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) under which the institutions prepare students for careers involving unmanned aircraft systems. The Administrator may establish standards for the entry of such institutions into the program and for their continued participation in the program.

(b) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ''unmanned aircraft system'' has the meaning given that term by section 44801 of title 49, United States Code, as added by this Act.

TITLE VII—FLIGHT R&D ACT

Subtitle A—General Provisions

SEC. 701. SHORT TITLE.

This title may be cited as the ''FAA Leadership in Groundbreaking High-Tech Research and Development Act'' or the ''FLIGHT R&D Act''.

SEC. 702. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(3) NASA.—The term ''NASA'' means the National Aeronautics and Space Administration.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATIONS.—Section 48102(a) of title 49, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''and, for each of fiscal years 2012 through 2015, under subsection (g)'';

(2) in paragraph (9), by striking ''and'' at the end; and

(3) by striking paragraph (10) and inserting the following:

''(10) $189,000,000 for fiscal year 2018;

''(11) $194,000,000 for fiscal year 2019;

''(12) $199,000,000 for fiscal year 2020;

''(13) $204,000,000 for fiscal year 2021;

''(14) $209,000,000 for fiscal year 2022; and

''(15) $214,000,000 for fiscal year 2023.''.

(b) RESEARCH PRIORITIES.—Section 48102(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''consider'' and inserting ''prioritize safety in considering'';

(2) by striking paragraph (3);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

''(2) As safety related activities shall be the highest research priority, at least 70 percent of the amount appropriated under subsection (a) of this section shall be for safety research and development projects.''.

(c) ANNUAL SUBMISSION OF THE NATIONAL AVIATION RESEARCH PLAN.—Section 48102(g) of title 49, United States, Code, is amended to read as follows:

''(g) ANNUAL SUBMISSION OF THE NATIONAL AVIATION RESEARCH PLAN.—The Administrator shall submit the national aviation research plan to Congress no later than the date of submission of the President's budget request to Congress for that fiscal year, as required under section 44501(c).''.

Subtitle B—FAA Research and Development Organization

SEC. 711. ASSISTANT ADMINISTRATOR FOR RESEARCH AND DEVELOPMENT.

(a) APPOINTMENT.—Not later than 3 months after the date of enactment of this Act, the Administrator shall appoint an Assistant Administrator for Research and Development.

(b) RESPONSIBILITIES.—The Assistant Administrator for Research and Development shall, at a minimum, be responsible for—

(1) management and oversight of all the FAA's research and development programs and activities; and

(2) production of all congressional reports from the FAA relevant to research and development, including the national aviation research plan required under section 44501(c) of title 49, United States Code.

(c) DUAL APPOINTMENT.—The Assistant Administrator for Research and Development may be a dual-appointment, holding the responsibilities of another Assistant Administrator.

SEC. 712. RESEARCH ADVISORY COMMITTEE.

(a) ADVICE AND RECOMMENDATIONS.—Section 44508(a)(1)(A) of title 49, United States Code, is amended to read as follows:

''(A) provide advice and recommendations to the Administrator of the Federal Aviation Administration and Congress about needs, objectives, plans, approaches, content, and accomplishments of all aviation research and development activities and programs carried out, including those under sections 40119, 44504, 44505, 44507, 44511–44513, and 44912 of this title;''.

(b) WRITTEN REPLY TO RESEARCH ADVISORY COMMITTEE.—Section 44508 of title 49, United States Code, is amended by adding at the end the following:

''(f) WRITTEN REPLY.—

''(1) IN GENERAL.—Not later than 60 days after receiving any recommendation from the research advisory committee, the Administrator shall provide a written reply to the research advisory committee that, at a minimum—

''(A) clearly states whether the Administrator accepts or rejects the recommendation;

''(B) explains the rationale for the Administrator's decision;

''(C) sets forth the timeframe in which the Administrator will implement the recommendation; and

''(D) describes the steps the Administrator will take to implement the recommendation.

''(2) TRANSPARENCY.—The written reply to the research advisory committee, when transmitted to the research advisory committee, shall be—

''(A) made publicly available on the research advisory committee website; and

''(B) transmitted to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(3) NATIONAL AVIATION RESEARCH PLAN.—The national aviation research plan required under section 44501(c) shall include a summary of all research advisory committee recommendations and a description of the status of their implementation.''.

Subtitle C—Unmanned Aircraft Systems

SEC. 721. UNMANNED AIRCRAFT SYSTEMS RESEARCH AND DEVELOPMENT ROADMAP.

The Secretary shall submit the unmanned aircraft systems roadmap to Congress on an annual basis as required under section 48802(a) of title 49, United States Code, as added by this Act.

Subtitle D—Cybersecurity and Responses to Other Threats

SEC. 731. CYBER TESTBED.

Not later than 6 months after the date of enactment of this Act, the Administrator shall develop an integrated Cyber Testbed for research, development, evaluation, and validation of air traffic control modernization technologies, before they enter the national airspace system, as being compliant with FAA data security regulations. The Cyber Testbed shall be part of an integrated research and development test environment capable of creating, identifying, defending, and solving cybersecurity-related problems for the national airspace system. This integrated test environment shall incorporate integrated test capacities within the FAA related to the national airspace system and NextGen.

SEC. 732. STUDY ON THE EFFECT OF EXTREME WEATHER ON AIR TRAVEL.

(a) STUDY REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Federal Aviation Administration shall jointly complete a study on the effect of extreme weather on commercial air travel.

(b) ELEMENTS.—The study required by subsection (a) shall include assessment of the following:

(1) Whether extreme weather may result in an increase in turbulence.

(2) The effect of extreme weather on current commercial air routes.

(3) The effect of extreme weather on domestic airports, air traffic control facilities, and associated facilities.

Subtitle E—FAA Research and Development Activities

SEC. 741. RESEARCH PLAN FOR THE CERTIFICATION OF NEW TECHNOLOGIES INTO THE NATIONAL AIRSPACE SYSTEM.

Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with NASA, shall transmit a comprehensive research plan for the certification of new technologies into the national airspace system to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. This plan shall identify research necessary to support the certification and implementation of NextGen, including both ground and air elements, and explain the plan's relationship to other activities and procedures required for certification and implementation of new technologies into the national airspace system. This plan shall be informed by the recommendations of the National Research Council report titled ''Transformation in the Air—A Review of the FAA Research Plan'', issued on June 8, 2015. This plan shall include, at a minimum—

(1) a description of the strategic and prescriptive value of the research plan;

(2) an explanation of the expected outcomes from executing the plan;

(3) an assessment of the FAA's plan to use research and development to improve cybersecurity over the next 5 years;

(4) an assessment of the current software assurance practices, and the desired level or attributes to target in the software assurance program; and

(5) best practices in research and development used by other organizations, such as NASA, NavCanada, and Eurocontrol.

SEC. 742. TECHNOLOGY REVIEW.

(a) REVIEW.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration, in coordination with the Administrator of the National Aeronautics and Space Administration, shall conduct a review of current and planned research on the use of advanced aircraft technologies, innovative materials, alternative fuels, additive manufacturing, and novel aircraft designs, to increase aircraft fuel efficiency.

(2) SUMMARIES.—The review conducted under paragraph (1) shall include summaries of projects and missions to examine—

(A) the effectiveness of such technologies, materials, fuels, and aircraft designs to enhance fuel efficiency and aerodynamic performance, and reduce drag, weight, noise, and fuel consumption; and

(B) the potential for novel flight pattern planning and communications systems to reduce aircraft taxiing and airport circling.

(3) RECOMMENDATIONS.—The review conducted under paragraph (1) shall identify potential opportunities for additional research and development, public or private, to increase aircraft fuel efficiency.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report containing the results of the review conducted under subsection (a).

SEC. 743. CLEEN AIRCRAFT AND ENGINE TECHNOLOGY PARTNERSHIP.

(a) COOPERATIVE AGREEMENT.—Subchapter I of chapter 475 of title 49, United States Code, is amended by adding at the end the following:

''§ 47511. CLEEN engine and airframe technology partnership

''(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall enter into a cost-sharing cooperative agreement, using a competitive process, with institutions, entities, or consortiums to carry out a program for the development, maturation, and testing of certifiable CLEEN aircraft, engine technologies, and jet fuels for civil subsonic airplanes.

''(b) CLEEN ENGINE AND AIRFRAME TECHNOLOGY DEFINED.—In this section, the term 'CLEEN aircraft and engine technology' means continuous lower energy, emissions, and noise aircraft and engine technology.

''(c) PERFORMANCE OBJECTIVE.—The Administrator shall establish the performance objectives for the program in terms of the specific objectives to reduce fuel burn, emissions and noise.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 475 is amended by inserting after the item relating to section 47510 the following:

''47511. CLEEN engine and airframe technology partnership.''.

SEC. 744. RESEARCH AND DEPLOYMENT OF CERTAIN AIRFIELD PAVEMENT TECHNOLOGIES.

Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator of the Federal Aviation Administration may carry out a program for the research and development of aircraft

pavement technologies under which the Administrator makes grants to, and enters into cooperative agreements with, institutions of higher education and nonprofit organizations that—

(1) research concrete and asphalt airfield pavement technologies that extend the life of airfield pavements;

(2) develop and conduct training;

(3) provide for demonstration projects; and

(4) promote the latest airfield pavement technologies to aid in the development of safer, more cost effective, and more durable airfield pavements.

Subtitle F—Geospatial Data

SEC. 751. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This subtitle may be cited as the ''Geospatial Data Act of 2018''.

(b) FINDINGS.—Congress finds that—

(1) open and publicly available data is essential to the successful operation of the GeoPlatform;

(2) the private sector in the United States, for the purposes of acquiring and producing quality geospatial data and geospatial data services, has been and continues to be invaluable in carrying out the varying missions of Federal departments and agencies, as well as contributing positively to the United States economy; and

(3) over the last 2 decades, Congress has passed legislation that promotes greater access and use of Government information and data, which has—

(A) sparked new, innovative start-ups and services;

(B) spurred economic growth in many sectors, such as in the geospatial services;

(C) advanced scientific research;

(D) promoted public access to Federally funded services and data; and

(E) improved access to geospatial data for the purposes of promoting public health, weather forecasting, economic development, environmental protection, flood zone research, and other purposes.

SEC. 752. DEFINITIONS.

In this subtitle—

(1) the term ''Advisory Committee'' means the National Geospatial Advisory Committee established under section 754(a);

(2) the term ''Committee'' means the Federal Geographic Data Committee established under section 753(a);

(3) the term ''covered agency''—

(A) means—

(i) an Executive department, as defined in section 101 of title 5, United States Code, that collects, produces, acquires, maintains, distributes, uses, or preserves geospatial data on paper or in electronic form to fulfill the mission of the Executive department, either directly or through a relationship with another organization, including a State, local government, Indian tribe, institution of higher education, business partner or contractor of the Federal Government, and the public;

(ii) the National Aeronautics and Space Administration; or

(iii) the General Services Administration; and

(B) does not include the Department of Defense (including 30 components and agencies performing national missions) or any element of the intelligence community;

(4) the term ''GeoPlatform'' means the GeoPlatform described in section 758(a);

(5) the term ''geospatial data''—

(A) means information that is tied to a location on the Earth, including by identifying the geographic location and characteristics of natural or constructed features and boundaries on the Earth, and that is generally represented in vector datasets by points, lines, polygons, or other complex geographic features or phenomena;

(B) may be derived from, among other things, remote sensing, mapping, and surveying technologies;

(C) includes images and raster datasets, aerial photographs, and other forms of geospatial data or datasets in digitized or non-digitized form; and

(D) does not include—

(i) geospatial data and activities of an Indian tribe not carried out, in whole or in part, using Federal funds, as determined by the tribal government;

(ii) classified national security-related geospatial data and activities of the Department of Defense, unless declassified;

(iii) classified national security-related geospatial data and activities of the Department of Energy, unless declassified;

(iv) geospatial data and activities under chapter 22 of title 10, United States Code, or section 110 of the National Security Act of 1947 (50 U.S.C. 3045);

(v) intelligence geospatial data and activities, as determined by the Director of National Intelligence; or

(vi) certain declassified national security-related geospatial data and activities of the intelligence community, as determined by the Secretary of Defense, the Secretary of Energy, or the Director of National Intelligence;

(6) the term ''Indian tribe'' has the meaning given that term under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b);

(7) the term ''institution of higher education'' has the meaning given that term under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002);

(8) the term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

(9) the term ''lead covered agency'' means a lead covered agency for a National Geospatial Data Asset data theme designated under section 756(b)(1);

(10) the term ''local government'' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State;

(11) the term ''metadata for geospatial data'' means information about geospatial data, including the content, source, vintage, accuracy, condition, projection, method of collection, and other characteristics or descriptions of the geospatial data;

(12) the term ''National Geospatial Data Asset data theme'' means the National Geospatial Data Asset core geospatial datasets (including electronic records and coordinates) relating to a topic or subject designated under section 756;

(13) the term ''National Spatial Data Infrastructure'' means the technology, policies, criteria, standards, and employees necessary to promote geospatial data sharing throughout the Federal Government, State, tribal, and local governments, and the private sector (including nonprofit organizations and institutions of higher education); and

(14) the term ''proven practices'' means methods and activities that advance the use of geospatial data for the benefit of society.

SEC. 753. FEDERAL GEOGRAPHIC DATA COMMITTEE.

(a) IN GENERAL.—There is established within the Department of the Interior an interagency committee to be known as the Federal Geographic Data Committee, which shall act as the lead entity in the executive branch for the development, implementation, and review of policies, practices, and standards relating to geospatial data.

(b) MEMBERSHIP.—

(1) CHAIRPERSON AND VICE CHAIRPERSON.—The Secretary of the Interior and the Director of the Office of Management and Budget shall serve as Chairperson of the Committee and Vice Chairperson of the Committee, respectively.

(2) OTHER MEMBERS.—

(A) IN GENERAL.—The head of each covered agency and the Director of the National Geospatial-Intelligence Agency shall each designate a representative of their respective agency to serve as a member of the Committee.

(B) REQUIREMENT FOR APPOINTMENTS.—An officer appointed to serve as a member of the Committee shall hold a position as an assistant secretary, or an equivalent position, or a higher ranking position.

(3) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, and as needed thereafter, the Director of the Office of Management and Budget shall update guidance with respect to membership of the Committee and the roles of members of the Committee.

(c) DUTIES.—The Committee shall—

(1) lead the development and management of and operational decision making for the National Spatial Data Infrastructure strategic plan and geospatial data policy in accordance with section 755;

(2) designate National Geospatial Data Asset data themes and oversee the coordinated management of the National Geospatial Data Asset data themes in accordance with section 756;

(3) establish and maintain geospatial data standards in accordance with section 757;

(4) periodically review and determine the extent to which covered agencies comply with geospatial data standards;

(5) ensure that the GeoPlatform operates in accordance with section 758;

(6) direct and facilitate national implementation of the system of National Geospatial Data Asset data themes;

(7) communicate with and foster communication among covered agencies and other entities and individuals relating to geospatial data technology development, transfer, and exchange in order to—

(A) identify and meet the needs of users of geospatial data;

(B) promote cost-effective data collection, documentation, maintenance, distribution, and preservation strategies; and

(C) leverage Federal and non-Federal resources, such as promoting Federal shared services and cross-agency coordination for marketplace solutions;

(8) define roles and responsibilities and promote and guide cooperation and coordination among agencies of the Federal Government, State, tribal, and local governments, institutions of higher education, and the private sector in the collection, production, sharing, and use of geospatial information, the implementation of the National Spatial Data Infrastructure, and the identification of proven practices;

(9) coordinate with international organizations having an interest in the National Spatial Data Infrastructure or global spatial data infrastructures;

(10) make available online and update at least annually—

(A) a summary of the status for each National Geospatial Data Asset data theme, based on the report submitted by the applicable lead covered agency under section 756(b)(3)(E)(ii)(I), which shall include—

(i) an evaluation of the progress of each lead covered agency in achieving the requirements under subparagraphs (A), (B), (C), and (D) of section 756(b)(3); and

(ii) a determination of whether, for each of subparagraphs (A), (B), (C), and (D) of section 756(b)(3), each lead covered agency meets expectations, has made progress toward expectations, or fails to meet expectations;

(B) a summary and evaluation of the achievements of each covered agency, based on the annual report submitted by the covered agency under section 759(b)(1), which shall include a determination of whether the covered agency meets expectations, has made progress toward expectations, or fails to meet expectations for each of paragraphs (1) through (13) of section 759(a);

(C) a collection of periodic technical publications, management articles, and reports related to the National Spatial Data Infrastructure; and

(D) a membership directory for the Committee, including identifying members of any subcommittee or working group of the Committee;

(11)(A) make available to and request comments from the Advisory Committee regarding the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10);

(B) if requested by the Advisory Committee, respond to any comments by the Advisory Committee; and

(C) not less than once every 2 years, submit to Congress a report that includes the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10), the comments of the Advisory Committee, and the responses of the Committee to the comments;

(12)(A) make available to and request comments from covered agencies regarding the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10); and

(B) not less than once every 2 years, submit to Congress a report that includes the comments of the covered agencies and the responses of the Committee to the comments; and

(13) support and promote the infrastructure of networks, systems, services, and standards that provide a digital representation of the Earth to users for many applications.

(d) STAFF SUPPORT.—The Committee shall establish an Office of the Secretariat within the Department of the Interior to provide administrative support, strategic planning, funding, and technical support to the Committee.

SEC. 754. NATIONAL GEOSPATIAL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Secretary of the Interior shall establish within the Department of the Interior the National Geospatial Advisory Committee to provide advice and recommendations to the Chairperson of the Committee.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Advisory Committee shall be composed of not more than 30 members, at least one of which will be from the National Geospatial-Intelligence Agency, who shall—

(A) be appointed by the Chairperson of the Committee;

(B) be selected—

(i) to generally achieve a balanced representation of the viewpoints of various interested parties involved in national geospatial activities and the development of the National Spatial Data Infrastructure; and

(ii) with consideration of a geographic balance of residence of the members; and

(C) be selected from among groups involved in the geospatial community, including—

(i) States;

(ii) local governments;

(iii) regional governments;

(iv) tribal governments;

(v) private sector entities;

(vi) geospatial information user industries;

(vii) professional associations;

(viii) scholarly associations;

(ix) nonprofit organizations;

(x) academia;

(xi) licensed geospatial data acquisition professionals; and

(xii) the Federal Government.

(2) CHAIRPERSON.—The Chairperson of the Committee shall appoint the Chairperson of the Advisory Committee.

(3) PERIOD OF APPOINTMENT; VACANCIES.—

(A) IN GENERAL.—Members shall be appointed for a term of 3 years, with the term of ⅓ of the members expiring each year.

(B) VACANCIES.—Any vacancy in the Advisory Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) LIMIT ON TERMS.—Except for the member from the National Geospatial-Intelligence Agency, an individual—

(A) may not be appointed to more than 2 consecutive terms as a member of the Advisory Committee; and

(B) after serving for 2 consecutive terms, is eligible to be appointed as a member of the Advisory Committee on and after the date that is 2 years after the end of the second consecutive term of the individual as a member of the Advisory Committee.

(5) ETHICAL REQUIREMENTS.—A member of the Advisory Committee may not participate in any specific-party matter (including a lease, license, permit, contract, claim, agreement, or related litigation) with the Department of the Interior in which the member has a direct financial interest.

(6) INCUMBENTS.—

(A) IN GENERAL.—An individual serving on the day before the date of enactment of this Act as a member of the National Geospatial Advisory Committee established by the Secretary of the Interior may serve as a member of the Advisory Committee until the end of the term of the individual under the appointment.

(B) LIMIT ON TERMS.—Any period of service as a member of the National Geospatial Advisory Committee established by the Secretary of the Interior shall be considered a period of service as a member of the Advisory Committee for purposes of paragraph (4).

(c) SUBCOMMITTEES.—A subcommittee of the Advisory Committee—

(1) may be formed for the purposes of compiling information or conducting research;

(2) shall be composed of members appointed by the Chairperson of the Advisory Committee;

(3) shall act under the direction of the Chairperson of the Advisory Committee and the officer or employee designated under section 10(e) of the Federal Advisory Committee Act (5 U.S.C. App.) with respect to the Advisory Committee;

(4) shall report the recommendations of the subcommittee to the Advisory Committee for consideration; and

(5) shall meet as necessary to accomplish the objectives of the subcommittee, subject to the approval of the Chairperson of the Advisory Committee and the availability of resources.

(d) MEETINGS.—

(1) IN GENERAL.—The Advisory Committee shall meet at the call of the Chairperson, not less than 1 time each year and not more than 4 times each year.

(2) QUORUM.—A majority of the members of the Advisory Committee shall constitute a quorum, but a lesser number of members may hold meetings or hearings.

(e) DUTIES OF THE ADVISORY COMMITTEE.—The Advisory Committee shall—

(1) provide advice and recommendations relating to—

(A) the management of Federal and national geospatial programs;

(B) the development of the National Spatial Data Infrastructure; and

(C) implementation of this subtitle;

(2) review and comment on geospatial policy and management issues; and

(3) ensure the views of representatives of non-Federal interested parties involved in national geospatial activities are conveyed to the Committee.

(f) POWERS OF THE ADVISORY COMMITTEE.—

(1) MEETINGS.—The Advisory Committee may hold meetings (which shall be open to the public) and sit and act at such times and places as the Advisory Committee considers advisable to carry out this subtitle.

(2) INFORMATION FROM COVERED AGENCIES.—

(A) IN GENERAL.—The Advisory Committee, with the concurrence of the Chairperson of the Committee, may secure directly from any covered agency such information as the Advisory Committee considers necessary to carry out this subtitle. Upon request of the Chairperson of the Advisory Committee, the head of such agency shall furnish such information to the Advisory Committee.

(B) NONCOOPERATION.—The Advisory Committee shall include in the comments of the Advisory Committee submitted under section 753(c)(11) a discussion of any failure by a covered agency to furnish information in response to a request under subparagraph (A) of this paragraph.

(3) POSTAL SERVICES.—The Advisory Committee may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(g) ADVISORY COMMITTEE PERSONNEL MATTERS.—

(1) NO COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Advisory Committee who is not an officer or employee of the Federal Government shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Advisory Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(2) TRAVEL EXPENSES.—The members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Advisory Committee.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee to support the Advisory Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) STAFF SUPPORT.—The Office of the Secretariat established by the Committee under section 753(d) shall provide administrative support to the Advisory Committee.

(h) APPLICABILITY OF FACA.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Advisory Committee.

(2) NO TERMINATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

(i) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Advisory Committee shall terminate 10 years after the date of enactment of this Act.

(2) CONTINUATION.—The Advisory Committee may be continued for successive 10-year periods by action taken by the Secretary of the Interior to renew the Advisory

Committee before the date on which the Advisory Committee would otherwise terminate.

SEC. 755. NATIONAL SPATIAL DATA INFRASTRUCTURE.

(a) IN GENERAL.—The National Spatial Data Infrastructure shall ensure that geospatial data from multiple sources (including the covered agencies, State, local, and tribal governments, the private sector, and institutions of higher education) is available and easily integrated to enhance the understanding of the physical and cultural world.

(b) GOALS.—The goals of the National Spatial Data Infrastructure are to—

(1) ensure—

(A) that geospatial data are reviewed prior to disclosure to ensure—

(i) compliance with section 552a of title 5 (commonly known as the ''Privacy Act of 1974''); and

(ii) that personally identifiable information is not disclosed, which shall include an assessment of re-identification risk when determining what data constitute personally identifiable information;

(B) that geospatial data are designed to enhance the accuracy of statistical information, both in raw form and in derived information products;

(C) free and open access for the public to geospatial data, information, and interpretive products, in accordance with Office of Management and Budget Circular A–130, or any successor thereto;

(D) the protection of proprietary interests related to licensed information and data; and

(E) the interoperability and sharing capabilities of Federal information systems and data to enable the drawing of resources from covered agencies and partners of covered agencies; and

(2) support and advance the establishment of a Global Spatial Data Infrastructure, consistent with national security, national defense, national intelligence, and international trade requirements, including ensuring that covered agencies develop international geospatial data in accordance with international voluntary consensus standards, as defined in Office of Management and Budget Circular A–119, or any successor thereto.

(c) STRATEGIC PLAN.—The Committee shall prepare and maintain a strategic plan for the development and implementation of the National Spatial Data Infrastructure in a manner consistent with national security, national defense, and emergency preparedness program policies regarding data accessibility.

(d) ADVISORY ROLE.—The Committee shall advise Federal and non-Federal users of geospatial data on their responsibilities relating to implementation of the National Spatial Data Infrastructure.

SEC. 756. NATIONAL GEOSPATIAL DATA ASSET DATA THEMES.

(a) IN GENERAL.—The Committee shall designate as National Geospatial Data Asset data themes the primary topics and subjects for which the coordinated development, maintenance, and dissemination of geospatial data will benefit the Federal Government and the interests of the people of the United States, which shall—

(1) be representations of conceptual topics describing digital spatial information for the Nation; and

(2) contain associated datasets (with attribute records and coordinates)—

(A) that are documented, verifiable, and officially designated to meet recognized standards;

(B) that may be used in common; and

(C) from which other datasets may be derived.

(b) LEAD COVERED AGENCIES.—

(1) IN GENERAL.—For each National Geospatial Data Asset data theme, the Committee shall designate one or more covered agencies as the lead covered agencies for the National Geospatial Data Asset data theme.

(2) GENERAL RESPONSIBILITY.—The lead covered agencies for a National Geospatial Data Asset data theme shall be responsible for ensuring the coordinated management of the data, supporting resources (including technology and personnel), and related services and products of the National Geospatial Data Asset data theme.

(3) SPECIFIC RESPONSIBILITIES.—To assist in fulfilling the responsibilities under paragraph (2) with respect to a National Geospatial Data Asset data theme, the lead covered agencies shall—

(A) provide leadership and facilitate the development and implementation of geospatial data standards for the National Geospatial Data Asset data theme, with a particular emphasis on a data content standard for the National Geospatial Data Asset data theme, including by—

(i) assessing existing standards;

(ii) identifying anticipated or needed data standards; and

(iii) developing a plan to originate and implement needed standards with relevant community and international practices—

(I) in accordance with Office of Management and Budget Circular A–119, or any successor thereto; and

(II) consistent with or as a part of the plan described in subparagraph (B);

(B) provide leadership and facilitate the development and implementation of a plan for nationwide population of the National Geospatial Data Asset data theme, which shall—

(i) include developing partnership programs with States, Indian tribes, institutions of higher education, private sector entities, other Federal agencies, and local governments;

(ii) meet the needs of users of geospatial data;

(iii) address human and financial resource needs;

(iv) identify needs relating to standards, metadata for geospatial data within the National Geospatial Data Asset data theme, and the GeoPlatform; and

(v) expedite the development of necessary National Geospatial Data Asset data themes;

(C) establish goals that support the strategic plan for the National Spatial Data Infrastructure prepared under section 755(c);

(D) as necessary, collect and analyze information from users of geospatial data within the National Geospatial Data Asset data theme regarding the needs of the users for geospatial data and incorporate the needs of users in strategies relating to the National Geospatial Data Asset data theme; and

(E) as part of administering the National Geospatial Data Asset data theme—

(i) designate a point of contact within the lead covered agency who shall be responsible for developing, maintaining, coordination relating to, and disseminating data using the GeoPlatform;

(ii) submit to the Committee—

(I) a performance report, at least annually, that documents the activities relating to and implementation of the National Geospatial Data Asset data theme, including progress in achieving the requirements under subparagraphs (A), (B), (C), and (D); and

(II) comments, as appropriate, regarding the summary and evaluation of the performance report provided by the Committee under section 753(c)(12);

(iii) publish maps or comparable graphics online (in accordance with the mapping conventions specified by the Committee) showing the extent and status of the National Geospatial Data Asset data themes for which the covered agency is a lead covered agency;

(iv) encourage individuals and entities that are a source of geospatial data or metadata for geospatial data for the National Geospatial Data Asset data theme to provide access to such data through the GeoPlatform;

(v) coordinate with the GeoPlatform; and

(vi) identify and publish proven practices for the use and application of geospatial data of the lead covered agency.

SEC. 757. GEOSPATIAL DATA STANDARDS.

(a) IN GENERAL.—In accordance with section 216 of the E-Government Act of 2002 (44 U.S.C. 3501 note), the Committee shall establish standards for each National Geospatial Data Asset data theme, which—

(1) shall include—

(A) rules, conditions, guidelines, and characteristics for the geospatial data within the National Geospatial Data Asset data theme and related processes, technology, and organization; and

(B) content standards for metadata for geospatial data within the National Geospatial Data Asset data theme;

(2) to the maximum extent practicable, shall be consistent with international standards and protocols;

(3) shall include universal data standards that shall be acceptable for the purposes of declassified intelligence community data; and

(4) the Committee shall periodically review and update as necessary for the standards to remain current, relevant, and effective.

(b) DEVELOPMENT OF STANDARDS.—The Committee shall—

(1) develop and promulgate standards under this section—

(A) in accordance with Office of Management and Budget Circular A–119, or any successor thereto; and

(B) after consultation with a broad range of data users and providers;

(2) to the maximum extent possible, use national and international standards adopted by voluntary standards consensus bodies; and

(3) establish new standards only to the extent standards described in paragraph (2) do not exist.

(c) EXCLUSION.—The Secretary of the Interior shall withhold from public disclosure any information the disclosure of which reasonably could be expected to cause damage to the national interest, security, or defense of the United States, including information relating to geospatial intelligence data activities, as determined in consultation with the Director of National Intelligence.

SEC. 758. GEOPLATFORM.

(a) IN GENERAL.—The Committee shall operate an electronic service that provides access to geospatial data and metadata for geospatial data to the general public, to be known as the GeoPlatform.

(b) IMPLEMENTATION.—

(1) IN GENERAL.—The GeoPlatform—

(A) shall—

(i) be available through the internet and other communications means;

(ii) be accessible through a common interface;

(iii) include metadata for all geospatial data collected by covered agencies, directly or indirectly;

(iv) include download access to all open geospatial data directly or indirectly collected by covered agencies; and

(v) include a set of programming instructions and standards providing an automated means of accessing available geospatial data, which—

(I) harmonize sources and data standards associated with geospatial data, including metadata; and

(II) to the maximum extent practicable, as determined by the Chairperson of the Committee, shall be made publicly available;

(B) may include geospatial data from a source other than a covered agency, if determined appropriate by the Committee; and

(C) shall not store or serve proprietary information or data acquired under a license by the Federal Government, unless authorized by the data provider.

(2) MANAGING PARTNER.—The Chairperson of the Committee shall designate an agency to serve as the managing partner for developing and operating the GeoPlatform, taking direction from the Committee on the scope, functionality, and performance of the GeoPlatform.

(c) CLARIFICATION.—Although the GeoPlatform is intended to include all National Geospatial Data Asset and other Federal datasets, nothing in this subtitle shall be construed to prevent a covered agency from also presenting, providing, or disseminating data that is—

(1) specific to the functions of the covered agency; or

(2) targeted to information consumers that directly interface with the services, portals, or other mechanisms of the covered agency.

SEC. 759. COVERED AGENCY RESPONSIBILITIES.

(a) IN GENERAL.—Each covered agency shall—

(1) prepare, maintain, publish, and implement a strategy for advancing geographic information and related geospatial data and activities appropriate to the mission of the covered agency, in support of the strategic plan for the National Spatial Data Infrastructure prepared under section 755(c);

(2) collect, maintain, disseminate, and preserve geospatial data such that the resulting data, information, or products can be readily shared with other Federal agencies and non-Federal users;

(3) promote the integration of geospatial data from all sources;

(4) ensure that data information products and other records created in geospatial data and activities are included on agency record schedules that have been approved by the National Archives and Records Administration;

(5) allocate resources to fulfill the responsibilities of effective geospatial data collection, production, and stewardship with regard to related activities of the covered agency, and as necessary to support the activities of the Committee;

(6) use the geospatial data standards, including the standards for metadata for geospatial data, and other appropriate standards, including documenting geospatial data with the relevant metadata and making metadata available through the GeoPlatform;

(7) coordinate and work in partnership with other Federal agencies, agencies of State, tribal, and local governments, institutions of higher education, and the private sector to efficiently and cost-effectively collect, integrate, maintain, disseminate, and preserve geospatial data, building upon existing non-Federal geospatial data to the extent possible;

(8) use geospatial information to—

(A) make Federal geospatial information and services more useful to the public;

(B) enhance operations;

(C) support decision making; and

(D) enhance reporting to the public and to Congress;

(9) protect personal privacy and maintain confidentiality in accordance with Federal policy and law;

(10) participate in determining, when applicable, whether declassified data can contribute to and become a part of the National Spatial Data Infrastructure;

(11) search all sources, including the GeoPlatform, to determine if existing Federal, State, local, or private geospatial data meets the needs of the covered agency before expending funds for geospatial data collection;

(12) to the maximum extent practicable, ensure that a person receiving Federal funds for geospatial data collection provides high-quality data; and

(13) appoint a contact to coordinate with the lead covered agencies for collection, acquisition, maintenance, and dissemination of the National Geospatial Data Asset data themes used by the covered agency.

(b) REPORTING.—

(1) IN GENERAL.—Each covered agency shall submit to the Committee an annual report regarding the achievements of the covered agency in preparing and implementing the strategy described in subsection (a)(1) and complying with the other requirements under subsection (a).

(2) BUDGET SUBMISSION.—Each covered agency shall—

(A) include geospatial data in preparing the budget submission of the covered agency to the President under sections 1105(a) and 1108 of title 31, United States Code;

(B) maintain an inventory of all geospatial data assets in accordance with OMB Circular A–130, or any successor thereto; and

(C) prepare an annual report to Congress identifying Federal-wide geospatial data assets, as defined in OMB Circular A–16, as set forth in OMB memo M–11–03, Issuance of OMB Circular A–16 Supplemental Guidance (November 10, 2010), or any successor thereto.

(3) DISCLOSURE.—Each covered agency shall disclose each contract, cooperative agreement, grant, or other transaction that deals with geospatial data, which may include posting information relating to the contract, cooperative agreement, grant, or other transaction on www.USAspending.gov and www.itdashboard.gov, or any successors thereto.

(4) OMB REVIEW.—In reviewing the annual budget justifications submitted by covered agencies, the Office of Management and Budget shall take into consideration the summary and evaluations required under subparagraphs (A) and (B) of section 753(c)(10), comments, and replies to comments as required under paragraphs (11) and (12) of section 753(c), in its annual evaluation of the budget justification of each covered agency.

(5) REPORTING.—The Office of Management and Budget shall include a discussion of the summaries and evaluation of the progress in establishing the National Spatial Data Infrastructure in each E-Government status report submitted under section 3606 of title 44, United States Code.

(c) AUDITS.—Not less than once every 2 years, the inspector general of a covered agency (or senior ethics official of the covered agency for a covered agency without an inspector general) shall submit to Congress an audit of the collection, production, acquisition, maintenance, distribution, use, and preservation of geospatial data by the covered agency, which shall include a review of—

(1) the compliance of the covered agency with the standards for geospatial data, including metadata for geospatial data, established under section 757;

(2) the compliance of the covered agency with the requirements under subsection (a); and

(3) the compliance of the covered agency on the limitation on the use of Federal funds under section 759A.

SEC. 759A. LIMITATION ON USE OF FEDERAL FUNDS.

(a) DEFINITION.—In this section, the term ''implementation date'' means the date that is 5 years after the date on which standards for each National Geospatial Data Asset data theme are established under section 757.

(b) LIMITATION.—Except as provided otherwise in this section, on and after the implementation date, a covered agency may not use Federal funds for the collection, production, acquisition, maintenance, or dissemination of geospatial data that does not comply with the applicable standards established under section 757, as determined by the Committee.

(c) EXCEPTION FOR EXISTING GEOSPATIAL DATA.—On and after the implementation date, a covered agency may use Federal funds to maintain and disseminate geospatial data that does not comply with the applicable standards established under section 757 if the geospatial data was collected, produced, or acquired by the covered agency before the implementation date.

(d) WAIVER.—

(1) IN GENERAL.—The Chairperson of the Committee may grant a waiver of the limitation under subsection (b), upon a request from a covered agency submitted in accordance with paragraph (2).

(2) REQUIREMENTS.—A request for a waiver under paragraph (1) shall—

(A) be submitted not later than 30 days before the implementation date;

(B) provide a detailed explanation of the reasons for seeking a waiver;

(C) provide a detailed plan to achieve compliance with the applicable standards established under section 757; and

(D) provide the date by which the covered agency shall achieve compliance with the applicable standards established under section 757.

(e) BEST EFFORTS TO COMPLY DURING TRANSITION.—During the period beginning on the date on which standards for a National Geospatial Data Asset data theme are established under section 757 and ending on the implementation date, each covered agency, to the maximum extent practicable, shall collect, produce, acquire, maintain, and disseminate geospatial data within the National Geospatial Data Asset data theme in accordance with the standards.

SEC. 759B. SAVINGS PROVISION.

Nothing in this subtitle shall repeal, amend, or supersede any existing law unless specifically provided in this subtitle.

SEC. 759C. PRIVATE SECTOR.

The Committee and each covered agency may, to the maximum extent practical, rely upon and use the private sector in the United States for the provision of geospatial data and services.

Subtitle G—Miscellaneous

SEC. 761. NEXTGEN RESEARCH.

Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report specifying the top 5 priority research areas for the implementation and advancement of NextGen, including—

(1) an assessment of why the research areas are a priority for the implementation and advancement of NextGen;

(2) an identification of the other Federal agencies and private organizations assisting the Administration with the research; and

(3) an estimate of when the research will be completed.

SEC. 762. ADVANCED MATERIALS CENTER OF EXCELLENCE.

(a) IN GENERAL.—Chapter 445 of title 49, United States Code, is amended by adding at the end the following:

''§ 44518. Advanced Materials Center of Excellence

''(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall continue operation of the Advanced Materials Center of Excellence (referred to in this section as the 'Center') under its structure as in effect on March 1, 2016, which shall focus on applied research and training on the durability and maintainability of advanced materials in transport airframe structures.

''(b) RESPONSIBILITIES.—The Center shall—

''(1) promote and facilitate collaboration among academia, the Transportation Division of the Federal Aviation Administration, and the commercial aircraft industry, including manufacturers, commercial air carriers, and suppliers; and

''(2) establish goals set to advance technology, improve engineering practices, and facilitate continuing education in relevant areas of study.''.

(b) TABLE OF CONTENTS.—The table of contents for chapter 445 of title 49, United States Code, is amended by adding at the end the following:

''44518. Advanced Materials Center of Excellence.''.

TITLE VIII—AVIATION REVENUE PROVISIONS

SEC. 801. EXPENDITURE AUTHORITY FROM AIRPORT AND AIRWAY TRUST FUND.

(a) IN GENERAL.—Section 9502(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in the matter preceding subparagraph (A) by striking ''October 1, 2018'' and inserting ''October 1, 2023''; and

(2) in subparagraph (A) by striking the semicolon at the end and inserting ''or the FAA Reauthorization Act of 2018;''.

(b) CONFORMING AMENDMENT.—Section 9502(e)(2) of such Code is amended by striking ''October 1, 2018'' and inserting ''October 1, 2023''.

SEC. 802. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2018'' and inserting ''September 30, 2023''.

(b) TICKET TAXES.—

(1) PERSONS.—Section 4261(k)(1)(A)(ii) of such Code is amended by striking ''September 30, 2018'' and inserting ''September 30, 2023''.

(2) PROPERTY.—Section 4271(d)(1)(A)(ii) of such Code is amended by striking ''September 30, 2018'' and inserting ''September 30, 2023''.

(c) FRACTIONAL OWNERSHIP PROGRAMS.—

(1) FUEL TAX.—Section 4043(d) of such Code is amended by striking ''September 30, 2021'' and inserting ''September 30, 2023''.

(2) TREATMENT AS NONCOMMERCIAL AVIATION.—Section 4083(b) of such Code is amended by striking ''October 1, 2018'' and inserting ''October 1, 2023''.

(3) EXEMPTION FROM TICKET TAXES.—Section 4261(j) of such Code is amended by striking ''September 30, 2018'' and inserting ''September 30, 2023''.

DIVISION C—NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT OF 2018

SEC. 1101. SHORT TITLE.

This division may be cited as the ''National Transportation Safety Board Reauthorization Act''.

SEC. 1102. DEFINITIONS.

In this division, the following definitions apply:

(1) BOARD.—The term ''Board'' means the National Transportation Safety Board.

(2) CHAIRMAN.—The term ''Chairman'' means the Chairman of the National Transportation Safety Board.

(3) MOST WANTED LIST.—The term ''Most Wanted List'' means the Board publication entitled ''Most Wanted List''.

SEC. 1103. AUTHORIZATION OF APPROPRIATIONS.

Section 1118(a) of title 49, United States Code, is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated for the purposes of this chapter $111,400,000 for fiscal year 2019, $112,400,000 for fiscal year 2020, $113,400,000 for fiscal year 2021, and $114,400,000 for fiscal year 2022. Such sums shall remain available until expended.''.

SEC. 1104. STILL IMAGES.

(a) STILL IMAGES, VOICE RECORDERS, AND VIDEO RECORDERS.—

(1) COCKPIT RECORDINGS AND TRANSCRIPTS.—Section 1114(c) of title 49, United States Code, is amended—

(A) by redesignating paragraph (2) as paragraph (3);

(B) in paragraph (3), as so redesignated, by inserting ''REFERENCES TO INFORMATION IN MAKING SAFETY RECOMMENDATIONS.—'' before ''This''; and

(C) in paragraph (1)—

(i) in the first sentence, by striking ''The Board'' and inserting ''CONFIDENTIALITY OF RECORDINGS.—Except as provided in paragraph (2), the Board''; and

(ii) by amending the second sentence to read as follows:

''(2) EXCEPTION.—Subject to subsections (b) and (g), the Board shall make public any part of a transcript, any written depiction of visual information obtained from a video recorder, or any still image obtained from a video recorder the Board decides is relevant to the accident or incident—

''(A) if the Board holds a public hearing on the accident or incident, at the time of the hearing; or

''(B) if the Board does not hold a public hearing, at the time a majority of the other factual reports on the accident or incident are placed in the public docket.''.

(2) SURFACE VEHICLE RECORDINGS AND TRANSCRIPTS.—Section 1114(d) of title 49, United States Code, is amended—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) in paragraph (1)—

(i) in the first sentence, by striking ''The Board'' and inserting ''Except as provided in paragraph (2), the Board''; and

(ii) by amending the second sentence to read as follows:

''(2) EXCEPTION.—Subject to subsections (b) and (g), the Board shall make public any part of a transcript, any written depiction of visual information obtained from a video recorder, or any still image obtained from a video recorder the Board decides is relevant to the accident—

''(A) if the Board holds a public hearing on the accident, at the time of the hearing; or

''(B) if the Board does not hold a public hearing, at the time a majority of the other factual reports on the accident are placed in the public docket.''.

(3) PRIVACY PROTECTIONS.—Section 1114 of title 49, United States Code, is amended by adding at the end the following:

''(g) PRIVACY PROTECTIONS.—Before making public any still image obtained from a video recorder under subsection (c)(2) or subsection (d)(2), the Board shall take such action as appropriate to protect from public disclosure any information that readily identifies an individual, including a decedent.''.

(b) COCKPIT AND SURFACE VEHICLE RECORDINGS AND TRANSCRIPTS.—Section 1154(a) of title 49, United States Code, is amended—

(1) in the heading, by striking ''TRANSCRIPTS AND RECORDINGS'' and inserting ''IN GENERAL'';

(2) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B), as so redesignated, the following:

''(A) any still image that the National Transportation Safety Board has not made available to the public under section 1114(c) or 1114(d) of this title;'';

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''recorder recording'' and inserting ''recorder recording, including with regard to a video recording any still image that the National Transportation Safety Board has not made available to the public under section 1114(c) or 1114(d) of this title,''; and

(B) in subparagraph (B), by striking ''recorder recording'' and inserting ''recorder recording, including with regard to a video recording any still image that the National Transportation Safety Board has not made available to the public under section 1114(c) or 1114(d) of this title,'';

(4) in paragraph (4)—

(A) in subparagraph (A)—

(i) by inserting ''a still image or'' before ''a part of a cockpit''; and

(ii) by striking ''the part of the transcript or the recording'' each place it appears and inserting ''the still image, the part of the transcript, or the recording'';

(B) in subparagraph (B)—

(i) by inserting ''a still image or'' before ''a part of a cockpit''; and

(ii) by striking ''the part of the transcript or the recording'' each place it appears and inserting ''the still image, the part of the transcript, or the recording''; and

(5) in paragraph (6)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

''(B) STILL IMAGE.—The term 'still image' means any still image obtained from a video recorder.''.

SEC. 1105. ELECTRONIC RECORDS.

Section 1134(a)(2) of title 49, United States Code, is amended by inserting ''including an electronic record,'' after ''record,''.

SEC. 1106. REPORT ON MOST WANTED LIST METHODOLOGY.

(a) IN GENERAL.—Not later than the date on which the first Most Wanted List to be published after the date of enactment of this Act is published, the Chairman shall publish on a publicly available website of the Board and submit to appropriate committees of Congress a report on the methodology used to prioritize and select recommendations to be included by the Board in the Most Wanted List.

(b) ELEMENTS.—The report under subsection (a) shall include—

(1) a detailed description of how the Board accounts for the risk to safety addressed in each of its recommendations, including the extent to which the Board considers—

(A) the types of data and other information, including studies and reports, used to identify the amount and probability of risk to safety;

(B) the reduction of the risk to safety, estimated over a period of time, by implementing each recommendation;

(C) the practicality and feasibility of achieving the reduction of the risk to safety described in subparagraph (B); and

(D) any alternate means of reducing the risk;

(2) a detailed description of the extent to which the Board considers any prior, related investigation, safety recommendation, or other safety action when prioritizing and selecting recommendations; and

(3) a description of the extent of coordination and consultation when prioritizing and selecting the recommendations.

(c) GAO REPORT.—Not later than 15 months after the date that the methodology report is published under subsection (a), the Comptroller General of the United States shall submit to the appropriate committees of Congress a report examining the methodology used by the Board to prioritize and select safety recommendations for inclusion in the Most Wanted List.

SEC. 1107. METHODOLOGY.

(a) REDESIGNATION.—Section 1116 of title 49, United States Code, is amended by adding at the end the following:

''(c) ANNUAL REPORT.—The National Transportation Safety Board shall submit a report to Congress on July 1 of each year. The report shall include—

''(1) a statistical and analytical summary of the transportation accident investigations conducted and reviewed by the Board during the prior calendar year;

''(2) a survey and summary of the recommendations made by the Board to reduce the likelihood of recurrence of those accidents together with the observed response to each recommendation;

''(3) a detailed appraisal of the accident investigation and accident prevention activities of other departments, agencies, and instrumentalities of the United States Government and State and local governmental authorities having responsibility for those activities under a law of the United States or a State;

''(4) a description of the activities and operations of the National Transportation Safety Board Training Center during the prior calendar year;

''(5) a list of accidents, during the prior calendar year, that the Board was required to investigate under section 1131 but did not investigate and an explanation of why they were not investigated; and

''(6) a list of ongoing investigations that have exceeded the expected time allotted for completion by Board order and an explanation for the additional time required to complete each such investigation.''.

(b) METHODOLOGY.—

(1) IN GENERAL.—Section 1117 of title 49, United States Code, is amended to read as follows:

''§ 1117. Methodology

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the National Transportation Safety Board Reauthorization Act, the Chairman shall include with each investigative report in which a recommendation is issued by the Board a methodology section detailing the process and information underlying the selection of each recommendation.

''(b) ELEMENTS.—Except as provided in subsection (c), the methodology section under subsection (a) shall include, for each recommendation—

''(1) a brief summary of the Board's collection and analysis of the specific accident investigation information most relevant to the recommendation;

''(2) a description of the Board's use of external information, including studies, reports, and experts, other than the findings of a specific accident investigation, if any were used to inform or support the recommendation, including a brief summary of the specific safety benefits and other effects identified by each study, report, or expert; and

''(3) a brief summary of any examples of actions taken by regulated entities before the publication of the safety recommendation, to the extent such actions are known to the Board, that were consistent with the recommendation.

''(c) ACCEPTABLE LIMITATION.—If the Board knows of more than 3 examples taken by regulated entities before the publication of the safety recommendation that were consistent with the recommendation, the brief summary under subsection (b)(3) may be limited to only 3 of those examples.

''(d) EXCEPTION.—Subsection (a) shall not apply if the recommendation is only for a person to disseminate information on—

''(1) an existing agency best practices document; or

''(2) an existing regulatory requirement.

''(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require any change to a recommendation made by the Board before the date of enactment of the National Transportation Safety Board Reauthorization Act, unless the recommendation is a repeat recommendation issued on or after the date of enactment of such Act.

''(f) SAVINGS CLAUSE.—Nothing in this section may be construed—

''(1) to delay publication of the findings, cause, or probable cause of a Board investigation;

''(2) to delay the issuance of an urgent recommendation that the Board has determined must be issued to avoid immediate loss, death, or injury; or

''(3) to limit the number of examples the Board may consider before issuing a recommendation.''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 49, United States Code, is amended by inserting after the item relating to section 1116 the following:

''117. Methodology.''.

SEC. 1108. MULTIMODAL ACCIDENT DATABASE MANAGEMENT SYSTEM.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Board shall establish and maintain a multimodal accident database management system for Board investigators.

(b) PURPOSES.—The purposes of the system shall be to support the Board in improving—

(1) the quality of accident data the Board makes available to the public; and

(2) the selection of accidents for investigation and allocation of limited resources.

(c) REQUIREMENTS.—The system shall—

(1) maintain a historical record of accidents that are investigated by the Board; and

(2) be capable of the secure storage, retrieval, and management of information associated with the investigations of such accidents.

SEC. 1109. ADDRESSING THE NEEDS OF FAMILIES OF INDIVIDUALS INVOLVED IN ACCIDENTS.

(a) AIR CARRIERS HOLDING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.—Section 41113 of title 49, United States Code, is amended—

(1) in subsection (a), by striking ''a major'' and inserting ''any''; and

(2) in subsection (b)—

(A) in paragraph (9), by striking ''(and any other victim of the accident)'' and inserting ''(and any other victim of the accident, including any victim on the ground)'';

(B) in paragraph (16), by striking ''major'' and inserting ''any''; and

(C) in paragraph (17)(A), by striking ''significant'' and inserting ''any''.

(b) FOREIGN AIR CARRIERS PROVIDING FOREIGN AIR TRANSPORTATION.—Section 41313 of title 49, United States Code, is amended—

(1) in subsection (b), by striking ''a major'' and inserting ''any''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''a significant'' and inserting ''any'';

(B) in paragraph (2), by striking ''a significant'' and inserting ''any'';

(C) by amending paragraph (9) to read as follows:

''(9) EQUAL TREATMENT OF PASSENGERS.—An assurance that the treatment of the families of nonrevenue passengers (and any other victim of the accident, including any victim on the ground) will be the same as the treatment of the families of revenue passengers.'';

(D) in paragraph (16)—

(i) by striking ''major'' and inserting ''any''; and

(ii) by striking ''the foreign air carrier will consult'' and inserting ''will consult''; and

(E) in paragraph (17)(A), by striking ''significant'' and inserting ''any''.

(c) ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN AIRCRAFT ACCIDENTS.—Section 1136 of title 49, United States Code, is amended—

(1) in subsection (a), by striking ''aircraft accident within the United States involving an air carrier or foreign air carrier and resulting in a major loss of life'' and inserting ''aircraft accident involving an air carrier or foreign air carrier, resulting in any loss of life, and for which the National Transportation Safety Board will serve as the lead investigative agency''; and

(2) in subsection (h)—

(A) by amending paragraph (1) to read as follows:

''(1) AIRCRAFT ACCIDENT.—The term 'aircraft accident' means any aviation disaster, regardless of its cause or suspected cause, for which the National Transportation Safety Board is the lead investigative agency.''; and

(B) in paragraph (2)—

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

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

(iii) by adding at the end the following:

''(C) any other person injured or killed in the aircraft accident, as determined appropriate by the Board.''.

(d) ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 1139 of title 49, United States Code, is amended—

(1) in subsection (a), by striking ''resulting in a major loss of life'' and inserting ''resulting in any loss of life, and for which the National Transportation Safety Board will serve as the lead investigative agency''; and

(2) by amending subsection (h)(1) to read as follows:

''(1) RAIL PASSENGER ACCIDENT.—The term 'rail passenger accident' means any rail passenger disaster that—

''(A) results in any loss of life;

''(B) the National Transportation Safety Board will serve as the lead investigative agency for; and

''(C) occurs in the provision of—

''(i) interstate intercity rail passenger transportation (as such term is defined in section 24102); or

''(ii) high-speed rail (as such term is defined in section 26105) transportation, regardless of its cause or suspected cause.''.

(e) INFORMATION FOR FAMILIES OF INDIVIDUALS INVOLVED IN ACCIDENTS.—

(1) IN GENERAL.—Subchapter III of chapter 11 of subtitle II of title 49, United States Code, is amended by adding at the end the following:

''§ 1140. Information for families of individuals involved in accidents

''In the course of an investigation of an accident described in section 1131(a)(1), except an aircraft accident described in section 1136 or a rail passenger accident described in section 1139, the Board may, to the maximum

extent practicable, ensure that the families of individuals involved in the accident, and other individuals the Board deems appropriate—

''(1) are informed as to the roles, with respect to the accident and the post-accident activities, of the Board;

''(2) are briefed, before any public briefing, about the accident, its causes, and any other findings from the investigation; and

''(3) are individually informed of and allowed to attend any public hearings and meetings of the Board about the accident.''.

(2) TABLE OF CONTENTS.—The table of contents of chapter 11 of subtitle II of title 49, United States Code, is amended by inserting after the item relating to section 1139 the following:

''1140. Information for families of individuals involved in accidents.''.

SEC. 1110. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON INVESTIGATION LAUNCH DECISION-MAKING PROCESSES.

Section 1138 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(B) by inserting after paragraph (4) the following:

''(5) the process and procedures to select an accident to investigate;''; and

(2) in subsection (c), by inserting a comma after ''Science''.

SEC. 1111. PERIODIC REVIEW OF SAFETY RECOMMENDATIONS.

(a) REPORTS.—Section 1116 of title 49, United States Code, as amended by this Act, is further amended—

(1) in the heading, by striking ''**and studies**'' and inserting ''**, studies, and retrospective reviews**''; and

(2) by adding at the end the following:

''(d) RETROSPECTIVE REVIEWS.—

''(1) IN GENERAL.—Subject to paragraph (2), not later than June 1, 2019, and at least every 5 years thereafter, the Chairman shall complete a retrospective review of recommendations issued by the Board that are classified as open by the Board.

''(2) CONTENTS.—A review under paragraph (1) shall include—

''(A) a determination of whether the recommendation should be updated, closed, or reissued in light of—

''(i) changed circumstances;

''(ii) more recently issued recommendations;

''(iii) the availability of new technologies; or

''(iv) new information making the recommendation ineffective or insufficient for achieving its objective; and

''(B) a justification for each determination under subparagraph (A).

''(3) REPORT.—Not later than 180 days after the date a review under paragraph (1) is complete, the Chairman 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 that includes—

''(A) the findings of the review under paragraph (1);

''(B) each determination under paragraph (2)(A) and justification under paragraph (2)(B); and

''(C) if applicable, a schedule for updating, closing, or reissuing a recommendation.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 49, United States Code, is amended by striking the item relating to section 1116 and inserting the following:

''1116. Reports, studies, and retrospective reviews.''.

(c) SAVINGS CLAUSE.—Nothing in this section or the amendments made by this section may be construed to limit or otherwise affect the authority of the Board to update, close, or reissue a recommendation.

SEC. 1112. GENERAL ORGANIZATION.

(a) TERMS OF THE CHAIRMAN AND VICE CHAIRMAN.—Section 1111(d) of title 49, United States Code, is amended by striking ''2 years'' and inserting ''3 years''.

(b) NONPUBLIC COLLABORATIVE DISCUSSIONS.—Section 1111 of such title is further amended by adding at the end the following:

''(k) OPEN MEETINGS.—

''(1) IN GENERAL.—The Board shall be deemed to be an agency for purposes of section 552b of title 5.

''(2) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

''(A) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the members may hold a meeting that is not open to public observation to discuss official agency business if—

''(i) no formal or informal vote or other official agency action is taken at the meeting;

''(ii) each individual present at the meeting is a member or an employee of the Board;

''(iii) at least 1 member of the Board from each political party is present at the meeting, if applicable; and

''(iv) the General Counsel of the Board is present at the meeting.

''(B) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under subparagraphs (C) and (D), not later than 2 business days after the conclusion of a meeting under subparagraph (A), the Board shall make available to the public, in a place easily accessible to the public—

''(i) a list of the individuals present at the meeting; and

''(ii) a summary of the matters, including key issues, discussed at the meeting, except for any matter the Board properly determines may be withheld from the public under section 552b(c) of title 5.

''(C) SUMMARY.—If the Board properly determines a matter may be withheld from the public under section 552b(c) of title 5, the Board shall provide a summary with as much general information as possible on each matter withheld from the public.

''(D) ACTIVE INVESTIGATIONS.—If a discussion under subparagraph (A) directly relates to an active investigation, the Board shall make the disclosure under subparagraph (B) on the date the Board adopts the final report.

''(E) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this paragraph may be construed to limit the applicability of section 552b of title 5 with respect to a meeting of the members other than that described in this paragraph.

''(F) STATUTORY CONSTRUCTION.—Nothing in this paragraph may be construed—

''(i) to limit the applicability of section 552b of title 5 with respect to any information which is proposed to be withheld from the public under subparagraph (B)(ii); or

''(ii) to authorize the Board to withhold from any individual any record that is accessible to that individual under section 552a of title 5.''.

(c) AUTHORITY TO ACQUIRE SMALL UNMANNED AIRCRAFT SYSTEMS FOR INVESTIGATION PURPOSES.—Section 1113(b)(1) of such title is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(J) notwithstanding section 1343 of title 31, acquire 1 or more small unmanned aircraft (as defined in section 44801) for use in investigations under this chapter.''.

(d) INVESTIGATIVE OFFICERS.—Section 1113 of such title is amended by striking subsection (h).

(e) TECHNICAL AMENDMENT.—Section 1113(a)(1) of such title is amended by striking ''subpena'' and inserting ''subpoena''.

SEC. 1113. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF CONTENTS.—The table of contents of subchapter III of chapter 11 of subtitle II of title 49, United States Code, is amended in the item relating to section 1138 by striking ''Board'' and inserting ''Board.''.

(b) GENERAL AUTHORITY.—Section 1131(a)(1)(A) of title 49, United States Code, is amended by striking ''a public aircraft as defined by section 40102(a)(37) of this title'' and inserting ''a public aircraft as defined by section 40102(a) of this title''.

DIVISION D—DISASTER RECOVERY REFORM

SEC. 1201. SHORT TITLE.

This division may be cited as the ''Disaster Recovery Reform Act of 2018''.

SEC. 1202. APPLICABILITY.

(a) APPLICABILITY FOR STAFFORD ACT.—Except as otherwise expressly provided, the amendments in this division to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) apply to each major disaster and emergency declared by the President on or after August 1, 2017, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(b) DIVISION APPLICABILITY.—Except as otherwise expressly provided, the authorities provided under this division apply to each major disaster and emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after January 1, 2016.

SEC. 1203. DEFINITIONS.

In this division:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Emergency Management Agency.

(2) AGENCY.—The term ''Agency'' means the Federal Emergency Management Agency.

(3) STATE.—The term ''State'' has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 1204. WILDFIRE PREVENTION.

(a) MITIGATION ASSISTANCE.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) HAZARD MITIGATION ASSISTANCE.—Whether or not a major disaster is declared, the President may provide hazard mitigation assistance in accordance with section 404 in any area affected by a fire for which assistance was provided under this section.''.

(b) CONFORMING AMENDMENTS.—The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) in section 404(a) (42 U.S.C. 5170c(a)) (as amended by this division)—

(A) by inserting before the first period '', or any area affected by a fire for which assistance was provided under section 420''; and

(B) in the third sentence by inserting ''or event under section 420'' after ''major disaster'' each place it appears; and

(2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)), by inserting ''or event under section 420'' after ''major disaster'' each place it appears.

(c) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Administrator shall submit to the Committee on

Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives a report containing a summary of any projects carried out, and any funding provided to those projects, under subsection (d) of section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) (as amended by this section).

SEC. 1205. ADDITIONAL ACTIVITIES.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

''(f) USE OF ASSISTANCE.—Recipients of hazard mitigation assistance provided under this section and section 203 may use the assistance to conduct activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by a wildfire or windstorm, such as—

''(1) reseeding ground cover with quick-growing or native species;

''(2) mulching with straw or chipped wood;

''(3) constructing straw, rock, or log dams in small tributaries to prevent flooding;

''(4) placing logs and other erosion barriers to catch sediment on hill slopes;

''(5) installing debris traps to modify road and trail drainage mechanisms;

''(6) modifying or removing culverts to allow drainage to flow freely;

''(7) adding drainage dips and constructing emergency spillways to keep roads and bridges from washing out during floods;

''(8) planting grass to prevent the spread of noxious weeds;

''(9) installing warning signs;

''(10) establishing defensible space measures;

''(11) reducing hazardous fuels;

''(12) mitigating windstorm damage, including replacing or installing electrical transmission or distribution utility pole structures with poles that are resilient to extreme wind and combined ice and wind loadings for the basic wind speeds and ice conditions associated with the relevant location;

''(13) removing standing burned trees; and

''(14) replacing water systems that have been burned and have caused contamination.''.

SEC. 1206. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.

(a) IN GENERAL.—Section 402 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170a) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

''(5) provide assistance to State and local governments for building code and floodplain management ordinance administration and enforcement, including inspections for substantial damage compliance; and''.

(b) REPAIR, RESTORATION, AND REPLACEMENT OF DAMAGED FACILITIES.—Section 406(a)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(2)) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) base and overtime wages for extra hires to facilitate the implementation and enforcement of adopted building codes for a period of not more than 180 days after the major disaster is declared.''.

SEC. 1207. PROGRAM IMPROVEMENTS.

(a) HAZARD MITIGATION.—Section 406(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(c)) is amended—

(1) in paragraph (1)(A), by striking ''90 percent of''; and

(2) in paragraph (2)(A), by striking ''75 percent of''.

(b) FLOOD INSURANCE.—Section 406(d)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(d)(1)) is amended by adding at the end the following: ''This section shall not apply to more than one building of a multi-structure educational, law enforcement, correctional, fire, or medical campus, for any major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) on or after January 1, 2016, through December 31, 2018.''.

(c) PARTICIPATION.—Section 428(d) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189f(d)) is amended—

(1) by striking ''Participation in'' and inserting the following:

''(1) IN GENERAL.—Participation in''; and

(2) by adding at the end the following:

''(2) NO CONDITIONS.—The President may not condition the provision of Federal assistance under this Act on the election by a State, local, or Indian tribal government, or owner or operator of a private nonprofit facility to participate in the alternative procedures adopted under this section.''.

(d) CERTIFICATION.—Section 428(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189f(e)(1)) is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(G) once certified by a professionally licensed engineer and accepted by the Administrator, the estimates on which grants made pursuant to this section are based shall be presumed to be reasonable and eligible costs, as long as there is no evidence of fraud.''.

SEC. 1208. PRIORITIZATION OF FACILITIES.

Not later than 180 days after the date of enactment of this Act, the Administrator shall provide guidance and training on an annual basis to State, local, and Indian tribal governments, first responders, and utility companies on—

(1) the need to prioritize assistance to hospitals, nursing homes, and other long-term care facilities to ensure that such health care facilities remain functioning or return to functioning as soon as practicable during power outages caused by natural hazards, including severe weather events;

(2) how hospitals, nursing homes and other long-term care facilities should adequately prepare for power outages during a major disaster or emergency, as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); and

(3) how State, local, and Indian tribal governments, first responders, utility companies, hospitals, nursing homes, and other long-term care facilities should develop a strategy to coordinate emergency response plans, including the activation of emergency response plans, in anticipation of a major disaster, including severe weather events.

SEC. 1209. GUIDANCE ON EVACUATION ROUTES.

(a) IN GENERAL.—

(1) IDENTIFICATION.—The Administrator, in coordination with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Indian tribal governments regarding the identification of evacuation routes.

(2) GUIDANCE.—The Administrator of the Federal Highway Administration, in coordination with the Administrator, shall revise existing guidance or issue new guidance as appropriate for State, local, and Indian tribal governments regarding the design, construction, maintenance, and repair of evacuation routes.

(b) CONSIDERATIONS.—

(1) IDENTIFICATION.—In developing the guidance under subsection (a)(1), the Administrator shall consider—

(A) whether evacuation routes have resisted impacts and recovered quickly from disasters, regardless of cause;

(B) the need to evacuate special needs populations, including—

(i) individuals with a physical or mental disability;

(ii) individuals in schools, daycare centers, mobile home parks, prisons, nursing homes and other long-term care facilities, and detention centers;

(iii) individuals with limited-English proficiency;

(iv) the elderly; and

(v) individuals who are tourists, seasonal workers, or homeless;

(C) the sharing of information and other public communications with evacuees during evacuations;

(D) the sheltering of evacuees, including the care, protection, and sheltering of animals;

(E) the return of evacuees to their homes; and

(F) such other items the Administrator considers appropriate.

(2) DESIGN, CONSTRUCTION, MAINTENANCE, AND REPAIR.—In revising or issuing guidance under subsection (a)(2), the Administrator of the Federal Highway Administration shall consider—

(A) methods that assist evacuation routes to—

(i) withstand likely risks to viability, including flammability and hydrostatic forces;

(ii) improve durability, strength (including the ability to withstand tensile stresses and compressive stresses), and sustainability; and

(iii) provide for long-term cost savings;

(B) the ability of evacuation routes to effectively manage contraflow operations;

(C) for evacuation routes on public lands, the viewpoints of the applicable Federal land management agency regarding emergency operations, sustainability, and resource protection; and

(D) such other items the Administrator of the Federal Highway Administration considers appropriate.

(c) STUDY.—The Administrator, in coordination with the Administrator of the Federal Highway Administration and State, local, territorial, and Indian tribal governments, may—

(1) conduct a study of the adequacy of available evacuation routes to accommodate the flow of evacuees; and

(2) submit recommendations on how to help with anticipated evacuation route flow, based on the study conducted under paragraph (1), to—

(A) the Federal Highway Administration;

(B) the Agency;

(C) State, local, territorial, and Indian tribal governments; and

(D) Congress.

SEC. 1210. DUPLICATION OF BENEFITS.

(a) IN GENERAL.—

(1) AUTHORITY.—Section 312(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155(b)) is amended by adding at the end the following:

''(4) WAIVER OF GENERAL PROHIBITION.—

''(A) IN GENERAL.—The President may waive the general prohibition provided in subsection (a) upon request of a Governor on behalf of the State or on behalf of a person, business concern, or any other entity suffering losses as a result of a major disaster or emergency, if the President finds such waiver is in the public interest and will not result in waste, fraud, or abuse. In making this decision, the President may consider the following:

''(i) The recommendations of the Administrator of the Federal Emergency Management Agency made in consultation with the Federal agency or agencies administering the duplicative program.

''(ii) If a waiver is granted, the assistance to be funded is cost effective.

''(iii) Equity and good conscience.

''(iv) Other matters of public policy considered appropriate by the President.

''(B) GRANT OR DENIAL OF WAIVER.—A request under subparagraph (A) shall be granted or denied not later than 45 days after submission of such request.

''(C) PROHIBITION ON DETERMINATION THAT LOAN IS A DUPLICATION.—Notwithstanding subsection (c), in carrying out subparagraph (A), the President may not determine that a loan is a duplication of assistance, provided that all Federal assistance is used toward a loss suffered as a result of the major disaster or emergency.''.

(2) LIMITATION.—This subsection, including the amendment made by paragraph (1), shall not be construed to apply to section 406 or 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172, 5174).

(3) APPLICABILITY.—The amendment made by paragraph (1) shall apply to any major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) between January 1, 2016, and December 31, 2021.

(4) SUNSET.—On the date that is 5 years after the date of enactment of this Act, section 312(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155(b)) is amended by striking paragraph (4), as added by subsection (a)(1) of this section.

(5) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in coordination with other relevant Federal agencies, shall submit to the congressional committees of jurisdiction a report conducted by all relevant Federal agencies to improve the comprehensive delivery of disaster assistance to individuals following a major disaster or emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(B) CONTENTS.—The report required under subparagraph (A) shall include both administrative actions taken, or planned to be taken, by the agencies as well as legislative proposals, where appropriate, of the following:

(i) Efforts to improve coordination between the Agency and other relevant Federal agencies when delivering disaster assistance to individuals.

(ii) Clarify the sequence of delivery of disaster assistance to individuals from the Agency, and other relevant Federal agencies.

(iii) Clarify the interpretation and implementation of section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155) when providing disaster assistance to individuals, including providing a common interpretation across the Agency, and other relevant Federal agencies, of the definitions and requirements under such section 312.

(iv) Increase the effectiveness of communication to applicants for assistance programs for individuals after a disaster declaration, including the breadth of programs available and the potential impacts of utilizing one program versus another.

(C) REPORT UPDATE.—Not later than 4 years after the date of enactment of this subsection, the Administrator, in coordination with other relevant Federal agencies, shall submit to the congressional committees of jurisdiction an update to the report required under subparagraph (A).

(b) FUNDING OF A FEDERALLY AUTHORIZED WATER RESOURCES DEVELOPMENT PROJECT.—

(1) ELIGIBLE ACTIVITIES.—Notwithstanding section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155) and its implementing regulations, assistance provided pursuant to section 404 of such Act may be used to fund activities authorized for construction within the scope of a federally authorized water resources development project of the Army Corps of Engineers if such activities are also eligible activities under such section.

(2) FEDERAL FUNDING.—All Federal funding provided under section 404 pursuant to this section shall be applied toward the Federal share of such project.

(3) NON-FEDERAL MATCH.—All non-Federal matching funds required under section 404 pursuant to this section shall be applied toward the non-Federal share of such project.

(4) TOTAL FEDERAL SHARE.—Funding provided under section 404 pursuant to this section may not exceed the total Federal share for such project.

(5) NO EFFECT.—Nothing in this section shall—

(A) affect the cost-share requirement of a hazard mitigation measure under section 404;

(B) affect the eligibility criteria for a hazard mitigation measure under section 404;

(C) affect the cost share requirements of a federally authorized water resources development project; and

(D) affect the responsibilities of a non-Federal interest with respect to the project, including those related to the provision of lands, easements, rights-of-way, dredge material disposal areas, and necessary relocations.

(6) LIMITATION.—If a federally authorized water resources development project of the Army Corps of Engineers is constructed with funding provided under section 404 pursuant to this subsection, no further Federal funding shall be provided for construction of such project

SEC. 1211. STATE ADMINISTRATION OF ASSISTANCE FOR DIRECT TEMPORARY HOUSING AND PERMANENT HOUSING CONSTRUCTION.

(a) STATE ROLE.—Section 408(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(f)) is amended—

(1) in paragraph (1)—

(A) by striking the paragraph heading and inserting ''STATE- OR INDIAN TRIBAL GOVERNMENT-ADMINISTERED ASSISTANCE AND OTHER NEEDS ASSISTANCE.—'';

(B) in subparagraph (A)—

(i) by striking ''financial''; and

(ii) by striking ''subsection (e)'' and inserting ''subsections (c)(1)(B), (c)(4), and (e) if the President and the State or Indian tribal government comply, as determined by the Administrator, with paragraph (3)''; and

(C) in subparagraph (B)—

(i) by striking ''financial''; and

(ii) by striking ''subsection (e)'' and inserting ''subsections (c)(1)(B), (c)(4), and (e)''; and

(2) by adding at the end the following:

''(3) REQUIREMENTS.—

''(A) APPLICATION.—A State or Indian tribal government desiring to provide assistance under subsection (c)(1)(B), (c)(4), or (e) shall submit to the President an application for a grant to provide financial assistance under the program.

''(B) CRITERIA.—The President, in consultation and coordination with State and Indian tribal governments, shall establish criteria for the approval of applications submitted under subparagraph (A). The criteria shall include, at a minimum—

''(i) a requirement that the State or Indian tribal government submit a housing strategy under subparagraph (C);

''(ii) the demonstrated ability of the State or Indian tribal government to manage the program under this section;

''(iii) there being in effect a plan approved by the President as to how the State or Indian tribal government will comply with applicable Federal laws and regulations and how the State or Indian tribal government will provide assistance under its plan;

''(iv) a requirement that the State or Indian tribal government comply with rules and regulations established pursuant to subsection (j); and

''(v) a requirement that the President, or the designee of the President, comply with subsection (i).

''(C) REQUIREMENT OF HOUSING STRATEGY.—

''(i) IN GENERAL.—A State or Indian tribal government submitting an application under this paragraph shall have an approved housing strategy, which shall be developed and submitted to the President for approval.

''(ii) REQUIREMENTS.—The housing strategy required under clause (i) shall—

''(I) outline the approach of the State in working with Federal partners, Indian tribal governments, local communities, nongovernmental organizations, and individual disaster survivors to meet disaster-related sheltering and housing needs; and

''(II) include the establishment of an activation plan for a State Disaster Housing Task Force, as outlined in the National Disaster Housing Strategy, to bring together State, tribal, local, Federal, nongovernmental, and private sector expertise to evaluate housing requirements, consider potential solutions, recognize special needs populations, and propose recommendations.

''(D) QUALITY ASSURANCE.—Before approving an application submitted under this section, the President, or the designee of the President, shall institute adequate policies, procedures, and internal controls to prevent waste, fraud, abuse, and program mismanagement for this program and for programs under subsections (c)(1)(B), (c)(4), and (e). The President shall monitor and conduct quality assurance activities on a State or Indian tribal government's implementation of programs under subsections (c)(1)(B), (c)(4), and (e). If, after approving an application of a State or Indian tribal government submitted under this paragraph, the President determines that the State or Indian tribal government is not administering the program established by this section in a manner satisfactory to the President, the President shall withdraw the approval.

''(E) AUDITS.—The Inspector General of the Department of Homeland Security shall provide for periodic audits of the programs administered by States and Indian tribal governments under this subsection.

''(F) APPLICABLE LAWS.—All Federal laws applicable to the management, administration, or contracting of the programs by the Federal Emergency Management Agency under this section shall be applicable to the management, administration, or contracting by a non-Federal entity under this section.

''(G) REPORT ON EFFECTIVENESS.—Not later than 18 months after the date of enactment of this paragraph, the Inspector General of the Department of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the State or Indian tribal government's role to provide assistance under this section. The report shall contain an assessment of the effectiveness of the State or Indian tribal government's role in providing assistance under this section, including—

''(i) whether the State or Indian tribal government's role helped to improve the general speed of disaster recovery;

''(ii) whether the State or Indian tribal government providing assistance under this section had the capacity to administer this section; and

''(iii) recommendations for changes to improve the program if the State or Indian tribal government's role to administer the programs should be continued.

''(H) REPORT ON INCENTIVES.—Not later than 12 months after the date of enactment of this paragraph, the Administrator of the Federal Emergency Management Agency shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on a potential incentive structure for awards made under this section to encourage participation by eligible States and Indian tribal governments. In developing this report, the Administrator of the Federal Emergency Management Agency shall consult with State, local, and Indian tribal entities to gain their input on any such incentive structure to encourage participation and shall include this information in the report. This report should address, among other options, potential adjustments to the cost-share requirement and management costs to State and Indian tribal governments.

''(I) PROHIBITION.—The President may not condition the provision of Federal assistance under this Act on a State or Indian tribal government requesting a grant under this section.

''(J) MISCELLANEOUS.—

''(i) NOTICE AND COMMENT.—The Administrator of the Federal Emergency Management Agency may waive notice and comment rulemaking with respect to rules to carry out this section, if the Administrator determines doing so is necessary to expeditiously implement this section, and may carry out this section as a pilot program until such regulations are promulgated.

''(ii) FINAL RULE.—Not later than 2 years after the date of enactment of this paragraph, the Administrator of the Federal Emergency Management Agency shall issue final regulations to implement this subsection as amended by the Disaster Recovery Reform Act of 2018.

''(iii) WAIVER AND EXPIRATION.—The authority under clause (i) and any pilot program implemented pursuant to such clause shall expire 2 years after the date of enactment of this paragraph or upon issuance of final regulations pursuant to clause (ii), whichever occurs sooner.''.

(b) REIMBURSEMENT.—The Federal Emergency Management Agency (FEMA) shall reimburse State and local units of government (for requests received within a period of 3 years after the declaration of a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)) upon determination that a locally implemented housing solution, implemented by State or local units of government—

(1) costs 50 percent of comparable FEMA solution or whatever the locally implemented solution costs, whichever is lower;

(2) complies with local housing regulations and ordinances; and

(3) the housing solution was implemented within 90 days of the disaster.

SEC. 1212. ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

Section 408(h) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(h)) is amended—

(1) in paragraph (1), by inserting '', excluding financial assistance to rent alternate housing accommodations under subsection (c)(1)(A)(i) and financial assistance to address other needs under subsection (e)'' after ''disaster'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

''(2) OTHER NEEDS ASSISTANCE.—The maximum financial assistance any individual or household may receive under subsection (e) shall be equivalent to the amount set forth in paragraph (1) with respect to a single major disaster.'';

(4) in paragraph (3) (as so redesignated), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)''; and

(5) by inserting after paragraph (3) (as so redesignated) the following:

''(4) EXCLUSION OF NECESSARY EXPENSES FOR INDIVIDUALS WITH DISABILITIES.—

''(A) IN GENERAL.—The maximum amount of assistance established under paragraph (1) shall exclude expenses to repair or replace damaged accessibility-related improvements under paragraphs (2), (3), and (4) of subsection (c) for individuals with disabilities.

''(B) OTHER NEEDS ASSISTANCE.—The maximum amount of assistance established under paragraph (2) shall exclude expenses to repair or replace accessibility-related personal property under subsection (e)(2) for individuals with disabilities.''.

SEC. 1213. MULTIFAMILY LEASE AND REPAIR ASSISTANCE.

(a) LEASE AND REPAIR OF RENTAL UNITS FOR TEMPORARY HOUSING.—Section 408(c)(1)(B)(ii)(II) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)(ii)(II)) is amended to read as follows:

''(II) IMPROVEMENTS OR REPAIRS.—Under the terms of any lease agreement for property entered into under this subsection, the value of the improvements or repairs shall be deducted from the value of the lease agreement.''.

(b) RENTAL PROPERTIES IMPACTED.—Section 408(c)(1)(B)(ii)(I)(aa) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)(ii)(I)(aa)) is amended to read as follows:

''(aa) enter into lease agreements with owners of multifamily rental property impacted by a major disaster or located in areas covered by a major disaster declaration to house individuals and households eligible for assistance under this section; and''.

(c) INSPECTOR GENERAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the inspector general of the Department of Homeland Security shall—

(1) assess the use of the authority provided under section 408(c)(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)), as amended by this division, including the adequacy of any benefit-cost analysis done to justify the use of this alternative; and

(2) submit a report on the results of the assessment conducted under paragraph (1) to the appropriate committees of Congress.

SEC. 1214. PRIVATE NONPROFIT FACILITY.

Section 102(11)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(11)(B)) is amended by inserting ''food banks,'' after ''shelter workshops,''.

SEC. 1215. MANAGEMENT COSTS.

Section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165b) is amended—

(1) in subsection (a) by striking ''any administrative expense, and any other expense not directly chargeable to'' and inserting ''any direct administrative cost, and any other administrative expense associated with''; and

(2) in subsection (b)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(1) IN GENERAL.—Notwithstanding'';

(B) in paragraph (1), as added by subparagraph (A), by striking ''establish'' and inserting ''implement''; and

(C) by adding at the end the following:

''(2) SPECIFIC MANAGEMENT COSTS.—The Administrator of the Federal Emergency Management Agency shall provide the following percentage rates, in addition to the eligible project costs, to cover direct and indirect costs of administering the following programs:

''(A) HAZARD MITIGATION.—A grantee under section 404 may be reimbursed not more than 15 percent of the total amount of the grant award under such section of which not more than 10 percent may be used by the grantee and 5 percent by the subgrantee for such costs.

''(B) PUBLIC ASSISTANCE.—A grantee under sections 403, 406, 407, and 502 may be reimbursed not more than 12 percent of the total award amount under such sections, of which not more than 7 percent may be used by the grantee and 5 percent by the subgrantee for such costs.''.

SEC. 1216. FLEXIBILITY.

(a) WAIVER AUTHORITY.—

(1) DEFINITION.—In this subsection, the term ''covered assistance'' means assistance provided—

(A) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(B) in relation to a major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) on or after October 28, 2012.

(2) AUTHORITY.—Notwithstanding section 3716(e) of title 31, United States Code, the Administrator—

(A) subject to subparagraph (B), may waive a debt owed to the United States related to covered assistance provided to an individual or household if—

(i) the covered assistance was distributed based on an error by the Agency;

(ii) there was no fault on behalf of the debtor; and

(iii) the collection of the debt would be against equity and good conscience; and

(B) may not waive a debt under subparagraph (A) if the debt involves fraud, the presentation of a false claim, or misrepresentation by the debtor or any party having an interest in the claim.

(3) MONITORING OF COVERED ASSISTANCE DISTRIBUTED BASED ON ERROR.—

(A) IN GENERAL.—The Inspector General of the Department of Homeland Security shall monitor the distribution of covered assistance to individuals and households to determine the percentage of such assistance distributed based on an error.

(B) REMOVAL OF WAIVER AUTHORITY BASED ON EXCESSIVE ERROR RATE.—If the Inspector

General of the Department of Homeland Security determines, with respect to any 12-month period, that the amount of covered assistance distributed based on an error by the Agency exceeds 4 percent of the total amount of covered assistance distributed—

(i) the Inspector General shall notify the Administrator and publish the determination in the Federal Register; and

(ii) with respect to any major disaster or emergency declared by the President under section 401 or section 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 42 U.S.C. 5191) after the date on which the determination is published under subparagraph (A), the authority of the Administrator to waive debt under paragraph (2) shall no longer be effective.

(b) RECOUPMENT OF CERTAIN ASSISTANCE PROHIBITED.—

(1) IN GENERAL.—Notwithstanding section 3716(e) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Agency may not take any action to recoup covered assistance from the recipient of such assistance if the receipt of such assistance occurred on a date that is more than 3 years before the date on which the Agency first provides to the recipient written notification of an intent to recoup.

(2) COVERED ASSISTANCE DEFINED.—In this subsection, the term ''covered assistance'' means assistance provided—

(A) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(B) in relation to a major disaster or emergency declared by the President under section 401 or 501, respectively, of such Act (42 U.S.C. 5170; 42 U.S.C. 5191) on or after January 1, 2012.

(c) STATUTE OF LIMITATIONS.—

(1) IN GENERAL.—Section 705 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205) is amended—

(A) in subsection (a)(1)—

(i) by striking ''Except'' and inserting ''Notwithstanding section 3716(e) of title 31, United States Code, and except''; and

(ii) by striking ''report for the disaster or emergency'' and inserting ''report for project completion as certified by the grantee''; and

(B) in subsection (b)—

(i) in paragraph (1) by striking ''report for the disaster or emergency'' and inserting ''report for project completion as certified by the grantee''; and

(ii) in paragraph (3) by inserting ''for project completion as certified by the grantee'' after ''final expenditure report''.

(2) APPLICABILITY.—

(A) IN GENERAL.—With respect to disaster or emergency assistance provided to a State or local government on or after January 1, 2004—

(i) no administrative action may be taken to recover a payment of such assistance after the date of enactment of this Act if the action is prohibited under section 705(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205(a)(1)), as amended by paragraph (1); and

(ii) any administrative action to recover a payment of such assistance that is pending on such date of enactment shall be terminated if the action is prohibited under section 705(a)(1) of that Act, as amended by paragraph (1).

(B) LIMITATION.—This section, including the amendments made by this section, may not be construed to invalidate or otherwise affect any administration action completed before the date of enactment of this Act.

SEC. 1217. ADDITIONAL DISASTER ASSISTANCE.

(a) DISASTER MITIGATION.—Section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) is amended by adding at the end the following:

''(e) DISASTER MITIGATION.—In providing assistance pursuant to subsection (c)(2), if appropriate and as applicable, the Secretary may encourage hazard mitigation in assistance provided pursuant to such subsection.''.

(b) EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.—Section 661(d) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 761(d)) is amended by striking ''for fiscal year 2008'' and inserting ''for each of fiscal years 2018 through 2022''.

(c) EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM.—Section 662(f) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 762(f)) is amended by striking ''the program'' and all that follows through ''2012'' and inserting ''the program, for each of fiscal years 2018 through 2022''.

(d) TECHNICAL AMENDMENT.—Section 403(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)) is amended by striking the second subparagraph (J).

SEC. 1218. NATIONAL VETERINARY EMERGENCY TEAMS.

(a) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may establish one or more national veterinary emergency teams at accredited colleges of veterinary medicine.

(b) RESPONSIBILITIES.—A national veterinary emergency team shall—

(1) deploy with a team of the National Urban Search and Rescue Response System to assist with—

(A) veterinary care of canine search teams;

(B) locating and treating companion animals, service animals, livestock, and other animals; and

(C) surveillance and treatment of zoonotic diseases;

(2) recruit, train, and certify veterinary professionals, including veterinary students, in accordance with an established set of plans and standard operating guidelines to carry out the duties associated with planning for and responding to major disasters and emergencies as described in paragraph (1);

(3) assist State governments, Indian tribal governments, local governments, and nonprofit organizations in developing emergency management and evacuation plans that account for the care and rescue of animals and in improving local readiness for providing veterinary medical response during an emergency or major disaster; and

(4) coordinate with the Department of Homeland Security, the Department of Health and Human Services, the Department of Agriculture, State, local, and Indian tribal governments (including departments of animal and human health), veterinary and health care professionals, and volunteers.

SEC. 1219. RIGHT OF ARBITRATION.

Section 423 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189a) is amended by adding at the end the following:

''(d) RIGHT OF ARBITRATION.—

''(1) IN GENERAL.—Notwithstanding this section, an applicant for assistance under this title may request arbitration to dispute the eligibility for assistance or repayment of assistance provided for a dispute of more than $500,000 for any disaster that occurred after January 1, 2016. Such arbitration shall be conducted by the Civilian Board of Contract Appeals and the decision of such Board shall be binding.

''(2) REVIEW.—The Civilian Board of Contract Appeals shall consider from the applicant all original and additional documentation, testimony, or other such evidence supporting the applicant's position at any time during arbitration.

''(3) RURAL AREAS.—For an applicant for assistance in a rural area under this title, the assistance amount eligible for arbitration pursuant to this subsection shall be $100,000.

''(4) RURAL AREA DEFINED.—For the purposes of this subsection, the term 'rural area' means an area with a population of less than 200,000 outside an urbanized area.

''(5) ELIGIBILITY.—To participate in arbitration under this subsection, an applicant—

''(A) shall submit the dispute to the arbitration process established under the authority granted under section 601 of Public Law 111-5; and

''(B) may submit a request for arbitration after the completion of the first appeal under subsection (a) at any time before the Administrator of the Federal Emergency Management Agency has issued a final agency determination or 180 days after the Administrator's receipt of the appeal if the Administrator has not provided the applicant with a final determination on the appeal. The applicant's request shall contain documentation from the administrative record for the first appeal and may contain additional documentation supporting the applicant's position.''.

SEC. 1220. UNIFIED FEDERAL ENVIRONMENTAL AND HISTORIC PRESERVATION REVIEW.

(a) REVIEW AND ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall review the Unified Federal Environmental and Historic Preservation review process established pursuant to section 429 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189g), and submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that includes the following:

(1) An analysis of whether and how the unified process has expedited the interagency review process to ensure compliance with the environmental and historic requirements under Federal law relating to disaster recovery projects.

(2) A survey and analysis of categorical exclusions used by other Federal agencies that may be applicable to any activity related to a major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191).

(3) Recommendations on any further actions, including any legislative proposals, needed to expedite and streamline the review process.

(b) REGULATIONS.—After completing the review, survey, and analyses under subsection (a), but not later than 2 years after the date of enactment of this Act, and after providing notice and opportunity for public comment, the Administrator shall issue regulations to implement any regulatory recommendations, including any categorical exclusions identified under subsection (a), to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations, and section II of DHS Instruction Manual 023–01–001–01.

SEC. 1221. CLOSEOUT INCENTIVES.

(a) FACILITATING CLOSEOUT.—Section 705 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205) is amended by adding at the end the following:

''(d) FACILITATING CLOSEOUT.—

''(1) INCENTIVES.—The Administrator of the Federal Emergency Management Agency

may develop incentives and penalties that encourage State, local, or Indian tribal governments to close out expenditures and activities on a timely basis related to disaster or emergency assistance.

''(2) AGENCY REQUIREMENTS.—The Federal Emergency Management Agency shall, consistent with applicable regulations and required procedures, meet its responsibilities to improve closeout practices and reduce the time to close disaster program awards.''.

(b) REGULATIONS.—The Administrator shall issue regulations to implement the amendment made by this section.

SEC. 1222. PERFORMANCE OF SERVICES.

Section 306 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149) is amended by adding at the end the following:

''(c) The Administrator of the Federal Emergency Management Agency is authorized to appoint temporary personnel, after serving continuously for 3 years, to positions in the Federal Emergency Management Agency in the same manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions. An individual appointed under this subsection shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure.''.

SEC. 1223. STUDY TO STREAMLINE AND CONSOLIDATE INFORMATION COLLECTION.

Not later than 1 year after the date of enactment of this Act, the Administrator—

(1) in coordination with the Small Business Administration, the Department of Housing and Urban Development, the Disaster Assistance Working Group of the Council of the Inspectors General on Integrity and Efficiency, and other appropriate agencies, conduct a study and develop a plan, consistent with law, under which the collection of information from disaster assistance applicants and grantees will be modified, streamlined, expedited, efficient, flexible, consolidated, and simplified to be less burdensome, duplicative, and time consuming for applicants and grantees;

(2) in coordination with the Small Business Administration, the Department of Housing and Urban Development, the Disaster Assistance Working Group of the Council of the Inspectors General on Integrity and Efficiency, and other appropriate agencies, develop a plan for the regular collection and reporting of information on Federal disaster assistance awarded, including the establishment and maintenance of a website for presenting the information to the public; and

(3) submit the plans developed under paragraphs (1) and (2) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 1224. AGENCY ACCOUNTABILITY.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

''SEC. 430. AGENCY ACCOUNTABILITY.

''(a) PUBLIC ASSISTANCE.—Not later than 5 days after an award of a public assistance grant is made under section 406 that is in excess of $1,000,000, the Administrator of the Federal Emergency Management Agency shall publish on the website of the Federal Emergency Management Agency the specifics of each such grant award, including—

''(1) identifying the Federal Emergency Management Agency Region;

''(2) the disaster or emergency declaration number;

''(3) the State, county, and applicant name;

''(4) if the applicant is a private nonprofit organization;

''(5) the damage category code;

''(6) the amount of the Federal share obligated; and

''(7) the date of the award.

''(b) MISSION ASSIGNMENTS.—

''(1) IN GENERAL.—Not later than 5 days after the issuance of a mission assignment or mission assignment task order, the Administrator of the Federal Emergency Management Agency shall publish on the website of the Federal Emergency Management Agency any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster in excess of $1,000,000, including—

''(A) the name of the impacted State or Indian Tribe;

''(B) the disaster declaration for such State or Indian Tribe;

''(C) the assigned agency;

''(D) the assistance requested;

''(E) a description of the disaster;

''(F) the total cost estimate;

''(G) the amount obligated;

''(H) the State or Indian tribal government cost share, if applicable;

''(I) the authority under which the mission assignment or mission assignment task order was directed; and

''(J) if applicable, the date a State or Indian Tribe requested the mission assignment.

''(2) RECORDING CHANGES.—Not later than 10 days after the last day of each month until a mission assignment or mission assignment task order described in paragraph (1) is completed and closed out, the Administrator of the Federal Emergency Management Agency shall update any changes to the total cost estimate and the amount obligated.

''(c) DISASTER RELIEF MONTHLY REPORT.—Not later than 10 days after the first day of each month, the Administrator of the Federal Emergency Management Agency shall publish on the website of the Federal Emergency Management Agency reports, including a specific description of the methodology and the source data used in developing such reports, including—

''(1) an estimate of the amounts for the fiscal year covered by the President's most recent budget pursuant to section 1105(a) of title 31, United States Code, including—

''(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

''(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

''(C) the amount of obligations for noncatastrophic events for the budget year;

''(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

''(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current fiscal year, the budget year, and each fiscal year thereafter;

''(F) the amount of previously obligated funds that will be recovered for the budget year;

''(G) the amount that will be required for obligations for emergencies, as described in section 102(1), major disasters, as described in section 102(2), fire management assistance grants, as described in section 420, surge activities, and disaster readiness and support activities; and

''(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii)); and

''(2) an estimate or actual amounts, if available, of the following for the current fiscal year, which shall be submitted not later than the fifth day of each month, published by the Administrator of the Federal Emergency Management Agency on the website of the Federal Emergency Management Agency not later than the fifth day of each month:

''(A) A summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made.

''(B) A table of disaster relief activity delineated by month, including—

''(i) the beginning and ending balances;

''(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

''(iii) the obligations for catastrophic events delineated by event and by State; and

''(iv) the amount of previously obligated funds that are recovered.

''(C) A summary of allocations, obligations, and expenditures for catastrophic events delineated by event.

''(D) The cost of the following categories of spending:

''(i) Public assistance.

''(ii) Individual assistance.

''(iii) Mitigation.

''(iv) Administrative.

''(v) Operations.

''(vi) Any other relevant category (including emergency measures and disaster resources) delineated by disaster.

''(E) The date on which funds appropriated will be exhausted.

''(d) CONTRACTS.—

''(1) INFORMATION.—Not later than 10 days after the first day of each month, the Administrator of the Federal Emergency Management Agency shall publish on the website of the Federal Emergency Management Agency the specifics of each contract in excess of $1,000,000 that the Federal Emergency Management Agency enters into, including—

''(A) the name of the party;

''(B) the date the contract was awarded;

''(C) the amount and scope of the contract;

''(D) if the contract was awarded through a competitive bidding process;

''(E) if no competitive bidding process was used, the reason why competitive bidding was not used; and

''(F) the authority used to bypass the competitive bidding process.

The information shall be delineated by disaster, if applicable, and specify the damage category code, if applicable.

''(2) REPORT.—Not later than 10 days after the last day of the fiscal year, the Administrator of the Federal Emergency Management Agency shall provide a report to the appropriate committees of Congress summarizing the following information for the preceding fiscal year:

''(A) The number of contracts awarded without competitive bidding.

''(B) The reasons why a competitive bidding process was not used.

''(C) The total amount of contracts awarded with no competitive bidding.

''(D) The damage category codes, if applicable, for contracts awarded without competitive bidding.

''(e) COLLECTION OF PUBLIC ASSISTANCE RECIPIENT AND SUBRECIPIENT CONTRACTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Administrator of the Federal Emergency Management Agency shall initiate and maintain an effort to collect and store information, prior to the project closeout phase on any contract entered into by a public assistance recipient or subrecipient that through the base award, available options, or any subsequent modifications has

an estimated value of more than $1,000,000 and is funded through section 324, 403, 404, 406, 407, 428, or 502, including—

''(A) the disaster number, project worksheet number, and the category of work associated with each contract;

''(B) the name of each party;

''(C) the date the contract was awarded;

''(D) the amount of the contract;

''(E) the scope of the contract;

''(F) the period of performance for the contract; and

''(G) whether the contract was awarded through a competitive bidding process.

''(2) AVAILABILITY OF INFORMATION COLLECTED.—The Administrator of the Federal Emergency Management Agency shall make the information collected and stored under paragraph (1) available to the Inspector General of the Department of Homeland Security, the Government Accountability Office, and appropriate committees of Congress, upon request.

''(3) REPORT.—Not later than 365 days after the date of enactment of this subsection, the Administrator of the Federal Emergency Management Agency shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the efforts of the Federal Emergency Management Agency to collect the information described in paragraph (1).''.

SEC. 1225. AUDIT OF CONTRACTS.

Notwithstanding any other provision of law, the Administrator of the Federal Emergency Management Agency shall not reimburse a State or local government, an Indian tribal government (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), or the owner or operator of a private nonprofit facility (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) for any activities made pursuant to a contract entered into after August 1, 2017, that prohibits the Administrator or the Comptroller General of the United States from auditing or otherwise reviewing all aspects relating to the contract.

SEC. 1226. INSPECTOR GENERAL AUDIT OF FEMA CONTRACTS FOR TARPS AND PLASTIC SHEETING.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall initiate an audit of the contracts awarded by the Agency for tarps and plastic sheeting for the Commonwealth of Puerto Rico and the United States Virgin Islands in response to Hurricane Irma and Hurricane Maria.

(b) CONSIDERATIONS.—In carrying out the audit under subsection (a), the inspector general shall review—

(1) the contracting process used by the Agency to evaluate offerors and award the relevant contracts to contractors;

(2) the assessment conducted by the Agency of the past performance of the contractors, including any historical information showing that the contractors had supported large-scale delivery quantities in the past;

(3) the assessment conducted by the Agency of the capacity of the contractors to carry out the relevant contracts, including with respect to inventory, production, and financial capabilities;

(4) how the Agency ensured that the contractors met the terms of the relevant contracts; and

(5) whether the failure of the contractors to meet the terms of the relevant contracts and the subsequent cancellation by the Agency of the relevant contracts affected the provision of tarps and plastic sheeting to the Commonwealth of Puerto Rico and the United States Virgin Islands.

(c) REPORT.—Not later than 270 days after the date of initiation of the audit under subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the results of the audit, including findings and recommendations.

SEC. 1227. RELIEF ORGANIZATIONS.

Section 309 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5152) is amended—

(1) in subsection (a), by striking ''and other relief or'' and inserting ''long-term recovery groups, domestic hunger relief, and other relief, or''; and

(2) in subsection (b), by striking ''and other relief or'' and inserting ''long-term recovery groups, domestic hunger relief, and other relief, or''.

SEC. 1228. GUIDANCE ON INUNDATED AND SUBMERGED ROADS.

The Administrator of the Federal Emergency Management Agency, in coordination with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Indian tribal governments regarding repair, restoration, and replacement of inundated and submerged roads damaged or destroyed by a major disaster, and for associated expenses incurred by the Government, with respect to roads eligible for assistance under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

SEC. 1229. EXTENSION OF ASSISTANCE.

(a) IN GENERAL.—Notwithstanding any other provision of law, in the case of an individual eligible to receive unemployment assistance under section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177(a)) as a result of a disaster declaration made for Hurricane Irma and Hurricane Maria in the Commonwealth of Puerto Rico and the United States Virgin Islands, the President shall make such assistance available for 52 weeks after the date of the disaster declaration effective as if enacted at the time of the disaster declaration.

(b) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to carry out the requirements of this section.

SEC. 1230. GUIDANCE AND RECOMMENDATIONS.

(a) GUIDANCE.—The Administrator shall provide guidance to a common interest community that provides essential services of a governmental nature on actions that a common interest community may take in order to be eligible to receive reimbursement from a grantee that receives funds from the Agency for certain activities performed after an event that results in a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) RECOMMENDATIONS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a legislative proposal on how to provide eligibility for disaster assistance with respect to common areas of condominiums and housing cooperatives.

(c) EFFECTIVE DATE.—This section shall be effective on the date of enactment of this Act.

SEC. 1231. GUIDANCE ON HAZARD MITIGATION ASSISTANCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall issue guidance regarding the acquisition of property for open space as a mitigation measure under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) that includes—

(1) a process by which the State hazard mitigation officer appointed for such an acquisition shall, not later than 60 days after the applicant for assistance enters into an agreement with the Administrator regarding the acquisition, provide written notification to each affected unit of local government for such acquisition that includes—

(A) the location of the acquisition;

(B) the State-local assistance agreement for the hazard mitigation grant program;

(C) a description of the acquisition; and

(D) a copy of the deed restriction; and

(2) recommendations for entering into and implementing a memorandum of understanding between units of local government and covered entities that includes provisions to allow an affected unit of local government notified under paragraph (1) to—

(A) use and maintain the open space created by such a project, consistent with section 404 (including related regulations, standards, and guidance) and consistent with all adjoining property, subject to the notification of the adjoining property, so long as the cost of the maintenance is borne by the local government; and

(B) maintain the open space pursuant to standards exceeding any local government standards defined in the agreement with the Administrator described under paragraph (1).

(b) DEFINITIONS.—In this section:

(1) AFFECTED UNIT OF LOCAL GOVERNMENT.—The term ''affected unit of local government'' means any entity covered by the definition of local government in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), that has jurisdiction over the property subject to the acquisition described in subsection (a).

(2) COVERED ENTITY.—The term ''covered entity'' means—

(A) the grantee or subgrantee receiving assistance for an open space project described in subsection (a);

(B) the State in which such project is located; and

(C) the applicable Regional Administrator of the Agency.

SEC. 1232. LOCAL IMPACT.

(a) IN GENERAL.—In making recommendations to the President regarding a major disaster declaration, the Administrator of the Federal Emergency Management Agency shall give greater consideration to severe local impact or recent multiple disasters. Further, the Administrator shall make corresponding adjustments to the Agency's policies and regulations regarding such consideration. Not later than 1 year after the date of enactment of this section, the Administrator shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the changes made to regulations and policies and the number of declarations that have been declared based on the new criteria.

(b) EFFECTIVE DATE.—This section shall be effective on the date of enactment of this Act.

SEC. 1233. ADDITIONAL HAZARD MITIGATION ACTIVITIES.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c), as amended by this division, is further amended by adding at the end the following:

''(g) USE OF ASSISTANCE FOR EARTHQUAKE HAZARDS.—Recipients of hazard mitigation

assistance provided under this section and section 203 may use the assistance to conduct activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by earthquake hazards, including—

''(1) improvements to regional seismic networks in support of building a capability for earthquake early warning;

''(2) improvements to geodetic networks in support of building a capability for earthquake early warning; and

''(3) improvements to seismometers, Global Positioning System receivers, and associated infrastructure in support of building a capability for earthquake early warning.''.

SEC. 1234. NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER HAZARD MITIGATION.

(a) PREDISASTER HAZARD MITIGATION.—Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(1) in subsection (c) by inserting ''Public Infrastructure'' after ''the National'';

(2) in subsection (e)(1)(B)—

(A) by striking ''or'' at the end of clause (ii);

(B) by striking the period at the end of clause (iii) and inserting ''; or''; and

(C) by adding at the end the following:

''(iv) to establish and carry out enforcement activities and implement the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings' users against disasters.'';

(3) in subsection (f)—

(A) in paragraph (1) by inserting ''for mitigation activities that are cost effective'' after ''competitive basis''; and

(B) by adding at the end the following:

''(3) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The President may—

''(A) withdraw amounts of financial assistance made available to a State (including amounts made available to local governments of a State) under this subsection that remain unobligated by the end of the third fiscal year after the fiscal year for which the amounts were allocated; and

''(B) in the fiscal year following a fiscal year in which amounts were withdrawn under subparagraph (A), add the amounts to any other amounts available to be awarded on a competitive basis pursuant to paragraph (1).'';

(4) in subsection (g)—

(A) by inserting ''provide financial assistance only in States that have received a major disaster declaration in the previous 7 years, or to any Indian tribal government located partially or entirely within the boundaries of such States, and'' after ''the President shall'';

(B) in paragraph (9) by striking ''and'' at the end;

(C) by redesignating paragraph (10) as paragraph (12); and

(D) by adding after paragraph (9) the following:

''(10) the extent to which the State, local, Indian tribal, or territorial government has facilitated the adoption and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards, including amendments made by State, local, Indian tribal, or territorial governments during the adoption process that incorporate the latest hazard-resistant designs and establish criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings' users against disasters;

''(11) the extent to which the assistance will fund activities that increase the level of resiliency; and'';

(5) by striking subsection (i) and inserting the following:

''(i) NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER MITIGATION ASSISTANCE.—

''(1) IN GENERAL.—The President may set aside from the Disaster Relief Fund, with respect to each major disaster, an amount equal to 6 percent of the estimated aggregate amount of the grants to be made pursuant to sections 403, 406, 407, 408, 410, 416, and 428 for the major disaster in order to provide technical and financial assistance under this section and such set aside shall be deemed to be related to activities carried out pursuant to major disasters under this Act.

''(2) ESTIMATED AGGREGATE AMOUNT.—Not later than 180 days after each major disaster declaration pursuant to this Act, the estimated aggregate amount of grants for purposes of paragraph (1) shall be determined by the President and such estimated amount need not be reduced, increased, or changed due to variations in estimates.

''(3) NO REDUCTION IN AMOUNTS.—The amount set aside pursuant to paragraph (1) shall not reduce the amounts otherwise made available for sections 403, 404, 406, 407, 408, 410, 416, and 428 under this Act.''; and

(6) by striking subsections (j) and (m);

(7) by redesignating subsections (k), (l), and (n) as subsections (j), (k), and (l), respectively and

(8) by adding at the end the following:

''(m) LATEST PUBLISHED EDITIONS.—For purposes of subsections (e)(1)(B)(iv) and (g)(10), the term 'latest published editions' means, with respect to relevant consensus-based codes, specifications, and standards, the 2 most recently published editions.''.

(b) APPLICABILITY.—The amendments made to section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) by paragraphs (3) and (5) of subsection (a) shall apply to funds appropriated on or after the date of enactment of this Act.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all funding expended from the National Public Infrastructure Predisaster Mitigation Assistance created by Section 203(i)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), as added by this section, shall not be considered part of FEMA's regular appropriations for non-Stafford activities, also known as the Federal Emergency Management Agency's Disaster Relief Fund base; and

(2) the President should have the funds related to the National Public Infrastructure Predisaster Mitigation Assistance created by Section 203(i)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), as added by this section, identified in and allocated from the Federal Emergency Management Agency's Disaster Relief Fund for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(d) SUNSET.—On the date that is 5 years after the date of enactment of this Act, section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended by striking subsection (m), as added by subsection (a)(8) of this section.

SEC. 1235. ADDITIONAL MITIGATION ACTIVITIES.

(a) HAZARD MITIGATION CLARIFICATION.—Section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(a)) is amended by striking the first sentence and inserting the following: ''The President may contribute up to 75 percent of the cost of hazard mitigation measures which the President has determined are cost effective and which substantially reduce the risk of, or increase resilience to, future damage, hardship, loss, or suffering in any area affected by a major disaster.''.

(b) ELIGIBLE COST.—Section 406(e)(1)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)(1)(A)) is amended—

(1) in the matter preceding clause (i), by inserting after ''section,'' the following: ''for disasters declared on or after August 1, 2017, or a disaster in which a cost estimate has not yet been finalized for a project, or for any project for which the finalized cost estimate is on appeal,'';

(2) in clause (i), by striking ''and'' at the end;

(3) in clause (ii)—

(A) by striking ''codes, specifications, and standards'' and inserting ''the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purposes of protecting the health, safety, and general welfare of a facility's users against disasters'';

(B) by striking ''applicable at the time at which the disaster occurred''; and

(C) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(iii) in a manner that allows the facility to meet the definition of resilient developed pursuant to this subsection.''.

(c) OTHER ELIGIBLE COST.—Section 406(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)(1)) is further amended by adding at the end the following:

''(C) CONTRIBUTIONS.—Contributions for the eligible cost made under this section may be provided on an actual cost basis or on cost-estimation procedures.''.

(d) NEW RULES.—Section 406(e) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)) is further amended by adding at the end the following:

''(5) NEW RULES.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of this paragraph, the President, acting through the Administrator of the Federal Emergency Management Agency, and in consultation with the heads of relevant Federal departments and agencies, shall issue a final rulemaking that defines the terms 'resilient' and 'resiliency' for purposes of this subsection.

''(B) INTERIM GUIDANCE.—Not later than 60 days after the date of enactment of this paragraph, the Administrator shall issue interim guidance to implement this subsection. Such interim guidance shall expire 18 months after the date of enactment of this paragraph or upon issuance of final regulations pursuant to subparagraph (A), whichever occurs first.

''(C) GUIDANCE.—Not later than 90 days after the date on which the Administrator issues the final rulemaking under this paragraph, the Administrator shall issue any necessary guidance related to the rulemaking.

''(D) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the

Administrator shall submit to Congress a report summarizing the regulations and guidance issued pursuant to this paragraph.''.

(e) CONFORMING AMENDMENT.—Section 205(d)(2) of the Disaster Mitigation Act of 2000 (42 U.S.C. 5172 note) is amended by inserting ''(B)'' after ''except that paragraph (1)''.

SEC. 1236. GUIDANCE AND TRAINING BY FEMA ON COORDINATION OF EMERGENCY RESPONSE PLANS.

(a) TRAINING REQUIREMENT.—The Administrator, in coordination with other relevant agencies, shall provide guidance and training on an annual basis to State, local, and Indian tribal governments, first responders, and facilities that store hazardous materials on coordination of emergency response plans in the event of a major disaster or emergency, including severe weather events. The guidance and training shall include the following:

(1) Providing a list of equipment required in the event a hazardous substance is released into the environment.

(2) Outlining the health risks associated with exposure to hazardous substances to improve treatment response.

(3) Publishing best practices for mitigating further danger to communities from hazardous substances.

(b) IMPLEMENTATION.—The requirement of subsection (a) shall be implemented not later than 180 days after the date of enactment of this Act.

SEC. 1237. CERTAIN RECOUPMENT PROHIBITED.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Agency shall deem any covered disaster assistance to have been properly procured, provided, and utilized, and shall restore any funding of covered disaster assistance previously provided but subsequently withdrawn or deobligated.

(b) COVERED DISASTER ASSISTANCE DEFINED.—In this section, the term ''covered disaster assistance'' means assistance—

(1) provided to a local government pursuant to section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, or 5173); and

(2) with respect to which the inspector general of the Department of Homeland Security has determined, after an audit, that—

(A) the Agency deployed to the local government a Technical Assistance Contractor to review field operations, provide eligibility advice, and assist with day-to-day decisions;

(B) the Technical Assistance Contractor provided inaccurate information to the local government; and

(C) the local government relied on the inaccurate information to determine that relevant contracts were eligible, reasonable, and reimbursable.

(c) EFFECTIVE DATE.—This section shall be effective on the date of enactment of this Act.

SEC. 1238. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS AND NONPROFIT FACILITIES.

(a) CRITICAL DOCUMENT FEE WAIVER.—

(1) IN GENERAL.—Notwithstanding section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214) or any other provision of law, the President, in consultation with the Governor of a State, may provide a waiver under this subsection to an individual or household described in section 408(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)(1)) for the following document replacement fees:

(A) The passport application fee for individuals who lost their United States passport in a major disaster within the preceding three calendar years.

(B) The file search fee for a United States passport.

(C) The Application for Waiver of Passport and/or Visa form (Form I–193) fee.

(D) The Permanent Resident Card replacement form (Form I–90) filing fee.

(E) The Declaration of Intention form (Form N–300) filing fee.

(F) The Naturalization/Citizenship Document replacement form (Form N–565) filing fee.

(G) The Employment Authorization form (Form I–765) filing fee.

(H) The biometric service fee.

(2) EXEMPTION FROM FORM REQUIREMENT.—The authority of the President to waive fees under subparagraphs (C) through (H) of paragraph (1) applies regardless of whether the individual or household qualifies for a Form I–912 Request for Fee Waiver, or any successor thereto.

(3) EXEMPTION FROM ASSISTANCE MAXIMUM.—The assistance limit in section 408(h) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(h)) shall not apply to any fee waived under this subsection.

(4) REPORT.—Not later than 365 days after the date of enactment of this subsection, the Administrator and the head of any other agency given critical document fee waiver authority under this subsection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the costs associated with providing critical document fee waivers as described in paragraph (1).

(b) FEDERAL ASSISTANCE TO PRIVATE NONPROFIT CHILDCARE FACILITIES.—Section 102(11)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(11)(A)) is amended—

(1) in the second subparagraph (A) (as added by Public Law 115–123), by inserting ''center-based childcare,'' after ''facility),''; and

(2) in the first subparagraph (A), by striking ''(A) IN GENERAL.—The term 'private nonprofit facility' means private nonprofit educational, utility'' and all that follows through ''President.''.

(c) APPLICABILITY.—The amendment made by subsection (b)(1) shall apply to any major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) on or after the date of enactment of this Act.

SEC. 1239. COST OF ASSISTANCE ESTIMATES.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Administrator shall review the factors considered when evaluating a request for a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), specifically the estimated cost of the assistance, and provide a report and briefing to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) RULEMAKING.—Not later than 2 years after the date of enactment of this Act, the Administrator shall review and initiate a rulemaking to update the factors considered when evaluating a Governor's request for a major disaster declaration, including reviewing how the Agency estimates the cost of major disaster assistance, and consider other impacts on the capacity of a jurisdiction to respond to disasters. In determining the capacity of a jurisdiction to respond to disasters, and prior to the issuance of such a rule, the Administrator shall engage in meaningful consultation with relevant representatives of State, regional, local, and Indian tribal government stakeholders.

SEC. 1240. REPORT ON INSURANCE SHORTFALLS.

Not later than 2 years after the date of enactment of this section, and each year thereafter until 2023, the Administrator of the Federal Emergency Management Agency shall submit a report to Congress on the number of instances and the estimated amounts involved, by State, for cases in which self-insurance amounts have been insufficient to address flood damages.

SEC. 1241. POST DISASTER BUILDING SAFETY ASSESSMENT.

(a) BUILDING SAFETY ASSESSMENT TEAM.—

(1) IN GENERAL.—The Administrator shall coordinate with State and local governments and organizations representing design professionals, such as architects and engineers, to develop guidance, including best practices, for post-disaster assessment of buildings by licensed architects and engineers to ensure the design professionals properly analyze the structural integrity and livability of buildings and structures.

(2) PUBLICATION.—The Administrator shall publish the guidance required to be developed under paragraph (1) not later than 1 year after the date of enactment of this Act.

(b) NATIONAL INCIDENT MANAGEMENT SYSTEM.—The Administrator shall revise or issue guidance as required to the National Incident Management System Resource Management component to ensure the functions of post-disaster building safety assessment, such as those functions performed by design professionals are accurately resource typed within the National Incident Management System.

(c) EFFECTIVE DATE.—This section shall be effective on the date of enactment of this Act.

SEC. 1242. FEMA UPDATES ON NATIONAL PREPAREDNESS ASSESSMENT.

Not later than 6 months after the date of enactment of this Act, and every 6 months thereafter until completion, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives an update on the progress of the Agency in completing action 6 with respect to the report published by the Government Accountability Office entitled ''2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue'' (February 28, 2012), which recommends the Agency to—

(1) complete a national preparedness assessment of capability gaps at each level based on tiered, capability-specific performance objectives to enable prioritization of grant funding; and

(2) identify the potential costs for establishing and maintaining those capabilities at each level and determine what capabilities Federal agencies should provide.

SEC. 1243. FEMA REPORT ON DUPLICATION IN NON-NATURAL DISASTER PREPAREDNESS GRANT PROGRAMS.

Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committees on Homeland Security and Governmental Affairs of the Senate and the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives a report on the results of the efforts of the Agency to identify and prevent unnecessary duplication within and across the non-natural disaster preparedness grant programs of the Agency, as recommended in the report published by the Government Accountability Office entitled ''2012 Annual Report: Opportunities to Reduce Duplication, Overlap and

Fragmentation, Achieve Savings, and Enhance Revenue'' (February 28, 2012), including with respect to—

(1) the Urban Area Security Initiative established under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604);

(2) the Port Security Grant Program authorized under section 70107 of title 46, United States Code;

(3) the State Homeland Security Grant Program established under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605); and

(4) the Transit Security Grant Program authorized under titles XIV and XV of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1131 et seq.).

SEC. 1244. STUDY AND REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall enter into a contract with the National Academy of Medicine to conduct a study and prepare a report as described in subsection (b).

(b) STUDY AND REPORT.—

(1) STUDY.—

(A) IN GENERAL.—The study described in this subsection shall be a study of matters concerning best practices in mortality counts as a result of a major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).

(B) CONTENTS.—The study described in this subsection shall address approaches to quantifying mortality and significant morbidity among populations affected by major disasters, which shall include best practices and policy recommendations for—

(i) equitable and timely attribution, in order to facilitate access to available benefits, among other things;

(ii) timely prospective tracking of population levels of mortality and significant morbidity, and their causes, in order to continuously inform response efforts; and

(iii) a retrospective study of disaster-related mortality and significant morbidity to inform after-action analysis and improve subsequent preparedness efforts.

(2) REPORT.—Not later than 2 years after the date on which the contract described in subsection (a) is entered into, the National Academy of Medicine shall complete and transmit to the Administrator a report on the study described in paragraph (1).

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to carry out the requirements of this section.

SEC. 1245. REVIEW OF ASSISTANCE FOR DAMAGED UNDERGROUND WATER INFRASTRUCTURE.

(a) DEFINITION OF PUBLIC ASSISTANCE GRANT PROGRAM.—The term ''public assistance grant program'' means the public assistance grant program authorized under sections 403, 406, 407, 428, and 502(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173, 5192(a)).

(b) REVIEW AND BRIEFING.—Not later than 60 days after the date of enactment of this Act, the Administrator shall—

(1) conduct a review of the assessment and eligibility process under the public assistance grant program with respect to assistance provided for damaged underground water infrastructure as a result of a major disaster declared under section 401 of such Act (42 U.S.C. 5170), including wildfires, and shall include the extent to which local technical memoranda, prepared by a local unit of government in consultation with the relevant State or Federal agencies, identified damaged underground water infrastructure that should be eligible for the public assistance grant program; and

(2) provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the review conducted under paragraph (1).

(c) REPORT AND RECOMMENDATIONS.—The Administrator shall—

(1) not later than 180 days after the date of enactment of this Act, issue a report on the review conducted under subsection (b)(1); and

(2) not later than 180 days after the date on which the Administrator issues the report required under paragraph (1), initiate a rulemaking, if appropriate, to address any recommendations contained in the report.

SEC. 1246. EXTENSION.

The Administrator shall extend the deadlines to implement the reasonable and prudent alternative outlined in the jeopardy biological opinion dated April 14, 2016, by up to 3 years from the date of enactment of this Act. Within 18 months from the date of enactment of this Act, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Environment and Public Works of the Senate; and the Committee on Homeland Security, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of implementing these reasonable and prudent alternatives.

DIVISION E—CONCRETE MASONRY

SEC. 1301. SHORT TITLE.

This division may be cited as the ''Concrete Masonry Products Research, Education, and Promotion Act of 2018''.

SEC. 1302. DECLARATION OF POLICY.

(a) PURPOSE.—The purpose of this division is to authorize the establishment of an orderly program for developing, financing, and carrying out an effective, continuous, and coordinated program of research, education, and promotion, including funds for marketing and market research activities, that is designed to—

(1) strengthen the position of the concrete masonry products industry in the domestic marketplace;

(2) maintain, develop, and expand markets and uses for concrete masonry products in the domestic marketplace; and

(3) promote the use of concrete masonry products in construction and building.

(b) LIMITATION.—Nothing in this division may be construed to provide for the control of production or otherwise limit the right of any person to manufacture concrete masonry products.

SEC. 1303. DEFINITIONS.

For the purposes of this division:

(1) BLOCK MACHINE.—The term ''block machine'' means a piece of equipment that utilizes vibration and compaction to form concrete masonry products.

(2) BOARD.—The term ''Board'' means the Concrete Masonry Products Board established under section 1305.

(3) CAVITY.—The term ''cavity'' means the open space in the mold of a block machine capable of forming a single concrete masonry unit having nominal plan dimensions of 8 inches by 16 inches.

(4) CONCRETE MASONRY PRODUCTS.—The term ''concrete masonry products'' refers to a broader class of products, including concrete masonry units as well as hardscape products such as concrete pavers and segmental retaining wall units, manufactured on a block machine using dry-cast concrete.

(5) CONCRETE MASONRY UNIT.—The term ''concrete masonry unit''—

(A) means a concrete masonry product that is a manmade masonry unit having an actual width of 3 inches or greater and manufactured from dry-cast concrete using a block machine; and

(B) includes concrete block and related concrete units used in masonry applications.

(6) CONFLICT OF INTEREST.—The term ''conflict of interest'' means, with respect to a member or employee of the Board, a situation in which such member or employee has a direct or indirect financial or other interest in a person that performs a service for, or enters into a contract with, for anything of economic value.

(7) DEPARTMENT.—The term ''Department'' means the Department of Commerce.

(8) DRY-CAST CONCRETE.—The term ''dry-cast concrete'' means a composite material that is composed essentially of aggregates embedded in a binding medium composed of a mixture of cementitious materials (including hydraulic cement, pozzolans, or other cementitious materials) and water of such a consistency to maintain its shape after forming in a block machine.

(9) EDUCATION.—The term ''education'' means programs that will educate or communicate the benefits of concrete masonry products in safe and environmentally sustainable development, advancements in concrete masonry product technology and development, and other information and programs designed to generate increased demand for commercial, residential, multifamily, and institutional projects using concrete masonry products and to generally enhance the image of concrete masonry products.

(10) MACHINE CAVITIES.—The term ''machine cavities'' means the cavities with which a block machine could be equipped.

(11) MACHINE CAVITIES IN OPERATION.—The term ''machine cavities in operation'' means those machine cavities associated with a block machine that have produced concrete masonry units within the last 6 months of the date set for determining eligibility and is fully operable and capable of producing concrete masonry units.

(12) MANUFACTURER.—The term ''manufacturer'' means any person engaged in the manufacturing of commercial concrete masonry products in the United States.

(13) MASONRY UNIT.—The term ''masonry unit'' means a noncombustible building product intended to be laid by hand or joined using mortar, grout, surface bonding, post-tensioning or some combination of these methods.

(14) ORDER.—The term ''order'' means an order issued under section 1304.

(15) PERSON.—The term ''person'' means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity.

(16) PROMOTION.—The term ''promotion'' means any action, including paid advertising, to advance the image and desirability of concrete masonry products with the express intent of improving the competitive position and stimulating sales of concrete masonry products in the marketplace.

(17) RESEARCH.—The term ''research'' means studies testing the effectiveness of market development and promotion efforts, studies relating to the improvement of concrete masonry products and new product development, and studies documenting the performance of concrete masonry.

(18) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(19) UNITED STATES.—The term ''United States'' means the several States and the District of Columbia.

SEC. 1304. ISSUANCE OF ORDERS.

(a) IN GENERAL.—

(1) ISSUANCE.—The Secretary, subject to the procedures provided in subsection (b),

shall issue orders under this division applicable to manufacturers of concrete masonry products.

(2) SCOPE.—Any order shall be national in scope.

(3) ONE ORDER.—Not more than 1 order shall be in effect at any one time.

(b) PROCEDURES.—

(1) DEVELOPMENT OR RECEIPT OF PROPOSED ORDER.—A proposed order with respect to the generic research, education, and promotion with regards to concrete masonry products may be—

(A) proposed by the Secretary at any time; or

(B) requested by or submitted to the Secretary by—

(i) an existing national organization of concrete masonry product manufacturers; or

(ii) any person that may be affected by the issuance of an order.

(2) PUBLICATION OF PROPOSED ORDER.—If the Secretary determines that a proposed order received in accordance with paragraph (1)(B) is consistent with and will effectuate the purpose of this division, the Secretary shall publish such proposed order in the Federal Register not later than 90 days after receiving the order, and give not less than 30 days notice and opportunity for public comment on the proposed order.

(3) ISSUANCE OF ORDER.—

(A) IN GENERAL.—After notice and opportunity for public comment are provided in accordance with paragraph (2), the Secretary shall issue the order, taking into consideration the comments received and including in the order such provisions as are necessary to ensure that the order is in conformity with this division.

(B) EFFECTIVE DATE.—If there is an affirmative vote in a referendum as provided in section 1307, the Secretary shall issue the order and such order shall be effective not later than 140 days after publication of the proposed order.

(c) AMENDMENTS.—The Secretary may, from time to time, amend an order. The provisions of this division applicable to an order shall be applicable to any amendment to an order.

SEC. 1305. REQUIRED TERMS IN ORDERS.

(a) IN GENERAL.—Any order issued under this division shall contain the terms and provisions specified in this section.

(b) CONCRETE MASONRY PRODUCTS BOARD.—

(1) ESTABLISHMENT AND MEMBERSHIP.—

(A) ESTABLISHMENT.—The order shall provide for the establishment of a Concrete Masonry Products Board to carry out a program of generic promotion, research, and education regarding concrete masonry products.

(B) MEMBERSHIP.—

(i) NUMBER OF MEMBERS.—The Board shall consist of not fewer than 15 and not more than 25 members.

(ii) APPOINTMENT.—The members of the Board shall be appointed by the Secretary from nominations submitted as provided in the order.

(iii) COMPOSITION.—The Board shall consist of manufacturers. No employee of an industry trade organization exempt from tax under paragraph (3) or (6) of section 501(c) of the Internal Revenue Code of 1986 representing the concrete masonry industry or related industries shall serve as a member of the Board and no member of the Board may serve concurrently as an officer of the board of directors of a national concrete masonry products industry trade association. Only 2 individuals from any single company or its affiliates may serve on the Board at any one time.

(2) DISTRIBUTION OF APPOINTMENTS.—

(A) REPRESENTATION.—To ensure fair and equitable representation of the concrete masonry products industry, the composition of the Board shall reflect the geographical distribution of the manufacture of concrete masonry products in the United States, the types of concrete masonry products manufactured, and the range in size of manufacturers in the United States.

(B) ADJUSTMENT IN BOARD REPRESENTATION.—Three years after the assessment of concrete masonry products commences pursuant to an order, and at the end of each 3-year period thereafter, the Board, subject to the review and approval of the Secretary, shall, if warranted, recommend to the Secretary the reapportionment of the Board membership to reflect changes in the geographical distribution of the manufacture of concrete masonry products and the types of concrete masonry products manufactured.

(3) NOMINATIONS PROCESS.—The Secretary may make appointments from nominations by manufacturers pursuant to the method set forth in the order.

(4) FAILURE TO APPOINT.—If the Secretary fails to make an appointment to the Board within 60 days of receiving nominations for such appointment, the first nominee for such appointment shall be deemed appointed, unless the Secretary provides reasonable justification for the delay to the Board and to Congress and provides a reasonable date by which approval or disapproval will be made.

(5) ALTERNATES.—The order shall provide for the selection of alternate members of the Board by the Secretary in accordance with procedures specified in the order.

(6) TERMS.—

(A) IN GENERAL.—The members and any alternates of the Board shall each serve for a term of 3 years, except that members and any alternates initially appointed to the Board shall serve for terms of not more than 2, 3, and 4 years, as specified by the order.

(B) LIMITATION ON CONSECUTIVE TERMS.—A member or an alternate may serve not more than 2 consecutive terms.

(C) CONTINUATION OF TERM.—Notwithstanding subparagraph (B), each member or alternate shall continue to serve until a successor is appointed by the Secretary.

(D) VACANCIES.—A vacancy arising before the expiration of a term of office of an incumbent member or alternate of the Board shall be filled in a manner provided for in the order.

(7) DISQUALIFICATION FROM BOARD SERVICE.—The order shall provide that if a member or alternate of the Board who was appointed as a manufacturer ceases to qualify as a manufacturer, such member or alternate shall be disqualified from serving on the Board.

(8) COMPENSATION.—

(A) IN GENERAL.—Members and any alternates of the Board shall serve without compensation.

(B) TRAVEL EXPENSES.—If approved by the Board, members or alternates shall be reimbursed for reasonable travel expenses, which may include per diem allowance or actual subsistence incurred while away from their homes or regular places of business in the performance of services for the Board.

(c) POWERS AND DUTIES OF THE BOARD.—The order shall specify the powers and duties of the Board, including the power and duty—

(1) to administer the order in accordance with its terms and conditions and to collect assessments;

(2) to develop and recommend to the Secretary for approval such bylaws as may be necessary for the functioning of the Board and such rules as may be necessary to administer the order, including activities authorized to be carried out under the order;

(3) to meet, organize, and select from among members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines appropriate;

(4) to establish regional organizations or committees to administer regional initiatives;

(5) to establish working committees of persons other than Board members;

(6) to employ such persons, other than the members, as the Board considers necessary, and to determine the compensation and specify the duties of the persons;

(7) to prepare and submit for the approval of the Secretary, before the beginning of each fiscal year, rates of assessment under section 1306 and an annual budget of the anticipated expenses to be incurred in the administration of the order, including the probable cost of each promotion, research, and information activity proposed to be developed or carried out by the Board;

(8) to borrow funds necessary for the start-up expenses of the order;

(9) to carry out generic research, education, and promotion programs and projects relating to concrete masonry products, and to pay the costs of such programs and projects with assessments collected under section 1306;

(10) subject to subsection (e), to enter into contracts or agreements to develop and carry out programs or projects of research, education, and promotion relating to concrete masonry products;

(11) to keep minutes, books, and records that reflect the actions and transactions of the Board, and promptly report minutes of each Board meeting to the Secretary;

(12) to receive, investigate, and report to the Secretary complaints of violations of the order;

(13) to furnish the Secretary with such information as the Secretary may request;

(14) to recommend to the Secretary such amendments to the order as the Board considers appropriate; and

(15) to provide the Secretary with advance notice of meetings to permit the Secretary, or the representative of the Secretary, to attend the meetings.

(d) PROGRAMS AND PROJECTS; BUDGETS; EXPENSES.—

(1) PROGRAMS AND PROJECTS.—

(A) IN GENERAL.—The order shall require the Board to submit to the Secretary for approval any program or project of research, education, or promotion relating to concrete masonry products.

(B) STATEMENT REQUIRED.—Any educational or promotional activity undertaken with funds provided by the Board shall include a statement that such activities were supported in whole or in part by the Board.

(2) BUDGETS.—

(A) SUBMISSION.—The order shall require the Board to submit to the Secretary for approval a budget of the anticipated expenses and disbursements of the Board in the implementation of the order, including the projected costs of concrete masonry products research, education, and promotion programs and projects.

(B) TIMING.—The budget shall be submitted before the beginning of a fiscal year and as frequently as may be necessary after the beginning of the fiscal year.

(C) APPROVAL.—If the Secretary fails to approve or reject a budget within 60 days of receipt, such budget shall be deemed approved, unless the Secretary provides to the Board and to Congress, in writing, reasonable justification for the delay and provides a reasonable date by which approval or disapproval will be made.

(3) ADMINISTRATIVE EXPENSES.—

(A) INCURRING EXPENSES.—The Board may incur the expenses described in paragraph (2) and other expenses for the administration,

maintenance, and functioning of the Board as authorized by the Secretary.

(B) PAYMENT OF EXPENSES.—Expenses incurred under subparagraph (A) shall be paid by the Board using assessments collected under section 1306, earnings obtained from assessments, and other income of the Board. Any funds borrowed by the Board shall be expended only for startup costs and capital outlays.

(C) LIMITATION ON SPENDING.—For fiscal years beginning 3 or more years after the date of the establishment of the Board, the Board may not expend for administration (except for reimbursement to the Secretary required under subparagraph (D)), maintenance, and functioning of the Board in a fiscal year an amount that exceeds 10 percent of the assessment and other income received by the Board for the fiscal year.

(D) REIMBURSEMENT OF SECRETARY.—The order shall require that the Secretary be reimbursed by the Board from assessments for all expenses incurred by the Secretary in the implementation, administration, and supervision of the order, including all referenda costs incurred in connection with the order.

(e) CONTRACTS AND AGREEMENTS.—

(1) IN GENERAL.—The order shall provide that, with the approval of the Secretary, the Board may—

(A) enter into contracts and agreements to carry out generic research, education, and promotion programs and projects relating to concrete masonry products, including contracts and agreements with manufacturer associations or other entities as considered appropriate by the Secretary;

(B) enter into contracts and agreements for administrative services; and

(C) pay the cost of approved generic research, education, and promotion programs and projects using assessments collected under section 1306, earnings obtained from assessments, and other income of the Board.

(2) REQUIREMENTS.—Each contract or agreement shall provide that any person who enters into the contract or agreement with the Board shall—

(A) develop and submit to the Board a proposed program or project together with a budget that specifies the cost to be incurred to carry out the program or project;

(B) keep accurate records of all transactions relating to the contract or agreement;

(C) account for funds received and expended in connection with the contract or agreement;

(D) make periodic reports to the Board of activities conducted under the contract or agreement; and

(E) make such other reports as the Board or the Secretary considers relevant.

(3) FAILURE TO APPROVE.—If the Secretary fails to approve or reject a contract or agreement entered into under paragraph (1) within 60 days of receipt, the contract or agreement shall be deemed approved, unless the Secretary provides to the Board and to Congress, in writing, reasonable justification for the delay and provides a reasonable date by which approval or disapproval will be made.

(f) BOOKS AND RECORDS OF BOARD.—

(1) IN GENERAL.—The order shall require the Board to—

(A) maintain such books and records (which shall be available to the Secretary for inspection and audit) as the Secretary may require;

(B) collect and submit to the Secretary, at any time the Secretary may specify, any information the Secretary may request; and

(C) account for the receipt and disbursement of all funds in the possession, or under the control, of the Board.

(2) AUDITS.—The order shall require the Board to have—

(A) the books and records of the Board audited by an independent auditor at the end of each fiscal year; and

(B) a report of the audit submitted directly to the Secretary.

(g) PROHIBITED ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), the Board shall not engage in any program or project to, nor shall any funds received by the Board under this division be used to—

(A) influence legislation, elections, or governmental action;

(B) engage in an action that would be a conflict of interest;

(C) engage in advertising that is false or misleading;

(D) engage in any promotion, research, or education that would be disparaging to other construction materials; or

(E) engage in any promotion or project that would benefit any individual manufacturer.

(2) EXCEPTIONS.—Paragraph (1) does not preclude—

(A) the development and recommendation of amendments to the order;

(B) the communication to appropriate government officials of information relating to the conduct, implementation, or results of research, education, and promotion activities under the order except communications described in paragraph (1)(A); or

(C) any lawful action designed to market concrete masonry products directly to a foreign government or political subdivision of a foreign government.

(h) PERIODIC EVALUATION.—The order shall require the Board to provide for the independent evaluation of all research, education, and promotion programs or projects undertaken under the order, beginning 5 years after the date of enactment of this Act and every 3 years thereafter. The Board shall submit to the Secretary and make available to the public the results of each such evaluation.

(i) OBJECTIVES.—The Board shall establish annual research, education, and promotion objectives and performance metrics for each fiscal year subject to approval by the Secretary.

(j) BIENNIAL REPORT.—Every 2 years the Board shall prepare and make publicly available a comprehensive and detailed report that includes an identification and description of all programs and projects undertaken by the Board during the previous 2 years as well as those planned for the subsequent 2 years and detail the allocation or planned allocation of Board resources for each such program or project. Such report shall also include—

(1) the overall financial condition of the Board;

(2) a summary of the amounts obligated or expended during the 2 preceding fiscal years; and

(3) a description of the extent to which the objectives of the Board were met according to the metrics required under subsection (i).

(k) BOOKS AND RECORDS OF PERSONS COVERED BY ORDER.—

(1) IN GENERAL.—The order shall require that manufacturers shall—

(A) maintain records sufficient to ensure compliance with the order and regulations; and

(B) make the records described in subparagraph (A) available, during normal business hours, for inspection by employees or agents of the Board or the Department.

(2) TIME REQUIREMENT.—Any record required to be maintained under paragraph (1) shall be maintained for such time period as the Secretary may prescribe.

(3) CONFIDENTIALITY OF INFORMATION.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, trade secrets and commercial or financial information that is privileged or confidential reported to, or otherwise obtained by the Board or the Secretary (or any representative of the Board or the Secretary) under this division shall not be disclosed by any officers, employees, and agents of the Department or the Board.

(B) SUITS AND HEARINGS.—Information referred to in subparagraph (A) may be disclosed only if—

(i) the Secretary considers the information relevant; and

(ii) the information is revealed in a judicial proceeding or administrative hearing brought at the direction or on the request of the Secretary or to which the Secretary or any officer of the Department is a party.

(C) GENERAL STATEMENTS AND PUBLICATIONS.—This paragraph does not prohibit—

(i) the issuance of general statements based on reports or on information relating to a number of persons subject to an order if the statements do not identify the information furnished by any person; or

(ii) the publication, by direction of the Secretary, of the name of any person violating any order and a statement of the particular provisions of the order violated by the person.

(D) PENALTY.—Any officer, employee, or agent of the Department of Commerce or any officer, employee, or agent of the Board who willfully violates this paragraph shall be fined not more than $1,000 and imprisoned for not more than 1 year, or both.

(4) WITHHOLDING INFORMATION.—This subsection does not authorize the withholding of information from Congress.

SEC. 1306. ASSESSMENTS.

(a) ASSESSMENTS.—The order shall provide that assessments shall be paid by a manufacturer if the manufacturer has manufactured concrete masonry products during a period of at least 180 days prior to the date the assessment is to be remitted.

(b) COLLECTION.—

(1) IN GENERAL.—Assessments required under the order shall be remitted by the manufacturer to the Board in the manner prescribed by the order.

(2) TIMING.—The order shall provide that assessments required under the order shall be remitted to the Board not less frequently than quarterly.

(3) RECORDS.—As part of the remittance of assessments, manufacturers shall identify the total amount due in assessments on all sales receipts, invoices or other commercial documents of sale as a result of the sale of concrete masonry units in a manner as prescribed by the Board to ensure compliance with the order.

(c) ASSESSMENT RATES.—With respect to assessment rates, the order shall contain the following terms:

(1) INITIAL RATE.—The assessment rate on concrete masonry products shall be $0.01 per concrete masonry unit sold.

(2) CHANGES IN THE RATE.—

(A) AUTHORITY TO CHANGE RATE.—The Board shall have the authority to change the assessment rate. A two-thirds majority of voting members of the Board shall be required to approve a change in the assessment rate.

(B) LIMITATION ON INCREASES.—An increase or decrease in the assessment rate with respect to concrete masonry products may not exceed $0.01 per concrete masonry unit sold.

(C) MAXIMUM RATE.—The assessment rate shall not be in excess of $0.05 per concrete masonry unit.

(D) LIMITATION ON FREQUENCY OF CHANGES.—The assessment rate may not be increased or decreased more than once annually.

(d) LATE-PAYMENT AND INTEREST CHARGES.—

(1) IN GENERAL.—Late-payment and interest charges may be levied on each person subject to the order who fails to remit an assessment in accordance with subsection (b).

(2) RATE.—The rate for late-payment and interest charges shall be specified by the Secretary.

(e) INVESTMENT OF ASSESSMENTS.—Pending disbursement of assessments under a budget approved by the Secretary, the Board may invest assessments collected under this section in—

(1) obligations of the United States or any agency of the United States;

(2) general obligations of any State or any political subdivision of a State;

(3) interest-bearing accounts or certificates of deposit of financial institutions that are members of the Federal Reserve System; or

(4) obligations fully guaranteed as to principal and interest by the United States.

(f) ASSESSMENT FUNDS FOR REGIONAL INITIATIVES.—

(1) IN GENERAL.—The order shall provide that not less than 50 percent of the assessments (less administration expenses) paid by a manufacturer shall be used to support research, education, and promotion programs and projects in support of the geographic region of the manufacturer.

(2) GEOGRAPHIC REGIONS.—The order shall provide for the following geographic regions:

(A) Region I shall comprise Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia.

(B) Region II shall comprise Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

(C) Region III shall comprise Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

(D) Region IV shall comprise Arizona, Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

(E) Region V shall comprise Alaska, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

(3) ADJUSTMENT OF GEOGRAPHIC REGIONS.—The order shall provide that the Secretary may, upon recommendation of the Board, modify the composition of the geographic regions described in paragraph (2).

SEC. 1307. REFERENDA.

(a) INITIAL REFERENDUM.—

(1) REFERENDUM REQUIRED.—During the 60-day period immediately preceding the proposed effective date of the order issued under section 1304, the Secretary shall conduct a referendum among manufacturers eligible under subsection (b)(2) subject to assessments under section 1306.

(2) APPROVAL OF ORDER NEEDED.—The order shall become effective only if the Secretary determines that the order has been approved by a majority of manufacturers voting who also represent a majority of the machine cavities in operation of those manufacturers voting in the referendum.

(b) VOTES PERMITTED.—

(1) IN GENERAL.—Each manufacturer eligible to vote in a referendum conducted under this section shall be entitled to cast 1 vote.

(2) ELIGIBILITY.—For purposes of paragraph (1), a manufacturer shall be considered to be eligible to vote if the manufacturer has manufactured concrete masonry products during a period of at least 180 days prior to the first day of the period during which voting in the referendum will occur.

(c) MANNER OF CONDUCTING REFERENDA.—

(1) IN GENERAL.—Referenda conducted pursuant to this section shall be conducted in a manner determined by the Secretary.

(2) ADVANCE REGISTRATION.—A manufacturer who chooses to vote in any referendum conducted under this section shall register with the Secretary prior to the voting period, after receiving notice from the Secretary concerning the referendum under paragraph (4).

(3) VOTING.—The Secretary shall establish procedures for voting in any referendum conducted under this section. The ballots and other information or reports that reveal or tend to reveal the identity or vote of voters shall be strictly confidential.

(4) NOTICE.—Not later than 30 days before a referendum is conducted under this section with respect to an order, the Secretary shall notify all manufacturers, in such a manner as determined by the Secretary, of the period during which voting in the referendum will occur. The notice shall explain any registration and voting procedures established under this subsection.

(d) SUBSEQUENT REFERENDA.—If an order is approved in a referendum conducted under subsection (a), the Secretary shall conduct a subsequent referendum—

(1) at the request of the Board, subject to the voting requirements of subsections (b) and (c), to ascertain whether eligible manufacturers favor suspension, termination, or continuance of the order; or

(2) effective beginning on the date that is 5 years after the date of the approval of the order, and at 5-year intervals thereafter, at the request of 25 percent or more of the total number of persons eligible to vote under subsection (b).

(e) SUSPENSION OR TERMINATION.—If, as a result of a referendum conducted under subsection (d), the Secretary determines that suspension or termination of the order is favored by a majority of all votes cast in the referendum as provided in subsection (a)(2), the Secretary shall—

(1) not later than 180 days after the referendum, suspend or terminate, as appropriate, collection of assessments under the order; and

(2) suspend or terminate, as appropriate, programs and projects under the order as soon as practicable and in an orderly manner.

(f) COSTS OF REFERENDA.—The Board established under an order with respect to which a referendum is conducted under this section shall reimburse the Secretary from assessments for any expenses incurred by the Secretary to conduct the referendum.

SEC. 1308. PETITION AND REVIEW.

(a) PETITION.—

(1) IN GENERAL.—A person subject to an order issued under this division may file with the Secretary a petition—

(A) stating that the order, any provision of the order, or any obligation imposed in connection with the order, is not established in accordance with law; and

(B) requesting a modification of the order or an exemption from the order.

(2) HEARING.—The Secretary shall give the petitioner an opportunity for a hearing on the petition, in accordance with regulations issued by the Secretary.

(3) RULING.—After the hearing, the Secretary shall make a ruling on the petition. The ruling shall be final, subject to review as set forth in subsection (b).

(4) LIMITATION ON PETITION.—Any petition filed under this subsection challenging an order, any provision of the order, or any obligation imposed in connection with the order, shall be filed not less than 2 years after the effective date of the order, provision, or obligation subject to challenge in the petition.

(b) REVIEW.—

(1) COMMENCEMENT OF ACTION.—The district courts of the United States in any district in which a person who is a petitioner under subsection (a) resides or conducts business shall have jurisdiction to review the ruling of the Secretary on the petition of the person, if a complaint requesting the review is filed no later than 30 days after the date of the entry of the ruling by the Secretary.

(2) PROCESS.—Service of process in proceedings under this subsection shall be conducted in accordance with the Federal Rules of Civil Procedure.

(3) REMANDS.—If the court in a proceeding under this subsection determines that the ruling of the Secretary on the petition of the person is not in accordance with law, the court shall remand the matter to the Secretary with directions—

(A) to make such ruling as the court shall determine to be in accordance with law; or

(B) to take such further action as, in the opinion of the court, the law requires.

(c) ENFORCEMENT.—The pendency of proceedings instituted under this section shall not impede, hinder, or delay the Attorney General or the Secretary from obtaining relief under section 1309.

SEC. 1309. ENFORCEMENT.

(a) JURISDICTION.—A district court of the United States shall have jurisdiction to enforce, and to prevent and restrain any person from violating, this division or an order or regulation issued by the Secretary under this division.

(b) REFERRAL TO ATTORNEY GENERAL.—A civil action authorized to be brought under this section shall be referred to the Attorney General of the United States for appropriate action.

(c) CIVIL PENALTIES AND ORDERS.—

(1) CIVIL PENALTIES.—A person who willfully violates an order or regulation issued by the Secretary under this division may be assessed by the Secretary a civil penalty of not more than $5,000 for each violation.

(2) SEPARATE OFFENSE.—Each violation and each day during which there is a failure to comply with an order or regulation issued by the Secretary shall be considered to be a separate offense.

(3) CEASE-AND-DESIST ORDERS.—In addition to, or in lieu of, a civil penalty, the Secretary may issue an order requiring a person to cease and desist from violating the order or regulation.

(4) NOTICE AND HEARING.—No order assessing a penalty or cease-and-desist order may be issued by the Secretary under this subsection unless the Secretary provides notice and an opportunity for a hearing on the record with respect to the violation.

(5) FINALITY.—An order assessing a penalty or a cease-and-desist order issued under this subsection by the Secretary shall be final and conclusive unless the person against whom the order is issued files an appeal from the order with the appropriate district court of the United States.

(d) ADDITIONAL REMEDIES.—The remedies provided in this division shall be in addition to, and not exclusive of, other remedies that may be available.

SEC. 1310. INVESTIGATION AND POWER TO SUBPOENA.

(a) INVESTIGATIONS.—The Secretary may conduct such investigations as the Secretary considers necessary for the effective administration of this division, or to determine whether any person has engaged or is engaging in any act that constitutes a violation of this division or any order or regulation issued under this division.

(b) SUBPOENAS, OATHS, AND AFFIRMATIONS.—

(1) INVESTIGATIONS.—For the purpose of conducting an investigation under subsection (a), the Secretary may administer

oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The production of the records may be required from any place in the United States.

(2) ADMINISTRATIVE HEARINGS.—For the purpose of an administrative hearing held under section 1308(a)(2) or section 1309(c)(4), the presiding officer may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The attendance of witnesses and the production of the records may be required from any place in the United States.

(c) AID OF COURTS.—

(1) IN GENERAL.—In the case of contumacy by, or refusal to obey a subpoena issued under subsection (b) to, any person, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which the investigation or proceeding is conducted, or where the person resides or conducts business, in order to enforce a subpoena issued under subsection (b).

(2) ORDER.—The court may issue an order requiring the person referred to in paragraph (1) to comply with a subpoena referred to in paragraph (1).

(3) FAILURE TO OBEY.—Any failure to obey the order of the court may be punished by the court as a contempt of court.

(4) PROCESS.—Process in any proceeding under this subsection may be served in the United States judicial district in which the person being proceeded against resides or conducts business, or wherever the person may be found.

SEC. 1311. SUSPENSION OR TERMINATION.

(a) MANDATORY SUSPENSION OR TERMINATION.—The Secretary shall suspend or terminate an order or a provision of an order if the Secretary finds that an order or provision of an order obstructs or does not tend to effectuate the purpose of this division, or if the Secretary determines that the order or a provision of an order is not favored by a majority of all votes cast in the referendum as provided in section 1307(a)(2).

(b) IMPLEMENTATION OF SUSPENSION OR TERMINATION.—If, as a result of a referendum conducted under section 1307, the Secretary determines that the order is not approved, the Secretary shall—

(1) not later than 180 days after making the determination, suspend or terminate, as the case may be, collection of assessments under the order; and

(2) as soon as practicable, suspend or terminate, as the case may be, activities under the order in an orderly manner.

SEC. 1312. AMENDMENTS TO ORDERS.

The provisions of this division applicable to the order shall be applicable to any amendment to the order, except that section 1308 shall not apply to an amendment.

SEC. 1313. EFFECT ON OTHER LAWS.

This division shall not affect or preempt any other Federal or State law authorizing research, education, and promotion relating to concrete masonry products.

SEC. 1314. REGULATIONS.

The Secretary may issue such regulations as may be necessary to carry out this division and the power vested in the Secretary under this division.

SEC. 1315. LIMITATION ON EXPENDITURES FOR ADMINISTRATIVE EXPENSES.

Funds appropriated to carry out this division may not be used for the payment of the expenses or expenditures of the Board in administering the order.

SEC. 1316. LIMITATIONS ON OBLIGATION OF FUNDS.

(a) IN GENERAL.—In each fiscal year of the covered period, the Board may not obligate an amount greater than the sum of—

(1) 73 percent of the amount of assessments estimated to be collected under section 1306 in such fiscal year;

(2) 73 percent of the amount of assessments actually collected under section 1306 in the most recent fiscal year for which an audit report has been submitted under section 1305(f)(2)(B) as of the beginning of the fiscal year for which the amount that may be obligated is being determined, less the estimate made pursuant to paragraph (1) for such most recent fiscal year; and

(3) amounts permitted in preceding fiscal years to be obligated pursuant to this subsection that have not been obligated.

(b) EXCESS AMOUNTS DEPOSITED IN ESCROW ACCOUNT.—Assessments collected under section 1306 in excess of the amount permitted to be obligated under subsection (a) in a fiscal year shall be deposited in an escrow account for the duration of the covered period.

(c) TREATMENT OF AMOUNTS IN ESCROW ACCOUNT.—During the covered period, the Board may not obligate, expend, or borrow against amounts required under subsection (b) to be deposited in the escrow account. Any interest earned on such amounts shall be deposited in the escrow account and shall be unavailable for obligation for the duration of the covered period.

(d) RELEASE OF AMOUNTS IN ESCROW ACCOUNT.—After the covered period, the Board may withdraw and obligate in any fiscal year an amount in the escrow account that does not exceed ⅕ of the amount in the escrow account on the last day of the covered period.

(e) SPECIAL RULE FOR ESTIMATES FOR PARTICULAR FISCAL YEARS.—

(1) RULE.—For purposes of subsection (a)(1), the amount of assessments estimated to be collected under section 1306 in a fiscal year specified in paragraph (2) shall be equal to 62 percent of the amount of assessments actually collected under such section in the most recent fiscal year for which an audit report has been submitted under section 1305(f)(2)(B) as of the beginning of the fiscal year for which the amount that may be obligated is being determined.

(2) FISCAL YEARS SPECIFIED.—The fiscal years specified in this paragraph are the 9th and 10th fiscal years that begin on or after the date of enactment of this Act.

(f) COVERED PERIOD DEFINED.—In this section, the term ''covered period'' means the period that begins on the date of enactment of this Act and ends on the last day of the 11th fiscal year that begins on or after such date of enactment.

SEC. 1317. STUDY AND REPORT BY THE GOVERNMENT ACCOUNTABILITY OFFICE.

Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare a study, and not later than 8 years after the date of enactment of this Act, the Comptroller General shall submit to Congress and the Secretary a report, examining—

(1) how the Board spends assessments collected;

(2) the extent to which the reported activities of the Board help achieve the annual objectives of the Board;

(3) any changes in demand for concrete masonry products relative to other building materials;

(4) any impact of the activities of the Board on the market share of competing products;

(5) any impact of the activities of the Board on the overall size of the market for building products;

(6) any impact of the activities of the Board on the total number of concrete-masonry-related jobs, including manufacturing, sales, and installation;

(7) any significant effects of the activities of the Board on downstream purchasers of concrete masonry products and real property into which concrete masonry products are incorporated;

(8) effects on prices of concrete masonry products as a result of the activities of the Board;

(9) the cost to the Federal Government of an increase in concrete masonry product prices, if any, as a result of the program established by this division;

(10) the extent to which key statutory requirements are met;

(11) the extent and strength of Federal oversight of the program established by this division;

(12) the appropriateness of administering the program from within the Office of the Secretary of Commerce and the appropriateness of administering the program from within any division of the Department, including whether the Department has the expertise, knowledge, or other capabilities necessary to adequately administer the program; and

(13) any other topic that the Comptroller General considers appropriate.

SEC. 1318. STUDY AND REPORT BY THE DEPARTMENT OF COMMERCE.

Not later than 3 years after the date of enactment of this Act, the Secretary shall prepare a study and submit to Congress a report examining the appropriateness and effectiveness of applying the commodity check-off program model (such as those programs established under the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7411 et seq.)) to a nonagricultural industry, taking into account the program established by this division and any other check-off program involving a nonagricultural industry.

DIVISION F—BUILD ACT OF 2018

SEC. 1401. SHORT TITLE.

This division may be cited as the ''Better Utilization of Investments Leading to Development Act of 2018'' or the ''BUILD Act of 2018''.

SEC. 1402. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) LESS DEVELOPED COUNTRY.—The term ''less developed country'' means a country with a low-income economy, lower-middle-income economy, or upper-middle-income economy, as defined by the International Bank for Reconstruction and Development and the International Development Association (collectively referred to as the ''World Bank'').

(3) PREDECESSOR AUTHORITY.—The term ''predecessor authority'' means authorities repealed by title VI.

(4) QUALIFYING SOVEREIGN ENTITY.—The term ''qualifying sovereign entity'' means—

(A) any agency or instrumentality of a foreign state (as defined in section 1603 of title 28, United States Code) that has a purpose that is similar to the purpose of the Corporation as described in section 1412(b); or

(B) any international financial institution (as defined in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 262r(c))).

TITLE I—ESTABLISHMENT

SEC. 1411. STATEMENT OF POLICY.

It is the policy of the United States to facilitate market-based private sector development and inclusive economic growth in less developed countries through the provision of credit, capital, and other financial support—

(1) to mobilize private capital in support of sustainable, broad-based economic growth, poverty reduction, and development through demand-driven partnerships with the private sector that further the foreign policy interests of the United States;

(2) to finance development that builds and strengthens civic institutions, promotes competition, and provides for public accountability and transparency;

(3) to help private sector actors overcome identifiable market gaps and inefficiencies without distorting markets;

(4) to achieve clearly defined economic and social development outcomes;

(5) to coordinate with institutions with purposes similar to the purposes of the Corporation to leverage resources of those institutions to produce the greatest impact;

(6) to provide countries a robust alternative to state-directed investments by authoritarian governments and United States strategic competitors using best practices with respect to transparency and environmental and social safeguards, and which take into account the debt sustainability of partner countries;

(7) to leverage private sector capabilities and innovative development tools to help countries transition from recipients of bilateral development assistance toward increased self-reliance; and

(8) to complement and be guided by overall United States foreign policy, development, and national security objectives, taking into account the priorities and needs of countries receiving support.

SEC. 1412. UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.

(a) ESTABLISHMENT.—There is established in the executive branch the United States International Development Finance Corporation (in this division referred to as the ''Corporation''), which shall be a wholly owned Government corporation for purposes of chapter 91 of title 31, United States Code, under the foreign policy guidance of the Secretary of State.

(b) PURPOSE.—The purpose of the Corporation shall be to mobilize and facilitate the participation of private sector capital and skills in the economic development of less developed countries, as described in subsection (c), and countries in transition from nonmarket to market economies, in order to complement the development assistance objectives, and advance the foreign policy interests, of the United States. In carrying out its purpose, the Corporation, utilizing broad criteria, shall take into account in its financing operations the economic and financial soundness and development objectives of projects for which it provides support under title II.

(c) LESS DEVELOPED COUNTRY FOCUS.—

(1) IN GENERAL.—The Corporation shall prioritize the provision of support under title II in less developed countries with a low-income economy or a lower-middle-income economy.

(2) SUPPORT IN UPPER-MIDDLE-INCOME COUNTRIES.—The Corporation shall restrict the provision of support under title II in a less developed country with an upper-middle-income economy unless—

(A) the President certifies to the appropriate congressional committees that such support furthers the national economic or foreign policy interests of the United States; and

(B) such support is designed to produce significant developmental outcomes or provide developmental benefits to the poorest population of that country.

SEC. 1413. MANAGEMENT OF CORPORATION.

(a) STRUCTURE OF CORPORATION.—There shall be in the Corporation a Board of Directors (in this division referred to as the ''Board''), a Chief Executive Officer, a Deputy Chief Executive Officer, a Chief Risk Officer, a Chief Development Officer, and such other officers as the Board may determine.

(b) BOARD OF DIRECTORS.—

(1) DUTIES.—All powers of the Corporation shall vest in and be exercised by or under the authority of the Board. The Board—

(A) shall perform the functions specified to be carried out by the Board in this division;

(B) may prescribe, amend, and repeal bylaws, rules, regulations, policies, and procedures governing the manner in which the business of the Corporation may be conducted and in which the powers granted to the Corporation by law may be exercised; and

(C) shall develop, in consultation with stakeholders, other interested parties, and the appropriate congressional committees, a publicly available policy with respect to consultations, hearings, and other forms of engagement in order to provide for meaningful public participation in the Board's activities.

(2) MEMBERSHIP OF BOARD.—

(A) IN GENERAL.—The Board shall consist of—

(i) the Chief Executive Officer of the Corporation;

(ii) the officers specified in subparagraph (B); and

(iii) four other individuals who shall be appointed by the President, by and with the advice and consent of the Senate, of which—

(I) one individual should be appointed from among a list of at least 5 individuals submitted by the majority leader of the Senate after consultation with the chairman of the Committee on Foreign Relations of the Senate;

(II) one individual should be appointed from among a list of at least 5 individuals submitted by the minority leader of the Senate after consultation with the ranking member of the Committee on Foreign Relations of the Senate;

(III) one individual should be appointed from among a list of at least 5 individuals submitted by the Speaker of the House of Representatives after consultation with the chairman of the Committee on Foreign Affairs of the House of Representatives; and

(IV) one individual should be appointed from among a list of at least 5 individuals submitted by the minority leader of the House of Representatives after consultation with the ranking member of the Committee on Foreign Affairs of the House of Representatives.

(B) OFFICERS SPECIFIED.—

(i) IN GENERAL.—The officers specified in this subparagraph are the following:

(I) The Secretary of State or a designee of the Secretary.

(II) The Administrator of the United States Agency for International Development or a designee of the Administrator.

(III) The Secretary of the Treasury or a designee of the Secretary.

(IV) The Secretary of Commerce or a designee of the Secretary.

(ii) REQUIREMENTS FOR DESIGNEES.—A designee under clause (i) shall be selected from among officers—

(I) appointed by the President, by and with the advice and consent of the Senate;

(II) whose duties relate to the programs of the Corporation; and

(III) who is designated by and serving at the pleasure of the President.

(C) REQUIREMENTS FOR NONGOVERNMENT MEMBERS.—A member of the Board described in subparagraph (A)(iii)—

(i) may not be an officer or employee of the United States Government;

(ii) shall have relevant experience, which may include experience relating to the private sector, the environment, labor organizations, or international development, to carry out the purpose of the Corporation;

(iii) shall be appointed for a term of 3 years and may be reappointed for one additional term;

(iv) shall serve until the member's successor is appointed and confirmed;

(v) shall be compensated at a rate equivalent to that of level IV of the Executive Schedule under section 5315 of title 5, United States Code, when engaged in the business of the Corporation; and

(vi) may be paid per diem in lieu of subsistence at the applicable rate under the Federal Travel Regulation under subtitle F of title 41, Code of Federal Regulations, from time to time, while away from the home or usual place of business of the member.

(3) CHAIRPERSON.—The Secretary of State, or the designee of the Secretary under paragraph (2)(B)(i)(I), shall serve as the Chairperson of the Board.

(4) VICE CHAIRPERSON.—The Administrator of the United States Agency for International Development, or the designee of the Administrator under paragraph (2)(B)(i)(II), shall serve as the Vice Chairperson of the Board.

(5) QUORUM.—Five members of the Board shall constitute a quorum for the transaction of business by the Board.

(c) PUBLIC HEARINGS.—The Board shall hold at least 2 public hearings each year in order to afford an opportunity for any person to present views with respect to whether—

(1) the Corporation is carrying out its activities in accordance with this division; and

(2) any support provided by the Corporation under title II in any country should be suspended, expanded, or extended.

(d) CHIEF EXECUTIVE OFFICER.—

(1) APPOINTMENT.—There shall be in the Corporation a Chief Executive Officer, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall serve at the pleasure of the President.

(2) AUTHORITIES AND DUTIES.—The Chief Executive Officer shall be responsible for the management of the Corporation and shall exercise the powers and discharge the duties of the Corporation subject to the bylaws, rules, regulations, and procedures established by the Board.

(3) RELATIONSHIP TO BOARD.—The Chief Executive Officer shall report to and be under the direct authority of the Board.

(4) COMPENSATION.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Chief Executive Officer, United States International Development Finance Corporation.''.

(e) DEPUTY CHIEF EXECUTIVE OFFICER.—There shall be in the Corporation a Deputy Chief Executive Officer, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall serve at the pleasure of the President.

(f) CHIEF RISK OFFICER.—

(1) APPOINTMENT.—Subject to the approval of the Board, the Chief Executive Officer of the Corporation shall appoint a Chief Risk Officer, from among individuals with experience at a senior level in financial risk management, who—

(A) shall report directly to the Board; and

(B) shall be removable only by a majority vote of the Board.

(2) DUTIES.—The Chief Risk Officer shall, in coordination with the audit committee of the Board established under section 1441, develop, implement, and manage a comprehensive process for identifying, assessing, monitoring, and limiting risks to the Corporation, including the overall portfolio diversification of the Corporation.

(g) CHIEF DEVELOPMENT OFFICER.—

(1) APPOINTMENT.—Subject to the approval of the Board, the Chief Executive Officer, with the concurrence of the Administrator of the United States Agency for International Development, shall appoint a Chief Development Officer, from among individuals with experience in development, who—

(A) shall report directly to the Board; and

(B) shall be removable only by a majority vote of the Board.

(2) DUTIES.—The Chief Development Officer shall—

(A) coordinate the Corporation's development policies and implementation efforts with the United States Agency for International Development, the Millennium Challenge Corporation, and other relevant United States Government departments and agencies, including directly liaising with missions of the United States Agency for International Development, to ensure that departments, agencies, and missions have training, awareness, and access to the Corporation's tools in relation to development policy and projects in countries;

(B) under the guidance of the Chief Executive Officer, manage employees of the Corporation that are dedicated to structuring, monitoring, and evaluating transactions and projects co-designed with the United States Agency for International Development and other relevant United States Government departments and agencies;

(C) authorize and coordinate transfers of funds or other resources to and from such agencies, departments, or missions upon the concurrence of those institutions in support of the Corporation's projects or activities;

(D) manage the responsibilities of the Corporation under paragraphs (1) and (4) of section 1442(b) and paragraphs (1)(A) and (3)(A) of section 1443(b);

(E) coordinate and implement the activities of the Corporation under section 1445; and

(F) be an ex officio member of the Development Advisory Council established under subsection (i) and participate in or send a representative to each meeting of the Council.

(h) OFFICERS AND EMPLOYEES.—

(1) IN GENERAL.—Except as otherwise provided in this section, officers, employees, and agents shall be selected and appointed by the Corporation, and shall be vested with such powers and duties as the Corporation may determine.

(2) ADMINISTRATIVELY DETERMINED EMPLOYEES.—

(A) APPOINTMENT; COMPENSATION; REMOVAL.—Of officers and employees employed by the Corporation under paragraph (1), not more than 50 may be appointed, compensated, or removed without regard to title 5, United States Code.

(B) REINSTATEMENT.—Under such regulations as the President may prescribe, officers and employees appointed to a position under subparagraph (A) may be entitled, upon removal from such position (unless the removal was for cause), to reinstatement to the position occupied at the time of appointment or to a position of comparable grade and salary.

(C) ADDITIONAL POSITIONS.—Positions authorized by subparagraph (A) shall be in addition to those otherwise authorized by law, including positions authorized under section 5108 of title 5, United States Code.

(D) RATES OF PAY FOR OFFICERS AND EMPLOYEES.—The Corporation may set and adjust rates of basic pay for officers and employees appointed under subparagraph (A) without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, respectively.

(3) LIABILITY OF EMPLOYEES.—

(A) IN GENERAL.—An individual who is a member of the Board or an officer or employee of the Corporation has no liability under this division with respect to any claim arising out of or resulting from any act or omission by the individual within the scope of the employment of the individual in connection with any transaction by the Corporation.

(B) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed to limit personal liability of an individual for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other acts or omissions outside the scope of the individual's employment.

(C) CONFLICTS OF INTEREST.—The Corporation shall establish and publish procedures for avoiding conflicts of interest on the part of officers and employees of the Corporation and members of the Development Advisory Council established under subsection (i).

(D) SAVINGS PROVISION.—This paragraph shall not be construed—

(i) to affect—

(I) any other immunities and protections that may be available to an individual described in subparagraph (A) under applicable law with respect to a transaction described in that subparagraph; or

(II) any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than an individual described in subparagraph (A) participating in such a transaction; or

(ii) to limit or alter in any way the immunities that are available under applicable law for Federal officers and employees not described in this paragraph.

(i) DEVELOPMENT ADVISORY COUNCIL.—

(1) IN GENERAL.—There is established a Development Advisory Council (in this subsection referred to as the ''Council'') to advise the Board on development objectives of the Corporation.

(2) MEMBERSHIP.—Members of the Council shall be appointed by the Board, on the recommendation of the Chief Executive Officer and the Chief Development Officer, and shall be composed of not more than 9 members broadly representative of nongovernmental organizations, think tanks, advocacy organizations, foundations, and other institutions engaged in international development.

(3) FUNCTIONS.—The Board shall call upon members of the Council, either collectively or individually, to advise the Board regarding the extent to which the Corporation is meeting its development mandate and any suggestions for improvements in with respect to meeting that mandate, including opportunities in countries and project development and implementation challenges and opportunities.

(4) FEDERAL ADVISORY COMMITTEE ACT.—The Council shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1414. INSPECTOR GENERAL OF THE CORPORATION.

(a) IN GENERAL.—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting ''the United States International Development Finance Corporation,'' after ''the Smithsonian Institution,''.

(b) OVERSIGHT INDEPENDENCE.—Section 8G(a)(4) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (H), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (I), by striking the semicolon and inserting ''; and''; and

(3) by adding at the end the following:

''(J) with respect to the United States International Development Finance Corporation, such term means the Board of Directors of the United States International Development Finance Corporation;''.

SEC. 1415. INDEPENDENT ACCOUNTABILITY MECHANISM.

(a) IN GENERAL.—The Board shall establish a transparent and independent accountability mechanism.

(b) FUNCTIONS.—The independent accountability mechanism established pursuant to subsection (a) shall—

(1) annually evaluate and report to the Board and Congress regarding compliance with environmental, social, labor, human rights, and transparency standards, consistent with Corporation statutory mandates;

(2) provide a forum for resolving concerns regarding the impacts of specific Corporation-supported projects with respect to such standards; and

(3) provide advice regarding Corporation projects, policies, and practices.

TITLE II—AUTHORITIES

SEC. 1421. AUTHORITIES RELATING TO PROVISION OF SUPPORT.

(a) IN GENERAL.—The authorities in this title shall only be exercised to—

(1) carry out of the policy of the United States in section 1411 and the purpose of the Corporation in section 1412;

(2) mitigate risks to United States taxpayers by sharing risks with the private sector and qualifying sovereign entities through co-financing and structuring of tools; and

(3) ensure that support provided under this title is additional to private sector resources by mobilizing private capital that would otherwise not be deployed without such support.

(b) LENDING AND GUARANTIES.—

(1) IN GENERAL.—The Corporation may make loans or guaranties upon such terms and conditions as the Corporation may determine.

(2) DENOMINATION.—Loans and guaranties issued under paragraph (1) may be denominated and repayable in United States dollars or foreign currencies. Foreign currency denominated loans and guaranties should only be provided if the Board determines there is a substantive policy rationale for such loans and guaranties.

(3) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—Loans and guaranties issued under paragraph (1) shall be subject to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(c) EQUITY INVESTMENTS.—

(1) IN GENERAL.—The Corporation may, as a minority investor, support projects with funds or use other mechanisms for the purpose of purchasing, and may make and fund commitments to purchase, invest in, make pledges in respect of, or otherwise acquire, equity or quasi-equity securities or shares or financial interests of any entity, including as a limited partner or other investor in investment funds, upon such terms and conditions as the Corporation may determine.

(2) DENOMINATION.—Support provided under paragraph (1) may be denominated and repayable in United States dollars or foreign currency. Foreign currency denominated support provided by paragraph (1) should only be provided if the Board determines there is a substantive policy rationale for such support.

(3) GUIDELINES AND CRITERIA.—The Corporation shall develop guidelines and criteria to require that the use of the authority provided by paragraph (1) with respect to a project has a clearly defined development and foreign policy purpose, taking into account the following objectives:

(A) The support for the project would be more likely than not to substantially reduce or overcome the effect of an identified market failure in the country in which the project is carried out.

(B) The project would not have proceeded or would have been substantially delayed without the support.

(C) The support would meaningfully contribute to transforming local conditions to promote the development of markets.

(D) The support can be shown to be aligned with commercial partner incentives.

(E) The support can be shown to have significant developmental impact and will contribute to long-term commercial sustainability.

(F) The support furthers the policy of the United States described in section 1411.

(4) LIMITATIONS ON EQUITY INVESTMENTS.—

(A) PER PROJECT LIMIT.—The aggregate amount of support provided under this subsection with respect to any project shall not exceed 30 percent of the aggregate amount of all equity investment made to the project at the time that the Corporation approves support of the project.

(B) TOTAL LIMIT.—Support provided pursuant to this subsection shall be limited to not more than 35 percent of the Corporation's aggregate exposure on the date that such support is provided.

(5) SALES AND LIQUIDATION OF POSITION.—The Corporation shall seek to sell and liquidate any support for a project provided under this subsection as soon as commercially feasible, commensurate with other similar investors in the project and taking into consideration the national security interests of the United States.

(6) TIMETABLE.—The Corporation shall create a project-specific timetable for support provided under paragraph (1).

(d) INSURANCE AND REINSURANCE.—The Corporation may issue insurance or reinsurance, upon such terms and conditions as the Corporation may determine, to private sector entities and qualifying sovereign entities assuring protection of their investments in whole or in part against any or all political risks such as currency inconvertibility and transfer restrictions, expropriation, war, terrorism, civil disturbance, breach of contract, or nonhonoring of financial obligations.

(e) PROMOTION OF AND SUPPORT FOR PRIVATE INVESTMENT OPPORTUNITIES.—

(1) IN GENERAL.—In order to carry out the purpose of the Corporation described in section 1412(b), the Corporation may initiate and support, through financial participation, incentive grant, or otherwise, and on such terms and conditions as the Corporation may determine, feasibility studies for the planning, development, and management of, and procurement for, potential bilateral and multilateral development projects eligible for support under this title, including training activities undertaken in connection with such projects, for the purpose of promoting investment in such projects and the identification, assessment, surveying, and promotion of private investment opportunities, utilizing wherever feasible and effective, the facilities of private investors.

(2) CONTRIBUTIONS TO COSTS.—The Corporation shall, to the maximum extent practicable, require any person receiving funds under the authorities of this subsection to—

(A) share the costs of feasibility studies and other project planning services funded under this subsection; and

(B) reimburse the Corporation those funds provided under this section, if the person succeeds in project implementation.

(f) SPECIAL PROJECTS AND PROGRAMS.—The Corporation may administer and manage special projects and programs in support of specific transactions undertaken by the Corporation, including programs of financial and advisory support that provide private technical, professional, or managerial assistance in the development of human resources, skills, technology, capital savings, or intermediate financial and investment institutions or cooperatives, and including the initiation of incentives, grants, or studies for energy, women's economic empowerment, microenterprise households, or other small business activities.

(g) ENTERPRISE FUNDS.—

(1) IN GENERAL.—The Corporation may, following consultation with the Secretary of State, the Administrator of the United States Agency for International Development, and the heads of other relevant departments or agencies, establish and operate enterprise funds in accordance with this subsection.

(2) PRIVATE CHARACTER OF FUNDS.—Nothing in this section shall be construed to make an enterprise fund an agency or establishment of the United States Government, or to make the officers, employees, or members of the Board of Directors of an enterprise fund officers or employees of the United States for purposes of title 5, United States Code.

(3) PURPOSES FOR WHICH SUPPORT MAY BE PROVIDED.—The Corporation, subject to the approval of the Board, may designate private, nonprofit organizations as eligible to receive support under this title for the following purposes:

(A) To promote development of economic freedom and private sectors, including small- and medium-sized enterprises and joint ventures with the United States and host country participants.

(B) To facilitate access to credit to small- and medium-sized enterprises with sound business plans in countries where there is limited means of accessing credit on market terms.

(C) To promote policies and practices conducive to economic freedom and private sector development.

(D) To attract foreign direct investment capital to further promote private sector development and economic freedom.

(E) To complement the work of the United States Agency for International Development and other donors to improve the overall business-enabling environment, financing the creation and expansion of the private business sector.

(F) To make financially sustainable investments designed to generate measurable social benefits and build technical capacity in addition to financial returns.

(4) OPERATION OF FUNDS.—

(A) EXPENDITURES.—Funds made available to an enterprise fund shall be expended at the minimum rate necessary to make timely payments for projects and activities carried out under this subsection.

(B) ADMINISTRATIVE EXPENSES.—Not more than 3 percent per annum of the funds made available to an enterprise fund may be obligated or expended for the administrative expenses of the enterprise fund.

(5) BOARD OF DIRECTORS.—Each enterprise fund established under this subsection should be governed by a Board of Directors comprised of private citizens of the United States or the host country, who—

(A) shall be appointed by the President after consultation with the chairmen and ranking members of the appropriate congressional committees; and

(B) have pursued careers in international business and have demonstrated expertise in international and emerging market investment activities.

(6) MAJORITY MEMBER REQUIREMENT.—The majority of the members of the Board of Directors shall be United States citizens who shall have relevant experience relating to the purposes described in paragraph (3).

(7) REPORTS.—Not later than one year after the date of the establishment of an enterprise fund under this subsection, and annually thereafter until the enterprise fund terminates in accordance with paragraph (10), the Board of Directors of the enterprise fund shall—

(A) submit to the appropriate congressional committees a report—

(i) detailing the administrative expenses of the enterprise fund during the year preceding the submission of the report;

(ii) describing the operations, activities, engagement with civil society and relevant local private sector entities, development objectives and outcomes, financial condition, and accomplishments of the enterprise fund during that year;

(iii) describing the results of any audit conducted under paragraph (8); and

(iv) describing how audits conducted under paragraph (8) are informing the operations and activities of the enterprise fund; and

(B) publish, on a publicly available internet website of the enterprise fund, each report required by subparagraph (A).

(8) OVERSIGHT.—

(A) INSPECTOR GENERAL PERFORMANCE AUDITS.—

(i) IN GENERAL.—The Inspector General of the Corporation shall conduct periodic audits of the activities of each enterprise fund established under this subsection.

(ii) CONSIDERATION.—In conducting an audit under clause (i), the Inspector General shall assess whether the activities of the enterprise fund—

(I) support the purposes described in paragraph (3);

(II) result in profitable private sector investing; and

(III) generate measurable social benefits.

(B) RECORDKEEPING REQUIREMENTS.—The Corporation shall ensure that each enterprise fund receiving support under this subsection—

(i) keeps separate accounts with respect to such support; and

(ii) maintains such records as may be reasonably necessary to facilitate effective audits under this paragraph.

(9) RETURN OF FUNDS TO TREASURY.—Any funds resulting from any liquidation, dissolution, or winding up of an enterprise fund, in whole or in part, shall be returned to the Treasury of the United States.

(10) TERMINATION.—The authority of an enterprise fund to provide support under this subsection shall terminate on the earlier of—

(A) the date that is 10 years after the date of the first expenditure of amounts from the enterprise fund; or

(B) the date on which the enterprise fund is liquidated.

(h) SUPERVISION OF SUPPORT.—Support provided under this title shall be subject to section 622(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2382(c)).

(i) SMALL BUSINESS DEVELOPMENT.—

(1) IN GENERAL.—The Corporation shall undertake, in cooperation with appropriate departments, agencies, and instrumentalities of the United States as well as private entities and others, to broaden the participation of United States small businesses and cooperatives and other small United States investors in the development of small private enterprise in less developed friendly countries or areas.

(2) OUTREACH TO MINORITY-OWNED AND WOMEN-OWNED BUSINESSES.—

(A) IN GENERAL.—The Corporation shall collect data on the involvement of minority- and women-owned businesses in projects supported by the Corporation, including—

(i) the amount of insurance and financing provided by the Corporation to such businesses in connection with projects supported by the Corporation; and

(ii) to the extent such information is available, the involvement of such businesses in procurement activities conducted or supported by the Corporation.

(B) INCLUSION IN ANNUAL REPORT.—The Corporation shall include, in its annual report submitted to Congress under section 1443, the aggregate data collected under this paragraph, in such form as to quantify the effectiveness of the Corporation's outreach activities to minority- and women-owned businesses.

SEC. 1422. TERMS AND CONDITIONS.

(a) IN GENERAL.—Except as provided in subsection (b), support provided by the Corporation under this title shall be on such terms and conditions as the Corporation may prescribe.

(b) REQUIREMENTS.—The following requirements apply to support provided by the Corporation under this title:

(1) The Corporation shall provide support using authorities under this title only if it is necessary—

(A) to alleviate a credit market imperfection; or

(B) to achieve specified development or foreign policy objectives of the United States Government by providing support in the most efficient way to meet those objectives on a case-by-case basis.

(2) The final maturity of a loan made or guaranteed by the Corporation shall not exceed the lesser of—

(A) 25 years; or

(B) debt servicing capabilities of the project to be financed by the loan (as determined by the Corporation).

(3) The Corporation shall, with respect to providing any loan guaranty to a project, require the parties to the project to bear the risk of loss in an amount equal to at least 20 percent of the guaranteed support by the Corporation in the project.

(4) The Corporation may not make or guarantee a loan unless the Corporation determines that the borrower or lender is responsible and that adequate provision is made for servicing the loan on reasonable terms and protecting the financial interest of the United States.

(5) The interest rate for direct loans and interest supplements on guaranteed loans shall be set by reference to a benchmark interest rate (yield) on marketable Treasury securities or other widely recognized or appropriate benchmarks with a similar maturity to the loans being made or guaranteed, as determined in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury. The Corporation shall establish appropriate minimum interest rates for loans, guaranties, and other instruments as necessary.

(6) The minimum interest rate for new loans as established by the Corporation shall be adjusted periodically to take account of changes in the interest rate of the benchmark financial instrument.

(7)(A) The Corporation shall set fees or premiums for support provided under this title at levels that minimize the cost to the Government while supporting achievement of the objectives of support.

(B) The Corporation shall review fees for loan guaranties periodically to ensure that the fees assessed on new loan guaranties are at a level sufficient to cover the Corporation's most recent estimates of its costs.

(8) Any loan guaranty provided by the Corporation shall be conclusive evidence that—

(A) the guaranty has been properly obtained;

(B) the loan qualified for the guaranty; and

(C) but for fraud or material misrepresentation by the holder of the guaranty, the guaranty is presumed to be valid, legal, and enforceable.

(9) The Corporation shall prescribe explicit standards for use in periodically assessing the credit risk of new and existing direct loans or guaranteed loans.

(10) The Corporation may not make loans or loan guaranties except to the extent that budget authority to cover the costs of the loans or guaranties is provided in advance in an appropriations Act, as required by section 504 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c).

(11) The Corporation shall rely upon specific standards to assess the developmental and strategic value of projects for which it provides support and should only provide the minimum level of support necessary in order to support such projects.

(12) Any loan or loan guaranty made by the Corporation should be provided on a senior basis or pari passu with other senior debt unless there is a substantive policy rationale to provide such support otherwise.

SEC. 1423. PAYMENT OF LOSSES.

(a) PAYMENTS FOR DEFAULTS ON GUARANTEED LOANS.—

(1) IN GENERAL.—If the Corporation determines that the holder of a loan guaranteed by the Corporation suffers a loss as a result of a default by a borrower on the loan, the Corporation shall pay to the holder the percent of the loss, as specified in the guaranty contract, after the holder of the loan has made such further collection efforts and instituted such enforcement proceedings as the Corporation may require.

(2) SUBROGATION.—Upon making a payment described in paragraph (1), the Corporation shall ensure the Corporation will be subrogated to all the rights of the recipient of the payment.

(3) RECOVERY EFFORTS.—The Corporation shall pursue recovery from the borrower of the amount of any payment made under paragraph (1) with respect to the loan.

(b) LIMITATION ON PAYMENTS.—

(1) IN GENERAL.—Except as provided by paragraph (2), compensation for insurance, reinsurance, or a guaranty issued under this title shall not exceed the dollar value of the tangible or intangible contributions or commitments made in the project, plus interest, earnings, or profits actually accrued on such contributions or commitments, to the extent provided by such insurance, reinsurance, or guaranty.

(2) EXCEPTION.—

(A) IN GENERAL.—The Corporation may provide that—

(i) appropriate adjustments in the insured dollar value be made to reflect the replacement cost of project assets; and

(ii) compensation for a claim of loss under insurance of an equity investment under section 1421 may be computed on the basis of the net book value attributable to the equity investment on the date of loss.

(3) ADDITIONAL LIMITATION.—

(A) IN GENERAL.—Notwithstanding paragraph (2)(A)(ii) and except as provided in subparagraph (B), the Corporation shall limit the amount of direct insurance and reinsurance issued under section 1421 with respect to a project so as to require that the insured and its affiliates bear the risk of loss for at least 10 percent of the amount of the Corporation's exposure to that insured and its affiliates in the project.

(B) EXCEPTION.—The limitation under subparagraph (A) shall not apply to direct insurance or reinsurance of loans provided by banks or other financial institutions to unrelated parties.

(c) ACTIONS BY ATTORNEY GENERAL.—The Attorney General shall take such action as may be appropriate to enforce any right accruing to the United States as a result of the issuance of any loan or guaranty under this title.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude any forbearance for the benefit of a borrower that may be agreed upon by the parties to a loan guaranteed by the Corporation if budget authority for any resulting costs to the United States Government (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) is available.

SEC. 1424. TERMINATION.

(a) IN GENERAL.—The authorities provided under this title terminate on the date that is 7 years after the date of the enactment of this Act.

(b) TERMINATION OF CORPORATION.—The Corporation shall terminate on the date on which the portfolio of the Corporation is liquidated.

TITLE III—ADMINISTRATIVE AND GENERAL PROVISIONS

SEC. 1431. OPERATIONS.

(a) BILATERAL AGREEMENTS.—The Corporation may provide support under title II in connection with projects in any country the government of which has entered into an agreement with the United States authorizing the Corporation to provide such support in that country.

(b) CLAIMS SETTLEMENT.—

(1) IN GENERAL.—Claims arising as a result of support provided under title II or under predecessor authority may be settled, and disputes arising as a result thereof may be arbitrated with the consent of the parties, on such terms and conditions as the Corporation may determine.

(2) SETTLEMENTS CONCLUSIVE.—Payment made pursuant to any settlement pursuant to paragraph (1), or as a result of an arbitration award, shall be final and conclusive notwithstanding any other provision of law.

(c) PRESUMPTION OF COMPLIANCE.—Each contract executed by such officer or officers as may be designated by the Board shall be conclusively presumed to be issued in compliance with the requirements of this division.

(d) ELECTRONIC PAYMENTS AND DOCUMENTS.—The Corporation shall implement policies to accept electronic documents and electronic payments in all of its programs.

SEC. 1432. CORPORATE POWERS.

(a) IN GENERAL.—The Corporation—

(1) may adopt, alter, and use a seal, to include an identifiable symbol of the United States;

(2) may make and perform such contracts, including no-cost contracts (as defined by the Corporation), grants, and other agreements notwithstanding division C of subtitle I of title 41, United States Code, with any person or government however designated and wherever situated, as may be necessary for carrying out the functions of the Corporation;

(3) may lease, purchase, or otherwise acquire, improve, and use such real property wherever situated, as may be necessary for carrying out the functions of the Corporation, except that, if the real property is for the Corporation's own occupancy, the lease, purchase, acquisition, improvement, or use of the real property shall be entered into or conducted in consultation with the Administrator of General Services;

(4) may accept cash gifts or donations of services or of property (real, personal, or

mixed), tangible or intangible, for the purpose of carrying out the functions of the Corporation;

(5) may use the United States mails in the same manner and on the same conditions as the Executive departments (as defined in section 101 of title 5, United States Code);

(6) may contract with individuals for personal services, who shall not be considered Federal employees for any provision of law administered by the Director of the Office of Personnel Management;

(7) may hire or obtain passenger motor vehicles;

(8) may sue and be sued in its corporate name;

(9) may acquire, hold, or dispose of, upon such terms and conditions as the Corporation may determine, any property, real, personal, or mixed, tangible or intangible, or any interest in such property, except that, in the case of real property that is for the Corporation's own occupancy, the acquisition, holding, or disposition of the real property shall be conducted in consultation with the Administrator of General Services;

(10) may lease office space for the Corporation's own use, with the obligation of amounts for such lease limited to the current fiscal year for which payments are due until the expiration of the current lease under predecessor authority, as of the day before the date of the enactment of this Act;

(11) may indemnify directors, officers, employees, and agents of the Corporation for liabilities and expenses incurred in connection with their activities on behalf of the Corporation;

(12) notwithstanding any other provision of law, may represent itself or contract for representation in any legal or arbitral proceeding;

(13) may exercise any priority of the Government of the United States in collecting debts from bankrupt, insolvent, or decedents' estates;

(14) may collect, notwithstanding section 3711(g)(1) of title 31, United States Code, or compromise any obligations assigned to or held by the Corporation, including any legal or equitable rights accruing to the Corporation;

(15) may make arrangements with foreign governments (including agencies, instrumentalities, or political subdivisions of such governments) or with multilateral organizations or institutions for sharing liabilities;

(16) may sell direct investments of the Corporation to private investors upon such terms and conditions as the Corporation may determine; and

(17) shall have such other powers as may be necessary and incident to carrying out the functions of the Corporation.

(b) TREATMENT OF PROPERTY.—Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of property by the United States, the Corporation shall have the right in its discretion to complete, recondition, reconstruct, renovate, repair, maintain, operate, or sell any property acquired by the Corporation pursuant to the provisions of this division, except that, in the case of real property that is for the Corporation's own occupancy, the completion, reconditioning, reconstruction, renovation, repair, maintenance, operation, or sale of the real property shall be conducted in consultation with the Administrator of General Services.

SEC. 1433. MAXIMUM CONTINGENT LIABILITY.

The maximum contingent liability of the Corporation outstanding at any one time shall not exceed in the aggregate $60,000,000,000.

SEC. 1434. CORPORATE FUNDS.

(a) CORPORATE CAPITAL ACCOUNT.—There is established in the Treasury of the United States a fund to be known as the ''Corporate Capital Account'' to carry out the purposes of the Corporation.

(b) FUNDING.—The Corporate Capital Account shall consist of—

(1) fees charged and collected pursuant to subsection (c);

(2) any amounts received pursuant to subsection (e);

(3) investments and returns on such investments pursuant to subsection (g);

(4) unexpended balances transferred to the Corporation pursuant to subsection (i);

(5) payments received in connection with settlements of all insurance and reinsurance claims of the Corporation; and

(6) all other collections transferred to or earned by the Corporation, excluding the cost, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a), of loans and loan guaranties.

(c) FEE AUTHORITY.—Fees may be charged and collected for providing services in amounts to be determined by the Corporation.

(d) USES.—

(1) IN GENERAL.—Subject to Acts making appropriations, the Corporation is authorized to pay—

(A) the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of loans and loan guaranties;

(B) administrative expenses of the Corporation;

(C) for the cost of providing support authorized by subsections (c), (e), (f), and (g) of section 1421;

(D) project-specific transaction costs.

(2) INCOME AND REVENUE.—In order to carry out the purposes of the Corporation, all collections transferred to or earned by the Corporation, excluding the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of loans and loan guaranties, shall be deposited into the Corporate Capital Account and shall be available to carry out its purpose, including without limitation—

(A) payment of all insurance and reinsurance claims of the Corporation;

(B) repayments to the Treasury of amounts borrowed under subsection (e); and

(C) dividend payments to the Treasury under subsection (f).

(e) FULL FAITH AND CREDIT.—

(1) IN GENERAL.—All support provided pursuant to predecessor authorities or title II shall continue to constitute obligations of the United States, and the full faith and credit of the United States is hereby pledged for the full payment and performance of such obligations.

(2) AUTHORITY TO BORROW.—The Corporation is authorized to borrow from the Treasury such sums as may be necessary to fulfill such obligations of the United States and any such borrowing shall be at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States of comparable maturities, for a period jointly determined by the Corporation and the Secretary, and subject to such terms and conditions as the Secretary may require.

(f) DIVIDENDS.—The Board, in consultation with the Director of the Office of Management and Budget, shall annually assess a dividend payment to the Treasury if the Corporation's insurance portfolio is more than 100 percent reserved.

(g) INVESTMENT AUTHORITY.—

(1) IN GENERAL.—The Corporation may request the Secretary of the Treasury to invest such portion of the Corporate Capital Account as is not, in the Corporation's judgment, required to meet the current needs of the Corporate Capital Account.

(2) FORM OF INVESTMENTS.—Such investments shall be made by the Secretary of the Treasury in public debt obligations, with maturities suitable to the needs of the Corporate Capital Account, as determined by the Corporation, and bearing interest at rates determined by the Secretary, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities.

(h) COLLECTIONS.—Interest earnings made pursuant to subsection (g), earnings collected related to equity investments, and amounts, excluding fees related to insurance or reinsurance, collected pursuant to subsection (c), shall not be collected for any fiscal year except to the extent provided in advance in appropriations Acts.

(i) TRANSFER FROM PREDECESSOR AGENCIES AND PROGRAMS.—By the end of the transition period described in title VI, the unexpended balances, assets, and responsibilities of any agency specified in the plan required by section 1462 shall be transferred to the Corporation.

(j) TRANSFER OF FUNDS.—In order to carry out this division, funds authorized to be appropriated to carry out the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) may be transferred to the Corporation and funds authorized to be appropriated to the Corporation may be transferred to the Department of State and the United States Agency for International Development.

(k) DEFINITION.—In this section, the term ''project-specific transaction costs''—

(1) means those costs incurred by the Corporation for travel, legal expenses, and direct and indirect costs incurred in claims settlements associated with the provision of support under title II and shall not be considered administrative expenses for the purposes of this section; and

(2) does not include information technology (as such term is defined in section 11101 of title 40, United States Code).

SEC. 1435. COORDINATION WITH OTHER DEVELOPMENT AGENCIES.

It is the sense of Congress that the Corporation should use relevant data of the Department of State, the Millennium Challenge Corporation, the United States Agency for International Development, and other departments and agencies that have development functions to better inform the decisions of the Corporation with respect to providing support under title II.

TITLE IV—MONITORING, EVALUATION, AND REPORTING

SEC. 1441. ESTABLISHMENT OF RISK AND AUDIT COMMITTEES.

(a) IN GENERAL.—To assist the Board to fulfill its duties and responsibilities under section 1421(a), the Corporation shall establish a risk committee and an audit committee.

(b) DUTIES AND RESPONSIBILITIES OF RISK COMMITTEE.—Subject to the direction of the Board, the risk committee established under subsection (a) shall have oversight responsibility of—

(1) formulating risk management policies of the operations of the Corporation;

(2) reviewing and providing guidance on operation of the Corporation's global risk management framework;

(3) developing policies for enterprise risk management, monitoring, and management of strategic, reputational, regulatory, operational, developmental, environmental, social, and financial risks;

(4) developing the risk profile of the Corporation, including a risk management and compliance framework and governance structure to support such framework; and

(5) developing policies and procedures for assessing, prior to providing, and for any period during which the Corporation provides, support to any foreign entities, whether such

entities have in place sufficient enhanced due diligence policies and practices to prevent money laundering and corruption to ensure the Corporation does not provide support to persons that are—

(A) knowingly engaging in acts of corruption;

(B) knowingly providing material or financial support for terrorism, drug trafficking, or human trafficking; or

(C) responsible for ordering or otherwise directing serious or gross violations of human rights.

(c) DUTIES AND RESPONSIBILITIES OF AUDIT COMMITTEE.—Subject to the direction of the Board, the audit committee established under subsection (a) shall have the oversight responsibility of—

(1) the integrity of the Corporation's financial reporting and systems of internal controls regarding finance and accounting;

(2) the integrity of the Corporation's financial statements;

(3) the performance of the Corporation's internal audit function; and

(4) compliance with legal and regulatory requirements related to the finances of the Corporation.

SEC. 1442. PERFORMANCE MEASURES, EVALUATION, AND LEARNING.

(a) IN GENERAL.—The Corporation shall develop a performance measurement system to evaluate and monitor projects supported by the Corporation under title II and to guide future projects of the Corporation.

(b) CONSIDERATIONS.—In developing the performance measurement system required by subsection (a), the Corporation shall—

(1) develop a successor for the development impact measurement system of the Overseas Private Investment Corporation (as such system was in effect on the day before the date of the enactment of this Act);

(2) develop a mechanism for ensuring that support provided by the Corporation under title II is in addition to private investment;

(3) develop standards for, and a method for ensuring, appropriate financial performance of the Corporation's portfolio; and

(4) develop standards for, and a method for ensuring, appropriate development performance of the Corporation's portfolio, including—

(A) measurement of the projected and ex post development impact of a project; and

(B) the information necessary to comply with section 1443.

(c) PUBLIC AVAILABILITY OF CERTAIN INFORMATION.—The Corporation shall make available to the public on a regular basis information about support provided by the Corporation under title II and performance metrics about such support on a country-by-country basis.

(d) CONSULTATION.—In developing the performance measurement system required by subsection (a), the Corporation shall consult with the Development Advisory Council established under section 1413(i) and other stakeholders and interested parties engaged in sustainable economic growth and development.

SEC. 1443. ANNUAL REPORT.

(a) IN GENERAL.—After the end of each fiscal year, the Corporation shall submit to the appropriate congressional committees a complete and detailed report of its operations during that fiscal year, including an assessment of—

(1) the economic and social development impact, including with respect to matters described in subsections (d), (e), and (f) of section 1451, of projects supported by the Corporation under title II;

(2) the extent to which the operations of the Corporation complement or are compatible with the development assistance programs of the United States and qualifying sovereign entities;

(3) the Corporation's institutional linkages with other relevant United States Government department and agencies, including efforts to strengthen such linkages; and

(4) the compliance of projects supported by the Corporation under title II with human rights, environmental, labor, and social policies, or other such related policies that govern the Corporation's support for projects, promulgated or otherwise administered by the Corporation.

(b) ELEMENTS.—Each annual report required by subsection (a) shall include analyses of the effects of projects supported by the Corporation under title II, including—

(1) reviews and analyses of—

(A) the desired development outcomes for projects and whether or not the Corporation is meeting the associated metrics, goals, and development objectives, including, to the extent practicable, in the years after conclusion of projects; and

(B) the effect of the Corporation's support on access to capital and ways in which the Corporation is addressing identifiable market gaps or inefficiencies and what impact, if any, such support has on access to credit for a specific project, country, or sector;

(2) an explanation of any partnership arrangement or cooperation with a qualifying sovereign entity in support of each project;

(3) projections of—

(A) development outcomes, and whether or not support for projects are meeting the associated performance measures, both during the start-up phase and over the duration of the support, and to the extent practicable, measures of such development outcomes should be on a gender-disaggregated basis, such as changes in employment, access to financial services, enterprise development and growth, and composition of executive boards and senior leadership of enterprises receiving support under title II; and

(B) the value of private sector assets brought to bear relative to the amount of support provided by the Corporation and the value of any other public sector support; and

(4) an assessment of the extent to which lessons learned from the monitoring and evaluation activities of the Corporation, and from annual reports from previous years compiled by the Corporation, have been applied to projects.

SEC. 1444. PUBLICLY AVAILABLE PROJECT INFORMATION.

The Corporation shall—

(1) maintain a user-friendly, publicly available, machine-readable database with detailed project-level information, as appropriate and to the extent practicable, including a description of the support provided by the Corporation under title II, including, to the extent feasible, the information included in the report to Congress under section 1443 and project-level performance metrics; and

(2) include a clear link to information about each project supported by the Corporation under title II on the internet website of the Department of State, ''ForeignAssistance.gov'', or a successor website or other online publication.

SEC. 1445. ENGAGEMENT WITH INVESTORS.

(a) IN GENERAL.—The Corporation, acting through the Chief Development Officer, shall, in cooperation with the Administrator of the United States Agency for International Development—

(1) develop a strategic relationship with private sector entities focused at the nexus of business opportunities and development priorities;

(2) engage such entities and reduce business risks primarily through direct transaction support and facilitating investment partnerships;

(3) develop and support tools, approaches, and intermediaries that can mobilize private finance at scale in the developing world;

(4) pursue highly developmental projects of all sizes, especially those that are small but designed for work in the most underdeveloped areas, including countries with chronic suffering as a result of extreme poverty, fragile institutions, or a history of violence; and

(5) pursue projects consistent with the policy of the United States described in section 1411 and the Joint Strategic Plan and the Mission Country Development Cooperation Strategies of the United States Agency for International Development.

(b) ASSISTANCE.—To achieve the goals described in subsection (a), the Corporation shall—

(1) develop risk mitigation tools;

(2) provide transaction structuring support for blended finance models;

(3) support intermediaries linking capital supply and demand;

(4) coordinate with other Federal agencies to support or accelerate transactions;

(5) convene financial, donor, civil society, and public sector partners around opportunities for private finance within development priorities;

(6) offer strategic planning and programming assistance to catalyze investment into priority sectors;

(7) provide transaction structuring support;

(8) deliver training and knowledge management tools for engaging private investors;

(9) partner with private sector entities that provide access to capital and expertise; and

(10) identify and screen new investment partners.

(c) TECHNICAL ASSISTANCE.—The Corporation shall coordinate with the United States Agency for International Development and other agencies and departments, as necessary, on projects and programs supported by the Corporation that include technical assistance.

SEC. 1446. NOTIFICATIONS TO BE PROVIDED BY THE CORPORATION.

(a) IN GENERAL.—Not later than 15 days prior to the Corporation making a financial commitment associated with the provision of support under title II in an amount in excess of $10,000,000, the Chief Executive Officer of the Corporation shall submit to the appropriate congressional committees a report in writing that contains the information required by subsection (b).

(b) INFORMATION REQUIRED.—The information required by this subsection includes—

(1) the amount of each such financial commitment;

(2) an identification of the recipient or beneficiary; and

(3) a description of the project, activity, or asset and the development goal or purpose to be achieved by providing support by the Corporation.

(c) BILATERAL AGREEMENTS.—The Chief Executive Officer of the Corporation shall notify the appropriate congressional committees not later than 30 days after entering into a new bilateral agreement described in section 1431(a).

TITLE V—CONDITIONS, RESTRICTIONS, AND PROHIBITIONS

SEC. 1451. LIMITATIONS AND PREFERENCES.

(a) LIMITATION ON SUPPORT FOR SINGLE ENTITY.—No entity receiving support from the Corporation under title II may receive more than an amount equal to 5 percent of the Corporation's maximum contingent liability authorized under section 1433.

(b) PREFERENCE FOR SUPPORT FOR PROJECTS SPONSORED BY UNITED STATES PERSONS.—

(1) IN GENERAL.—The Corporation should give preferential consideration to projects sponsored by or involving private sector entities that are United States persons.

(2) UNITED STATES PERSON DEFINED.—In this subsection, the term ''United States person'' means—

(A) a United States citizen; or

(B) an entity owned or controlled by an individual or individuals described in subparagraph (A).

(c) PREFERENCE FOR SUPPORT IN COUNTRIES IN COMPLIANCE WITH INTERNATIONAL TRADE OBLIGATIONS.—

(1) CONSULTATIONS WITH UNITED STATES TRADE REPRESENTATIVE.—Not less frequently than annually, the Corporation shall consult with the United States Trade Representative with respect to the status of countries eligible to receive support from the Corporation under title II and the compliance of those countries with their international trade obligations.

(2) PREFERENTIAL CONSIDERATION.—The Corporation shall give preferential consideration to providing support under title II for projects in countries in compliance with or making substantial progress coming into compliance with their international trade obligations.

(d) WORKER RIGHTS.—

(1) IN GENERAL.—The Corporation shall only support projects under title II in countries that are taking steps to adopt and implement laws that extend internationally recognized worker rights (as defined in section 507 of the Trade Act of 1974 (19 U.S.C. 2467)) to workers in that country, including any designated zone in that country.

(2) REQUIRED CONTRACT LANGUAGE.—The Corporation shall also include the following language, in substantially the following form, in all contracts which the Corporation enters into with persons receiving support under title II: ''The person receiving support agrees not to take actions to prevent employees of the foreign enterprise from lawfully exercising their right of association and their right to organize and bargain collectively. The person further agrees to observe applicable laws relating to a minimum age for employment of children, acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety, and not to use forced labor or the worst forms of child labor (as defined in section 507 of the Trade Act of 1974 (19 U.S.C. 2467)). The person is not responsible under this paragraph for the actions of a foreign government.''.

(e) IMPACT NOTIFICATION.—The Board shall not vote in favor of any project proposed to be supported by the Corporation under title II that is likely to have significant adverse environmental or social impacts that are sensitive, diverse, or unprecedented, unless—

(1) at least 60 days before the date of the vote, an environmental and social impact assessment or initial environmental and social audit, analyzing the environmental and social impacts of the proposed project and of alternatives to the proposed project, including mitigation measures, is completed;

(2) such assessment or audit has been made available to the public of the United States, locally affected groups in the country in which the project will be carried out, and nongovernmental organizations in that country; and

(3) the Corporation, applying best practices with respect to environmental and social safeguards, includes in any contract relating to the project provisions to ensure the mitigation of any such adverse environmental or social impacts.

(f) WOMEN'S ECONOMIC EMPOWERMENT.—In utilizing its authorities under title II, the Corporation shall consider the impacts of its support on women's economic opportunities and outcomes and shall prioritize the reduction of gender gaps and maximize development impact by working to improve women's economic opportunities.

(g) PREFERENCE FOR PROVISION OF SUPPORT IN COUNTRIES EMBRACING PRIVATE ENTERPRISE.—

(1) IN GENERAL.—The Corporation should give preferential consideration to projects for which support under title II may be provided in countries the governments of which have demonstrated consistent support for economic policies that promote the development of private enterprise, both domestic and foreign, and maintaining the conditions that enable private enterprise to make a full contribution to the development of such countries, including—

(A) market-based economic policies;

(B) protection of private property rights;

(C) respect for the rule of law; and

(D) systems to combat corruption and bribery.

(2) SOURCES OF INFORMATION.—The Corporation should rely on both third-party indicators and United States Government information, such as the Department of State's Investment Climate Statements, the Department of Commerce's Country Commercial Guides, or the Millennium Challenge Corporation's Constraints Analysis, to assess whether countries meet the conditions described in paragraph (1).

(h) CONSIDERATION OF FOREIGN BOYCOTT PARTICIPATION.—In providing support for projects under title II, the Corporation shall consider, using information readily available, whether the project is sponsored by or substantially affiliated with any person taking or knowingly agreeing to take actions, or having taken or knowingly agreed to take actions within the past 3 years, which demonstrate or otherwise evidence intent to comply with, further, or support any boycott described in section 1773(a) of the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115–232).

(i) ENSURING OPPORTUNITIES FOR SMALL BUSINESSES IN FOREIGN DEVELOPMENT.—The Corporation shall, using broad criteria, make, to the maximum extent possible consistent with this division, efforts—

(1) to give preferential consideration in providing support under title II to projects sponsored by or involving small businesses; and

(2) to ensure that the proportion of projects sponsored by or involving United States small businesses, including women-, minority-, and veteran-owned small businesses, is not less than 50 percent of all projects for which the Corporation provides support and that involve United States persons.

SEC. 1452. ADDITIONALITY AND AVOIDANCE OF MARKET DISTORTION.

(a) IN GENERAL.—Before the Corporation provides support for a project under title II, the Corporation shall ensure that private sector entities are afforded an opportunity to support the project.

(b) SAFEGUARDS, POLICIES, AND GUIDELINES.—The Corporation shall develop appropriate safeguards, policies, and guidelines to ensure that support provided by the Corporation under title II—

(1) supplements and encourages, but does not compete with, private sector support;

(2) operates according to internationally recognized best practices and standards with respect to ensuring the avoidance of market distorting government subsidies and the crowding out of private sector lending; and

(3) does not have a significant adverse impact on United States employment.

SEC. 1453. PROHIBITION ON SUPPORT IN COUNTRIES THAT SUPPORT TERRORISM OR VIOLATE HUMAN RIGHTS AND WITH SANCTIONED PERSONS.

(a) IN GENERAL.—The Corporation is prohibited from providing support under title II for a government, or an entity owned or controlled by a government, if the Secretary of State has determined that the government—

(1) has repeatedly provided support for acts of international terrorism for purposes of—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115–232);

(B) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other relevant provision of law; or

(2) has engaged in a consistent pattern of gross violations of internationally recognized human rights for purposes of section 116(a) or 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a) and 2304(a)(2)) or any other relevant provision of law.

(b) PROHIBITION ON SUPPORT OF SANCTIONED PERSONS.—The Corporation is prohibited from all dealings related to any project under title II prohibited under United States sanctions laws or regulations, including dealings with persons on the list of specially designated persons and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, except to the extent otherwise authorized by the Secretary of the Treasury or the Secretary of State.

(c) PROHIBITION ON SUPPORT OF ACTIVITIES SUBJECT TO SANCTIONS.—The Corporation shall require any person receiving support under title II to certify that the person, and any entity owned or controlled by the person, is in compliance with all United States sanctions laws and regulations.

SEC. 1454. APPLICABILITY OF CERTAIN PROVISIONS OF LAW.

Subsections (g), (l), (m), and (n) of section 237 of the Foreign Assistance Act of 1961 (22 U.S.C. 2197) shall apply with respect to the Corporation to the same extent and in the same manner as such subsections applied with respect to the Overseas Private Investment Corporation on the day before the date of the enactment of this Act.

TITLE VI—TRANSITIONAL PROVISIONS

SEC. 1461. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' includes any entity, organizational unit, program, or function.

(2) TRANSITION PERIOD.—The term ''transition period'' means the period—

(A) beginning on the date of the enactment of this Act; and

(B) ending on the effective date of the reorganization plan required by section 1462(e).

SEC. 1462. REORGANIZATION PLAN.

(a) SUBMISSION OF PLAN.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan regarding the following:

(A) The transfer of agencies, personnel, assets, and obligations to the Corporation pursuant to this title.

(B) Any consolidation, reorganization, or streamlining of agencies transferred to the Corporation pursuant to this title.

(C) Any efficiencies or cost savings achieved or additional costs incurred as a result of the transfer of agencies, personnel, assets, and obligations to the Corporation pursuant to this title, including reductions in unnecessary or duplicative operations, assets, and personnel.

(2) CONSULTATION.—Not later than 15 days before the date on which the plan is transmitted pursuant to this subsection, the President shall consult with the appropriate congressional committees on such plan.

(b) PLAN ELEMENTS.—The plan transmitted under subsection (a) shall contain, consistent with this division, such elements as the President deems appropriate, including the following:

(1) Identification of any functions of agencies transferred to the Corporation pursuant to this title that will not be transferred to the Corporation under the plan.

(2) Specification of the steps to be taken to organize the Corporation, including the delegation or assignment of functions transferred to the Corporation.

(3) Specification of the funds available to each agency that will be transferred to the Corporation as a result of transfers under the plan.

(4) Specification of the proposed allocations within the Corporation of unexpended funds transferred in connection with transfers under the plan.

(5) Specification of any proposed disposition of property, facilities, contracts, records, and other assets and obligations of agencies transferred under the plan.

(6) Specification of the number of authorized positions and personnel employed before the end of the transition period that will be transferred to the Corporation, including plans to mitigate the impact of such transfers on the United States Agency for International Development.

(c) REPORT ON COORDINATION.—

(1) IN GENERAL.—The transfer of functions authorized by this section may occur only after the President and Chief Executive Officer of the Overseas Private Investment Corporation and the Administrator of the United States Agency for International Development jointly submit to the Committee on Foreign Affairs and Committee on Appropriations of the House of Representatives and Committee on Foreign Relations and Committee on Appropriations of the Senate a report in writing that contains the information required by paragraph (2).

(2) INFORMATION REQUIRED.—The information required by this paragraph includes a description in detail of the procedures to be followed after the transfer of functions authorized by this section have occurred to coordinate between the Corporation and the United States Agency for International Development in carrying out the functions so transferred.

(d) MODIFICATION OF PLAN.—The President shall consult with the appropriate congressional committees before making any material modification or revision to the plan before the plan becomes effective in accordance with subsection (e).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The reorganization plan described in this section, including any modifications or revisions of the plan under subsection (c), shall become effective for an agency on the date specified in the plan (or the plan as modified pursuant to subsection (d)), except that such date may not be earlier than 90 days after the date the President has transmitted the reorganization plan to the appropriate congressional committees pursuant to subsection (a).

(2) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed to require the transfer of functions, personnel, records, balances of appropriations, or other assets of an agency on a single date.

SEC. 1463. TRANSFER OF FUNCTIONS.

(a) IN GENERAL.—Effective at the end of the transition period, there shall be transferred to the Corporation the functions, personnel, assets, and liabilities of—

(1) the Overseas Private Investment Corporation, as in existence on the day before the date of the enactment of this Act; and

(2) the following elements of the United States Agency for International Development:

(A) The Development Credit Authority.

(B) The existing Legacy Credit portfolio under the Urban Environment Program and any other direct loan programs and non-Development Credit Authority guaranty programs authorized by the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or other predecessor Acts, as in existence on the date of the enactment of this Act, other than any sovereign loan guaranties.

(b) ADDITIONAL TRANSFER AUTHORITY.—Effective at the end of the transition period, there is authorized to be transferred to the Corporation, with the concurrence of the Administrator of the United States Agency for International Development, the functions, personnel, assets, and liabilities of the following elements of the United States Agency for International Development:

(1) The Office of Private Capital and Microenterprise.

(2) The enterprise funds.

(c) SOVEREIGN LOAN GUARANTY TRANSFER.—

(1) IN GENERAL.—Effective at the end of the transition period, there is authorized to be transferred to the Corporation or any other appropriate department or agency of the United States Government the loan accounts and the legal rights and responsibilities for the sovereign loan guaranty portfolio held by the United States Agency for International Development as in existence on the day before the date of the enactment of this Act.

(2) INCLUSION IN REORGANIZATION PLAN.—The President shall include in the reorganization plan submitted under section 1462 a description of the transfer authorized under paragraph (1).

(d) BILATERAL AGREEMENTS.—Any bilateral agreement of the United States in effect on the date of the enactment of this Act that serves as the basis for programs of the Overseas Private Investment Corporation and the Development Credit Authority shall be considered as satisfying the requirements of section 1431(a).

(e) TRANSITION.—During the transition period, the agencies specified in subsection (a) shall—

(1) continue to administer the assets and obligations of those agencies; and

(2) carry out such programs and activities authorized under this division as may be determined by the President.

SEC. 1464. TERMINATION OF OVERSEAS PRIVATE INVESTMENT CORPORATION AND OTHER SUPERCEDED AUTHORITIES.

Effective at the end of the transition period—

(1) the Overseas Private Investment Corporation is terminated; and

(2) title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.) (other than subsections (g), (l), (m), and (n) of section 237 of that Act) is repealed.

SEC. 1465. TRANSITIONAL AUTHORITIES.

(a) PROVISION OF ASSISTANCE BY OFFICIALS.—Until the transfer of an agency to the Corporation under section 1463, any official having authority over, or functions relating to, the agency on the day before the date of the enactment of this Act shall provide to the Corporation such assistance, including the use of personnel and assets, as the Corporation may request in preparing for the transfer and integration of the agency into the Corporation.

(b) SERVICES AND PERSONNEL.—During the transition period, upon the request of the Corporation, the head of any executive agency may, on a reimbursable or non-reimbursable basis, provide services or detail personnel to assist with the transition.

(c) ACTING OFFICIALS.—

(1) IN GENERAL.—During the transition period, pending the advice and consent of the Senate to the appointment of an officer required by this division to be appointed by and with such advice and consent, the President may designate any officer whose appointment was required to be made by and with such advice and consent and who was such an officer before the end of the transition period (and who continues in office) or immediately before such designation, to act in such office until the same is filled as provided in this division. While so acting, such officers shall receive compensation at the higher of—

(A) the rates provided by this division for the respective offices in which they act; or

(B) the rates provided for the offices held at the time of designation.

(2) RULE OF CONSTRUCTION.—Nothing in this division shall be construed to require the advice and consent of the Senate to the appointment by the President to a position in the Corporation of any officer whose agency is transferred to the Corporation pursuant to this title and whose duties following such transfer are germane to those performed before such transfer.

(d) TRANSFER OF PERSONNEL, ASSETS, OBLIGATIONS, AND FUNCTIONS.—Upon the transfer of an agency to the Corporation under section 1463—

(1) the personnel, assets, and obligations held by or available in connection with the agency shall be transferred to the Corporation for appropriate allocation, subject to the approval of the Director of the Office of Management and Budget and in accordance with section 1531(a)(2) of title 31, United States Code; and

(2) the Corporation shall have all functions—

(A) relating to the agency that any other official could by law exercise in relation to the agency immediately before such transfer; and

(B) vested in the Corporation by this division or other law.

SEC. 1466. SAVINGS PROVISIONS.

(a) COMPLETED ADMINISTRATIVE ACTIONS.—

(1) IN GENERAL.—Completed administrative actions of an agency shall not be affected by the enactment of this Act or the transfer of such agency to the Corporation under section 1463, but shall continue in effect according to their terms until amended, modified, superseded, terminated, set aside, or revoked in accordance with law by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(2) COMPLETED ADMINISTRATIVE ACTION DEFINED.—In this subsection, the term ''completed administrative action'' includes orders, determinations, rules, regulations, personnel actions, permits, agreements, grants, contracts, certificates, policies, licenses, registrations, and privileges.

(b) PENDING PROCEEDINGS.—

(1) IN GENERAL.—Pending proceedings in an agency, including notices of proposed rulemaking, and applications for licenses, permits, certificates, grants, and financial assistance, shall continue notwithstanding the enactment of this Act or the transfer of the agency to the Corporation, unless discontinued or modified under the same terms and conditions and to the same extent that such discontinuance could have occurred if such enactment or transfer had not occurred.

(2) ORDERS.—Orders issued in proceedings described in paragraph (1), and appeals therefrom, and payments made pursuant to such

orders, shall issue in the same manner and on the same terms as if this division had not been enacted or the agency had not been transferred, and any such orders shall continue in effect until amended, modified, superseded, terminated, set aside, or revoked by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(c) PENDING CIVIL ACTIONS.—Pending civil actions shall continue notwithstanding the enactment of this Act or the transfer of an agency to the Corporation, and in such civil actions, proceedings shall be had, appeals taken, and judgments rendered and enforced in the same manner and with the same effect as if such enactment or transfer had not occurred.

(d) REFERENCES.—References relating to an agency that is transferred to the Corporation under section 1463 in statutes, Executive orders, rules, regulations, directives, or delegations of authority that precede such transfer or the date of the enactment of this Act shall be deemed to refer, as appropriate, to the Corporation, to its officers, employees, or agents, or to its corresponding organizational units or functions. Statutory reporting requirements that applied in relation to such an agency immediately before the effective date of this division shall continue to apply following such transfer if they refer to the agency by name.

(e) EMPLOYMENT PROVISIONS.—

(1) REGULATIONS.—The Corporation may, in regulations prescribed jointly with the Director of the Office of Personnel Management, adopt the rules, procedures, terms, and conditions, established by statute, rule, or regulation before the date of the enactment of this Act, relating to employment in any agency transferred to the Corporation under section 1463.

(2) EFFECT OF TRANSFER ON CONDITIONS OF EMPLOYMENT.—Except as otherwise provided in this division, or under authority granted by this division, the transfer pursuant to this title of personnel shall not alter the terms and conditions of employment, including compensation, of any employee so transferred.

(f) STATUTORY REPORTING REQUIREMENTS.—Any statutory reporting requirement that applied to an agency transferred to the Corporation under this title immediately before the date of the enactment of this Act shall continue to apply following that transfer if the statutory requirement refers to the agency by name.

SEC. 1467. OTHER TERMINATIONS.

Except as otherwise provided in this division, whenever all the functions vested by law in any agency have been transferred pursuant to this title, each position and office the incumbent of which was authorized to receive compensation at the rates prescribed for an office or position at level II, III, IV, or V of the Executive Schedule under subchapter II of chapter 53 of title 5, United States Code, shall terminate.

SEC. 1468. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget, in consultation with the Corporation, is authorized and directed to make such additional incidental dispositions of personnel, assets, and liabilities held, used, arising from, available, or to be made available, in connection with the functions transferred by this title, as the Director may determine necessary to accomplish the purposes of this division.

SEC. 1469. REFERENCE.

With respect to any function transferred under this title (including under a reorganization plan under section 1462) and exercised on or after the date of the enactment of this Act, reference in any other Federal law to any department, commission, or agency or any officer or office the functions of which are so transferred shall be deemed to refer to the Corporation or official or component of the Corporation to which that function is so transferred.

SEC. 1470. CONFORMING AMENDMENTS.

(a) EXEMPT PROGRAMS.—Section 255(g) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)) is amended by striking ''Overseas Private Investment Corporation, Noncredit Account (71–4184–0–3–151).'' and inserting ''United States International Development Finance Corporation.''.

(b) EXECUTIVE SCHEDULE.—Title 5, United States Code, is amended—

(1) in section 5314, by striking ''President, Overseas Private Investment Corporation.'';

(2) in section 5315, by striking ''Executive Vice President, Overseas Private Investment Corporation.''; and

(3) in section 5316, by striking ''Vice Presidents, Overseas Private Investment Corporation (3).''.

(c) OFFICE OF INTERNATIONAL TRADE OF THE SMALL BUSINESS ADMINISTRATION.—Section 22 of the Small Business Act (15 U.S.C. 649) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''the President of the Overseas Private Investment Corporation, Director'' and inserting ''the Board of Directors of the United States International Development Finance Corporation, the Director''; and

(2) by striking ''Overseas Private Investment Corporation'' each place it appears and inserting ''United States International Development Finance Corporation''.

(d) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—Section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721) is amended by striking ''Overseas Private Investment Corporation'' each place it appears and inserting ''United States International Development Finance Corporation''.

(e) TRADE PROMOTION COORDINATING COMMITTEE.—Section 2312(d)(1)(K) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(d)(1)(K)) is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(f) INTERAGENCY TRADE DATA ADVISORY COMMITTEE.—Section 5402(b) of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4902(b)) is amended by striking ''the President of the Overseas Private Investment Corporation'' and inserting ''the Chief Executive Officer of the United States International Development Finance Corporation''.

(g) MISUSE OF NAMES OF FEDERAL AGENCIES.—Section 709 of title 18, United States Code, is amended by striking '' 'Overseas Private Investment', 'Overseas Private Investment Corporation', or 'OPIC','' and inserting '' 'United States International Development Finance Corporation' or 'DFC' ''.

(h) ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES.—Section 701(c)(1)(A) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4421(c)(1)(A)) is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(i) INTERNSHIPS WITH INSTITUTE FOR INTERNATIONAL PUBLIC POLICY.—Section 625 of the Higher Education Act of 1965 (20 U.S.C. 1131c(a)) is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(j) FOREIGN ASSISTANCE ACT OF 1961.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116—

(A) in subsection (a), by inserting '', and no support may be provided under title II of the Better Utilization of Investments Leading to Development Act of 2018,'' after ''this part'';

(B) in the first subsection (b)—

(i) by inserting ''or title II of the Better Utilization of Investments Leading to Development Act of 2018'' after ''this part'';

(ii) by inserting ''or the Chief Executive Officer of the United States International Development Finance Corporation, as applicable,'' after ''this Act'';

(iii) by inserting ''or support'' after ''the assistance''; and

(iv) by inserting ''or support'' after ''such assistance'' each place it appears;

(C) in the second subsection (b), by inserting ''under this part, and no support may be provided under title II of the Better Utilization of Investments Leading to Development Act of 2018,'' after ''provided''; and

(D) in subsection (c), by striking ''under this part, the Administrator'' and inserting ''under this part, or support provided under title II of the Better Utilization of Investments Leading to Development Act of 2018, the Administrator, or the Chief Executive Officer of the United States International Development Finance Corporation, as applicable,'';

(2) in section 449B(b)(2) (22 U.S.C. 2296b(b)(2)), by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''; and

(3) in section 481(e)(4)(A) (22 U.S.C. 2291(e)(4)(A)), in the matter preceding clause (i), by striking ''(including programs under title IV of chapter 2, relating to the Overseas Private Investment Corporation)'' and inserting ''(and any support under title II of the Better Utilization of Investments Leading to Development Act of 2018, relating to the United States International Development Finance Corporation)''.

(k) ELECTRIFY AFRICA ACT OF 2015.—Sections 5 and 7 of the Electrify Africa Act of 2015 (Public Law 114–121; 22 U.S.C. 2293 note) are amended by striking ''Overseas Private Investment Corporation'' each place it appears and inserting ''United States International Development Finance Corporation''.

(l) FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2016.—Section 2(3) of the Foreign Aid Transparency and Accountability Act of 2016 (Public Law 114–191; 22 U.S.C. 2394c note) is amended—

(1) in subparagraph (A), by striking ''except for'' and all that follows through ''chapter 3'' and insert ''except for chapter 3'';

(2) in subparagraph (C), by striking ''and'' at the end;

(3) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(E) the Better Utilization of Investments Leading to Development Act of 2018.''.

(m) SUPPORT FOR EAST EUROPEAN DEMOCRACY (SEED) PROGRAM.—The Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.) is amended—

(1) in section 2(c) (22 U.S.C. 5401(c)), by striking paragraph (12) and inserting the following:

''(12) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—Programs of the United States International Development Finance Corporation.''; and

(2) in section 201 (22 U.S.C. 5421), by striking subsection (e) and inserting the following:

''(e) GRANTS TO ENTERPRISE FUNDS.—Funds appropriated to the President pursuant to

subsection (b) shall be granted to the Enterprise Funds to carry out the purposes specified in subsection (a) and for the administrative expenses of each Enterprise Fund—

''(1) except as provided in paragraph (2), by the United States Agency for International Development; or

''(2) if the Enterprise Funds are transferred to the United States International Development Finance Corporation pursuant to section 1463(b) of the Better Utilization of Investments Leading to Development Act of 2018, by the Corporation.''.

(n) CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1996.—Section 202(b)(2)(B)(iv) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6062(b)(2)(B)(iv)) is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(o) INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998.—Section 405(a)(10) of the International Religious Freedom Act of 1998 (22 U.S.C. 6445(a)(10)) is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(p) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—Section 103(8)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(8)(A)) is amended in clause (viii) to read as follows:

''(viii) any support under title II of the Better Utilization of Investments Leading to Development Act of 2018 relating to the United States International Development Finance Corporation; and''.

(q) TECHNOLOGY DEPLOYMENT IN DEVELOPING COUNTRIES.—Section 732(b) of the Global Environmental Protection Assistance Act of 1989 (22 U.S.C. 7902(b)) is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(r) EXPANDED NONMILITARY ASSISTANCE FOR UKRAINE.—Section 7(c)(3) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8926(c)(3)) is amended—

(1) in the paragraph heading, by striking ''OVERSEAS PRIVATE INVESTMENT CORPORATION'' and inserting ''UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION'';

(2) in the matter preceding subparagraph (A), by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''; and

(3) in subparagraph (B), by striking ''by eligible investors (as defined in section 238 of the Foreign Assistance Act of 1961 (22 U.S.C. 2198))''.

(s) GLOBAL FOOD SECURITY ACT OF 2016.—Section 4(7) of the Global Food Security Act of 2016 (22 U.S.C. 9303(7)) is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(t) SENSE OF CONGRESS ON EUROPEAN AND EURASIAN ENERGY SECURITY.—Section 257(c)(2)(B) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9546(c)(2)(B)) is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(u) WHOLLY OWNED GOVERNMENT CORPORATION.—Section 9101(3) of title 31, United States Code, is amended by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''.

(v) ENERGY INDEPENDENCE AND SECURITY ACT OF 2007.—Title IX of the Energy Independence and Security Act of 2007 (42 U.S.C. 17321 et seq.) is amended—

(1) in section 914 (42 U.S.C. 17334)—

(A) in the section heading, by striking ''**OVERSEAS PRIVATE INVESTMENT CORPORATION**'' and inserting ''**UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION**'';

(B) in subsection (a), in the matter preceding paragraph (1), by striking ''Overseas Private Investment Corporation'' and inserting ''United States International Development Finance Corporation''; and

(C) in subsection (b), in the matter preceding paragraph (1), by striking ''Overseas Private Investment Corporation shall include in its annual report required under section 240A of the Foreign Assistance Act of 1961 (22 U.S.C. 2200a)'' and inserting ''United States International Development Finance Corporation shall include in its annual report required under section 1443 of the Better Utilization of Investments Leading to Development Act of 2018''; and

(2) in section 916(a)(2)(I) (42 U.S.C. 17336(a)(2)(I)), by striking ''Overseas Private Investment Corporation:'' and inserting ''United States International Development Finance Corporation;''.

(w) EFFECTIVE DATE.—The amendments made by this section shall take effect at the end of the transition period.

DIVISION G—SYRIA STUDY GROUP

SEC. 1501. SYRIA STUDY GROUP.

(a) ESTABLISHMENT.—There is established a working group to be known as the ''Syria Study Group'' (in this section referred to as the ''Group'').

(b) PURPOSE.—The purpose of the Group is to examine and make recommendations on the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(c) COMPOSITION.—

(1) MEMBERSHIP.—The Group shall be composed of 12 members, none of whom may be members of Congress, who shall be appointed as follows:

(A) One member appointed by the chair of the Committee on Armed Services of the Senate.

(B) One member appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(C) One member appointed by the chair of the Committee on Foreign Relations of the Senate.

(D) One member appointed by the ranking minority member of the Committee on Foreign Relations of the Senate.

(E) One member appointed by the chair of the Committee on Armed Services of the House of Representatives.

(F) One member appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(G) One member appointed by the chair of the Committee on Foreign Affairs of the House of Representatives.

(H) One member appointed by the ranking minority member of the Committee on Foreign Affairs of the House of Representatives.

(I) One member appointed by the majority leader of the Senate.

(J) One member appointed by the minority leader of the Senate.

(K) One member appointed by the Speaker of the House of Representatives.

(L) One member appointed by the minority leader of the House of Representatives.

(2) CO-CHAIRS.—

(A) Of the members of the Group, one co-chair shall be jointly designated by—

(i) the chairs of the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(ii) the chairs of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives;

(iii) the majority leader of the Senate; and

(iv) the Speaker of the House of Representatives.

(B) Of the members of the Group, one co-chair shall be jointly designated by—

(i) the ranking minority members of the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(ii) the ranking minority members of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives;

(iii) the minority leader of the Senate; and

(iv) the minority leader of the House of Representatives.

(3) PERIOD OF APPOINTMENT.—A member shall be appointed for the life of the Group.

(4) VACANCIES.—Any vacancy in the Group shall be filled in the same manner as the original appointment.

(d) DUTIES.—

(1) REVIEW.—The Group shall conduct a review on the current United States military and diplomatic strategy with respect to the conflict in Syria that includes a review of current United States objectives in Syria and the desired end state in Syria.

(2) ASSESSMENT AND RECOMMENDATIONS.—The Group shall—

(A) conduct a comprehensive assessment of the current situation in Syria, the impact of such situation on neighboring countries, the resulting regional and geopolitical threats to the United States, and current military, diplomatic, and political efforts to achieve a stable Syria; and

(B) develop recommendations on the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(e) COOPERATION OF UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—The Group shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of State, and the Director of National Intelligence in providing the Group with analyses, briefings, and other information necessary for the discharge of the duties of the Group under subsection (d).

(2) LIAISON.—The Secretary of Defense, the Secretary of State, and the Director of National Intelligence shall each designate at least one officer or employee of the Department of Defense, the Department of State, and the Office of the Director of National Intelligence, respectively, to serve as a liaison to the Group.

(3) FACILITATION.—The United States Institute of Peace shall take appropriate actions to facilitate the Group in the discharge of the duties of the Group under this section.

(f) REPORTS.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Group shall submit to the President, the Secretary of Defense, the Committee on Armed Services and the Committee on Foreign Relations of the Senate, the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives, the majority and minority leaders of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives a report that sets forth the findings, conclusions, and recommendations of the Group under this section.

(B) ELEMENTS.—The report required by subparagraph (A) shall include each of the following:

(i) An assessment of the current security, political, humanitarian, and economic situations in Syria.

(ii) An assessment of the current participation and objectives of the various external actors in Syria.

(iii) An assessment of the consequences of continued conflict in Syria.

(iv) Recommendations for a resolution to the conflict in Syria, including—

(I) options for a gradual political transition to a post-Assad Syria; and

(II) actions necessary for reconciliation.

(v) A roadmap for a United States and coalition strategy to reestablish security and governance in Syria, including recommendations for the synchronization of stabilization, development, counterterrorism, and reconstruction efforts.

(vi) Any other matter with respect to the conflict in Syria that the Group considers to be appropriate.

(2) INTERIM REPORT.—Not later than 90 days after the date of enactment of this section, the Group shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate, the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives, the majority and minority leaders of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives a report that describes the status of the review and assessment under subsection (d) and any interim recommendations developed by the Group as of the date of the briefing.

(3) FORM OF REPORT.—The report submitted to Congress under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) TERMINATION.—The Group shall terminate on the date that is 180 days after the date on which the Group submits the report required by subsection (f)(1).

DIVISION H—PREVENTING EMERGING THREATS

SEC. 1601. SHORT TITLE.

This division may be cited as the ''Preventing Emerging Threats Act of 2018''.

SEC. 1602. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

''SEC. 210G. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

''(a) AUTHORITY.—Notwithstanding section 46502 of title 49, United States Code, or sections 32, 1030, 1367 and chapters 119 and 206 of title 18, United States Code, the Secretary and the Attorney General may, for their respective Departments, take, and may authorize personnel with assigned duties that include the security or protection of people, facilities, or assets, to take such actions as are described in subsection (b)(1) that are necessary to mitigate a credible threat (as defined by the Secretary or the Attorney General, in consultation with the Secretary of Transportation) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset.

''(b) ACTIONS DESCRIBED.—

''(1) IN GENERAL.—The actions authorized in subsection (a) are the following:

''(A) During the operation of the unmanned aircraft system, detect, identify, monitor, and track the unmanned aircraft system or unmanned aircraft, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft system or unmanned aircraft.

''(B) Warn the operator of the unmanned aircraft system or unmanned aircraft, including by passive or active, and direct or indirect physical, electronic, radio, and electromagnetic means.

''(C) Disrupt control of the unmanned aircraft system or unmanned aircraft, without prior consent, including by disabling the unmanned aircraft system or unmanned aircraft by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications used to control the unmanned aircraft system or unmanned aircraft.

''(D) Seize or exercise control of the unmanned aircraft system or unmanned aircraft.

''(E) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

''(F) Use reasonable force, if necessary, to disable, damage, or destroy the unmanned aircraft system or unmanned aircraft.

''(2) REQUIRED COORDINATION.—The Secretary and the Attorney General shall develop for their respective Departments the actions described in paragraph (1) in coordination with the Secretary of Transportation.

''(3) RESEARCH, TESTING, TRAINING, AND EVALUATION.—The Secretary and the Attorney General shall conduct research, testing, training on, and evaluation of any equipment, including any electronic equipment, to determine its capability and utility prior to the use of any such technology for any action described in subsection (b)(1).

''(4) COORDINATION.—The Secretary and the Attorney General shall coordinate with the Administrator of the Federal Aviation Administration when any action authorized by this section might affect aviation safety, civilian aviation and aerospace operations, aircraft airworthiness, or the use of the airspace.

''(c) FORFEITURE.—Any unmanned aircraft system or unmanned aircraft described in subsection (a) that is seized by the Secretary or the Attorney General is subject to forfeiture to the United States.

''(d) REGULATIONS AND GUIDANCE.—

''(1) IN GENERAL.—The Secretary, the Attorney General, and the Secretary of Transportation may prescribe regulations and shall issue guidance in the respective areas of each Secretary or the Attorney General to carry out this section.

''(2) COORDINATION.—

''(A) COORDINATION WITH DEPARTMENT OF TRANSPORTATION.—The Secretary and the Attorney General shall coordinate the development of their respective guidance under paragraph (1) with the Secretary of Transportation.

''(B) EFFECT ON AVIATION SAFETY.—The Secretary and the Attorney General shall respectively coordinate with the Secretary of Transportation and the Administrator of the Federal Aviation Administration before issuing any guidance, or otherwise implementing this section, if such guidance or implementation might affect aviation safety, civilian aviation and aerospace operations, aircraft airworthiness, or the use of airspace.

''(e) PRIVACY PROTECTION.—The regulations or guidance issued to carry out actions authorized under subsection (b) by each Secretary or the Attorney General, as the case may be, shall ensure that—

''(1) the interception or acquisition of, or access to, or maintenance or use of, communications to or from an unmanned aircraft system under this section is conducted in a manner consistent with the First and Fourth Amendments to the Constitution of the United States and applicable provisions of Federal law;

''(2) communications to or from an unmanned aircraft system are intercepted or acquired only to the extent necessary to support an action described in subsection (b)(1);

''(3) records of such communications are maintained only for as long as necessary, and in no event for more than 180 days, unless the Secretary of Homeland Security or the Attorney General determine that maintenance of such records is necessary to investigate or prosecute a violation of law, directly support an ongoing security operation, is required under Federal law, or for the purpose of any litigation;

''(4) such communications are not disclosed outside the Department of Homeland Security or the Department of Justice unless the disclosure—

''(A) is necessary to investigate or prosecute a violation of law;

''(B) would support the Department of Defense, a Federal law enforcement agency, or the enforcement activities of a regulatory agency of the Federal Government in connection with a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action relating to an action described in subsection (b)(1);

''(C) is between the Department of Homeland Security and the Department of Justice in the course of a security or protection operation of either agency or a joint operation of such agencies; or

''(D) is otherwise required by law; and

''(5) to the extent necessary, the Department of Homeland Security and the Department of Justice are authorized to share threat information, which shall not include communications referred to in subsection (b), with State, local, territorial, or tribal law enforcement agencies in the course of a security or protection operation.

''(f) BUDGET.—The Secretary and the Attorney General shall submit to Congress, as a part of the homeland security or justice budget materials for each fiscal year after fiscal year 2019, a consolidated funding display that identifies the funding source for the actions described in subsection (b)(1) within the Department of Homeland Security or the Department of Justice. The funding display shall be in unclassified form, but may contain a classified annex.

''(g) SEMIANNUAL BRIEFINGS AND NOTIFICATIONS.—

''(1) IN GENERAL.—On a semiannual basis during the period beginning 6 months after the date of enactment of this section and ending on the date specified in subsection (i), the Secretary and the Attorney General shall, respectively, provide a briefing to the appropriate congressional committees on the activities carried out pursuant to this section.

''(2) REQUIREMENT.—Each briefing required under paragraph (1) shall be conducted jointly with the Secretary of Transportation.

''(3) CONTENT.—Each briefing required under paragraph (1) shall include—

''(A) policies, programs, and procedures to mitigate or eliminate impacts of such activities to the National Airspace System;

''(B) a description of instances in which actions described in subsection (b)(1) have been taken, including all such instances that may have resulted in harm, damage, or loss to a person or to private property;

''(C) a description of the guidance, policies, or procedures established to address privacy, civil rights, and civil liberties issues implicated by the actions allowed under this section, as well as any changes or subsequent efforts that would significantly affect privacy, civil rights or civil liberties;

''(D) a description of options considered and steps taken to mitigate any identified impacts to the national airspace system related to the use of any system or technology, including the minimization of the use of any technology that disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (b)(1);

''(E) a description of instances in which communications intercepted or acquired during the course of operations of an unmanned aircraft system were held for more than 180 days or shared outside of the Department of Justice or the Department of Homeland Security;

''(F) how the Secretary, the Attorney General, and the Secretary of Transportation have informed the public as to the possible use of authorities under this section;

''(G) how the Secretary, the Attorney General, and the Secretary of Transportation have engaged with Federal, State, and local law enforcement agencies to implement and use such authorities.

''(4) UNCLASSIFIED FORM.—Each briefing required under paragraph (1) shall be in unclassified form, but may be accompanied by an additional classified briefing.

''(5) NOTIFICATION.—Within 30 days of deploying any new technology to carry out the actions described in subsection (b)(1), the Secretary and the Attorney General shall, respectively, submit a notification to the appropriate congressional committees. Such notification shall include a description of options considered to mitigate any identified impacts to the national airspace system related to the use of any system or technology, including the minimization of the use of any technology that disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (b)(1).

''(h) RULE OF CONSTRUCTION.—Nothing in this section may be construed to—

''(1) vest in the Secretary or the Attorney General any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration;

''(2) vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Secretary or the Attorney General;

''(3) vest in the Secretary of Homeland Security any authority of the Attorney General;

''(4) vest in the Attorney General any authority of the Secretary of Homeland Security; or

''(5) provide a new basis of liability for any State, local, territorial, or tribal law enforcement officers who participate in the protection of a mass gathering identified by the Secretary or Attorney General under subsection (k)(3)(C)(iii)(II), act within the scope of their authority, and do not exercise the authority granted to the Secretary and Attorney General by this section.

''(i) TERMINATION.—The authority to carry out this section with respect to a covered facility or asset specified in subsection (k)(3) shall terminate on the date that is 4 years after the date of enactment of this section.

''(j) SCOPE OF AUTHORITY.—Nothing in this section shall be construed to provide the Secretary or the Attorney General with additional authorities beyond those described in subsections (a) and (k)(3)(C)(iii).

''(k) DEFINITIONS.—In this section:

''(1) The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on the Judiciary of the Senate; and

''(B) the Committee on Homeland Security, the Committee on Transportation and Infrastructure, the Committee on Energy and Commerce, and the Committee on the Judiciary of the House of Representatives.

''(2) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

''(3) The term 'covered facility or asset' means any facility or asset that—

''(A) is identified as high-risk and a potential target for unlawful unmanned aircraft activity by the Secretary or the Attorney General, in coordination with the Secretary of Transportation with respect to potentially impacted airspace, through a risk-based assessment for purposes of this section (except that in the case of the missions described in subparagraph (C)(i)(II) and (C)(iii)(I), such missions shall be presumed to be for the protection of a facility or asset that is assessed to be high-risk and a potential target for unlawful unmanned aircraft activity);

''(B) is located in the United States (including the territories and possessions, territorial seas or navigable waters of the United States); and

''(C) directly relates to one or more—

''(i) missions authorized to be performed by the Department of Homeland Security, consistent with governing statutes, regulations, and orders issued by the Secretary, pertaining to—

''(I) security or protection functions of the U.S. Customs and Border Protection, including securing or protecting facilities, aircraft, and vessels, whether moored or underway;

''(II) United States Secret Service protection operations pursuant to sections 3056(a) and 3056A(a) of title 18, United States Code, and the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note); or

''(III) protection of facilities pursuant to section 1315(a) of title 40, United States Code;

''(ii) missions authorized to be performed by the Department of Justice, consistent with governing statutes, regulations, and orders issued by the Attorney General, pertaining to—

''(I) personal protection operations by—

''(aa) the Federal Bureau of Investigation as specified in section 533 of title 28, United States Code; and

''(bb) the United States Marshals Service of Federal jurists, court officers, witnesses, and other threatened persons in the interests of justice, as specified in section 566(e)(1)(A) of title 28, United States Code;

''(II) protection of penal, detention, and correctional facilities and operations conducted by the Federal Bureau of Prisons; or

''(III) protection of the buildings and grounds leased, owned, or operated by or for the Department of Justice, and the provision of security for Federal courts, as specified in section 566(a) of title 28, United States Code;

''(iii) missions authorized to be performed by the Department of Homeland Security or the Department of Justice, acting together or separately, consistent with governing statutes, regulations, and orders issued by the Secretary or the Attorney General, respectively, pertaining to—

''(I) protection of a National Special Security Event and Special Event Assessment Rating event;

''(II) the provision of support to State, local, territorial, or tribal law enforcement, upon request of the chief executive officer of the State or territory, to ensure protection of people and property at mass gatherings, that is limited to a specified timeframe and location, within available resources, and without delegating any authority under this section to State, local, territorial, or tribal law enforcement; or

''(III) protection of an active Federal law enforcement investigation, emergency response, or security function, that is limited to a specified timeframe and location; and

''(iv) missions authorized to be performed by the United States Coast Guard, including those described in clause (iii) as directed by the Secretary, and as further set forth in section 104 of title 14, United States Code, and consistent with governing statutes, regulations, and orders issued by the Secretary of the Department in which the Coast Guard is operating.

''(4) The terms 'electronic communication', 'intercept', 'oral communication', and 'wire communication' have the meaning given those terms in section 2510 of title 18, United States Code.

''(5) The term 'homeland security or justice budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Secretary and the Attorney General in support of the budget for that fiscal year.

''(6) For purposes of subsection (a), the term 'personnel' means officers and employees of the Department of Homeland Security or the Department of Justice.

''(7) The terms 'unmanned aircraft' and 'unmanned aircraft system' have the meanings given those terms in section 44801, of title 49, United States Code.

''(8) For purposes of this section, the term 'risk-based assessment' includes an evaluation of threat information specific to a covered facility or asset and, with respect to potential impacts on the safety and efficiency of the national airspace system and the needs of law enforcement and national security at each covered facility or asset identified by the Secretary or the Attorney General, respectively, of each of the following factors:

''(A) Potential impacts to safety, efficiency, and use of the national airspace system, including potential effects on manned aircraft and unmanned aircraft systems, aviation safety, airport operations, infrastructure, and air navigation services related to the use of any system or technology for carrying out the actions described in subsection (b)(1).

''(B) Options for mitigating any identified impacts to the national airspace system related to the use of any system or technology, including minimizing when possible the use of any technology which disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (b)(1).

''(C) Potential consequences of the impacts of any actions taken under subsection (b)(1) to the national airspace system and infrastructure if not mitigated.

''(D) The ability to provide reasonable advance notice to aircraft operators consistent with the safety of the national airspace system and the needs of law enforcement and national security.

''(E) The setting and character of any covered facility or asset, including whether it is located in a populated area or near other structures, whether the facility is open to the public, whether the facility is also used for nongovernmental functions, and any potential for interference with wireless communications or for injury or damage to persons or property.

''(F) The setting, character, timeframe, and national airspace system impacts of National Special Security Event and Special Event Assessment Rating events.

''(G) Potential consequences to national security, public safety, or law enforcement if threats posed by unmanned aircraft systems are not mitigated or defeated.

''(l) DEPARTMENT OF HOMELAND SECURITY ASSESSMENT.—

''(1) REPORT.—Not later than 1 year after the date of the enactment of this section, the Secretary shall conduct, in coordination with the Attorney General and the Secretary of Transportation, an assessment to the appropriate congressional committees, including—

''(A) an evaluation of the threat from unmanned aircraft systems to United States critical infrastructure (as defined in this Act) and to domestic large hub airports (as

defined in section 40102 of title 49, United States Code);

''(B) an evaluation of current Federal and State, local, territorial, or tribal law enforcement authorities to counter the threat identified in subparagraph (A), and recommendations, if any, for potential changes to existing authorities to allow State, local, territorial, and tribal law enforcement to assist Federal law enforcement to counter the threat where appropriate;

''(C) an evaluation of the knowledge of, efficiency of, and effectiveness of current procedures and resources available to owners of critical infrastructure and domestic large hub airports when they believe a threat from unmanned aircraft systems is present and what additional actions, if any, the Department of Homeland Security or the Department of Transportation could implement under existing authorities to assist these entities to counter the threat identified in subparagraph (A);

''(D) an assessment of what, if any, additional authorities are needed by each Department and law enforcement to counter the threat identified in subparagraph (A); and

''(E) an assessment of what, if any, additional research and development the Department needs to counter the threat identified in subparagraph (A).

''(2) UNCLASSIFIED FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 210F the following:

''Sec. 210G. Protection of certain facilities and assets from unmanned aircraft.''.

SEC. 1603. PROTECTING AGAINST UNMANNED AIRCRAFT.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 103 the following:

''§ 104. Protecting against unmanned aircraft

''For the purposes of section 210G(k)(3)(C)(iv) of the Homeland Security Act of 2002, the missions authorized to be performed by the United States Coast Guard shall be those related to—

''(1) functions of the U.S. Coast Guard relating to security or protection of facilities and assets assessed to be high-risk and a potential target for unlawful unmanned aircraft activity, including the security and protection of—

''(A) a facility, including a facility that is under the administrative control of the Commandant; and

''(B) a vessel (whether moored or underway) or an aircraft, including a vessel or aircraft—

''(i) that is operated by the Coast Guard, or that the Coast Guard is assisting or escorting; and

''(ii) that is directly involved in a mission of the Coast Guard pertaining to—

''(I) assisting or escorting a vessel of the Department of Defense;

''(II) assisting or escorting a vessel of national security significance, a high interest vessel, a high capacity passenger vessel, or a high value unit, as those terms are defined by the Secretary;

''(III) section 91(a) of this title;

''(IV) assistance in protecting the President or the Vice President (or other officer next in order of succession to the Office of the President) pursuant to the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note);

''(V) protection of a National Special Security Event and Special Event Assessment Rating events;

''(VI) air defense of the United States, including air sovereignty, ground-based air defense, and the National Capital Region integrated air defense system; or

''(VII) a search and rescue operation; and

''(2) missions directed by the Secretary pursuant to 210G(k)(3)(C)(iii) of the Homeland Security Act of 2002.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 14, United States Code, is amended by inserting after the item relating to section 103 the following:

''104. Protecting against unmanned aircraft.''.

DIVISION I—SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2018

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2018, and for other purposes, namely:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Community Development Fund'', $1,680,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared in 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas: *Provided further*, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408(c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: *Provided further*, That of the amounts made available under this heading, up to $2,500,000 may be transferred, in aggregate, to ''Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development'' for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the amount designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

SEC. 1701. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.— Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(7) and (c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall be estimated for purposes of section 251 of such Act.

This division may be cited as the ''Supplemental Appropriations for Disaster Relief Act, 2018''.

DIVISION J—MARITIME SECURITY

SEC. 1801. SHORT TITLE.

This division may be cited as the ''Maritime Security Improvement Act of 2018''.

SEC. 1802. DEFINITIONS.

In this division:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) TSA.—The term ''TSA'' means the Transportation Security Administration.

SEC. 1803. COORDINATION WITH TSA ON MARITIME FACILITIES.

The Secretary of Homeland Security shall—

(1) provide the Administrator of the TSA with updates to vulnerability assessments required under section 70102(b)(3) of title 46, United States Code, to avoid any duplication of effort between the Coast Guard and the TSA; and

(2) identify any security gaps between authorities of operating entities within the Department of Homeland Security that a threat could exploit to cause a transportation security incident (as defined in section 70101 of title 46, United States Code).

SEC. 1804. STRATEGIC PLAN TO ENHANCE THE SECURITY OF THE INTERNATIONAL SUPPLY CHAIN.

Section 201 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 941) is amended—

(1) in subsection (a), by striking ''as appropriate'' and inserting ''triennially''; and

(2) in subsection (g)—

(A) in the heading, by striking ''REPORT'' and inserting ''REPORTS''; and

(B) by amending paragraph (2) to read as follows:

''(2) UPDATES.—Not later than 270 days after the date of enactment of the Maritime Security Improvement Act of 2018 and triennially thereafter, the Secretary shall submit to the appropriate congressional committees a report that contains any updates to the strategic plan under subsection (a) since the prior report.''.

SEC. 1805. CYBERSECURITY INFORMATION SHARING AND COORDINATION IN PORTS.

(a) MARITIME CYBERSECURITY RISK ASSESSMENT MODEL.—The Secretary of Homeland Security, through the Commandant of the Coast Guard and the Under Secretary responsible for overseeing the critical infrastructure protection, cybersecurity, and other related programs of the Department of Homeland Security, shall—

(1) not later than 1 year after the date of enactment of this Act, coordinate with the National Maritime Security Advisory Committee, the Area Maritime Security Advisory Committees, and other maritime stakeholders, as necessary, to develop and implement a maritime cybersecurity risk assessment model, consistent with the activities described in section 2(e) of the National Institute of Standards and Technology Act (15 U.S.C. 272(e)), to evaluate current and future cybersecurity risks that have the potential to affect the marine transportation system or that would cause a transportation security incident (as defined in section 70101 of title 46, United States Code) in ports; and

(2) not less than biennially thereafter, evaluate the effectiveness of the cybersecurity risk assessment model established under paragraph (1).

(b) PORT SECURITY; DEFINITIONS.—Section 70101 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) The term 'cybersecurity risk' has the meaning given the term in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148).''.

(c) NATIONAL MARITIME SECURITY ADVISORY COMMITTEE.—

(1) FUNCTIONS.—Section 70112(a)(1)(A) of title 46, United States Code, is amended by inserting before the semicolon the following: '', including on enhancing the sharing of information related to cybersecurity risks that may cause a transportation security incident, between relevant Federal agencies and—

''(i) State, local, and tribal governments;

''(ii) relevant public safety and emergency response agencies;

''(iii) relevant law enforcement and security organizations;

''(iv) maritime industry;

''(v) port owners and operators; and

''(vi) terminal owners and operators;''.

(2) INFORMATION SHARING.—The Commandant of the Coast Guard and the Under Secretary responsible for overseeing the critical infrastructure protection, cybersecurity, and other related programs of the Department of Homeland Security shall—

(A) ensure there is a process for each Area Maritime Security Advisory Committee established under section 70112 of title 46, United States Code—

(i) to facilitate the sharing of information related to cybersecurity risks that may cause transportation security incidents;

(ii) to timely report transportation security incidents to the national level; and

(iii) to disseminate such reports across the entire maritime transportation system via the National Cybersecurity and Communications Integration Center; and

(B) issue voluntary guidance for the management of such cybersecurity risks in each Area Maritime Transportation Security Plan and facility security plan required under section 70103 of title 46, United States Code, approved after the date that the cybersecurity risk assessment model is developed under subsection (a) of this section.

(d) VULNERABILITY ASSESSMENTS AND SECURITY PLANS.—

(1) FACILITY AND VESSEL ASSESSMENTS.—Section 70102(b)(1) of title 46, United States Code, is amended—

(A) in the matter preceding subparagraph (A), by striking ''and by not later than December 31, 2004''; and

(B) in subparagraph (C), by inserting ''security against cybersecurity risks,'' after ''physical security,''.

(2) MARITIME TRANSPORTATION SECURITY PLANS.—Section 70103 of title 46, United States Code, is amended—

(A) in subsection (a)(1), by striking ''Not later than April 1, 2005, the'' and inserting ''The'';

(B) in subsection (a)(2), by adding at the end the following:

''(K) A plan to detect, respond to, and recover from cybersecurity risks that may cause transportation security incidents.'';

(C) in subsection (b)(2)—

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

(ii) by redesignating subparagraph (H) as subparagraph (I); and

(iii) by inserting after subparagraph (G) the following:

''(H) include a plan for detecting, responding to, and recovering from cybersecurity risks that may cause transportation security incidents; and''; and

(D) in subsection (c)(3)(C)—

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

(ii) by redesignating clause (v) as clause (vi); and

(iii) by inserting after clause (iv) the following:

''(v) detecting, responding to, and recovering from cybersecurity risks that may cause transportation security incidents; and''.

(3) APPLICABILITY.—The amendments made by this subsection shall apply to assessments or security plans, or updates to such assessments or plans, submitted after the date that the cybersecurity risk assessment model is developed under subsection (a).

(e) BRIEF TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard and the Under Secretary responsible for overseeing the critical infrastructure protection, cybersecurity, and other related programs of the Department of Homeland Security shall provide to the appropriate committees of Congress a briefing on how the Coast Guard will assist in security and response in the port environment when a cyber-caused transportation security incident occurs, to include the use of cyber protection teams.

SEC. 1806. FACILITY INSPECTION INTERVALS.

Section 70103(c)(4)(D) of title 46, United States Code, is amended to read as follows:

''(D) subject to the availability of appropriations, periodically, but not less than one time per year, conduct a risk-based, no notice facility inspection to verify the effectiveness of each such facility security plan.''.

SEC. 1807. UPDATES OF MARITIME OPERATIONS COORDINATION PLAN .

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following:

''SEC. 435. MARITIME OPERATIONS COORDINATION PLAN.

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Maritime Security Improvement Act of 2018, and biennially thereafter, the Secretary shall—

''(1) update the Maritime Operations Coordination Plan, published by the Department on July 7, 2011, to strengthen coordination, planning, information sharing, and intelligence integration for maritime operations of components and offices of the Department with responsibility for maritime security missions; and

''(2) submit each update to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

''(b) CONTENTS.—Each update shall address the following:

''(1) Coordinating the planning, integration of maritime operations, and development of joint maritime domain awareness efforts of any component or office of the Department with responsibility for maritime security missions.

''(2) Maintaining effective information sharing and, as appropriate, intelligence integration, with Federal, State, and local officials and the private sector, regarding threats to maritime security.

''(3) Cooperating and coordinating with Federal departments and agencies, and State and local agencies, in the maritime environment, in support of maritime security missions.

''(4) Highlighting the work completed within the context of other national and Department maritime security strategic guidance and how that work fits with the Maritime Operations Coordination Plan.''.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2136) is amended by adding after the item relating to section 434 the following:

''435. Maritime operations coordination plan.''.

SEC. 1808. EVALUATION OF COAST GUARD DEPLOYABLE SPECIALIZED FORCES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the state of the Coast Guard's Deployable Specialized Forces (referred to in this section as DSF).

(b) CONTENTS.—The report shall include, at a minimum, the following:

(1) For each of the past 3 fiscal years, and for each type of DSF, the following:

(A) A cost analysis, including training, operating, and travel costs.

(B) The number of personnel assigned.

(C) The total number of units.

(D) The total number of operations conducted.

(E) The number of operations requested by each of the following:

(i) Coast Guard.

(ii) Other components or offices of the Department of Homeland Security.

(iii) Other Federal departments or agencies.

(iv) State agencies.

(v) Local agencies.

(F) The number of operations fulfilled in support of each entity described in clauses (i) through (v) of subparagraph (E).

(2) An examination of alternative distributions of deployable specialized forces, including the feasibility, cost (including cost savings), and impact on mission capability of such distributions, including at a minimum the following:

(A) Combining deployable specialized forces, primarily focused on counterdrug operations, under one centralized command.

(B) Distributing counter-terrorism and anti-terrorism capabilities to deployable specialized forces in each major United States port.

(c) DEFINITION OF DEPLOYABLE SPECIALIZED FORCES OR DSF.—In this section, the term ''deployable specialized forces'' or ''DSF'' means the deployable specialized forces established under section 70106 of title 46, United States Code.

SEC. 1809. REPEAL OF INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY AND SECURE SYSTEMS OF TRANSPORTATION.

(a) INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY.—

(1) REPEAL.—Section 70107A of title 46, United States Code, is repealed.

(2) SAVINGS CLAUSE.—A repeal made by this subsection shall not affect an interagency operational center established before the date of enactment of this Act.

(3) NOTICE TO CONGRESS.—The Secretary of Homeland Security shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives at least 1 year before ceasing operations of any interagency operational center established before the date of enactment of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1884).

(b) SECURE SYSTEMS OF TRANSPORTATION.—Section 70116 of title 46, United States Code, is repealed.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 701 of title 46, United States Code, is amended by striking the items relating to sections 70107A and 70116.

(2) REPORT REQUIREMENT.—Section 108 of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1893) is amended by striking subsection (b) (46 U.S.C. 70107A note) and inserting the following:

''(b) [Reserved].''.

SEC. 1810. DUPLICATION OF EFFORTS IN THE MARITIME DOMAIN.

(a) GAO ANALYSIS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct an analysis of all operations in the applicable location of—

(A) the Air and Marine Operations of the U.S. Customs and Border Protection; and

(B) any other agency of the Department of Homeland Security that operates air and marine assets;

(2) in conducting the analysis under paragraph (1)—

(A) examine the extent to which the Air and Marine Operations is synchronizing and deconflicting any duplicative flight hours or patrols with the agencies described in paragraph (1)(B); and

(B) include a sector-by-sector analysis of any potential costs savings or other benefits that would be derived through greater coordination of flight hours and patrols; and

(3) submit to the Secretary of Homeland Security and the appropriate committees of Congress a report on the analysis, including any recommendations.

(b) DHS REPORT.—Not later than 180 days after the date the report is submitted under subsection (a)(3), the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report on what actions the Secretary plans to take in response to the findings of the analysis and recommendations of the Comptroller General.

(c) DEFINITION OF APPLICABLE LOCATION.—In this section, the term ''applicable location'' means any location in which the Air and Marine Operations of the U.S. Customs and Border Protection is based within 45 miles of a location in which any other agency of the Department of Homeland Security also operates air and marine assets.

SEC. 1811. MARITIME SECURITY CAPABILITIES ASSESSMENTS.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.), as amended by section 1807 of this Act, is further amended by adding at the end the following:

''SEC. 436. MARITIME SECURITY CAPABILITIES ASSESSMENTS.

''Not later than 180 days after the date of enactment of the Maritime Security Improvement Act of 2018, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives, an assessment of the number and type of maritime assets and the number of personnel required to increase the Department's maritime response rate pursuant to section 1092 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223).''.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2136), as amended by section 1807 of this Act, is further amended by adding after the item relating to section 435 the following:

''436. Maritime security capabilities assessments.''.

SEC. 1812. CONTAINER SECURITY INITIATIVE.

Section 205(l) of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 945) is amended—

(1) by striking paragraph (2); and

(2) in paragraph (1)—

(A) by striking ''(1) IN GENERAL.—Not later than September 30, 2007,'' and inserting ''Not later than 270 days after the date of enactment of the Maritime Security Improvement Act of 2018,''; and

(B) by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively.

SEC. 1813. MARITIME BORDER SECURITY REVIEW.

(a) DEFINITIONS.—In this section:

(1) MARITIME BORDER.—The term ''maritime border'' means—

(A) the transit zone; and

(B) the borders and territorial waters of Puerto Rico and the United States Virgin Islands.

(2) TRANSIT ZONE.—The term ''transit zone'' has the meaning given the term in section 1092(a) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223(a)).

(b) MARITIME BORDER THREAT ANALYSIS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a maritime border threat analysis that includes an identification and description of the following:

(A) Current and potential threats posed by the individuals and groups seeking to—

(i) enter the United States through the maritime border; or

(ii) exploit border vulnerabilities on the maritime border.

(B) Improvements needed at United States sea ports—

(i) to prevent terrorists and instruments of terror from entering the United States; and

(ii) to reduce criminal activity, as measured by the total flow of illegal goods and illicit drugs, related to the maritime border.

(C) Improvements needed with respect to the maritime border—

(i) to prevent terrorists and instruments of terror from entering the United States; and

(ii) reduce criminal activity related to the maritime border.

(D) Vulnerabilities in law, policy, cooperation between State, territorial, and local law enforcement, or international agreements that hinder effective and efficient border security, counterterrorism, anti-human trafficking efforts, and the flow of legitimate trade with respect to the maritime border.

(E) Metrics and performance parameters used by the Department of Homeland Security to evaluate maritime security effectiveness, as appropriate.

(2) ANALYSIS REQUIREMENTS.—In preparing the threat analysis under subsection (a), the Secretary of Homeland Security shall consider the following:

(A) Technology needs and challenges.

(B) Personnel needs and challenges.

(C) The role of State, territorial, and local law enforcement in maritime border security activities.

(D) The need for cooperation among Federal, State, territorial, local, and appropriate international law enforcement entities relating to maritime border security.

(E) The geographic challenges of the maritime border.

(F) The impact of Hurricanes Harvey, Irma, Maria, and Nate on general border security activities with respect to the maritime border.

(3) CLASSIFIED THREAT ANALYSIS.—

(A) IN GENERAL.—To the extent possible, the Secretary of Homeland Security shall submit the threat analysis under subsection (a) in unclassified form.

(B) CLASSIFIED.—The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for such portion.

SEC. 1814. MARITIME BORDER SECURITY COOPERATION.

The Secretary of the department in which the Coast Guard is operating shall, in accordance with law—

(1) partner with other Federal, State, and local government agencies to leverage existing technology, including existing sensor and camera systems and other sensors, in place along the maritime border to facilitate monitoring of high-risk maritime borders, as determined by the Secretary; and

(2) subject to the availability of appropriations, enter into such agreements as the Secretary considers necessary to ensure the monitoring described in paragraph (1).

SEC. 1815. TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL APPEALS PROCESS.

Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall transmit to the appropriate committees of Congress a report on the following:

(1) The average completion time of an appeal under the appeals process established under section 70105(c)(4) of title 46, United States Code.

(2) The most common reasons for any delays at each step in such process.

(3) Recommendations on how to resolve any such delays as expeditiously as possible.

SEC. 1816. TECHNICAL AND CONFORMING AMENDMENTS.

(a) STUDY TO IDENTIFY REDUNDANT BACKGROUND RECORDS CHECKS.—Section 105 of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1891) and the item relating to that section in the table of contents for that Act are repealed.

(b) DOMESTIC RADIATION DETECTION AND IMAGING.—Section 121 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 921) is amended—

(1) by striking subsections (c), (d), and (e);

(2) by redesignating subsections (f), (g), (h), and (i) as subsections (c), (d), (e), and (f), respectively; and

(3) in subsection (e)(1)(B), as redesignated, by striking ''(and updating, if any, of that strategy under subsection (c))''.

(c) INSPECTION OF CAR FERRIES ENTERING FROM ABROAD.—Section 122 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 922) and the item relating to that section in the table of contents for that Act are repealed.

(d) REPORT ON ARRIVAL AND DEPARTURE MANIFEST FOR CERTAIN COMMERCIAL VESSELS IN THE UNITED STATES VIRGIN ISLANDS.—Section 127 of the Security and Accountability for Every Port Act of 2006 (120 Stat. 1900) and the item relating to that section in the table of contents for that Act are repealed.

(e) INTERNATIONAL COOPERATION AND COORDINATION.—

(1) IN GENERAL.—Section 233 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 983) is amended to read as follows:

''SEC. 233. INSPECTION TECHNOLOGY AND TRAINING.

''(a) IN GENERAL.—The Secretary, in coordination with the Secretary of State, the Secretary of Energy, and appropriate representatives of other Federal agencies, may provide technical assistance, equipment, and training to facilitate the implementation of supply chain security measures at ports designated under the Container Security Initiative.

''(b) ACQUISITION AND TRAINING.—Unless otherwise prohibited by law, the Secretary may—

''(1) lease, loan, provide, or otherwise assist in the deployment of nonintrusive inspection and radiation detection equipment at foreign land and sea ports under such terms and conditions as the Secretary prescribes, including nonreimbursable loans or the transfer of ownership of equipment; and

''(2) provide training and technical assistance for domestic or foreign personnel responsible for operating or maintaining such equipment.''.

(2) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1884) is amended by amending the item relating to section 233 to read as follows:

''Sec. 233. Inspection technology and training.''.

(f) PILOT PROGRAM TO IMPROVE THE SECURITY OF EMPTY CONTAINERS.—Section 235 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 984) and the item relating to that section in the table of contents for that Act are repealed.

(g) SECURITY PLAN FOR ESSENTIAL AIR SERVICE AND SMALL COMMUNITY AIRPORTS.—Section 701 of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1943) and the item relating to that section in the table of contents for that Act are repealed.

(h) AIRCRAFT CHARTER CUSTOMER AND LESSEE PRESCREENING PROGRAM.—Section 708 of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1947) and the item relating to that section in the table of contents for that Act are repealed.

DIVISION K—TRANSPORTATION SECURITY

TITLE I—TRANSPORTATION SECURITY

SEC. 1901. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This title may be cited as the ''TSA Modernization Act''.

(b) REFERENCES TO TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 1902. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the TSA.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(3) ASAC.—The term ''ASAC'' means the Aviation Security Advisory Committee established under section 44946 of title 49, United States Code.

(4) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(5) EXPLOSIVE DETECTION CANINE TEAM.—The term ''explosives detection canine team'' means a canine and a canine handler that are trained to detect explosives and other threats as defined by the Secretary.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(7) TSA.—The term ''TSA'' means the Transportation Security Administration.

Subtitle A—Organization and Authorizations

SEC. 1903. AUTHORIZATION OF APPROPRIATIONS.

Section 114(w) is amended to read as follows:

''(w) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Transportation Security Administration for salaries, operations, and maintenance of the Administration—

''(1) $7,849,247,000 for fiscal year 2019;

''(2) $7,888,494,000 for fiscal year 2020; and

''(3) $7,917,936,000 for fiscal year 2021.''.

SEC. 1904. ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION; 5-YEAR TERM.

(a) IN GENERAL.—Section 114, as amended by section 1903 of this Act, is further amended—

(1) in subsection (a), by striking ''Department of Transportation'' and inserting ''Department of Homeland Security'';

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

''(b) LEADERSHIP.—

''(1) HEAD OF TRANSPORTATION SECURITY ADMINISTRATION.—

''(A) APPOINTMENT.—The head of the Administration shall be the Administrator of the Transportation Security Administration (referred to in this section as the 'Administrator'). The Administrator shall be appointed by the President, by and with the advice and consent of the Senate.

''(B) QUALIFICATIONS.—The Administrator must—

''(i) be a citizen of the United States; and

''(ii) have experience in a field directly related to transportation or security.

''(C) TERM.—Effective with respect to any individual appointment by the President, by and with the advice and consent of the Senate, after the date of enactment of the TSA Modernization Act, the term of office of an individual appointed as the Administrator shall be 5 years. The term of office of an individual serving as the Administrator on the date of enactment of the TSA Modernization Act shall be 5 years beginning on the date that the Administrator began serving.

''(2) DEPUTY ADMINISTRATOR.—

''(A) APPOINTMENT.—There is established in the Transportation Security Administration a Deputy Administrator, who shall assist the Administrator in the management of the Transportation Security Administration. The Deputy Administrator shall be appointed by the President.

''(B) VACANCY.—The Deputy Administrator shall be Acting Administrator during the absence or incapacity of the Administrator or during a vacancy in the office of Administrator.

''(C) QUALIFICATIONS.—The Deputy Administrator must—

''(i) be a citizen of the United States; and

''(ii) have experience in a field directly related to transportation or security.

''(3) CHIEF COUNSEL.—

''(A) APPOINTMENT.—There is established in the Transportation Security Administration a Chief Counsel, who shall advise the Administrator and other senior officials on all legal matters relating to the responsibilities, functions, and management of the Transportation Security Administration.

''(B) QUALIFICATIONS.—The Chief Counsel must be a citizen of the United States.''; and

(3) in subsections (c) through (n), (p), (q), and (r), by striking ''Under Secretary'' each place it appears and inserting ''Administrator''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 114, as amended by subsection (a) of this section, is further amended—

(A) in subsection (g)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''Subject to the direction and control of the Secretary'' and inserting ''Subject to the direction and control of the Secretary of Homeland Security''; and

(II) in subparagraph (D), by inserting ''of Homeland Security'' after ''Secretary''; and

(ii) in paragraph (3), by inserting ''of Homeland Security'' after ''Secretary'';

(B) in subsection (j)(1)(D), by inserting ''of Homeland Security'' after ''Secretary'';

(C) in subsection (k), by striking ''functions transferred, on or after the date of enactment of the Aviation and Transportation Security Act,'' and inserting ''functions assigned'';

(D) in subsection (l)(4)(B), by striking ''Administrator under subparagraph (A)'' and inserting ''Administrator of the Federal Aviation Administration under subparagraph (A)'';

(E) in subsection (n), by striking ''Department of Transportation'' and inserting ''Department of Homeland Security'';

(F) in subsection (o), by striking ''Department of Transportation'' and inserting ''Department of Homeland Security'';

(G) in subsection (p)(4), by striking ''Secretary of Transportation'' and inserting ''Secretary of Homeland Security'';

(H) in subsection (s)—

(i) in paragraph (3)(B), by inserting '')'' after ''Act of 2007''; and

(ii) in paragraph (4)—

(I) in the heading, by striking ''SUBMISSIONS OF PLANS TO CONGRESS'' and inserting ''SUBMISSION OF PLANS'';

(II) by striking subparagraph (A);

(III) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively;

(IV) in subparagraph (A), as redesignated—

(aa) in the heading, by striking ''SUBSEQUENT VERSIONS'' and inserting ''IN GENERAL''; and

(bb) by striking ''After December 31, 2015, the'' and inserting ''The''; and

(V) in subparagraph (B)(ii)(III)(cc), as redesignated, by striking ''for the Department'' and inserting ''for the Department of Homeland Security'';

(I) by redesignating subsections (u), (v), and (w) as subsections (t), (u), and (v), respectively;

(J) in subsection (t), as redesignated—

(i) in paragraph (1)—

(I) by striking subparagraph (D); and

(II) by redesignating subparagraph (E) as subparagraph (D);

(ii) in paragraph (2), by inserting ''of Homeland Security'' after ''Plan, the Secretary'';

(iii) in paragraph (4)(B)—

(I) by inserting ''of Homeland Security'' after ''agency within the Department''; and

(II) by inserting ''of Homeland Security'' after ''Secretary'';

(iv) by amending paragraph (6) to read as follows:

''(6) ANNUAL REPORT ON PLAN.—The Secretary of Homeland Security shall annually submit to the appropriate congressional committees a report containing the Plan.''; and

(v) in paragraphs (7) and (8), by inserting ''of Homeland Security'' after ''Secretary''; and

(K) in subsection (u), as redesignated—

(i) in paragraph (1)—

(I) in subparagraph (B), by inserting ''or the Administrator'' after ''Secretary of Homeland Security''; and

(II) in subparagraph (C)(ii), by striking ''Secretary's designee'' and inserting ''Secretary of Defense's designee'';

(III) in subparagraphs (B), (C), (D), and (E) of paragraph (3), by inserting ''of Homeland Security'' after ''Secretary'' each place it appears;

(ii) in paragraph (4)(A), by inserting ''of Homeland Security'' after ''Secretary'';

(iii) in paragraph (5), by inserting ''of Homeland Security'' after ''Secretary''; and

(iv) in paragraph (7)—

(I) in subparagraph (A), by striking ''Not later than December 31, 2008, and annually thereafter, the Secretary'' and inserting ''The Secretary of Homeland Security''; and

(II) by striking subparagraph (D).

(2) CONGRESSIONAL OVERSIGHT OF SECURITY ASSURANCE FOR PUBLIC AND PRIVATE STAKEHOLDERS.—Section 1203(b)(1)(B) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (49 U.S.C. 114 note) is amended by striking '', under section 114(u)(7) of title 49, United States Code, as added by this section, or otherwise,''.

(c) EXECUTIVE SCHEDULE.—

(1) ADMINISTRATOR OF THE TSA.—

(A) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by inserting after the item relating to the Under Secretary of Homeland Security for Management the following:

''Administrator of the Transportation Security Administration.''.

(B) BONUS ELIGIBILITY.—Section 101(c)(2) of the Aviation and Transportation Security Act (5 U.S.C. 5313 note) is amended—

(i) by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration'';

(ii) by striking ''on the Secretary's'' and inserting ''on the Secretary of Homeland Security's''; and

(iii) by striking ''Under Secretary's'' and inserting ''Administrator's''.

(2) DEPUTY ADMINISTRATOR OF THE TSA.—Section 5314 of title 5, United States Code, is amended by inserting after the item relating to Deputy Administrators, Federal Emergency Management Agency the following:

''Deputy Administrator, Transportation Security Administration.''.

(3) NONAPPLICABILITY.—The amendment made by paragraph (2) of this subsection shall not affect the salary of an individual who is performing the duties of the Deputy Administrator on the date of enactment of this Act, even if that individual is subsequently appointed as Deputy Administrator.

SEC. 1905. TRANSPORTATION SECURITY ADMINISTRATION ORGANIZATION.

Section 114, as amended by sections 1903 and 1904 of this Act, is further amended by adding at the end the following:

''(w) LEADERSHIP AND ORGANIZATION.—

''(1) IN GENERAL.—For each of the areas described in paragraph (2), the Administrator of the Transportation Security Administration shall appoint at least 1 individual who shall—

''(A) report directly to the Administrator or the Administrator's designated direct report; and

''(B) be responsible and accountable for that area.

''(2) AREAS DESCRIBED.—The areas described in this paragraph are as follows:

''(A) Aviation security operations and training, including risk-based, adaptive security—

''(i) focused on airport checkpoint and baggage screening operations;

''(ii) workforce training and development programs; and

''(iii) ensuring compliance with aviation security law, including regulations, and other specialized programs designed to secure air transportation.

''(B) Surface transportation security operations and training, including risk-based, adaptive security—

''(i) focused on accomplishing security systems assessments;

''(ii) reviewing and prioritizing projects for appropriated surface transportation security grants;

''(iii) operator compliance with surface transportation security law, including regulations, and voluntary industry standards; and

''(iv) workforce training and development programs, and other specialized programs designed to secure surface transportation.

''(C) Transportation industry engagement and planning, including the development, interpretation, promotion, and oversight of a unified effort regarding risk-based, risk-reducing security policies and plans (including strategic planning for future contingencies and security challenges) between government and transportation stakeholders, including airports, domestic and international airlines, general aviation, air cargo, mass transit and passenger rail, freight rail, pipeline, highway and motor carriers, and maritime.

''(D) International strategy and operations, including agency efforts to work with international partners to secure the global transportation network.

''(E) Trusted and registered traveler programs, including the management and marketing of the agency's trusted traveler initiatives, including the PreCheck Program, and coordination with trusted traveler programs of other Department of Homeland Security agencies and the private sector.

''(F) Technology acquisition and deployment, including the oversight, development, testing, evaluation, acquisition, deployment, and maintenance of security technology and other acquisition programs.

''(G) Inspection and compliance, including the integrity, efficiency and effectiveness of the agency's workforce, operations, and programs through objective audits, covert testing, inspections, criminal investigations, and regulatory compliance.

''(H) Civil rights, liberties, and traveler engagement, including ensuring that agency employees and the traveling public are treated in a fair and lawful manner consistent with Federal laws and regulations protecting privacy and prohibiting discrimination and reprisal.

''(I) Legislative and public affairs, including communication and engagement with internal and external audiences in a timely, accurate, and transparent manner, and development and implementation of strategies within the agency to achieve congressional approval or authorization of agency programs and policies.

''(3) NOTIFICATION.—The Administrator shall submit to the appropriate committees of Congress—

''(A) not later than 180 days after the date of enactment of the TSA Modernization Act, a list of the names of the individuals appointed under paragraph (1); and

''(B) an update of the list not later than 5 days after any new individual is appointed under paragraph (1).''.

SEC. 1906. TRANSPORTATION SECURITY ADMINISTRATION EFFICIENCY.

(a) EFFICIENCY REVIEW.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the

Administrator shall complete a comprehensive, agency-wide efficiency review of the TSA to identify and effectuate spending reductions and administrative savings that can be achieved by the streamlining or restructuring of TSA divisions.

(2) REQUIREMENTS.—In carrying out the review under paragraph (1), the Administrator shall consider the following:

(A) Eliminating unnecessarily duplicative or overlapping programs and initiatives.

(B) Eliminating unnecessary or obsolete rules, regulations, directives, or procedures.

(C) Reducing overall operating expenses of the TSA, including costs associated with the number of personnel, as a direct result of efficiencies gained through the implementation of risk-based screening or through any other means as determined appropriate by the Administrator in accordance with this section.

(D) Reducing, by 20 percent, the number of positions at the Senior Executive Service level at the TSA as calculated on the date of enactment of this Act.

(E) Such other matters the Administrator considers appropriate.

(b) REPORT TO CONGRESS.—Not later than 30 days after the date the efficiency review under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress a report on the findings, including a description of any cost savings expected to be achieved by the streamlining or restructuring of TSA divisions.

SEC. 1907. PERSONNEL MANAGEMENT SYSTEM REVIEW.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall convene a working group consisting of representatives of the TSA and representatives of the labor organization representing security screening personnel to recommend reforms to the TSA's personnel management system, including appeals to the Merit Systems Protection Board and grievance procedures.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the working group convened under subsection (a) shall submit to the Administrator and the appropriate committees of Congress a report containing proposed, mutually agreed-upon recommendations to reform the TSA's personnel management system.

(c) IMPLEMENTATION.—To the extent authorized under law, the Administrator may implement 1 or more of the recommendations submitted under subsection (b).

(d) TERMINATION.—The working group shall terminate on the date that the report is submitted under subsection (b).

SEC. 1908. TSA LEAP PAY REFORM.

(a) DEFINITION OF BASIC PAY.—Clause (ii) of section 8331(3)(E) of title 5, United States Code, is amended to read as follows:

''(ii) received after September 11, 2001, by a Federal air marshal or criminal investigator (as defined in section 5545a(a)(2)) of the Transportation Security Administration, subject to all restrictions and earning limitations imposed on criminal investigators receiving such pay under section 5545a, including the premium pay limitations under section 5547;''.

(b) EFFECTIVE DATE; APPLICABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), this section, and the amendments made by this section, shall take effect on the first day of the first pay period commencing on or after the date of enactment of this section.

(2) RETROACTIVE APPLICATION.—

(A) IN GENERAL.—Any availability pay received for any pay period commencing before the date of enactment of this Act by a Federal air marshal or criminal investigator employed by the Transportation Security Administration shall be deemed basic pay under section 8331(3) of title 5, United States Code, if the Transportation Security Administration treated such pay as retirement-creditable basic pay, but the Office of Personnel Management, based on an interpretation of section 8331(3) of title 5, United States Code, did not accept such pay as retirement-creditable basic pay.

(B) IMPLEMENTATION.—Not later than 3 months after the date of enactment of this Act, the Director of the Office of Personnel Management shall commence taking such actions as are necessary to implement the amendments made by this section with respect to availability pay deemed to be basic pay under subparagraph (A).

SEC. 1909. RANK AWARDS PROGRAM FOR TRANSPORTATION SECURITY ADMINISTRATION EXECUTIVES AND SENIOR PROFESSIONALS.

Section 114(n), as amended by section 1904 of this Act, is further amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''The personnel management system'' and indenting appropriately; and

(2) by adding at the end the following:

''(2) MERITORIOUS EXECUTIVE OR DISTINGUISHED EXECUTIVE RANK AWARDS.—Notwithstanding section 40122(g)(2) of this title, the applicable sections of title 5 shall apply to the Transportation Security Administration personnel management system, except that—

''(A) for purposes of applying such provisions to the personnel management system—

''(i) the term 'agency' means the Department of Homeland Security;

''(ii) the term 'senior executive' means a Transportation Security Administration executive serving on a Transportation Security Executive Service appointment;

''(iii) the term 'career appointee' means a Transportation Security Administration executive serving on a career Transportation Security Executive Service appointment; and

''(iv) The term 'senior career employee' means a Transportation Security Administration employee covered by the Transportation Security Administration Core Compensation System at the L or M pay band;

''(B) receipt by a career appointee or a senior career employee of the rank of Meritorious Executive or Meritorious Senior Professional entitles the individual to a lump-sum payment of an amount equal to 20 percent of annual basic pay, which shall be in addition to the basic pay paid under the applicable Transportation Security Administration pay system; and

''(C) receipt by a career appointee or a senior career employee of the rank of Distinguished Executive or Distinguished Senior Professional entitles the individual to a lump-sum payment of an amount equal to 35 percent of annual basic pay, which shall be in addition to the basic pay paid under the applicable Transportation Security Administration pay system.

''(3) DEFINITION OF APPLICABLE SECTIONS OF TITLE 5.—In this subsection, the term 'applicable sections of title 5' means—

''(A) subsections (b), (c) and (d) of section 4507 of title 5; and

''(B) subsections (b) and (c) of section 4507a of title 5.''.

SEC. 1910. TRANSMITTALS TO CONGRESS.

With regard to each report, legislative proposal, or other communication of the Executive Branch related to the TSA and required to be submitted to Congress or the appropriate committees of Congress, the Administrator shall transmit such communication directly to the appropriate committees of Congress.

Subtitle B—Security Technology

SEC. 1911. THIRD PARTY TESTING AND VERIFICATION OF SCREENING TECHNOLOGY.

(a) IN GENERAL.—In carrying out the responsibilities under section 114(f)(9), the Administrator shall develop and implement, not later than 1 year after the date of enactment of this Act, a program to enable a vendor of related security screening technology to obtain testing and verification, including as an alternative to the TSA's test and evaluation process, by an appropriate third party, of such technology before procurement or deployment.

(b) DETECTION TESTING.—

(1) IN GENERAL.—The third party testing and verification program authorized under subsection (a) shall include detection testing to evaluate the performance of the security screening technology system regarding the probability of detection, the probability of false alarm, and such other indicators that the system is able to meet the TSA's mission needs.

(2) RESULTS.—The results of the third party detection testing under paragraph (1) shall be considered final if the results are approved by the Administration in accordance with approval standards developed by the Administrator.

(3) COORDINATION WITH FINAL TESTING.—To the extent practicable, but without compromising the integrity of the TSA test and evaluation process, the Administrator shall coordinate the third party detection testing under paragraph (1) with any subsequent, final Federal Government testing.

(4) INTERNATIONAL STANDARDS.—To the extent practicable and permissible under law and considering the national security interests of the United States, the Administrator shall—

(A) share detection testing information and standards with appropriate international partners; and

(B) coordinate with the appropriate international partners to align TSA testing and evaluation with relevant international standards to maximize the capability to detect explosives and other threats.

(c) OPERATIONAL TESTING.—

(1) IN GENERAL.—Subject to paragraph (2), the third party testing and verification program authorized under subsection (a) shall include operational testing.

(2) LIMITATION.—Third party operational testing under paragraph (1) may not exceed 1 year.

(d) ALTERNATIVE.—Third party testing under subsection (a) shall replace as an alternative, at the discretion of the Administrator, the testing at the TSA Systems Integration Facility, including testing for—

(1) health and safety factors;

(2) operator interface;

(3) human factors;

(4) environmental factors;

(5) throughput;

(6) reliability, maintainability, and availability factors; and

(7) interoperability.

(e) TESTING AND VERIFICATION FRAMEWORK.—

(1) IN GENERAL.—The Administrator shall—

(A) establish a framework for the third party testing and for verifying a security technology is operationally effective and able to meet the TSA's mission needs before it may enter or re-enter, as applicable, the operational context at an airport or other transportation facility;

(B) use phased implementation to allow the TSA and the third party to establish best practices; and

(C) oversee the third party testing and evaluation framework.

(2) RECOMMENDATIONS.—The Administrator shall request ASAC's Security Technology Subcommittee, in consultation with representatives of the security manufacturers industry, to develop and submit to the Administrator recommendations for the third party testing and verification framework.

(f) FIELD TESTING.—The Administrator shall prioritize the field testing and evaluation, including by third parties, of security technology and equipment at airports and on site at security technology manufacturers whenever possible as an alternative to the TSA Systems Integration Facility.

(g) APPROPRIATE THIRD PARTIES.—

(1) CITIZENSHIP REQUIREMENT.—An appropriate third party under subsection (a) shall be—

(A) if an individual, a citizen of the United States; or

(B) if an entity, owned and controlled by a citizen of the United States.

(2) WAIVER.—The Administrator may waive the requirement under paragraph (1)(B) if the entity is a United States subsidiary of a parent company that has implemented a foreign ownership, control, or influence mitigation plan that has been approved by the Defense Security Service of the Department of Defense before applying to provide third party testing. The Administrator may reject any application to provide third party testing under subsection (a) submitted by an entity that requires a waiver under this paragraph.

(3) CONFLICTS OF INTEREST.—The Administrator shall ensure, to the extent possible, that an entity providing third party testing under this section does not have a contractual, business, or other pecuniary interest (exclusive of any such testing) in—

(A) the security screening technology subject to such testing; or

(B) the vendor of such technology.

(h) GAO REVIEW.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a study on the third party testing program developed under this section

(2) REVIEW.—The study under paragraph (1) shall include a review of the following:

(A) Any efficiencies or gains in effectiveness achieved in TSA operations, including technology acquisition or screening operations, as a result of such program.

(B) The degree to which the TSA conducts timely and regular oversight of the appropriate third parties engaged in such testing.

(C) The effect of such program on the following:

(i) The introduction of innovative detection technologies into security screening operations.

(ii) The availability of testing for technologies developed by small to medium sized businesses.

(D) Any vulnerabilities associated with such program, including with respect to the following:

(i) National security.

(ii) Any conflicts of interest between the appropriate third parties engaged in such testing and the entities providing such technologies to be tested.

(iii) Waste, fraud, and abuse.

SEC. 1912. TRANSPORTATION SECURITY ADMINISTRATION SYSTEMS INTEGRATION FACILITY.

(a) IN GENERAL.—The Administrator shall continue to operate the Transportation Security Administration Systems Integration Facility (referred to in this section as the ''TSIF'') for the purposes of testing and evaluating advanced transportation security screening technologies related to the mission of the TSA.

(b) REQUIREMENTS.—The TSIF shall—

(1) evaluate the technologies described in subsection (a) to enhance the security of transportation systems through screening and threat mitigation and detection;

(2) test the technologies described in subsection (a) to support identified mission needs of the TSA and to meet requirements for acquisitions and procurement;

(3) to the extent practicable, provide original equipment manufacturers with test plans to minimize requirement interpretation disputes and adhere to provided test plans;

(4) collaborate with other technical laboratories and facilities for purposes of augmenting the capabilities of the TSIF;

(5) deliver advanced transportation security screening technologies that enhance the overall security of domestic transportation systems; and

(6) to the extent practicable, provide funding and promote efforts to enable participation by a small business concern (as the term is described under section 3 of the Small Business Act (15 U.S.C. 632)) that—

(A) has an advanced technology or capability; but

(B) does not have adequate resources to participate in testing and evaluation processes.

(c) STAFFING AND RESOURCE ALLOCATION.—The Administrator shall ensure adequate staffing and resource allocations for the TSIF in a manner that—

(1) prevents unnecessary delays in the testing and evaluation of advanced transportation security screening technologies for acquisitions and procurement determinations;

(2) ensures the issuance of final paperwork certification no later than 45 days after the date such testing and evaluation has concluded; and

(3) ensures collaboration with technology stakeholders to close capabilities gaps in transportation security.

(d) DEADLINE.—

(1) IN GENERAL.—The Administrator shall notify the appropriate committees of Congress if testing and evaluation by the TSIF of an advanced transportation security screening technology under this section exceeds 180 days from the delivery date.

(2) NOTIFICATION.—The notification under paragraph (1) shall include—

(A) information relating to the delivery date;

(B) a justification for why the testing and evaluation process has exceeded 180 days; and

(C) the estimated date for completion of such testing and evaluation.

(3) DEFINITION OF DELIVERY DATE.—In this subsection, the term ''delivery date'' means the date that the owner of an advanced transportation security screening technology—

(A) after installation, delivers the technology to the TSA for testing and evaluation; and

(B) submits to the Administrator, in such form and manner as the Administrator prescribes, a signed notification of the delivery described in subparagraph (A).

(e) RETESTING AND EVALUATION.—Advanced transportation security screening technology that fails testing and evaluation by the TSIF may be retested and evaluated at the discretion of the Administrator.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the authority or responsibility of an officer of the Department, or an officer of any other Federal department or agency, with respect to research, development, testing, and evaluation of technologies, including such authorities or responsibilities of the Undersecretary for Science and Technology of the Department and Assistant Secretary of the Countering Weapons of Mass Destruction Office of the Department.

SEC. 1913. OPPORTUNITIES TO PURSUE EXPANDED NETWORKS FOR BUSINESS.

(a) STRATEGY.—Subtitle B of title of title XVI of the Homeland Security Act of 2002 (6 U.S.C. 563 et seq.) is amended by adding at the end following:

''SEC. 1617. DIVERSIFIED SECURITY TECHNOLOGY INDUSTRY MARKETPLACE.

''(a) IN GENERAL.—Not later than 120 days after the date of enactment of the TSA Modernization Act, the Administrator shall develop and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a strategy to promote a diverse security technology industry marketplace upon which the Administrator can rely to acquire advanced transportation security technologies or capabilities, including by increased participation of small business innovators.

''(b) CONTENTS.—The strategy required under subsection (a) shall include the following:

''(1) Information on how existing Administration solicitation, testing, evaluation, piloting, acquisition, and procurement processes impact the Administrator's ability to acquire from the security technology industry marketplace, including small business innovators that have not previously provided technology to the Administration, innovative technologies or capabilities with the potential to enhance transportation security.

''(2) Specific actions that the Administrator will take, including modifications to the processes described in paragraph (1), to foster diversification within the security technology industry marketplace.

''(3) Projected timelines for implementing the actions described in paragraph (2).

''(4) Plans for how the Administrator could, to the extent practicable, assist a small business innovator periodically during such processes, including when such an innovator lacks adequate resources to participate in such processes, to facilitate an advanced transportation security technology or capability being developed and acquired by the Administrator.

''(5) An assessment of the feasibility of partnering with an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code to provide venture capital to businesses, particularly small business innovators, for commercialization of innovative transportation security technologies that are expected to be ready for commercialization in the near term and within 36 months.

''(c) FEASIBILITY ASSESSMENT.—In conducting the feasibility assessment under subsection (b)(5), the Administrator shall consider the following:

''(1) Establishing an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code as a venture capital partnership between the private sector and the intelligence community to help businesses, particularly small business innovators, commercialize innovative security-related technologies.

''(2) Enhanced engagement through the Science and Technology Directorate of the Department of Homeland Security.

''(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed as requiring changes to the Transportation Security Administration standards for security technology.

''(e) DEFINITIONS.—In this section:

''(1) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning

given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(2) SMALL BUSINESS CONCERN.—The term 'small business concern' has the meaning described under section 3 of the Small Business Act (15 U.S.C. 632).

''(3) SMALL BUSINESS INNOVATOR.—The term 'small business innovator' means a small business concern that has an advanced transportation security technology or capability.''.

(b) GAO REVIEW.—Not later than 1 year after the date the strategy is submitted under section 1617 of the Homeland Security Act of 2002, the Comptroller General of the United States shall—

(1) review the extent to which the strategy—

(A) addresses the requirements of that section;

(B) has resulted in increased participation of small business innovators in the security technology industry marketplace; and

(C) has diversified the security technology industry marketplace; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives the findings of the review and any recommendations.

(c) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1616 the following:

''1617. Diversified security technology industry marketplace.''.

SEC. 1914. RECIPROCAL RECOGNITION OF SECURITY STANDARDS.

(a) IN GENERAL.—The Administrator, in coordination with appropriate international aviation security authorities, shall develop a validation process for the reciprocal recognition of security equipment technology approvals among international security partners or recognized certification authorities for deployment.

(b) REQUIREMENT.—The validation process shall ensure that the certification by each participating international security partner or recognized certification authority complies with detection, qualification, and information security, including cybersecurity, standards of the TSA, the Department of Homeland Security, and the National Institute of Standards and Technology.

SEC. 1915. TRANSPORTATION SECURITY LABORATORY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Administrator and the Undersecretary for Science and Technology—

(1) shall conduct a review to determine whether the TSA is the most appropriate component within the Department to administer the Transportation Security Laboratory; and

(2) may direct the TSA to administer the Transportation Security Laboratory if the review under paragraph (1) identifies the TSA as the most appropriate component.

(b) PERIODIC REVIEWS.—The Secretary shall periodically review the screening technology test and evaluation process conducted at the Transportation Security Laboratory to improve the coordination, collaboration, and communication between the Transportation Security Laboratory and the TSA to identify factors contributing to acquisition inefficiencies, develop strategies to reduce acquisition inefficiencies, facilitate more expeditious initiation and completion of testing, and identify how laboratory practices can better support acquisition decisions.

(c) REPORTS.—The Secretary shall report the findings of each review under this section to the appropriate committees of Congress.

SEC. 1916. INNOVATION TASK FORCE.

(a) IN GENERAL.—The Administrator shall establish an innovation task force—

(1) to cultivate innovations in transportation security;

(2) to develop and recommend how to prioritize and streamline requirements for new approaches to transportation security;

(3) to accelerate the development and introduction of new innovative transportation security technologies and improvements to transportation security operations; and

(4) to provide industry with access to the airport environment during the technology development and assessment process to demonstrate the technology and to collect data to understand and refine technical operations and human factor issues.

(b) ACTIVITIES.—The task force shall—

(1) conduct activities to identify and develop an innovative technology, emerging security capability, or process designed to enhance transportation security, including—

(A) by conducting a field demonstration of such a technology, capability, or process in the airport environment;

(B) by gathering performance data from such a demonstration to inform the acquisition process; and

(C) by enabling a small business with an innovative technology or emerging security capability, but less than adequate resources, to participate in such a demonstration;

(2) conduct at least quarterly collaboration meetings with industry, including air carriers, airport operators, and other transportation security stakeholders to highlight and discuss best practices on innovative security operations and technology evaluation and deployment; and

(3) submit to the appropriate committees of Congress an annual report on the effectiveness of key performance data from task force-sponsored projects and checkpoint enhancements.

(c) COMPOSITION.—

(1) APPOINTMENT.—The Administrator, in consultation with the Chairperson of ASAC shall appoint the members of the task force.

(2) CHAIRPERSON.—The task force shall be chaired by the Administrator's designee.

(3) REPRESENTATION.—The task force shall be comprised of representatives of—

(A) the relevant offices of the TSA;

(B) if considered appropriate by the Administrator, the Science and Technology Directorate of the Department of Homeland Security;

(C) any other component of the Department of Homeland Security that the Administrator considers appropriate; and

(D) such industry representatives as the Administrator considers appropriate.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the acquisition or deployment of an innovative technology, emerging security capability, or process identified, developed, or recommended under this section.

(e) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the task force established under this section.

SEC. 1917. 5-YEAR TECHNOLOGY INVESTMENT PLAN UPDATE.

Section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563) is amended—

(1) in subsection (g)—

(A) by striking the matter preceding paragraph (1) and inserting ''The Administrator shall, in collaboration with relevant industry and government stakeholders, annually submit to Congress in an appendix to the budget request and publish in an unclassified format in the public domain—'';

(B) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(C) in paragraph (2), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(3) information about acquisitions completed during the fiscal year preceding the fiscal year during which the report is submitted.''; and

(2) by adding at the end the following:

''(h) ADDITIONAL UPDATE REQUIREMENTS.—Updates and reports under subsection (g) shall—

''(1) be prepared in consultation with—

''(A) the persons described in subsection (b); and

''(B) the Surface Transportation Security Advisory Committee established under section 404; and

''(2) include—

''(A) information relating to technology investments by the Transportation Security Administration and the private sector that the Department supports with research, development, testing, and evaluation for aviation, including air cargo, and surface transportation security;

''(B) information about acquisitions completed during the fiscal year preceding the fiscal year during which the report is submitted;

''(C) information relating to equipment of the Transportation Security Administration that is in operation after the end of the lifecycle of the equipment specified by the manufacturer of the equipment; and

''(D) to the extent practicable, a classified addendum to report sensitive transportation security risks and associated capability gaps that would be best addressed by security-related technology described in subparagraph (A).''.

''(i) NOTICE OF COVERED CHANGES TO PLAN.—

''(1) NOTICE REQUIRED.—The Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives notice of any covered change to the Plan not later than 90 days after the date that the covered change is made.

''(2) DEFINITION OF COVERED CHANGE.—In this subsection, the term 'covered change' means—

''(A) an increase or decrease in the dollar amount allocated to the procurement of a technology; or

''(B) an increase or decrease in the number of a technology.''.

SEC. 1918. MAINTENANCE OF SECURITY-RELATED TECHNOLOGY.

(a) IN GENERAL.—Title XVI of the Homeland Security Act of 2002 (6 U.S.C. 561 et seq.), as amended by section 1913 of this Act, is further amended by adding at the end the following:

''Subtitle C—Maintenance of Security-related Technology

''SEC. 1621. MAINTENANCE VALIDATION AND OVERSIGHT.

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the TSA Modernization Act, the Administrator shall develop and implement a preventive maintenance validation process for security-related technology deployed to airports.

''(b) MAINTENANCE BY ADMINISTRATION PERSONNEL AT AIRPORTS.—For maintenance to be carried out by Administration personnel at airports, the process referred to in subsection (a) shall include the following:

''(1) Guidance to Administration personnel at airports specifying how to conduct and document preventive maintenance actions.

''(2) Mechanisms for the Administrator to verify compliance with the guidance issued pursuant to paragraph (1).

''(c) MAINTENANCE BY CONTRACTORS AT AIRPORTS.—For maintenance to be carried by a contractor at airports, the process referred to in subsection (a) shall require the following:

''(1) Provision of monthly preventative maintenance schedules to appropriate Administration personnel at each airport that includes information on each action to be completed by contractor.

''(2) Notification to appropriate Administration personnel at each airport when maintenance action is completed by a contractor.

''(3) A process for independent validation by a third party of contractor maintenance.

''(d) PENALTIES FOR NONCOMPLIANCE.—The Administrator shall require maintenance for any contracts entered into 60 days after the date of enactment of the TSA Modernization Act or later for security-related technology deployed to airports to include penalties for noncompliance when it is determined that either preventive or corrective maintenance has not been completed according to contractual requirements and manufacturers' specifications.''.

(b) TABLE OF CONTENTS.—The table of contents of the Homeland Security Act of 2002, as amended by section 1913 of this Act, is further amended by inserting after the item relating to section 1617 the following:

''Subtitle C—Maintenance of Security-related Technology

''1621. Maintenance validation and oversight.''.

SEC. 1919. BIOMETRICS EXPANSION.

(a) IN GENERAL.—The Administrator and the Commissioner of U.S. Customs and Border Protection shall consult with each other on the deployment of biometric technologies.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to permit the Commissioner of U.S. Customs and Border Protection to facilitate or expand the deployment of biometric technologies, or otherwise collect, use, or retain biometrics, not authorized by any provision of or amendment made by the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638) or the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 121 Stat. 266).

(c) REPORT REQUIRED.—Not later than 270 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress, and to any Member of Congress upon the request of that Member, a report that includes specific assessments from the Administrator and the Commissioner of U.S. Customs and Border Protection with respect to the following:

(1) The operational and security impact of using biometric technology to identify travelers.

(2) The potential effects on privacy of the expansion of the use of biometric technology under paragraph (1), including methods proposed or implemented to mitigate any risks to privacy identified by the Administrator or the Commissioner related to the active or passive collection of biometric data.

(3) Methods to analyze and address any matching performance errors related to race, gender, or age identified by the Administrator with respect to the use of biometric technology, including the deployment of facial recognition technology;

(4) With respect to the biometric entry-exit program, the following:

(A) Assessments of—

(i) the error rates, including the rates of false positives and false negatives, and accuracy of biometric technologies;

(ii) the effects of biometric technologies, to ensure that such technologies do not unduly burden categories of travelers, such as a certain race, gender, or nationality;

(iii) the extent to which and how biometric technologies could address instances of travelers to the United States overstaying their visas, including—

(I) an estimate of how often biometric matches are contained in an existing database;

(II) an estimate of the rate at which travelers using fraudulent credentials identifications are accurately rejected; and

(III) an assessment of what percentage of the detection of fraudulent identifications could have been accomplished using conventional methods;

(iv) the effects on privacy of the use of biometric technologies, including methods to mitigate any risks to privacy identified by the Administrator or the Commissioner of U.S. Customs and Border Protection related to the active or passive collection of biometric data; and

(v) the number of individuals who stay in the United States after the expiration of their visas each year.

(B) A description of—

(i) all audits performed to assess—

(I) error rates in the use of biometric technologies; or

(II) whether the use of biometric technologies and error rates in the use of such technologies disproportionately affect a certain race, gender, or nationality; and

(ii) the results of the audits described in clause (i).

(C) A description of the process by which domestic travelers are able to opt-out of scanning using biometric technologies.

(D) A description of—

(i) what traveler data is collected through scanning using biometric technologies, what agencies have access to such data, and how long the agencies possess such data;

(ii) specific actions that the Department and other relevant Federal departments and agencies take to safeguard such data; and

(iii) a short-term goal for the prompt deletion of the data of individual United States citizens after such data is used to verify traveler identities.

(d) PUBLICATION OF ASSESSMENTS.—The Secretary, the Administrator, and the Commissioner shall, if practicable, publish a public version of the assessment required by subsection (c)(2) on the Internet website of the TSA and of the U.S. Customs and Border Protection.

SEC. 1920. PILOT PROGRAM FOR AUTOMATED EXIT LANE TECHNOLOGY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish a pilot program to implement and evaluate the use of automated exit lane technology at small hub airports and nonhub airports (as those terms are defined in section 40102 of title 49, United States Code).

(b) PARTNERSHIP.—The Administrator shall carry out the pilot program in partnership with the applicable airport directors.

(c) COST SHARE.—The Federal share of the cost of the pilot program under this section shall not exceed 85 percent of the total cost of the program.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program under this section $15,000,000 for each of fiscal years 2019 through 2021.

(e) GAO REPORT.—Not later than 2 years after the date the pilot program is implemented, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the pilot program, including—

(1) the extent of airport participation in the pilot program and how the program was implemented;

(2) the results of the pilot program and any reported benefits, including the impact on security and any cost-related efficiencies realized by TSA or at the participating airports; and

(3) the feasibility of expanding the pilot program to additional airports, including to medium and large hub airports.

SEC. 1921. AUTHORIZATION OF APPROPRIATIONS; EXIT LANE SECURITY.

There is authorized to be appropriated to carry out section 44903(n)(1) of title 49, United States Code, $77,000,000 for each of fiscal years 2019 through 2021.

SEC. 1922. REAL-TIME SECURITY CHECKPOINT WAIT TIMES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall make available to the public information on wait times at each airport security checkpoint at which security screening operations are conducted or overseen by the TSA.

(b) REQUIREMENTS.—The information described in subsection (a) shall be provided in real time via technology and published—

(1) online; and

(2) in physical locations at applicable airport terminals.

(c) CONSIDERATIONS.—The Administrator shall only make the information described in subsection (a) available to the public if it can do so in a manner that does not increase public area security risks.

(d) DEFINITION OF WAIT TIME.—In this section, the term ''wait time'' means the period beginning when a passenger enters a queue for a screening checkpoint and ending when that passenger exits the checkpoint.

SEC. 1923. GAO REPORT ON DEPLOYMENT OF SCREENING TECHNOLOGIES ACROSS AIRPORTS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study whether the TSA allocates resources, including advanced imaging and computed tomography technologies, appropriately based on risk at Category X, I, II, III, and IV airports at which security screening operations are conducted or overseen by the TSA.

(b) COST ANALYSIS.—As a part of the study conducted under subsection (a), the Comptroller General shall analyze the costs allocated or incurred by the TSA at Category X, I, II, III, and IV airports—

(1) to purchase and deploy screening equipment and other assets, including advanced imaging and computed tomography technologies, at Category X, I, II, III, and IV airports;

(2) to install such equipment, including any related variant, and assets in the airport; and

(3) to maintain such equipment and assets.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the findings of the study under subsection (a).

SEC. 1924. SCREENING TECHNOLOGY REVIEW AND PERFORMANCE OBJECTIVES.

(a) REVIEW OF TECHNOLOGY ACQUISITIONS PROCESS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in coordination with relevant officials of the Department, shall conduct a review of existing advanced transportation security screening technology testing and evaluation, acquisitions, and procurement practices within TSA.

(2) CONTENTS.—Such review shall include—

(A) identifying process delays and obstructions within the Department and the Administration regarding how such technology is identified, tested and evaluated, acquired, and deployed;

(B) assessing whether the TSA can better leverage existing resources or processes of the Department for the purposes of technology testing and evaluation;

(C) assessing whether the TSA can further encourage innovation and competition among technology stakeholders, including through increased participation of and funding for small business concerns (as such term is described under section 3 of the Small Business Act (15 U.S.C. 632));

(D) identifying best practices of other Department components or United States Government entities; and

(E) a plan to address any problems or challenges identified by such review.

(b) BRIEFING.—The Administrator shall provide to the appropriate committees of Congress a briefing on the findings of the review required under this section and a plan to address any problems or challenges identified by such review.

(c) ACQUISITIONS AND PROCUREMENT ENHANCEMENT.—Incorporating the results of the review in subsection (a), the Administrator shall—

(1) engage in outreach, coordination, and collaboration with transportation stakeholders to identify and foster innovation of new advanced transportation security screening technologies;

(2) streamline the overall technology development, testing, evaluation, acquisitions, procurement, and deployment processes of the Administration; and

(3) ensure the effectiveness and efficiency of such processes.

(d) ASSESSMENT.—The Secretary, in consultation with the Chief Privacy Officer of the Department, shall submit to the appropriate committees of Congress a compliance assessment of the TSA acquisition process relating to the health and safety risks associated with implementation of screening technologies.

(e) PERFORMANCE OBJECTIVES.—The Administrator shall establish performance objectives for the testing and verification of security technology, including testing and verification conducted by appropriate third parties under section 1911, to ensure that progress is made, at a minimum, toward—

(1) reducing time for each phase of testing while maintaining security (including testing for detection testing, operational testing, testing and verification framework, and field testing);

(2) eliminating testing and verification delays; and

(3) increasing accountability.

(f) TRACKING.—

(1) IN GENERAL.—In carrying out subsection (e), the Administrator shall establish and continually track performance metrics for each type of security technology submitted for testing and verification, including testing and verification conducted by appropriate third parties under section 1911.

(2) MEASURING PROGRESS TOWARD GOALS.—The Administrator shall use the metrics established and tracked under paragraph (1) to generate data on an ongoing basis and to measure progress toward the achievement of the performance objectives established under subsection (e).

(3) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report assessing the extent to which the performance objectives established under subsection (e), as measured by the performance metrics established and tracked under paragraph (1) of this subsection, have been met.

(B) ELEMENTS.—The report required by subparagraph (A) shall include—

(i) a list of the performance metrics established under paragraph (1), including the length of time for each phase of testing and verification for each type of security technology; and

(ii) a comparison of the progress achieved for testing and verification of security technology conducted by the TSA and the testing and verification of security technology conducted by third parties.

(C) PROPRIETARY INFORMATION.—The report required by subparagraph (A) shall—

(i) not include identifying information regarding an individual or entity or equipment; and

(ii) protect proprietary information.

(g) INFORMATION TECHNOLOGY SECURITY.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a plan to conduct recurring reviews of the operational, technical, and management security controls for Administration information technology systems at airports

SEC. 1925. COMPUTED TOMOGRAPHY PILOT PROGRAMS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall carry out a pilot program to test the use of screening equipment using computed tomography technology to screen baggage at passenger screening checkpoints at airports.

(b) FEASIBILITY STUDY.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator, in coordination with the Under Secretary for Science and Technology of the Department, shall submit to the appropriate committees of Congress a feasibility study regarding expanding the use of computed tomography technology for the screening of air cargo transported on passenger aircraft operated by an air carrier or foreign air carrier in air transportation, interstate air transportation, or interstate air commerce.

(2) CONSIDERATIONS.—In conducting the feasibility study under paragraph (1), the Administrator shall consider the following:

(A) Opportunities to leverage computed tomography systems used for screening passengers and baggage.

(B) Costs and benefits of using computed tomography technology for screening air cargo.

(C) An analysis of emerging computed tomography systems that may have potential to enhance the screening of air cargo, including systems that may address aperture challenges associated with screening certain categories of air cargo.

(D) An analysis of emerging screening technologies, in addition to computed tomography, that may be used to enhance the screening of air cargo.

(c) PILOT PROGRAM.—Not later than 120 days after the date the feasibility study is submitted under subsection (b), the Administrator shall initiate a 2-year pilot program to achieve enhanced air cargo security screening outcomes through the use of new or emerging screening technologies, such as computed tomography technology, as identified through such study.

(d) UPDATES.—Not later than 60 days after the date the pilot program under subsection (c) is initiated, and biannually thereafter for 2 years, the Administrator shall brief the appropriate committees of Congress on the progress of implementation of such pilot program.

(e) DEFINITIONS.—In this section:

(1) AIR CARRIER.—The term ''air carrier'' has the meaning given the term in section 40102 of title 49, United States Code.

(2) AIR TRANSPORTATION.—The term ''air transportation'' has the meaning given the term in section 40102 of title 49, United States Code.

(3) FOREIGN AIR CARRIER.—The term ''foreign air carrier'' has the meaning given the term in section 40102 of title 49, United States Code.

(4) INTERSTATE AIR COMMERCE.—The term ''interstate air commerce'' has the meaning given the term in section 40102 of title 49, United States Code.

(5) INTERSTATE AIR TRANSPORTATION.—The term ''interstate air transportation'' has the meaning given the term in section 40102 of title 49, United States Code.

Subtitle C—Public Area Security

SEC. 1926. DEFINITIONS.

In this subtitle:

(1) BEHAVIORAL STANDARDS.—The term ''behavioral standards'' means standards for the evaluation of explosives detection working canines for certain factors, including canine temperament, work drive, suitability for training, environmental factors used in evaluations, and canine familiarity with natural or man-made surfaces or working conditions relevant to the canine's expected work area.

(2) MEDICAL STANDARDS.—The term ''medical standards'' means standards for the evaluation of explosives detection working canines for certain factors, including canine health, management of heredity health conditions, breeding practices, genetics, pedigree, and long-term health tracking.

(3) TECHNICAL STANDARDS.—The term ''technical standards'' means standards for the evaluation of explosives detection working canines for certain factors, including canine search techniques, handler-canine communication, detection testing conditions and logistics, and learned explosive odor libraries.

SEC. 1927. EXPLOSIVES DETECTION CANINE CAPACITY BUILDING.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish a working group to determine ways to support decentralized, non-Federal domestic canine breeding capacity to produce high quality explosives detection canines and modernize canine training standards.

(b) WORKING GROUP COMPOSITION.—The working group established under subsection (a) shall be comprised of representatives from the following:

(1) The TSA.

(2) The Science and Technology Directorate of the Department.

(3) National domestic canine associations with expertise in breeding and pedigree.

(4) Universities with expertise related to explosives detection canines and canine breeding.

(5) Domestic canine breeders and vendors.

(c) CHAIRPERSONS.—The Administrator shall approve of 2 individuals from among the representatives of the working group specified in subsection (b) to serve as the Chairpersons of the working group as follows:

(1) One Chairperson shall be from an entity specified in paragraph (1) or (2) of that subsection.

(2) One Chairperson shall be from an entity specified in paragraph (3), (4), or (5) of that subsection.

(d) PROPOSED STANDARDS AND RECOMMENDATIONS.—Not later than 180 days after the date the working group is established under subsection (a), the working group shall submit to the Administrator—

(1) proposed behavioral standards, medical standards, and technical standards for domestic canine breeding and canine training described in that subsection; and

(2) recommendations on how the TSA can engage stakeholders to further the development of such domestic non-Federal canine breeding capacity and training.

(e) STRATEGY.—Not later than 180 days after the date the recommendations are submitted under subsection (d), the Administrator shall develop and submit to the appropriate committees of Congress a strategy for working with non-Federal stakeholders to facilitate expanded the domestic canine breeding capacity described in subsection (a), based on such recommendations.

(f) CONSULTATION.—In developing the strategy under subsection (e), the Administrator shall consult with the Under Secretary for Science and Technology of the Department, the Commissioner for U.S. Customs and Border Protection, the Director of the United States Secret Service, and the heads of such other Federal departments or agencies as the Administrator considers appropriate to incorporate, to the extent practicable, mission needs across the Department for an expanded non-Federal domestic explosives detection canine breeding capacity that can be leveraged to help meet the Department's operational needs.

(g) TERMINATION.—The working group established under subsection (a) shall terminate on the date that the strategy is submitted under subsection (e), unless the Administrator extends the termination date for the purposes of section 1928.

(h) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this Act.

SEC. 1928. THIRD PARTY DOMESTIC CANINES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, to enhance the efficiency and efficacy of transportation security by increasing the supply of canine teams for use by the TSA and transportation stakeholders, the Administrator shall develop and issue behavioral standards, medical standards, and technical standards, based on the recommendations of the working group under section 1927, that a third party explosives detection canine must satisfy to be certified for the screening of individuals and property, including detection of explosive vapors among individuals and articles of property, in public areas of an airport under section 44901 of title 49, United States Code.

(b) AUGMENTING PUBLIC AREA SECURITY.—

(1) IN GENERAL.—The Administrator shall develop guidance on the coordination of development and deployment of explosives detection canine teams for use by transportation stakeholders to enhance public area security at transportation hubs, including airports.

(2) CONSULTATION.—In developing the guidance under paragraph (1), the Administrator shall consult with—

(A) the working group established under section 1927;

(B) the officials responsible for carrying out section 1941; and

(C) such transportation stakeholders, canine providers, law enforcement, privacy groups, and transportation security providers as the Administrator considers relevant.

(c) AGREEMENT.—Subject to subsections (d), (e), and (f), not later than 270 days after the issuance of standards under subsection (a), the Administrator shall, to the extent possible, enter into an agreement with at least 1 third party to test and certify the capabilities of canines in accordance with the standards under subsection (a).

(d) EXPEDITED DEPLOYMENT.—In entering into an agreement under subsection (c), the Administrator shall use—

(1) the other transaction authority under section 114(m) of title 49, United States Code; or

(2) such other authority of the Administrator as the Administrator considers appropriate to expedite the deployment of additional canine teams.

(e) PROCESS.—Before entering into an agreement under subsection (c), the Administrator shall—

(1) evaluate and verify the third party's ability to effectively evaluate the capabilities of canines;

(2) designate key elements required for appropriate evaluation venues where third parties may conduct testing; and

(3) periodically assess the program at evaluation centers to ensure the proficiency of the canines beyond the initial testing and certification by the third party.

(f) CONSULTATION.—To determine best practices for the use of third parties to test and certify the capabilities of canines, the Administrator shall consult with the following persons before entering into an agreement under subsection (c):

(1) The Secretary of State.

(2) The Secretary of Defense.

(3) Non-profit organizations that train, certify, and provide the services of canines for various purposes.

(4) Institutions of higher education with research programs related to use of canines for the screening of individuals and property, including detection of explosive vapors among individuals and articles of property.

(g) THIRD PARTY EXPLOSIVES DETECTION CANINE PROVIDER LIST.—

(1) IN GENERAL.—Not later than 90 days after the date the Administrator enters into an agreement under subsection (c), the Administrator shall develop and maintain a list of the names of each third party from which the TSA procures explosive detection canines, including for each such third party the relevant contractual period of performance.

(2) DISTRIBUTION.—The Administrator shall make the list under paragraph (1) available to appropriate transportation stakeholders in such form and manner as the Administrator prescribes.

(h) OVERSIGHT.—The Administrator shall establish a process to ensure appropriate oversight of the certification program and compliance with the standards under subsection (a), including periodic audits of participating third parties.

(i) AUTHORIZATION.—

(1) TSA.—The Administrator shall develop and implement a process for the TSA to procure third party explosives detection canines certified under this section.

(2) AVIATION STAKEHOLDERS.—

(A) IN GENERAL.—The Administrator shall authorize an aviation stakeholder, under the oversight of and in coordination with the Federal Security Director at an applicable airport, to contract with, procure or purchase, and deploy one or more third party explosives detection canines certified under this section to augment public area security at that airport.

(B) APPLICABLE LARGE HUB AIRPORTS.—

(i) IN GENERAL.—Except as provided under subparagraph (ii), notwithstanding any law to the contrary, and subject to the other provisions of this paragraph, an applicable large hub airport may provide a certified canine described in subparagraph (A) on an in-kind basis to the TSA to be deployed as a passenger screening canine at that airport unless the applicable large hub airport consents to the use of that certified canine elsewhere.

(ii) EXCEPTION.—The Administrator may, on a case-by-case basis, deploy a certified canine described in subparagraph (A) to a transportation facility other than the applicable large hub airport described in clause (i) for not more than 90 days per year if the Administrator—

(I) determines that such deployment is necessary to meet operational or security needs; and

(II) notifies the applicable large hub airport described in clause (i).

(iii) NONDEPLOYABLE CANINES.—Any certified canine provided to the TSA under clause (i) that does not complete training for deployment under that clause shall be the responsibility of the large hub airport unless the TSA agrees to a different outcome.

(C) HANDLERS.—Not later than 30 days before a canine begins training to become a certified canine under subparagraph (B), the airport shall notify the TSA of such training and the Administrator shall assign a TSA canine handler to participate in the training with that canine, as appropriate.

(D) LIMITATION.—The Administrator may not reduce the staffing allocation model for an applicable large hub airport based on that airport's provision of a certified canine under this paragraph.

(j) DEFINITIONS.—In this section:

(1) APPLICABLE LARGE HUB AIRPORT.—The term ''applicable large hub airport'' means a large hub airport (as defined in section 40102 of title 49, United States Code) that has less than 100 percent of the allocated passenger screening canine teams staffed by the TSA.

(2) AVIATION STAKEHOLDER.—The term ''aviation stakeholder'' includes an airport, airport operator, and air carrier.

SEC. 1929. TRACKING AND MONITORING OF CANINE TRAINING AND TESTING.

Not later than 180 days after the date of enactment of this Act, the Administrator shall use, to the extent practicable, a digital monitoring system for all training, testing, and validation or certification of public and private canine assets utilized or funded by the TSA to facilitate improved review, data analysis, and record keeping of canine testing performance and program administration.

SEC. 1930. VIPR TEAM STATISTICS.

(a) VIPR TEAM STATISTICS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and annually thereafter, the Administrator shall notify the appropriate committees of Congress of the number of VIPR teams available for deployment at transportation facilities, including—

(A) the number of VIPR team operations that include explosive detection canine teams; and

(B) the distribution of VIPR team operations deployed across different modes of transportation.

(2) ANNEX.—The notification under paragraph (1) may contain a classified annex.

(3) DEFINITION OF VIPR TEAM.—In this subsection, the term ''VIPR'' means a Visible Intermodal Prevention and Response team authorized under section 1303 of the National Transit Systems Security Act of 2007 (6 U.S.C. 1112).

(b) AUTHORIZATION OF VIPR TEAMS.—Section 1303(b) of the National Transit Systems Security Act of 2007 (6 U.S.C. 1112(b)) is amended by striking ''to the extent appropriated, including funds to develop not more than 60 VIPR teams, for fiscal years 2016 through 2018'' and inserting ''such sums as necessary, including funds to develop at least 30, but not more than 60, VIPR teams, for fiscal years 2019 through 2021''.

SEC. 1931. PUBLIC AREA SECURITY WORKING GROUP.

(a) DEFINITIONS.—In this section:

(1) PUBLIC AND PRIVATE STAKEHOLDERS.—The term ''public and private stakeholders'' has the meaning given the term in section 114(t)(1)(C) of title 49, United States Code.

(2) SURFACE TRANSPORTATION ASSET.—The term ''surface transportation asset'' includes—

(A) facilities, equipment, or systems used to provide transportation services by—

(i) a public transportation agency (as the term is defined in section 1402 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1131));

(ii) a railroad carrier (as the term is defined in section 20102 of title 49, United States Code);

(iii) an owner or operator of—

(I) an entity offering scheduled, fixed-route transportation services by over-the road bus (as the term is defined in section 1501 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1151)); or

(II) a bus terminal; or

(B) other transportation facilities, equipment, or systems, as determined by the Secretary.

(b) PUBLIC AREA SECURITY WORKING GROUP.—

(1) WORKING GROUP.—The Administrator, in coordination with the National Protection and Programs Directorate, shall establish a working group to promote collaborative engagement between the TSA and public and private stakeholders to develop non-binding recommendations for enhancing security in public areas of transportation facilities (including facilities that are surface transportation assets), including recommendations regarding the following:

(A) Information sharing and interoperable communication capabilities among the TSA and public and private stakeholders with respect to terrorist or other threats.

(B) Coordinated incident response procedures.

(C) The prevention of terrorist attacks and other incidents through strategic planning, security training, exercises and drills, law enforcement patrols, worker vetting, and suspicious activity reporting.

(D) Infrastructure protection through effective construction design barriers and installation of advanced surveillance and other security technologies.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date the working group is established under paragraph (1), the Administrator shall submit to the appropriate committee of Congress a report, covering the 12-month period preceding the date of the report, on—

(i) the organization of the working group;

(ii) the activities of the working group;

(iii) the participation of the TSA and public and private stakeholders in the activities of the working group;

(iv) the findings of the working group, including any recommendations.

(B) PUBLICATION.—The Administrator may publish a public version of such report that describes the activities of the working group and such related matters as would be informative to the public, consistent with section 552(b) of title 5, United States Code.

(3) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under subsection (a) or any subcommittee thereof.

(c) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall—

(A) inform owners and operators of surface transportation assets about the availability of technical assistance, including vulnerability assessment tools and cybersecurity guidelines, to help protect and enhance the resilience of public areas of such assets; and

(B) upon request, and subject to the availability of appropriations, provide such technical assistance to owners and operators of surface transportation assets.

(2) BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, and periodically thereafter, the Secretary shall publish on the Department website and widely disseminate, as appropriate, current best practices for protecting and enhancing the resilience of public areas of transportation facilities (including facilities that are surface transportation assets), including associated frameworks or templates for implementation.

(d) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(A) review of regulations, directives, policies, and procedures issued by the Administrator regarding the transportation of a firearm and ammunition; and

(B) submit to the appropriate committees of Congress a report on the findings of the review under subparagraph (A), including, as appropriate, information on any plans to modify any regulation, directive, policy, or procedure based on the review.

(2) CONSULTATION.—In preparing the report under paragraph (1), the Administrator shall consult with—

(A) ASAC;

(B) the Surface Transportation Security Advisory Committee under section 404 of the Homeland Security Act of 2002; and

(C) appropriate public and private stakeholders.

SEC. 1932. PUBLIC AREA BEST PRACTICES.

(a) IN GENERAL.—The Administrator shall, in accordance with law and as received or developed, periodically submit information, on any best practices developed by the TSA or appropriate transportation stakeholders related to protecting the public spaces of transportation infrastructure from emerging threats, to the following:

(1) Federal Security Directors at airports.

(2) Appropriate security directors for other modes of transportation.

(3) Other appropriate transportation security stakeholders.

(b) INFORMATION SHARING.—The Administrator shall, in accordance with law—

(1) in coordination with the Office of the Director of National Intelligence and industry partners, implement improvements to the Air Domain Intelligence and Analysis Center to encourage increased participation from stakeholders and enhance government and industry security information sharing on transportation security threats, including on cybersecurity threat awareness;

(2) expand and improve the City and Airport Threat Assessment or similar program to public and private stakeholders to capture, quantify, communicate, and apply applicable intelligence to inform transportation infrastructure mitigation measures, such as—

(A) quantifying levels of risk by airport that can be used to determine risk-based security mitigation measures at each location; and

(B) determining random and surge employee inspection operations based on changing levels of risk;

(3) continue to disseminate Transportation Intelligence Notes, tear-lines, and related intelligence products to appropriate transportation security stakeholders on a regular basis; and

(4) continue to conduct both regular routine and threat-specific classified briefings between the TSA and appropriate transportation sector stakeholders on an individual or group basis to provide greater information sharing between public and private sectors.

(c) MASS NOTIFICATION.—The Administrator shall encourage security stakeholders to utilize mass notification systems, including the Integrated Public Alert Warning System of the Federal Emergency Management Agency and social media platforms, to disseminate information to transportation community employees, travelers, and the general public, as appropriate.

(d) PUBLIC AWARENESS PROGRAMS.—The Secretary, in coordination with the Administrator, shall expand public programs of the Department of Homeland Security and the TSA that increase security threat awareness, education, and training to include transportation network public area employees, including airport and transportation vendors, local hotels, cab and limousine companies, ridesharing companies, cleaning companies, gas station attendants, cargo operators, and general aviation members.

SEC. 1933. AIRPORT WORKER ACCESS CONTROLS COST AND FEASIBILITY STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with ASAC, shall submit to the Comptroller General of the United States and the appropriate committees of Congress a study examining the shared cost and feasibility to airports, airlines, and the TSA of implementing enhanced employee inspection measures at all access points between non-secured areas and secured areas at a statistically significant number of Category I, II, III, IV, and X airports.

(b) ASSESSMENT.—To the extent practicable, in conducting the study, the Administrator shall assess the cost, operational efficiency, and security effectiveness of requiring all employees to present for inspection at every access point between non-secured areas and secured areas of airports, and of deploying some or all of the following screening measures and technologies:

(1) A secure door utilizing card and pin entry or biometric technology.

(2) Surveillance video recording capable of storing video data for at least 30 days.

(3) Advanced screening technologies, including at least 1 of the following:

(A) Magnetometer (walk-through or handheld).

(B) Explosives detection canines.

(C) Explosives trace detection swabbing.

(D) Advanced imaging technology.

(E) X-ray bag screening technology.

(4) The TSA's Advanced Threat Local Allocation Strategy (commonly known as ''ATLAS'').

(c) CONTENTS.—To the extent practicable, the study under subsection (a) shall include the following:

(1) Costs associated with establishing an operational minimum number of employee entry and exit points.

(2) A comparison of estimated costs and security effectiveness associated with implementing the security features specified in paragraphs (1), (2), (3), and (4) of subsection (b) based on information on the experiences from those category I, II, III, IV, and X airports that have already implemented or piloted enhanced employee inspection measures at access points between non-secured areas and secured areas of airports.

(d) GAO REVIEW.—Not later than 90 days after the date of receipt of the study under subsection (a), the Comptroller General of the United States shall—

(1) review the study to assess the quality and reliability of the study; and

(2) submit to the appropriate committees of Congress a report on the results of the review under paragraph (1).

SEC. 1934. SECURING AIRPORT WORKER ACCESS POINTS.

(a) COOPERATIVE EFFORTS TO ENHANCE AIRPORT SECURITY AWARENESS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall consult with air carriers, foreign air carriers, airport operators, and labor unions representing

credentialed employees to enhance security awareness of credentialed airport populations regarding insider threats to aviation security and best practices related to airport access controls.

(b) CREDENTIALING STANDARDS.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with air carriers, foreign air carriers, airport operators, and labor unions representing credentialed employees, shall assess credentialing standards, policies, and practices, including implementation of relevant credentialing updates required under the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615), to ensure that insider threats to aviation security are adequately addressed.

(c) SIDA APPLICATIONS.—

(1) SOCIAL SECURITY NUMBERS REQUIRED.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall revise the application submitted by an individual applying for a credential granting access to the Secure Identification Area of an airport to require the social security number of such individual in order to strengthen security vetting effectiveness.

(B) FAILURE TO PROVIDE NUMBER.—An applicant who does not provide such applicant's social security number may be denied such a credential.

(2) SCREENING NOTICE.—The Administrator shall issue requirements for an airport operator to include in each application for access to a Security Identification Display Area notification to the applicant that an employee holding a credential granting access to a Security Identification Display Area may be screened at any time while gaining access to, working in, or leaving a Security Identification Display Area.

(d) SECURED AND STERILE AREAS OF AIRPORTS.—The Administrator shall consult with airport operators and airline operators to identify advanced technologies, including biometric identification technologies, that could be used for securing employee access to the secured areas and sterile areas of airports.

(e) RAP BACK VETTING .—Not later than 180 days after the date of enactment of this Act, the Administrator shall identify and submit to the appropriate committees of Congress the number of credentialed aviation worker populations at airports that are continuously vetted through the Federal Bureau of Investigation's Rap Back Service, consistent with section 3405(b)(2) of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44901 note).

(f) INSIDER THREAT EDUCATION AND MITIGATION.—Not later than 180 days after the date of enactment of this Act, the Administrator shall identify means of enhancing the TSA's ability to leverage the resources of the Department and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to educate Administration personnel on insider threats to aviation security and how the TSA can better mitigate such insider threats.

(g) EMPLOYEE INSPECTIONS.—Consistent with the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615), the Administrator shall ensure that TSA-led, random employee physical inspection efforts of aviation workers are targeted, strategic, and focused on providing the greatest level of security effectiveness.

(h) COVERT TESTING.—

(1) IN GENERAL.—Consistent with the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615), the Administrator shall continue to conduct covert testing of TSA-led employee inspection operations at airports and measure existing levels of security effectiveness.

(2) REQUIREMENTS.—The Administrator shall provide—

(A) the results of such testing to—

(i) the airport operator for the airport that is the subject of any such testing; and

(ii) as appropriate, to air carriers and foreign air carriers that operate at the airport that is the subject of such testing; and

(B) recommendations and technical assistance for air carriers, foreign air carriers, and airport operators to conduct their own employee inspections, as needed.

(3) ANNUAL REPORTING.—The Administrator shall for each of fiscal years 2019 through 2021, submit to the appropriate committees of Congress a report on the frequency, methodology, strategy, and effectiveness of employee inspection operations at airports.

(i) CENTRALIZED DATABASE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with ASAC, shall—

(A) subject to paragraph (2), establish a national, centralized database of the names of each individual who—

(i) has had an airport-issued badge revoked for failure to comply with aviation security requirements; or

(ii) has had an aircraft operator-issued badge revoked for failure to comply with aviation security requirements;

(B) determine the appropriate reporting mechanisms for air carriers, foreign air carriers, and airport operators—

(i) to submit to the Administration data regarding an individual described in subparagraph (A); and

(ii) to access the database; and

(C) establish a process to allow an individual whose name is mistakenly entered into the database to correct the record and have the individual's name expunged from the database.

(2) LIMITATION.—The database shall not include the name of any individual whose badge has been revoked as a result of a termination or cessation of employment unrelated to—

(A) a violation of a security requirement; or

(B) a determination that the individual poses a threat to aviation security.

SEC. 1935. LAW ENFORCEMENT OFFICER REIMBURSEMENT PROGRAM.

(a) IN GENERAL.—In accordance with section 44903(c)(1) of title 49, United States Code, the Administrator shall increase the number of awards, and the total funding amount of each award, under the Law Enforcement Officer Reimbursement Program—

(1) to increase the presence of law enforcement officers in the public areas of airports, including baggage claim, ticket counters, and nearby roads;

(2) to increase the presence of law enforcement officers at screening checkpoints;

(3) to reduce the response times of law enforcement officers during security incidents; and

(4) to provide visible deterrents to potential terrorists.

(b) COOPERATION BY ADMINISTRATOR.—In carrying out subsection (a), the Administrator shall use the authority provided to the Administrator under section 114(m) of title 49, United States Code, that is the same authority as is provided to the Administrator of the Federal Aviation Administration under section 106(m) of that title.

(c) ADMINISTRATIVE BURDENS.—The Administrator shall review the regulations and compliance policies related to the Law Enforcement Officer Reimbursement Program and, if necessary, revise such regulations and policies to reduce any administrative burdens on applicants or recipients of such awards.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out section 44901(h) of title 49, United States Code, $55,000,000 for each of fiscal years 2019 through 2021.

SEC. 1936. AIRPORT PERIMETER AND ACCESS CONTROL SECURITY.

(a) RISK ASSESSMENTS OF AIRPORT SECURITY.—

(1) IN GENERAL.—The Administrator shall—

(A) not later than 180 days after the date of enactment of this Act, update the Transportation Sector Security Risk Assessment (referred to in this section as the ''TSSRA''); and

(B) not later than 90 days after the date the TSSRA is updated under subparagraph (A)—

(i) update with the most currently available intelligence information the Comprehensive Risk Assessment of Perimeter and Access Control Security (referred to in this section as the ''Risk Assessment of Airport Security'');

(ii) establish a regular schedule for periodic updates to the Risk Assessment of Airport Security; and

(iii) conduct a system-wide assessment of airport access control points and airport perimeter security.

(2) CONTENTS.—The security risk assessments required under paragraph (1)(B) shall—

(A) include updates reflected in the TSSRA and Joint Vulnerability Assessment findings;

(B) reflect changes to the risk environment relating to airport access control points and airport perimeters;

(C) use security event data for specific analysis of system-wide trends related to airport access control points and airport perimeter security to better inform risk management decisions; and

(D) consider the unique geography of and current best practices used by airports to mitigate potential vulnerabilities.

(3) REPORT.—The Administrator shall report the results of the TSSRA and Risk Assessment of Airport Security under paragraph (1) to—

(A) the appropriate committees of Congress;

(B) relevant Federal departments and agencies; and

(C) airport operators.

(b) AIRPORT SECURITY STRATEGY DEVELOPMENT.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall update the 2012 National Strategy for Airport Perimeter and Access Control Security (referred to in this section as the ''National Strategy'').

(2) CONTENTS.—The update to the National Strategy shall include—

(A) information from the Risk Assessment of Airport Security; and

(B) information on—

(i) airport security-related activities;

(ii) the status of TSA efforts to address the objectives of the National Strategy;

(iii) finalized outcome-based performance measures and performance levels for—

(I) each activity described in clause (i); and

(II) each objective described in clause (ii); and

(iv) input from airport operators.

(3) UPDATES.—Not later than 90 days after the date the update to the National Strategy is complete, the Administrator shall establish a regular schedule for determining if and when additional updates to the strategy under paragraph (1) are necessary.

Subtitle D—Passenger and Cargo Security

SEC. 1937. PRECHECK PROGRAM.

(a) IN GENERAL.—Section 44919 is amended to read as follows:

"§ 44919. PreCheck Program

''(a) IN GENERAL.—The Administrator of the Transportation Security Administration shall continue to administer the PreCheck Program in accordance with section 109(a)(3) of the Aviation and Transportation Security Act (49 U.S.C. 114 note).

''(b) EXPANSION.—Not later than 180 days after the date of enactment of the TSA Modernization Act, the Administrator shall enter into an agreement, using other transaction authority under section 114(m) of this title, with at least 2 private sector entities to increase the methods and capabilities available for the public to enroll in the PreCheck Program.

''(c) MINIMUM CAPABILITY REQUIREMENTS.—At least 1 agreement under subsection (b) shall include the following capabilities:

''(1) Start-to-finish secure online or mobile enrollment capability.

''(2) Vetting of an applicant by means other than biometrics, such as a risk assessment, if—

''(A) such means—

''(i) are evaluated and certified by the Secretary of Homeland Security;

''(ii) meet the definition of a qualified anti-terrorism technology under section 865 of the Homeland Security Act of 2002 (6 U.S.C. 444); and

''(iii) are determined by the Administrator to provide a risk assessment that is as effective as a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation with respect to identifying individuals who are not qualified to participate in the PreCheck Program due to disqualifying criminal history; and

''(B) with regard to private sector risk assessments, the Secretary has certified that reasonable procedures are in place with regard to the accuracy, relevancy, and proper utilization of information employed in such risk assessments.

''(d) ADDITIONAL CAPABILITY REQUIREMENTS.—At least 1 agreement under subsection (b) shall include the following capabilities:

''(1) Start-to-finish secure online or mobile enrollment capability.

''(2) Vetting of an applicant by means of biometrics if the collection—

''(A) is comparable with the appropriate and applicable standards developed by the National Institute of Standards and Technology;

''(B) protects privacy and data security, including that any personally identifiable information is collected, retained, used, and shared in a manner consistent with section 552a of title 5, United States Code (commonly known as 'Privacy Act of 1974'), and with agency regulations;

''(C) is evaluated and certified by the Secretary of Homeland Security; and

''(D) is determined by the Administrator to provide a risk assessment that is as effective as a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation with respect to identifying individuals who are not qualified to participate in the PreCheck Program due to disqualifying criminal history.

''(e) TARGET ENROLLMENT.—Subject to subsections (b), (c), and (d), the Administrator shall take actions to expand the total number of individuals enrolled in the PreCheck Program as follows:

''(1) 7,000,000 passengers before October 1, 2019.

''(2) 10,000,000 passengers before October 1, 2020.

''(3) 15,000,000 passengers before October 1, 2021.

''(f) MARKETING OF PRECHECK PROGRAM.—Not later than 90 days after the date of enactment of the TSA Modernization Act, the Administrator shall—

''(1) enter into at least 2 agreements, using other transaction authority under section 114(m) of this title, to market the PreCheck Program; and

''(2) implement a long-term strategy for partnering with the private sector to encourage enrollment in such program.

''(g) IDENTITY VERIFICATION ENHANCEMENT.—The Administrator shall—

''(1) coordinate with the heads of appropriate components of the Department to leverage Department-held data and technologies to verify the identity and citizenship of individuals enrolling in the PreCheck Program;

''(2) partner with the private sector to use biometrics and authentication standards, such as relevant standards developed by the National Institute of Standards and Technology, to facilitate enrollment in the program; and

''(3) consider leveraging the existing resources and abilities of airports to collect fingerprints for use in background checks to expedite identity verification.

''(h) PRECHECK PROGRAM LANES OPERATION.—The Administrator shall—

''(1) ensure that PreCheck Program screening lanes are open and available during peak and high-volume travel times at appropriate airports to individuals enrolled in the PreCheck Program; and

''(2) make every practicable effort to provide expedited screening at standard screening lanes during times when PreCheck Program screening lanes are closed to individuals enrolled in the program in order to maintain operational efficiency.

''(i) ELIGIBILITY OF MEMBERS OF THE ARMED FORCES FOR EXPEDITED SECURITY SCREENING.—

''(1) IN GENERAL.—Subject to paragraph (3), an individual specified in paragraph (2) is eligible for expedited security screening under the PreCheck Program.

''(2) INDIVIDUALS SPECIFIED.—An individual specified in this subsection is any of the following:

''(A) A member of the Armed Forces, including a member of a reserve component or the National Guard.

''(B) A cadet or midshipman of the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the United States Coast Guard Academy.

''(C) A family member of an individual specified in subparagraph (A) or (B) who is younger than 12 years old and accompanying the individual.

''(3) IMPLEMENTATION.—The eligibility of an individual specified in paragraph (2) for expedited security screening under the PreCheck Program is subject to such policies and procedures as the Administrator may prescribe to carry out this subsection, in consultation with the Secretary of Defense and, with respect to the United States Coast Guard, the Commandant of the United States Coast Guard.

''(j) VETTING FOR PRECHECK PROGRAM PARTICIPANTS.—The Administrator shall initiate an assessment to identify any security vulnerabilities in the vetting process for the PreCheck Program, including determining whether subjecting PreCheck Program participants to recurrent fingerprint-based criminal history records checks, in addition to recurrent checks against the terrorist watchlist, could be done in a cost-effective manner to strengthen the security of the PreCheck Program.

''(k) ASSURANCE OF SEPARATE PROGRAM.—In carrying out this section, the Administrator shall ensure that the additional private sector application capabilities under subsections (b), (c), and (d) are undertaken in addition to any other related TSA program, initiative, or procurement, including the Universal Enrollment Services program.

''(l) EXPENDITURE OF FUNDS.—Any Federal funds expended by the Administrator to expand PreCheck Program enrollment shall be expended in a manner that includes the requirements of this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPEAL.—Subtitle A of title III of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44901 note) and the items relating to that subtitle in the table of contents of that Act are repealed.

(2) TABLE OF CONTENTS.—The table of contents of chapter 449 is amended by amending the item relating to section 44919 to read as follows:

''44919. PreCheck Program.''.

(3) SCREENING PASSENGERS AND PROPERTY.—Section 44901(a) is amended by striking ''44919 or''.

SEC. 1938. PRECHECK EXPEDITED SCREENING.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall ensure that only a traveler who is a member of a trusted traveler program specified in subsection (b) is permitted to use a TSA PreCheck security screening lane at a passenger screening checkpoint.

(b) TRUSTED TRAVELER PROGRAMS SPECIFIED.—A trusted traveler program specified in this subsection is any of the following:

(1) The PreCheck Program under section 44919 of title 49, United States Code.

(2) Any other program implemented by the TSA under section 109(a)(3) of the Aviation and Transportation Security Act (49 U.S.C. 114 note).

(3) Any other United States Government program that issues a unique identifier, such as a known traveler number, that the TSA accepts as validating that the individual holding such identifier is a member of a known low-risk population.

(c) EXEMPTIONS.—Nothing in this section shall affect—

(1) the authority of the Administrator, under section 44927 of title 49, United States Code, to carry out expedited screening for members of the Armed Forces with disabilities or severe injuries or veterans with disabilities or severe injuries; or

(2) the Honor Flight program under section 44928 of that title.

(d) LOW-RISK TRAVELERS.—Any traveler who is determined by the Administrator to be low risk based on the traveler's age and who is not a member of a trusted traveler program specified in subsection (b) shall be permitted to utilize TSA PreCheck security screening lanes at Transportation Security Administration checkpoints when traveling on the same reservation as a member of such a program.

(e) RISK MODIFIED SCREENING.—

(1) PILOT PROGRAM.—Not later than 60 days after the date of enactment of this Act and subject to paragraph (2), the Administrator shall commence a pilot program regarding a risk modified screening protocol for lanes other than designated TSA PreCheck security screening lanes at passenger screening checkpoints, in airports of varying categories, to further segment passengers based on risk.

(2) ELIGIBILITY.—Only a low-risk passenger shall be eligible to participate in the risk modified screening pilot program under paragraph (1).

(3) DEFINITION OF LOW-RISK PASSENGER.—In this subsection, the term ''low-risk passenger'' means a passenger who—

(A) meets a risk-based, intelligence-driven criteria prescribed by the Administrator; or

(B) undergoes a canine enhanced screening upon arrival at the passenger screening checkpoint.

(4) TERMINATION.—The pilot program shall terminate on the date that is 120 days after the date it commences under paragraph (1).

(5) BRIEFING.—Not later than 30 days after the termination date under paragraph (4), the Administrator shall brief the appropriate committees of Congress on the findings of the pilot program, including—

(A) information relating to the security effectiveness and passenger facilitation effectiveness of the risk modified screening protocol;

(B) a determination regarding whether the risk modified screening protocol was effective; and

(C) if the Administrator determined that the protocol was effective, a plan for the deployment of the protocol at as many TSA passenger screening checkpoints as practicable.

(6) IMPLEMENTATION.—In determining whether deployment of the protocol at a TSA passenger screening checkpoint at an airport is practicable, the Administrator shall consider—

(A) the level of risk at the airport;

(B) the available space at the airport;

(C) passenger throughput levels at the airport;

(D) the checkpoint configuration at the airport; and

(E) adequate resources to appropriately serve passengers in TSA PreCheck security screening lanes at the passenger screening checkpoint.

(f) WORKING GROUP.—

(1) IN GENERAL.—In carrying out subsection (e), the Administrator shall establish a working group to advise the Administrator on the development of plans for the deployment of the protocol at TSA passenger screening checkpoints, other than designated TSA PreCheck security screening lanes, in the most effective and efficient manner practicable.

(2) MEMBERS.—The working group shall be comprised of representatives of Category X, I, II, III, and IV airports and air carriers (as the term is defined in section 40102 of title 49, United States Code).

(3) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(g) BRIEFINGS.—

(1) IN GENERAL.—The Administrator shall brief, on a biannual basis, the appropriate committees of Congress on the implementation of subsections (a) until the Administrator certifies that only travelers who are members of trusted traveler programs specified in subsection (b) are permitted to use TSA PreCheck security screening lanes at passenger screening checkpoints.

(2) CERTIFICATION.—Upon a determination by the Administrator that only travelers who are members of a trusted traveler program specified in subsection (b) are permitted to use TSA PreCheck security screening lanes at checkpoints in accordance with subsection (a), the Administrator shall submit to the appropriate committees of Congress a written certification relating to such determination.

(h) INSPECTOR GENERAL ASSESSMENTS.—The Inspector General of the Department shall assess and transmit to the appropriate committees of Congress the Administrator's implementation under subsection (a).

(i) EXPANSION OF TSA PRECHECK PROGRAM ENROLLMENT.—

(1) LONG-TERM STRATEGY.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop and begin the implementation a long-term strategy to increase enrollment in the TSA PreCheck Program.

(2) CONSIDERATIONS.—In developing the strategy under paragraph (1), the Administrator shall consider the following:

(A) Partnering with air carriers (as the term is defined in section 40102 of title 49, United States Code) to incorporate PreCheck Program promotion opportunities in the reservation process described in section 1560.101 of title 49, Code of Federal Regulations;

(B) Including in the PreCheck Program of an individual who—

(i) holds a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance, unless the individual has had the individual's clearance revoked or did not pass a periodic reinvestigation; or

(ii) is a current, full-time Federal law enforcement officer.

(C) Providing PreCheck Program enrollment flexibility by offering secure mobile enrollment platforms that facilitate in-person identity verification and application data collection, such as through biometrics.

(D) Reducing travel time to PreCheck Program enrollment centers for applicants, including—

(i) by adjusting the locations and schedules of existing PreCheck Program enrollment centers to accommodate demand;

(ii) by seeking to colocate such enrollment centers with existing facilities that support the issuance of—

(I) United States passports; and

(II) Security Identification Display Area credentials (as the term is defined in section 1540.5 of title 49, Code of Federal Regulations) located in public, non-secure areas of airports if no systems of an airport operator are used in support of enrollment activities for such credentials; and

(iii) by increasing the availability of PreCheck Program enrollment platforms, such as kiosks, tablets, or staffed laptop stations.

(E) The feasibility of providing financial assistance or other incentives for PreCheck Program enrollment for—

(i) children who are at least 12 years or older, but less than 18 years old;

(ii) families consisting of 5 or more immediate family members;

(iii) private sector entities, including small businesses, to establish PreCheck Program enrollment centers in their respective facilities; and

(iv) private sector entities, including small business concerns (as the term is described in section 3 of the Small Business Act (15 U.S.C. 632)), to reimburse an employee for the cost of the PreCheck Program application.

SEC. 1939. TRUSTED TRAVELER PROGRAMS; COLLABORATION.

Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Commissioner of U.S. Customs and Border Protection, shall—

(1) review each trusted traveler program administered by U.S. Customs and Border Protection and the PreCheck Program;

(2) identify any improvements that can be made to such programs—

(A) to streamline and integrate the requirements and operations of such programs to reduce administrative burdens, including applications for inclusion and determining whether a valid credential can satisfy the requirements for another credential;

(B) to increase information and data sharing across such programs; and

(C) to allow the public to access and link to the applications for enrollment in all of such programs from 1 online portal;

(3) identify any law, including regulations, policy, or procedure that may unnecessarily inhibit collaboration among Department of Homeland Security agencies regarding such programs or implementation of the improvements identified under paragraph (2);

(4) recommend any legislative, administrative, or other actions that can be taken to eliminate any unnecessary barriers to collaboration or implementation identified in paragraph (3); and

(5) submit to the appropriate committees of Congress a report on the review, including any unnecessary barriers to collaboration or implementation identified under paragraph (3), and any recommendations under paragraph (4).

SEC. 1940. PASSENGER SECURITY FEE.

Section 44940(c) is amended by adding at the end the following:

''(3) OFFSETTING COLLECTIONS.—Beginning on October 1, 2027, fees collected under subsection (a)(1) for any fiscal year shall be credited as offsetting collections to appropriations made for aviation security measures carried out by the Transportation Security Administration, to remain available until expended.''.

SEC. 1941. THIRD PARTY CANINE TEAMS FOR AIR CARGO SECURITY.

Section 1307 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1116) is amended by adding at the end the following:

''(h) THIRD PARTY CANINE TEAMS FOR AIR CARGO SECURITY.—

''(1) IN GENERAL.—In order to enhance the screening of air cargo and ensure that third party explosives detection canine assets are leveraged for such purpose, the Administrator shall, not later than 180 days after the date of enactment of the TSA Modernization Act—

''(A) develop and issue standards for the use of such third party explosives detection canine assets for the primary screening of air cargo;

''(B) develop a process to identify qualified non-Federal entities that will certify canine assets that meet the standards established by the Administrator under subparagraph (A);

''(C) ensure that entities qualified to certify canine assets shall be independent from entities that will train and provide canines to end users of such canine assets;

''(D) establish a system of Transportation Security Administration audits of the process developed under subparagraph (B); and

''(E) provide that canines certified for the primary screening of air cargo can be used by air carriers, foreign air carriers, freight forwarders, and shippers.

''(2) IMPLEMENTATION.—Beginning on the date that the development of the process under paragraph (1)(B) is complete, the Administrator shall—

''(A) facilitate the deployment of such assets that meet the certification standards of the Administration, as determined by the Administrator;

''(B) make such standards available to vendors seeking to train and deploy third party explosives detection canine assets; and

''(C) ensure that all costs for the training and certification of canines, and for the use of supplied canines, are borne by private industry and not the Federal Government.

''(3) DEFINITIONS.—In this subsection:

''(A) AIR CARRIER.—The term 'air carrier' has the meaning given the term in section 40102 of title 49, United States Code.

''(B) FOREIGN AIR CARRIER.—The term 'foreign air carrier' has the meaning given the term in section 40102 of title 49, United States Code.

''(C) THIRD PARTY EXPLOSIVES DETECTION CANINE ASSET.—The term 'third party explosives detection canine asset' means any explosives detection canine or handler not

owned or employed, respectively, by the Transportation Security Administration.''.

SEC. 1942. KNOWN SHIPPER PROGRAM REVIEW.

The Administrator shall direct the Air Cargo Subcommittee of ASAC—

(1) to conduct a comprehensive review and security assessment of the Known Shipper Program;

(2) to recommend whether the Known Shipper Program should be modified or eliminated considering the full implementation of 100 percent screening under section 44901(g) of title 49, United States Code; and

(3) to report its findings and recommendations to the Administrator.

SEC. 1943. ESTABLISHMENT OF AIR CARGO SECURITY DIVISION.

(a) IN GENERAL.—Subchapter II of chapter 449 is amended by adding at the end the following:

''§ 44947. Air cargo security division

''(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of the TSA Modernization Act, the Administrator shall establish an air cargo security division to carry out and engage with stakeholders regarding the implementation of air cargo security programs established by the Administration.

''(b) LEADERSHIP; STAFFING.—The air cargo security division established pursuant to subsection (a) shall be headed by an individual in the executive service within the TSA and be staffed by not fewer than 4 full-time equivalents, including the head of the division.

''(c) STAFFING.—The Administrator of the Transportation Security Administration shall staff the air cargo security division with existing TSA personnel.''.

(b) TABLE OF CONTENTS.—The table of contents of chapter 449 is amended by inserting after the item related to section 44946 the following:

''44947. Air cargo security division.''.

SEC. 1944. AIR CARGO REGULATION REVIEW.

(a) REVIEW.—Not later than 150 days after the date of enactment of this Act, the Administrator shall—

(1) review the Certified Cargo Screening Program, including—

(A) consideration of the degree to which the Program is effective at fully addressing evolving threats to air cargo, particularly as air cargo volumes fluctuate; and

(B) identification of any vulnerabilities in the Program and effectiveness of information sharing with air cargo security stakeholders; and

(2) submit to the appropriate committees of Congress a report on the findings of the review under paragraph (1), including—

(A) a description of the actions the Administrator has taken to improve the Program; and

(B) a description of the actions the Administrator will take to address the findings of the review under paragraph (1), including any plans to issue new rulemaking, if necessary.

SEC. 1945. GAO REVIEW.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) review the Department's analysis and intelligence pre-screening processes and procedures for air cargo entering the United States;

(2) review the pilot program conducted under section 1925;

(3) assess the effectiveness of the Department's risk-based strategy for examining air cargo and ensuring compliance with air cargo security law, including regulations; and

(4) review the Department's information sharing procedures and practices for disseminating information to relevant stakeholders on preventing, mitigating, and responding to air cargo related threats.

SEC. 1946. SCREENING PARTNERSHIP PROGRAM UPDATES.

(a) SECURITY SCREENING OPT-OUT PROGRAM.—Section 44920 is amended—

(1) in the heading by striking ''**Security screening opt-out program**'' and inserting ''**Screening partnership program**'';

(2) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—An airport operator may submit to the Administrator of the Transportation Security Administration an application to carry out the screening of passengers and property at the airport under section 44901 by personnel of a qualified private screening company pursuant to a contract entered into with the Transportation Security Administration.'';

(3) in subsection (b)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Not later than 60 days after the date of receipt of an application submitted by an airport operator under subsection (a), the Administrator shall approve or deny the application.''; and

(B) in paragraphs (2) and (3), by striking ''Under Secretary'' each place it appears and inserting ''Administrator'';

(4) in subsection (d)—

(A) in the heading, by striking ''STANDARDS'' inserting ''SELECTION OF CONTRACTS AND STANDARDS'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) in paragraph (1)—

(i) by striking ''The Under Secretary may enter'' and all that follows through ''certifies to Congress that—'' and inserting ''The Administrator shall, upon approval of the application, provide the airport operator with a list of qualified private screening companies.''; and

(ii) by inserting before subparagraphs (A) and (B) the following:

''(2) CONTRACTS.—The Administrator shall, to the extent practicable, enter into a contract with a private screening company from the list provided under paragraph (1) for the provision of screening at the airport not later than 120 days after the date of approval of an application submitted by the airport operator under subsection (a) if—''; and

(D) in paragraph (2), as redesignated—

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

(ii) in subparagraph (B)—

(I) by striking ''Under Secretary'' and inserting ''Administrator''; and

(II) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) the selected qualified private screening company offered contract price is equal to or less than the cost to the Federal Government to provide screening services at the airport.''; and

(E) in paragraph (3), as redesignated—

(i) by striking ''paragraph (1)(B)'' and inserting ''paragraph (2)(B)''; and

(ii) by striking ''Under Secretary'' each place it appears and inserting ''Administrator'';

(5) in subsection (e)—

(A) in the heading, by striking ''SCREENED'' and inserting ''SCREENING'';

(B) by striking the period at the end and inserting ''; and'';

(C) by striking ''The Under Secretary shall'' and inserting ''The Administrator shall—'';

(D) by inserting ''(1)'' before ''provide Federal Government'' and indenting appropriately; and

(E) by adding at the end the following:

''(2) undertake covert testing and remedial training support for employees of private screening companies providing screening at airports.'';

(6) in subsection (f)—

(A) in the heading, by inserting ''OR SUSPENSION'' after ''TERMINATION'';

(B) by striking ''terminate'' and inserting ''suspend or terminate, as appropriate,''; and

(C) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''; and

(7) by striking subsection (h) and inserting the following:

''(h) EVALUATION OF SCREENING COMPANY PROPOSALS FOR AWARD.—

''(1) IN GENERAL.—Except as provided in paragraph (2), notwithstanding any other provision of law, including title 48 of the Code of Federal Regulations and the Federal Advisory Committee Act (5 U.S.C. App.), an airport operator that has applied and been approved to have security screening services carried out by a qualified private screening company under contract with the Administrator may nominate to the head of the contracting activity an individual to participate in the evaluation of proposals for the award of such contract.

''(2) PARTICIPATION ON A PROPOSAL EVALUATION COMMITTEE.—Any participation on a proposal evaluation committee under paragraph (1) shall be conducted in accordance with chapter 21 of title 41.

''(i) INNOVATIVE SCREENING APPROACHES AND TECHNOLOGIES.—The Administrator shall encourage an airport operator to whom screening services are provided under this section to recommend to the Administrator innovative screening approaches and technologies. Upon receipt of any such recommendations, the Administrator shall review and, if appropriate, test, conduct a pilot project, and, if appropriate, deploy such approaches and technologies.''.

(b) FEASIBILITY ASSESSMENT.—

(1) IN GENERAL.—The Administrator, in consultation with airport operators and airlines, shall submit to the appropriate committees of Congress an assessment of the feasibility of modifying the Screening Partnership Program to allow an individual airport terminal to participate in the Screening Partnership Program.

(2) CONSIDERATIONS.—In conducting the assessment under paragraph (1), the Administrator shall consider—

(A) potential benefits and costs, including with respect to the efficacy of security operations, of such an approach;

(B) potential impacts on security operations; and

(C) potential impacts on recruitment, hiring, and retention.

(c) APPLICATIONS SUBMITTED BEFORE THE DATE OF ENACTMENT.—Not later than 30 days after the date of enactment of this Act, the Administrator shall approve or deny, in accordance with section 44920(b) of title 49, United States Code, as amended by this Act, each application submitted before the date of enactment of this Act, by an airport operator under subsection (a) of that section, that is awaiting such a determination.

SEC. 1947. SCREENING PERFORMANCE ASSESSMENTS.

Subject to part 1520 of title 49, Code of Federal Regulations, the Administrator shall quarterly make available to the airport director of an airport—

(1) an assessment of the screening performance of that airport compared to the mean average performance of all airports in the equivalent airport category for screening performance data; and

(2) a briefing on the results of performance data reports, including—

(A) a scorecard of objective metrics developed by the Office of Security Operations to

measure screening performance, such as results of annual proficiency reviews and covert testing, at the appropriate level of classification; and

(B) other performance data, including—

(i) passenger throughput;

(ii) wait times; and

(iii) employee attrition, absenteeism, injury rates, and any other human capital measures collected by the TSA.

SEC. 1948. TRANSPORTATION SECURITY TRAINING PROGRAMS.

(a) IN GENERAL.—Section 44935 is amended—

(1) by striking ''(i) ACCESSIBILITY OF COMPUTER-BASED TRAINING FACILITIES.—'' and inserting ''(k) ACCESSIBILITY OF COMPUTER-BASED TRAINING FACILITIES.—''; and

(2) by adding at the end the following:

''(l) INITIAL AND RECURRING TRAINING.—

''(1) IN GENERAL.—The Administrator shall establish a training program for new security screening personnel located at the Transportation Security Administration Academy.

''(2) RECURRING TRAINING.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the TSA Modernization Act, the Administrator shall establish recurring training for security screening personnel regarding updates to screening procedures and technologies, including, in response to weaknesses identified in covert tests at airports—

''(i) methods to identify the verification of false or fraudulent travel documents; and

''(ii) training on emerging threats.

''(B) CONTENTS.—The training under subparagraph (A) shall include—

''(i) internal controls for monitoring and documenting compliance of transportation security officers with such training requirements; and

''(ii) such other matters as identified by the Administrator with regard to such training.''.

(b) GAO STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) examine the effectiveness of the new security screening personnel training under section 44935(l) of title 49, United States Code; and

(2) submit to the appropriate committees of Congress a report on the findings under paragraph (1), including any recommendations.

SEC. 1949. TRAVELER REDRESS IMPROVEMENT.

(a) REDRESS PROCESS.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator, using existing resources, systems, and processes, shall ensure the availability of the Department of Homeland Security Traveler Redress Inquiry Program (referred to in this section as ''DHS TRIP'') redress process to adjudicate an inquiry for an individual who—

(A) is a citizen of the United States or alien lawfully admitted for permanent residence;

(B) has filed the inquiry with DHS TRIP after receiving enhanced screening at an airport passenger security checkpoint more than 3 times in any 60-day period; and

(C) believes the individual has been wrongly identified as being a threat to aviation security.

(2) BRIEFING.—Not later than 180 days after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress on the implementation of the redress process required under paragraph (1).

(b) PRIVACY IMPACT REVIEW AND UPDATE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall review and update the Privacy Impact Assessment for the Secure Flight programs to ensure the assessment accurately reflects the operation of such programs.

(2) PUBLIC DISSEMINATION; FORM.—The Administrator shall—

(A) publish the Secure Flight Privacy Impact Assessment review and update required under paragraph (1) on a publicly-accessible internet webpage of the TSA; and

(B) submit the Secure Flight Privacy Impact Assessment review and update to the appropriate committees of Congress.

(c) RULE REVIEW AND NOTIFICATION PROCESS.—

(1) RULE REVIEW.—Not later than 60 days after the date of enactment of this Act, and every 120 days thereafter, the Assistant Administrator of the Office of Intelligence and Analysis of the TSA, in coordination with the entities specified in paragraph (3), shall identify and review the screening rules established by the Office of Intelligence and Analysis of TSA.

(2) NOTIFICATION PROCESS.—Not later than 2 days after the date that any change to a rule identified under paragraph (1) is made, the Assistant Administrator of the Office of Intelligence and Analysis of the TSA shall notify the entities specified in paragraph (3) of the change.

(3) ENTITIES SPECIFIED.—The entities specified in this paragraph are as follows:

(A) The Office of Civil Rights and Liberties, Ombudsman, and Traveler Engagement of the TSA.

(B) The Office of Civil Rights and Liberties of the Department.

(C) The Office of Chief Counsel of the TSA.

(D) The Office of General Counsel of the Department.

(E) The Privacy Office of the Administration.

(F) The Privacy Office of the Department.

(G) The Federal Air Marshal Service.

(H) The Traveler Redress Inquiry Program of the Department.

(d) FEDERAL AIR MARSHAL SERVICE COORDINATION.—

(1) IN GENERAL.—The Administrator shall ensure that the rules identified in subsection (c) are taken into account for Federal Air Marshal mission scheduling.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on whether, and if so how, the rules identified in subsection (c) are incorporated in the risk analysis conducted during the Federal Air Marshal mission scheduling process.

(e) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) study the rules identified under subsection (c)(1), including—

(A) whether the rules are effective in mitigating potential threats to aviation security; and

(B) whether, and if so how, the TSA coordinates with the Department regarding any proposed change to a rule; and

(2) submit to the appropriate committees of Congress a report on the findings under paragraph (1), including any recommendations.

SEC. 1950. IMPROVEMENTS FOR SCREENING OF PASSENGERS WITH DISABILITIES.

(a) REVISED TRAINING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with nationally-recognized veterans and disability organizations, shall revise the training requirements for Transportation Security Officers related to the screening of passengers with disabilities, including passengers with disabilities who participate in the PreCheck program.

(2) TRAINING SPECIFICATIONS.—In revising the training requirements under paragraph (1), the Administrator shall address the proper screening, and any particular sensitivities related to the screening, of a passenger with a disability—

(A) traveling with a medical device, including an indwelling medical device;

(B) traveling with a prosthetic;

(C) traveling with a wheelchair, walker, scooter, or other mobility device;

(D) traveling with a service animal; or

(E) with sensitivities to touch, pressure, sound, or hypersensitivity to stimuli in the environment.

(3) TRAINING FREQUENCY.—The Administrator shall implement the revised training under paragraph (1) during initial and recurrent training of all Transportation Security Officers.

(b) BEST PRACTICES.—The individual at the TSA responsible for civil rights, liberties, and traveler engagement shall—

(1) record each complaint from a passenger with a disability regarding the screening practice of the TSA;

(2) identify the most frequent concerns raised, or accommodations requested, in the complaints;

(3) determine the best practices for addressing the concerns and requests identified in paragraph (2); and

(4) recommend appropriate training based on such best practices.

(c) SIGNAGE.—At each category X airport, the TSA shall place signage at each security checkpoint that—

(1) specifies how to contact the appropriate TSA employee at the airport designated to address complaints of screening mistreatment based on disability; and

(2) describes how to receive assistance from that individual or other qualified personnel at the security screening checkpoint.

(d) REPORTS TO CONGRESS.—Not later than September 30 of the first full fiscal year after the date of enactment of this Act, and each fiscal year thereafter, the Administrator shall submit to the appropriate committees of Congress a report on the checkpoint experiences of passengers with disabilities, including the following:

(1) The number and most frequent types of disability-related complaints received.

(2) The best practices recommended under subsection (b) to address the top areas of concern.

(3) The estimated wait times for assist requests for passengers with disabilities, including disabled passengers who participate in the PreCheck program.

SEC. 1951. AIR CARGO ADVANCE SCREENING PROGRAM.

(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection and the Administrator, consistent with the requirements of the Trade Act of 2002 (Public Law 107–210) shall—

(1) establish an air cargo advance screening program (referred to in this section as the ''ACAS Program'') for the collection of advance electronic information from air carriers and other persons within the supply chain regarding cargo being transported to the United States by air;

(2) under such program, require that such information be transmitted by such air carriers and other persons at the earliest point practicable prior to loading of such cargo onto an aircraft destined to or transiting through the United States;

(3) establish appropriate communications systems with freight forwarders, shippers, and air carriers;

(4) establish a system that will allow freight forwarders, shippers, and air carriers to provide shipment level data for air cargo, departing from any location that is inbound to the United States; and

(5) identify opportunities in which the information furnished in compliance with the ACAS Program could be used by the Administrator.

(b) INSPECTION OF HIGH-RISK CARGO.—Under the ACAS Program, the Commissioner of U.S. Customs and Border Protection and the Administrator shall ensure that all cargo that has been identified as high-risk is inspected—

(1) prior to the loading of such cargo onto aircraft at the last point of departure; or

(2) at an earlier point in the supply chain, before departing for the United States.

(c) CONSULTATION.—In carrying out the ACAS Program, the Commissioner of U.S. Customs and Border Protection and the Administrator shall consult with relevant stakeholders, as appropriate, to ensure that an operationally feasible and practical approach to—

(1) the collection of advance information with respect to cargo on aircraft departing for the United States is applied; and

(2) the inspection of high-risk cargo recognizes the significant differences among air cargo business models and modes of transportation.

(d) ANALYSIS.—The Commissioner of U.S. Customs and Border Protection and the Administrator may analyze the information described in subsection (a) in the Department of Homeland Security's automated targeting system and integrate such information with other intelligence to enhance the accuracy of the risk assessment process under the ACAS Program.

(e) NO DUPLICATION.—The Commissioner of U.S. Customs and Border Protection and the Administrator shall carry out this section in a manner that, after the ACAS Program is fully in effect, ensures, to the greatest extent practicable, that the ACAS Program does not duplicate other Department programs or requirements relating to the submission of air cargo data or the inspection of high-risk cargo.

(f) CONSIDERATION OF INDUSTRY.—In carrying out the ACAS Program, the Commissioner of U.S. Customs and Border Protection and the Administrator shall—

(1) consider the content and timeliness of the available data may vary among entities in the air cargo industry and among countries;

(2) explore procedures to accommodate the variations described in paragraph (1) while maximizing the contribution of such data to the risk assessment process under the ACAS Program;

(3) test the business processes, technologies, and operational procedures required to provide advance information with respect to cargo on aircraft departing for the United States and carry out related inspection of high-risk cargo, while ensuring delays and other negative impacts on vital supply chains are minimized; and

(4) consider the cost, benefit, and feasibility before establishing any set time period for submission of certain elements of the data for air cargo under this section in line with the regulatory guidelines specified in Executive Order 13563 or any successor Executive order or regulation.

(g) GUIDANCE.—The Commissioner of U.S. Customs and Border Protection and the Administrator shall provide guidance for participants in the ACAS Program regarding the requirements for participation, including requirements for transmitting shipment level data.

(h) USE OF DATA.—The Commissioner of U.S. Customs and Border Protection and the Administrator shall use the data provided under the ACAS Program for targeting shipments for screening and aviation security purposes only.

(i) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Commissioner of U.S. Customs and Border Protection, in coordination with the Administrator, shall issue a final regulation to implement the ACAS Program to include the electronic transmission to U.S. Customs and Border Protection of data elements for targeting cargo, including appropriate security elements of shipment level data.

(j) REPORT.—Not later than 180 days after the date of the commencement of the ACAS Program, the Commissioner of U.S. Customs and Border Protection and the Administrator shall submit to the appropriate committees of Congress a report detailing the operational implementation of providing advance information under the ACAS Program and the value of such information in targeting cargo.

SEC. 1952. GENERAL AVIATION AIRPORTS.

(a) SHORT TITLE.—This section may be cited as the ''Securing General Aviation and Charter Air Carrier Service Act''.

(b) ADVANCED PASSENGER PRESCREENING SYSTEM.—Not later than 120 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the status of the deployment of the advanced passenger prescreening system, and access thereto for certain aircraft charter operators, as required by section 44903(j)(2)(E) of title 49, United States Code, including—

(1) the reasons for the delay in deploying the system; and

(2) a detailed schedule of actions necessary for the deployment of the system.

(c) SCREENING SERVICES OTHER THAN IN PRIMARY PASSENGER TERMINALS.—

(1) IN GENERAL.—Subject to the provisions of this subsection, the Administrator may provide screening services to a charter air carrier in an area other than the primary passenger terminal of an applicable airport.

(2) REQUESTS.—A request for screening services under paragraph (1) shall be made at such time, in such form, and in such manner as the Administrator may require, except that the request shall be made to the Federal Security Director for the applicable airport at which the screening services are requested.

(3) AVAILABILITY.—A Federal Security Director may provide requested screening services under this section if the Federal Security Director determines such screening services are available.

(4) AGREEMENTS.—

(A) LIMITATION.—No screening services may be provided under this section unless a charter air carrier agrees in writing to compensate the TSA for all reasonable costs, including overtime, of providing the screening services.

(B) PAYMENTS.—Notwithstanding section 3302 of title 31, United States Code, payment received under subparagraph (A) shall be credited to the account that was used to cover the cost of providing the screening services. Amounts so credited shall be merged with amounts in that account, and shall be available for the same purposes, and subject to the same conditions and limitations, as other amounts in that account.

(5) DEFINITIONS.—In this subsection:

(A) APPLICABLE AIRPORT.—The term ''applicable airport'' means an airport that—

(i) is not a commercial service airport; and

(ii) is receiving screening services for scheduled passenger aircraft.

(B) CHARTER AIR CARRIER.—The term ''charter air carrier'' has the meaning given the term in section 40102 of title 49, United States Code.

(C) SCREENING SERVICES.—The term ''screening services'' means the screening of passengers and property similar to the screening of passengers and property described in section 44901 of title 49, United States Code.

(d) REPORT.—Not later than 120 days after the date of enactment of this Act, the Administrator, in consultation with the ASAC, shall, consistent with the requirements of paragraphs (6) and (7) of section 44946(b) of title 49, United States Code, submit to the appropriate Committees of Congress an implementation plan, including an implementation schedule, for any of the following recommendations that were adopted by the ASAC and with which the Administrator has concurred before the date of the enactment of this Act:

(1) The recommendation regarding general aviation access to Ronald Reagan Washington National Airport, as adopted on February 17, 2015.

(2) The recommendation regarding the vetting of persons seeking flight training in the United States, as adopted on July 28, 2016.

(3) Any other such recommendations relevant to the security of general aviation adopted before the date of the enactment of this Act.

(e) DESIGNATED STAFFING.—The Administrator may designate 1 or more full-time employees of the TSA to liaise with, and respond to issues raised by, general aviation stakeholders.

(f) SECURITY ENHANCEMENTS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the ASAC, shall submit to the appropriate committees of Congress a report on the feasibility of requiring a security threat assessment before an individual could obtain training from a private flight school to operate an aircraft having a maximum certificated takeoff weight of more than 12,500 pounds.

Subtitle E—Foreign Airport Security

SEC. 1953. LAST POINT OF DEPARTURE AIRPORTS; SECURITY DIRECTIVES.

(a) NOTICE AND CONSULTATION.—

(1) IN GENERAL.—The Administrator shall, to the maximum extent practicable, consult and notify the following stakeholders prior to making changes to security standards via security directives and emergency amendments for last points of departure:

(A) Trade association representatives, for affected air carriers and airports, who hold the appropriate security clearances.

(B) The head of each relevant Federal department or agency, including the Administrator of the Federal Aviation Administration.

(2) TRANSMITTAL TO CONGRESS.—Not later than 3 days after the date that the Administrator issues a security directive or emergency amendment for a last point of departure, the Administrator shall transmit to the appropriate committees of Congress a description of the extent to which the Administrator consulted and notified the stakeholders under paragraph (1).

(b) GAO REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall review the effectiveness of the TSA process to update, consolidate, or revoke security directives, emergency amendments, and other policies related to international aviation security at last point of departure airports and submit to the appropriate committees of Congress and the Administrator a report on the findings and recommendations.

(2) CONTENTS.—In conducting the review under paragraph (1), the Comptroller General shall—

(A) review current security directives, emergency amendments, and any other policies related to international aviation security at last point of departure airports;

(B) review the extent of intra-agency and interagency coordination, stakeholder outreach, coordination, and feedback; and

(C) review TSA's process and criteria for, and implementation of, updating or revoking the policies described in subparagraph (A).

(c) RESCREENING.—Subject to section 44901(d)(4)(c) of title 49, United States Code, upon discovery of specific threat intelligence, the Administrator shall immediately direct TSA personnel to rescreen passengers and baggage arriving from an airport outside the United States and identify enhanced measures that should be implemented at that airport.

(d) NOTIFICATION TO CONGRESS.—Not later than 1 day after the date that the Administrator determines that a foreign air carrier is in violation of part 1546 of title 49, Code of Federal Regulations, or any other applicable security requirement, the Administrator shall notify the appropriate committees of Congress.

(e) DECISIONS NOT SUBJECT TO JUDICIAL REVIEW.—Notwithstanding any other provision of law, any decision of the Administrator under subsection (a)(1) relating to consultation or notification shall not be subject to judicial review.

SEC. 1954. LAST POINT OF DEPARTURE AIRPORT ASSESSMENT.

Section 44907(a)(2)(B) is amended by inserting '', including the screening and vetting of airport workers'' before the semicolon.

SEC. 1955. TRACKING SECURITY SCREENING EQUIPMENT FROM LAST POINT OF DEPARTURE AIRPORTS.

(a) DONATION OF SCREENING EQUIPMENT TO PROTECT THE UNITED STATES.—Chapter 449 is amended—

(1) in subchapter I, by adding at the end the following:

"§ 44929. Donation of screening equipment to protect the United States

''(a) IN GENERAL.—Subject to subsection (b), the Administrator is authorized to donate security screening equipment to a foreign last point of departure airport operator if such equipment can be reasonably expected to mitigate a specific vulnerability to the security of the United States or United States citizens.

''(b) CONDITIONS.—Before donating any security screening equipment to a foreign last point of departure airport operator the Administrator shall—

''(1) ensure that the screening equipment has been restored to commercially available settings;

''(2) ensure that no TSA-specific security standards or algorithms exist on the screening equipment; and

''(3) verify that the appropriate officials have an adequate system—

''(A) to properly maintain and operate the screening equipment; and

''(B) to document and track any removal or disposal of the screening equipment to ensure the screening equipment does not come into the possession of terrorists or otherwise pose a risk to security.

''(c) REPORTS.—Not later than 30 days before any donation of security screening equipment under subsection (a), the Administrator shall provide to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a detailed written explanation of the following:

''(1) The specific vulnerability to the United States or United States citizens that will be mitigated by such donation.

''(2) An explanation as to why the recipient of such donation is unable or unwilling to purchase security screening equipment to mitigate such vulnerability.

''(3) An evacuation plan for sensitive technologies in case of emergency or instability in the country to which such donation is being made.

''(4) How the Administrator will ensure the security screening equipment that is being donated is used and maintained over the course of its life by the recipient.

''(5) The total dollar value of such donation.

''(6) How the appropriate officials will document and track any removal or disposal of the screening equipment by the recipient to ensure the screening equipment does not come into the possession of terrorists or otherwise pose a risk to security.''; and

(2) in the table of contents, by inserting after the item relating to section 44928 the following:

''44929. Donation of screening equipment to protect the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3204 of the Aviation Security Act of 2016 (49 U.S.C. 44901 note) and the item relating to that section in the table of contents of that Act are repealed.

(c) RAISING INTERNATIONAL STANDARDS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall collaborate with other aviation authorities and the United States Ambassador or the Charge d'Affaires to the United States Mission to the International Civil Aviation Organization, as applicable, to advance a global standard for each international airport to document and track the removal and disposal of any security screening equipment to ensure the screening equipment does not come into the possession of terrorists or otherwise pose a risk to security.

SEC. 1956. INTERNATIONAL SECURITY STANDARDS.

(a) GLOBAL AVIATION SECURITY REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in coordination with the Commissioner of the U.S. Customs and Border Protection, the Director of the Office of International Engagement of the Department of Homeland Security, and the Secretary of State, shall conduct a global aviation security review to improve aviation security standards, including standards intended to mitigate cybersecurity threats, across the global aviation system.

(2) BEST PRACTICES.—The global aviation security review shall establish best practices regarding the following:

(A) Collaborating with foreign partners to improve global aviation security capabilities and standards.

(B) Identifying foreign partners that—

(i) have not successfully implemented security protocols from the International Civil Aviation Organization or the Department of Homeland Security; and

(ii) have not taken steps to implement such security protocols;

(C) Improving the development, outreach, and implementation process for security directives or emergency amendments issued to domestic and foreign air carriers.

(D) Assessing the cybersecurity risk of security screening equipment.

(b) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the Administrator, in consultation with the United States Ambassador to the International Civil Aviation Organization, shall notify the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations of the Senate, and the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives of the progress of the review under subsection (a) and any proposed international improvements to aviation security.

(c) ICAO.—Subject to subsection (a), the Administrator and Ambassador shall take such action at the International Civil Aviation Organization as the Administrator and Ambassador consider necessary to advance aviation security improvement proposals, including if practicable, introducing a resolution to raise minimum standards for aviation security.

(d) BRIEFINGS TO CONGRESS.—Beginning not later than 180 days after the date of enactment of this Act, and periodically thereafter, the Administrator, in consultation with the Ambassador with respect to subsection (c), shall brief the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations of the Senate, and the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives on the implementation of subsections (a) and (b).

SEC. 1957. AVIATION SECURITY IN CUBA.

(a) SECURITY OF PUBLIC CHARTER OPERATIONS.—The Administrator of the Transportation Security Administration, in coordination with the Secretary of Transportation and the Administrator of the Federal Aviation Administration, shall—

(1) direct all public charters operating flights between the United States and Cuba to provide updated flight schedules to, and maintain such schedules with, the Transportation Security Administration; and

(2) develop and implement a mechanism that corroborates and validates flight schedule data to more reliably track the public charter operations of air carriers between the United States and Cuba.

(b) BRIEFING ON SECURITY AT AIRPORTS IN CUBA.—The Administrator shall provide to Congress (including the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate) a confidential briefing on the following aspects of security measures at airports in Cuba that have air service to the United States:

(1) Details about the type of equipment used at screening checkpoints and an analysis of the capabilities and weaknesses of that equipment.

(2) Information about each such airport's canine screening program, if used.

(3) The frequency of training for screening and security personnel.

(4) Access controls in place to ensure only credentialed personnel have access to the secure and sterile areas of such airports.

(5) An assessment of the ability of known or suspected terrorists to use Cuba as a gateway to entering the United States.

(6) Security of such airports' perimeters.

(7) The vetting practices and procedures for airport employees.

(8) Any other information the Administrator considers relevant to the security practices, procedures, and equipment in place at such airports.

SEC. 1958. REPORT ON AIRPORTS USED BY MAHAN AIR.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, and annually thereafter through 2021, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall submit to Congress a report that includes—

(1) a list of all airports at which aircraft owned or controlled by Mahan Air have landed during the 2 years preceding the submission of the report; and

(2) for each such airport—

(A) an assessment of whether aircraft owned or controlled by Mahan Air continue to conduct operations at that airport;

(B) an assessment of whether any of the landings of aircraft owned or controlled by Mahan Air were necessitated by an emergency situation;

(C) a determination regarding whether additional security measures should be imposed on flights to the United States that originate from that airport; and

(D) an explanation of the rationale for that determination.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) PUBLICATION OF LIST.—The list required by subsection (a)(1) shall be publicly and prominently posted on the website of the Department of Homeland Security on the date on which the report required by subsection (a) is submitted to Congress.

Subtitle F—Cockpit and Cabin Security

SEC. 1959. FEDERAL AIR MARSHAL SERVICE UPDATES.

(a) STANDARDIZATION.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall develop a standard written agreement that shall be the basis of all negotiations and agreements that begin after the date of enactment of this Act between the United States and foreign governments or partners regarding the presence of Federal air marshals on flights to and from the United States, including deployment, technical assistance, and information sharing.

(2) WRITTEN AGREEMENTS.—Except as provided in paragraph (3), not later than 180 days after the date of enactment of this Act, all agreements between the United States and foreign governments or partners regarding the presence of Federal air marshals on flights to and from the United States shall be in writing and signed by the Administrator or other authorized United States Government representative.

(3) EXCEPTION.—The Administrator may schedule Federal air marshal service on flights operating to a foreign country with which no written agreement is in effect if the Administrator determines that—

(A) such mission is necessary for aviation security; and

(B) the requirements of paragraph (4)(B) are met.

(4) NOTIFICATION TO CONGRESS.—

(A) WRITTEN AGREEMENTS.—Not later than 30 days after the date that the Administrator enters into a written agreement under this section, the Administrator shall transmit to the appropriate committees of Congress a copy of the agreement.

(B) NO WRITTEN AGREEMENTS.—The Administrator shall submit to the appropriate committees of Congress—

(i) not later than 30 days after the date of enactment of this Act, a list of each foreign government or partner that does not have a written agreement under this section, including an explanation for why no written agreement exists and a justification for the determination that such a mission is necessary for aviation security; and

(ii) not later than 30 days after the date that the Administrator makes a determination to schedule Federal air marshal service on flights operating to a foreign country with which no written agreement is in effect under paragraph (3), the name of the applicable foreign government or partner, an explanation for why no written agreement exists, and a justification for the determination that such mission is necessary for aviation security.

(b) MISSION SCHEDULING AUTOMATION.—The Administrator shall endeavor to acquire automated capabilities or technologies for scheduling Federal air marshal service missions based on current risk modeling.

(c) IMPROVING FEDERAL AIR MARSHAL SERVICE DEPLOYMENTS.—

(1) AFTER-ACTION REPORTS.—The Administrator shall strengthen internal controls to ensure that all after-action reports on Federal air marshal service special mission coverage provided to stakeholders include documentation of supervisory review and approval, and mandatory narratives.

(2) STUDY.—The Administrator shall contract with an independent entity to conduct a validation and verification study of the risk analysis and risk-based determinations guiding Federal air marshal service deployment, including the use of risk-based strategies under subsection (d).

(3) COST-BENEFIT ANALYSIS.—The Administrator shall conduct a cost-benefit analysis regarding mitigation of aviation security threats through Federal air marshal service deployment.

(4) PERFORMANCE MEASURES.—The Administrator shall improve existing performance measures to better determine the effectiveness of in-flight operations in addressing the highest risks to aviation transportation based on current intelligence.

(5) LONG DISTANCE FLIGHTS.—Section 44917 is amended—

(A) by striking subsection (b); and

(B) by redesignating subsections (c) through (d) as subsections (b) through (c), respectively.

(d) USE OF RISK-BASED STRATEGIES.—

(1) IN GENERAL.—Section 44917(a) is amended—

(A) in paragraph (7), by striking ''and'' after the semicolon at the end;

(B) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(9) shall require the Federal Air Marshal Service to utilize a risk-based strategy when allocating resources between international and domestic flight coverage, including when initially setting its annual target numbers of average daily international and domestic flights to cover;

''(10) shall require the Federal Air Marshal Service to utilize a risk-based strategy to support domestic allocation decisions;

''(11) shall require the Federal Air Marshal Service to utilize a risk-based strategy to support international allocation decisions; and

''(12) shall ensure that the seating arrangements of Federal air marshals on aircraft are determined in a manner that is risk-based and most capable of responding to current threats to aviation security.''.

(2) BRIEFING.—Not later than 270 days after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress on the Federal Air Marshal Service's compliance with the requirements under paragraphs (9) through (12) of section 44917(a) of title 49, United States Code, as added by this Act, and the documented methodology used by the Federal Air Marshal Service to conduct risk assessments in accordance with such paragraphs.

(3) IMPLEMENTATION DEADLINE.—Not later than 180 days after the date of enactment of this Act, the Administrator shall begin implementing the requirements under paragraphs (9) through (12) of section 44917(a), United States Code, as added by this Act.

SEC. 1960. CREW MEMBER SELF-DEFENSE TRAINING.

The Administrator, in consultation with the Administrator of the Federal Aviation Administration, shall continue to carry out and encourage increased participation by air carrier employees in the voluntary self-defense training program under section 44918(b) of title 49, United States Code.

SEC. 1961. FLIGHT DECK SAFETY AND SECURITY.

(a) THREAT ASSESSMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator, in consultation with the Administrator of the Federal Aviation Administration, shall complete a detailed threat assessment to identify any safety or security risks associated with unauthorized access to the flight decks on commercial aircraft and any appropriate measures that should be taken based on the risks.

(b) RTCA REPORT.—The Administrator, in coordination with the Administrator of the Federal Aviation Administration, shall disseminate RTCA Document (DO–329) Aircraft Secondary Barriers and Alternative Flight Deck Security Procedure to aviation stakeholders, including air carriers and flight crew, to convey effective methods and best practices to protect the flight deck.

SEC. 1962. CARRIAGE OF WEAPONS, EXPLOSIVES, AND INCENDIARIES BY INDIVIDUALS.

(a) INTERPRETIVE RULE.—Subject to subsections (b) and (c), the Administrator shall periodically review and amend, as necessary, the interpretive rule (68 Fed. Reg. 7444) that provides guidance to the public on the types of property considered to be weapons, explosives, and incendiaries prohibited under section 1540.111 of title 49, Code of Federal Regulations.

(b) CONSIDERATIONS.—Before determining whether to amend the interpretive rule to include or remove an item from the prohibited list, the Administrator shall—

(1) research and evaluate—

(A) the impact, if any, the amendment would have on security risks;

(B) the impact, if any, the amendment would have on screening operations, including effectiveness and efficiency; and

(C) whether the amendment is consistent with international standards and guidance, including of the International Civil Aviation Organization; and

(2) consult with appropriate aviation security stakeholders, including ASAC.

(c) EXCEPTIONS.—Except for plastic or round bladed butter knives, the Administrator may not amend the interpretive rule described in subsection (a) to authorize any knife to be permitted in an airport sterile area or in the cabin of an aircraft.

(d) NOTIFICATION.—The Administrator shall—

(1) publish in the Federal Register any amendment to the interpretive rule described in subsection (a); and

(2) notify the appropriate committees of Congress of the amendment not later than 3 days before publication under paragraph (1).

SEC. 1963. FEDERAL FLIGHT DECK OFFICER PROGRAM IMPROVEMENTS.

(a) IMPROVED ACCESS TO TRAINING FACILITIES.—Section 44921(c)(2)(C)(ii) is amended—

(1) by striking ''The training of'' and inserting the following:

''(I) IN GENERAL.—The training of'';

(2) in subclause (I), as designated, by striking ''approved by the Under Secretary''; and

(3) by adding at the end the following:

''(II) ACCESS TO TRAINING FACILITIES.—The Administrator shall designate additional firearms training facilities located in various regions of the United States for Federal flight deck officers for recurrent and requalifying training relative to the number of such

facilities available on the day before such date of enactment.''.

(b) FIREARMS REQUALIFICATION.—Section 44921(c)(2)(C) is amended—

(1) in clause (iii)—

(A) by striking ''The Under Secretary shall'' and inserting the following:

''(I) IN GENERAL.—The Administrator shall'';

(B) in subclause (I), as designated by subparagraph (A), by striking ''the Under Secretary'' and inserting ''the Administrator''; and

(C) by adding at the end the following:

''(II) USE OF FACILITIES FOR REQUALIFICATION.—The Administrator shall allow a Federal flight deck officer to requalify to carry a firearm under the program through training at a Transportation Security Administration-approved firearms training facility utilizing a Transportation Security Administration-approved contractor and a curriculum developed and approved by the Transportation Security Administration.''; and

(2) by adding at the end the following:

''(iv) PERIODIC REVIEW.—The Administrator shall periodically review requalification training intervals and assess whether it is appropriate and sufficient to adjust the time between each requalification training to facilitate continued participation in the program under this section while still maintaining effectiveness of the training, and update the training requirements as appropriate.''.

(c) TRAINING REVIEW.—Section 44921(c)(2) is amended by adding at the end the following:

''(D) TRAINING REVIEW.—Not later than 2 years after the date of enactment of the TSA Modernization Act, and biennially thereafter, the Administrator shall review training facilities and training requirements for initial and recurrent training for Federal flight deck officers and evaluate how training requirements, including the length of training, could be streamlined while maintaining the effectiveness of the training, and update the training requirements as appropriate.''.

(d) OTHER MEASURES TO FACILITATE TRAINING.—Section 44921(e) is amended—

(1) by striking ''Pilots participating'' and inserting the following:

''(1) IN GENERAL.—Pilots participating''; and

(2) by adding at the end the following:

''(2) FACILITATION OF TRAINING.—An air carrier shall permit a pilot seeking to be deputized as a Federal flight deck officer or a Federal flight deck officer to take a reasonable amount of leave to participate in initial, recurrent, or requalification training, as applicable, for the program. Leave required under this paragraph may be provided without compensation.''.

(e) INTERNATIONAL HARMONIZATION.—Section 44921(f) is amended—

(1) in paragraphs (1) and (3), by striking ''Under Secretary'' and inserting ''Administrator''; and

(2) by adding at the end the following:

''(4) CONSISTENCY WITH FEDERAL AIR MARSHAL PROGRAM.—The Administrator shall harmonize, to the extent practicable and in a manner that does not jeopardize existing Federal air marshal agreements, the policies relating to the carriage of firearms on international flights by Federal flight deck officers with the policies of the Federal air marshal program for carrying firearms on such flights and carrying out the duties of a Federal flight deck officer, notwithstanding Annex 17 of the International Civil Aviation Organization.''.

(f) PHYSICAL STANDARDS.—Section 44921(d)(2) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) in clause (ii), as redesignated, by striking ''Under Secretary's'' and inserting ''Administrator's'';

(3) by striking ''A pilot is'' and inserting the following:

''(A) IN GENERAL.—A pilot is''; and

(4) by adding at the end the following:

''(B) CONSISTENCY WITH REQUIREMENTS FOR CERTAIN MEDICAL CERTIFICATES.—In establishing standards under subparagraph (A)(ii), the Administrator may not establish medical or physical standards for a pilot to become a Federal flight deck officer that are inconsistent with or more stringent than the requirements of the Federal Aviation Administration for the issuance of the required airman medical certificate under part 67 of title 14, Code of Federal Regulations (or any corresponding similar regulation or ruling).''.

(g) TRANSFER OF STATUS.—Section 44921(d) is amended by adding at the end the following:

''(5) TRANSFER FROM INACTIVE TO ACTIVE STATUS.—In accordance with any applicable Transportation Security Administration appeals processes, a pilot deputized as a Federal flight deck officer who moves to inactive status may return to active status upon successful completion of a recurrent training program administered within program guidelines.''.

(h) TECHNICAL CORRECTIONS.—Section 44921, as amended by this section, is further amended—

(1) in subsection (a), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''Not later than 3 months after the date of enactment of this section, the Under Secretary'' and inserting ''The Administrator'';

(B) in paragraph (2), by striking ''Beginning 3 months after the date of enactment of this section, the Under Secretary shall begin the process of training and deputizing'' and inserting ''The Administrator shall train and deputize''; and

(C) in paragraph (3)(N), by striking ''Under Secretary's'' and inserting ''Administrator's'';

(3) in subsection (d)(4)—

(A) by striking ''may,'' and inserting ''may''; and

(B) by striking ''Under Secretary's'' and inserting ''Administrator's'';

(4) in subsection (i)(2), by striking ''the Under Secretary may'' and inserting ''may'';

(5) in subsection (k)—

(A) by striking paragraphs (2) and (3); and

(B) by striking ''APPLICABILITY.—'' and all that follows through ''This section'' and inserting ''APPLICABILITY.—This section'';

(6) by adding at the end the following:

''(l) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Transportation Security Administration.

''(2) AIR TRANSPORTATION.—The term 'air transportation' includes all-cargo air transportation.

''(3) FIREARMS TRAINING FACILITY.—The term 'firearms training facility' means a private or government-owned gun range approved by the Administrator to provide recurrent or requalification training, as applicable, for the program, utilizing a Transportation Security Administration-approved contractor and a curriculum developed and approved by the Transportation Security Administration.

''(4) PILOT.—The term 'pilot' means an individual who has final authority and responsibility for the operation and safety of the flight or any other flight deck crew member.''; and

(7) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''.

(i) SENSITIVE SECURITY INFORMATION.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary of Transportation shall revise section 15.5(b)(11) of title 49, Code of Federal Regulations, to classify information about pilots deputized as Federal flight deck officers under section 44921 of title 49, United States Code, as sensitive security information in a manner consistent with the classification of information about Federal air marshals; and

(2) the Administrator shall revise section 1520.5(b)(11) of title 49, Code of Federal Regulations, to classify information about pilots deputized as Federal flight deck officers under section 44921 of title 49, United States Code, as sensitive security information in a manner consistent with the classification of information about Federal air marshals.

(j) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall prescribe such regulations as may be necessary to carry out this section and the amendments made by this section.

Subtitle G—Surface Transportation Security

SEC. 1964. SURFACE TRANSPORTATION SECURITY ASSESSMENT AND IMPLEMENTATION OF RISK-BASED STRATEGY.

(a) SECURITY ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall complete an assessment of the vulnerabilities of and risks to surface transportation systems.

(2) CONSIDERATIONS.—In conducting the security assessment under paragraph (1), the Administrator shall, at a minimum—

(A) consider appropriate intelligence;

(B) consider security breaches and attacks at domestic and international surface transportation facilities;

(C) consider the vulnerabilities and risks associated with specific modes of surface transportation;

(D) evaluate the vetting and security training of—

(i) employees in surface transportation; and

(ii) other individuals with access to sensitive or secure areas of surface transportation networks; and

(E) consider input from—

(i) representatives of different modes of surface transportation;

(ii) representatives of critical infrastructure entities;

(iii) the Transportation Systems Sector Coordinating Council; and

(iv) the heads of other relevant Federal departments or agencies.

(b) RISK-BASED SURFACE TRANSPORTATION SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date the security assessment under subsection (a) is complete, the Administrator shall use the results of the assessment—

(A) to develop and implement a cross-cutting, risk-based surface transportation security strategy that includes—

(i) all surface transportation modes;

(ii) a mitigating strategy that aligns with each vulnerability and risk identified in subsection (a);

(iii) a planning process to inform resource allocation;

(iv) priorities, milestones, and performance metrics to measure the effectiveness of the risk-based surface transportation security strategy; and

(v) processes for sharing relevant and timely intelligence threat information with appropriate stakeholders;

(B) to develop a management oversight strategy that—

(i) identifies the parties responsible for the implementation, management, and oversight of the risk-based surface transportation security strategy; and

(ii) includes a plan for implementing the risk-based surface transportation security strategy; and

(C) to modify the risk-based budget and resource allocations, in accordance with section 1965(c), for the Transportation Security Administration.

(2) COORDINATED APPROACH.—In developing and implementing the risk-based surface transportation security strategy under paragraph (1), the Administrator shall coordinate with the heads of other relevant Federal departments or agencies, and stakeholders, as appropriate—

(A) to evaluate existing surface transportation security programs, policies, and initiatives, including the explosives detection canine teams, for consistency with the risk-based security strategy and, to the extent practicable, avoid any unnecessary duplication of effort;

(B) to determine the extent to which stakeholder security programs, policies, and initiatives address the vulnerabilities and risks to surface transportation systems identified in subsection (a); and

(C) subject to subparagraph (B), to mitigate each vulnerability and risk to surface transportation systems identified in subsection (a).

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date the security assessment under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress and the Inspector General of the Department a report that—

(A) describes the process used to complete the security assessment;

(B) describes the process used to develop the risk-based security strategy;

(C) describes the risk-based security strategy;

(D) includes the management oversight strategy;

(E) includes—

(i) the findings of the security assessment;

(ii) a description of the actions recommended or taken by the Administrator to mitigate the vulnerabilities and risks identified in subsection (a), including interagency coordination;

(iii) any recommendations for improving the coordinated approach to mitigating vulnerabilities and risks to surface transportation systems; and

(iv) any recommended changes to the National Infrastructure Protection Plan, the modal annexes to such plan, or relevant surface transportation security programs, policies, or initiatives; and

(F) may contain a classified annex.

(2) PROTECTIONS.—In preparing the report, the Administrator shall take appropriate actions to safeguard information described by section 552(b) of title 5, United States Code, or protected from disclosure by any other law of the United States.

(d) UPDATES.—Not less frequently than semiannually, the Administrator shall report to or brief the appropriate committees of Congress on the vulnerabilities of and risks to surface transportation systems and how those vulnerabilities and risks affect the risk-based security strategy.

SEC. 1965. RISK-BASED BUDGETING AND RESOURCE ALLOCATION.

(a) REPORT.—In conjunction with the submission of the Department's annual budget request to the Office of Management and Budget, the Administrator shall submit to the appropriate committees of Congress a report that describes a risk-based budget and resource allocation plan for surface transportation sectors, within and across modes, that—

(1) reflects the risk-based surface transportation security strategy under section 1964(b); and

(2) is organized by appropriations account, program, project, and initiative.

(b) BUDGET TRANSPARENCY.—In submitting the annual budget of the United States Government under section 1105 of title 31, United States Code, the President shall clearly distinguish the resources requested for surface transportation security from the resources requested for aviation security.

(c) RESOURCE REALLOCATION.—

(1) IN GENERAL.—Not later than 15 days after the date on which the Transportation Security Administration allocates any resources or personnel, including personnel sharing, detailing, or assignment, or the use of facilities, technology systems, or vetting resources, for a nontransportation security purpose or National Special Security Event (as defined in section 2001 of Homeland Security Act of 2002 (6 U.S.C. 601)), the Secretary shall provide the notification described in paragraph (2) to the appropriate committees of Congress.

(2) NOTIFICATION.—A notification described in this paragraph shall include—

(A) the reason for and a justification of the resource or personnel allocation;

(B) the expected end date of the resource or personnel allocation; and

(C) the projected cost to the Transportation Security Administration of the personnel or resource allocation.

(d) 5-YEAR CAPITAL INVESTMENT PLAN.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a 5-year capital investment plan, consistent with the 5-year technology investment plan under section 1611 of title XVI of the Homeland Security Act of 2002, as amended by section 3 of the Transportation Security Acquisition Reform Act (Public Law 113–245; 128 Stat. 2871).

SEC. 1966. SURFACE TRANSPORTATION SECURITY MANAGEMENT AND INTERAGENCY COORDINATION REVIEW.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) review the staffing, budget, resource, and personnel allocation, and management oversight strategy of the Transportation Security Administration's surface transportation security programs;

(2) review the coordination between relevant entities of leadership, planning, policy, inspections, and implementation of security programs relating to surface transportation to reduce redundancy and regulatory burden; and

(3) submit to the appropriate committees of Congress a report on the findings of the reviews under paragraphs (1) and (2), including any recommendations for improving coordination between relevant entities and reducing redundancy and regulatory burden.

SEC. 1967. TRANSPARENCY.

(a) REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and every 180 days thereafter, the Administrator shall publish on a public website information regarding the status of each regulation relating to surface transportation security that is directed by law to be issued and that has not been issued if not less than 2 years have passed since the date of enactment of the law.

(2) CONTENTS.—The information published under paragraph (1) shall include—

(A) an updated rulemaking schedule for the outstanding regulation;

(B) current staff allocations;

(C) data collection or research relating to the development of the rulemaking;

(D) current efforts, if any, with security experts, advisory committees, and other stakeholders; and

(E) other relevant details associated with the development of the rulemaking that impact the progress of the rulemaking.

(b) INSPECTOR GENERAL REVIEW.—Not later than 180 days after the date of enactment of this Act, and every 2 years thereafter until all of the requirements under titles XIII, XIV, and XV of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1111 et seq.) and under this title have been fully implemented, the Inspector General of the Department shall submit to the appropriate committees of Congress a report that—

(1) identifies the requirements under such titles of that Act and under this title that have not been fully implemented;

(2) describes what, if any, additional action is necessary; and

(3) includes recommendations regarding whether any of the requirements under such titles of that Act or this title should be amended or repealed.

SEC. 1968. TSA COUNTERTERRORISM ASSET DEPLOYMENT.

(a) COUNTERTERRORISM ASSET DEPLOYMENT.—

(1) IN GENERAL.—If the Administrator deploys any counterterrorism personnel or resource, such as explosive detection sweeps, random bag inspections, or patrols by Visible Intermodal Prevention and Response teams, to enhance security at a transportation system or transportation facility for a period of not less than 180 consecutive days, the Administrator shall provide sufficient notification to the system or facility operator, as applicable, not less than 14 days prior to terminating the deployment.

(2) EXCEPTION.—This subsection shall not apply if the Administrator—

(A) determines there is an urgent security need for the personnel or resource described in paragraph (1); and

(B) notifies the appropriate committees of Congress of the determination under subparagraph (A).

(b) VIPR TEAMS.—Section 1303 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1112) is amended—

(1) in subsection (a)(4), by striking ''team,'' and inserting ''team as to specific locations and times within the facilities of such entities at which VIPR teams are to be deployed to maximize the effectiveness of such deployment,''; and

(2) by striking subsection (b) and inserting the following:

''(b) PERFORMANCE MEASURES.—Not later than 1 year after the date of enactment of the TSA Modernization Act, the Administrator shall develop and implement a system of qualitative performance measures and objectives by which to assess the roles, activities, and effectiveness of VIPR team operations on an ongoing basis, including a mechanism through which the transportation entities referred to in subsection (a)(4) may submit feedback on VIPR team operations involving their systems or facilities.

''(c) PLAN.—Not later than 1 year after the date of the enactment of the TSA Modernization Act, the Administrator shall develop

and implement a plan for ensuring the interoperability of communications among VIPR team participants and between VIPR teams and any transportation entities with systems or facilities that are involved in VIPR team operations. Such plan shall include an analysis of the costs and resources required to carry out such plan.''.

SEC. 1969. SURFACE TRANSPORTATION SECURITY ADVISORY COMMITTEE.

(a) IN GENERAL.—Subtitle A of title IV of the Homeland Security Act of 2002 (6 U.S.C. 201 et seq.) is amended by adding at the end the following:

''SEC. 404. SURFACE TRANSPORTATION SECURITY ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—The Administrator of the Transportation Security Administration (referred to in this section as 'Administrator') shall establish within the Transportation Security Administration the Surface Transportation Security Advisory Committee (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—

''(1) IN GENERAL.—The Advisory Committee may advise, consult with, report to, and make recommendations to the Administrator on surface transportation security matters, including the development, refinement, and implementation of policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

''(2) RISK-BASED SECURITY.—The Advisory Committee shall consider risk-based security approaches in the performance of its duties.

''(c) MEMBERSHIP.—

''(1) COMPOSITION.—The Advisory Committee shall be composed of—

''(A) voting members appointed by the Administrator under paragraph (2); and

''(B) nonvoting members, serving in an advisory capacity, who shall be designated by—

''(i) the Transportation Security Administration;

''(ii) the Department of Transportation;

''(iii) the Coast Guard; and

''(iv) such other Federal department or agency as the Administrator considers appropriate.

''(2) APPOINTMENT.—The Administrator shall appoint voting members from among stakeholders representing each mode of surface transportation, such as passenger rail, freight rail, mass transit, pipelines, highways, over-the-road bus, school bus industry, and trucking, including representatives from—

''(A) associations representing such modes of surface transportation;

''(B) labor organizations representing such modes of surface transportation;

''(C) groups representing the users of such modes of surface transportation, including asset manufacturers, as appropriate;

''(D) relevant law enforcement, first responders, and security experts; and

''(E) such other groups as the Administrator considers appropriate.

''(3) CHAIRPERSON.—The Advisory Committee shall select a chairperson from among its voting members.

''(4) TERM OF OFFICE.—

''(A) TERMS.—

''(i) IN GENERAL.—The term of each voting member of the Advisory Committee shall be 2 years, but a voting member may continue to serve until the Administrator appoints a successor.

''(ii) REAPPOINTMENT.—A voting member of the Advisory Committee may be reappointed.

''(B) REMOVAL.—

''(i) IN GENERAL.—The Administrator may review the participation of a member of the Advisory Committee and remove such member for cause at any time.

''(ii) ACCESS TO INFORMATION.—The Administrator may remove any member of the Advisory Committee that the Administrator determines should be restricted from reviewing, discussing, or possessing classified information or sensitive security information.

''(5) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee shall not receive any compensation from the Government by reason of their service on the Advisory Committee.

''(6) MEETINGS.—

''(A) IN GENERAL.—The Administrator shall require the Advisory Committee to meet at least semiannually in person or through web conferencing and may convene additional meetings as necessary.

''(B) PUBLIC MEETINGS.—At least 1 of the meetings of the Advisory Committee each year shall be—

''(i) announced in the Federal Register;

''(ii) announced on a public website; and

''(iii) open to the public.

''(C) ATTENDANCE.—The Advisory Committee shall maintain a record of the persons present at each meeting.

''(D) MINUTES.—

''(i) IN GENERAL.—Unless otherwise prohibited by other Federal law, minutes of the meetings shall be published on the public website under subsection (e)(5).

''(ii) PROTECTION OF CLASSIFIED AND SENSITIVE INFORMATION.—The Advisory Committee may redact or summarize, as necessary, minutes of the meetings to protect classified or other sensitive information in accordance with law.

''(7) VOTING MEMBER ACCESS TO CLASSIFIED AND SENSITIVE SECURITY INFORMATION.—

''(A) DETERMINATIONS.—Not later than 60 days after the date on which a voting member is appointed to the Advisory Committee and before that voting member may be granted any access to classified information or sensitive security information, the Administrator shall determine if the voting member should be restricted from reviewing, discussing, or possessing classified information or sensitive security information.

''(B) ACCESS.—

''(i) SENSITIVE SECURITY INFORMATION.—If a voting member is not restricted from reviewing, discussing, or possessing sensitive security information under subparagraph (A) and voluntarily signs a nondisclosure agreement, the voting member may be granted access to sensitive security information that is relevant to the voting member's service on the Advisory Committee.

''(ii) CLASSIFIED INFORMATION.—Access to classified materials shall be managed in accordance with Executive Order 13526 of December 29, 2009 (75 Fed. Reg. 707), or any subsequent corresponding Executive order.

''(C) PROTECTIONS.—

''(i) SENSITIVE SECURITY INFORMATION.—Voting members shall protect sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

''(ii) CLASSIFIED INFORMATION.—Voting members shall protect classified information in accordance with the applicable requirements for the particular level of classification.

''(8) JOINT COMMITTEE MEETINGS.—The Advisory Committee may meet with 1 or more of the following advisory committees to discuss multimodal security issues and other security-related issues of common concern:

''(A) Aviation Security Advisory Committee established under section 44946 of title 49, United States Code.

''(B) Maritime Security Advisory Committee established under section 70112 of title 46, United States Code.

''(C) Railroad Safety Advisory Committee established by the Federal Railroad Administration.

''(9) SUBJECT MATTER EXPERTS.—The Advisory Committee may request the assistance of subject matter experts with expertise related to the jurisdiction of the Advisory Committee.

''(d) REPORTS.—

''(1) PERIODIC REPORTS.—The Advisory Committee shall periodically submit reports to the Administrator on matters requested by the Administrator or by a majority of the members of the Advisory Committee.

''(2) ANNUAL REPORT.—

''(A) SUBMISSION.—The Advisory Committee shall submit to the Administrator and the appropriate congressional committees an annual report that provides information on the activities, findings, and recommendations of the Advisory Committee during the preceding year.

''(B) PUBLICATION.—Not later than 6 months after the date that the Administrator receives an annual report under subparagraph (A), the Administrator shall publish a public version of the report, in accordance with section 552a(b) of title 5, United States Code.

''(e) ADMINISTRATION RESPONSE.—

''(1) CONSIDERATION.—The Administrator shall consider the information, advice, and recommendations of the Advisory Committee in formulating policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

''(2) FEEDBACK.—Not later than 90 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on the recommendation, including—

''(A) if the Administrator agrees with the recommendation, a plan describing the actions that the Administrator has taken, will take, or recommends that the head of another Federal department or agency take to implement the recommendation; or

''(B) if the Administrator disagrees with the recommendation, a justification for that determination.

''(3) NOTICES.—Not later than 30 days after the date the Administrator submits feedback under paragraph (2), the Administrator shall—

''(A) notify the appropriate congressional committees of the feedback, including the determination under subparagraph (A) or subparagraph (B) of that paragraph, as applicable; and

''(B) provide the appropriate congressional committees with a briefing upon request.

''(4) UPDATES.—Not later than 90 days after the date the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2) that the Administrator agrees with, and quarterly thereafter until the recommendation is fully implemented, the Administrator shall submit a report to the appropriate congressional committees or post on the public website under paragraph (5) an update on the status of the recommendation.

''(5) WEBSITE.—The Administrator shall maintain a public website that—

''(A) lists the members of the Advisory Committee; and

''(B) provides the contact information for the Advisory Committee.

''(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee or any subcommittee established under this section.''.

(b) ADVISORY COMMITTEE MEMBERS.—

(1) VOTING MEMBERS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall appoint the voting

members of the Surface Transportation Security Advisory Committee established under section 404 of the Homeland Security Act of 2002, as added by subsection (a) of this section.

(2) NONVOTING MEMBERS.—Not later than 90 days after the date of enactment of this Act, each Federal Government department and agency with regulatory authority over a mode of surface or maritime transportation, as the Administrator considers appropriate, shall designate an appropriate representative to serve as a nonvoting member of the Surface Transportation Security Advisory Committee.

(c) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 403 the following:

''Sec. 404. Surface Transportation Security Advisory Committee.''.

SEC. 1970. REVIEW OF THE EXPLOSIVES DETECTION CANINE TEAM PROGRAM.

(a) IN GENERAL.—Not later than 90 days after the date that the Inspector General of the Department receives the report under section 1964(c), the Inspector General of the Department shall—

(1) review the explosives detection canine team program, including—

(A) the development by the Transportation Security Administration of a deployment strategy for explosives detection canine teams;

(B) the national explosives detection canine team training program, including canine training, handler training, refresher training, and updates to such training;

(C) the use of the canine assets during an urgent security need, including the reallocation of such program resources outside the transportation systems sector during an urgent security need; and

(D) the monitoring and tracking of canine assets; and

(2) submit to the appropriate committees of Congress a report on the review, including any recommendations.

(b) CONSIDERATIONS.—In conducting the review of the deployment strategy under subsection (a)(1)(A), the Inspector General shall consider whether the Transportation Security Administration's method to analyze the risk to transportation facilities and transportation systems is appropriate.

SEC. 1971. EXPANSION OF NATIONAL EXPLOSIVES DETECTION CANINE TEAM PROGRAM.

(a) IN GENERAL.—The Secretary, where appropriate, shall encourage State, local, and tribal governments and private owners of high-risk transportation facilities to strengthen security through the use of explosives detection canine teams.

(b) INCREASED CAPACITY.—

(1) IN GENERAL.—Before the date the Inspector General of the Department submits the report under section 1970, the Administrator may increase the number of State and local surface and maritime transportation canines by not more than 70 explosives detection canine teams.

(2) ADDITIONAL TEAMS.—Beginning on the date the Inspector General of the Department submits the report under section 1970, the Secretary may increase the State and local surface and maritime transportation canines up to 200 explosives detection canine teams unless more are identified in the risk-based surface transportation security strategy under section 1964, consistent with section 1965 or with the President's most recent budget submitted under section 1105 of title 31, United States Code.

(3) RECOMMENDATIONS.—Before initiating any increase in the number of explosives detection teams under paragraph (2), the Secretary shall consider any recommendations in the report under section 1970 on the efficacy and management of the explosives detection canine program.

(c) DEPLOYMENT.—The Secretary shall—

(1) use the additional explosives detection canine teams, as described in subsection (b)(1), as part of the Department's efforts to strengthen security across the Nation's surface and maritime transportation networks;

(2) make available explosives detection canine teams to all modes of transportation, subject to the requirements under section 1968, to address specific vulnerabilities or risks, on an as-needed basis and as otherwise determined appropriate by the Secretary; and

(3) consider specific needs and training requirements for explosives detection canine teams to be deployed across the Nation's surface and maritime transportation networks, including in venues of multiple modes of transportation, as the Secretary considers appropriate.

(d) AUTHORIZATION.—There are authorized to be appropriated to the Secretary to the extent of appropriations to carry out this section for each of fiscal years 2019 through 2021.

SEC. 1972. STUDY ON SECURITY STANDARDS AND BEST PRACTICES FOR PASSENGER TRANSPORTATION SYSTEMS.

(a) SECURITY STANDARDS AND BEST PRACTICES FOR UNITED STATES AND FOREIGN PASSENGER TRANSPORTATION SYSTEMS.—The Comptroller General of the United States shall conduct a study of how the Transportation Security Administration—

(1) identifies and compares—

(A) United States and foreign passenger transportation security standards; and

(B) best practices for protecting passenger transportation systems, including shared terminal facilities, and cyber systems; and

(2) disseminates the findings under paragraph (1) to stakeholders.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall issue a report that contains—

(1) the findings of the study conducted under subsection (a); and

(2) any recommendations for improving the relevant processes or procedures.

SEC. 1973. AMTRAK SECURITY UPGRADES.

(a) RAILROAD SECURITY ASSISTANCE.—Section 1513(b) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1163(b)) is amended—

(1) in paragraph (1), by striking the period at the end and inserting '', including communications interoperability where appropriate with relevant outside agencies and entities.'';

(2) in paragraph (5), by striking ''security of'' and inserting ''security and preparedness of'';

(3) in paragraph (7), by striking ''security threats'' and inserting ''security threats and preparedness, including connectivity to the National Terrorist Screening Center''; and

(4) in paragraph (9), by striking ''and security officers'' and inserting '', security, and preparedness officers''.

(b) SPECIFIC PROJECTS.—Section 1514(a)(3) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1164(a)(3)) is amended—

(1) in subparagraph (D) by inserting '', or to connect to the National Terrorism Screening Center watchlist'' after ''Secretary'';

(2) in subparagraph (G), by striking ''; and'' at the end and inserting a semicolon;

(3) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(I) for improvements to passenger verification systems;

''(J) for improvements to employee and contractor verification systems, including identity verification technology; or

''(K) for improvements to the security of Amtrak computer systems, including cybersecurity assessments and programs.''.

SEC. 1974. PASSENGER RAIL VETTING.

(a) IN GENERAL.—Not later than 180 days after the date on which the Amtrak Board of Directors submits a request to the Administrator, the Administrator shall issue a decision on the use by Amtrak of the Transportation Security Administration's Secure Flight Program or a similar passenger vetting system to enhance passenger rail security.

(b) CONSIDERATIONS.—In making a decision under subsection (a), the Administrator shall—

(1) consider the technological, privacy, operational, and security impacts of such a decision; and

(2) describe such impacts in any strategic plan developed under subsection (c).

(c) STRATEGIC PLAN.—If the Administrator decides to grant the request by Amtrak under subsection (a), the decision shall include a strategic plan for working with rail stakeholders to enhance passenger rail security by—

(1) vetting passengers using terrorist watch lists maintained by the Federal Government or a similar passenger vetting system maintained by the Transportation Security Administration; and

(2) where applicable and in consultation with the Commissioner of U.S. Customs and Border Protection, assessing whether the vetting process should be integrated into preclearance operations established under section 813 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4432).

(d) NOTICES.—The Administrator shall notify the appropriate committees of Congress of any decision made under subsection (a) and the details of the strategic plan under subsection (c).

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the Administrator's authority to set the access to, or terms and conditions of using, the Secure Flight Program or a similar passenger vetting system.

SEC. 1975. STUDY ON SURFACE TRANSPORTATION INSPECTORS.

(a) STRATEGY.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate congressional committees and the Comptroller General of the United States a strategy to guide operations of surface transportation security inspectors that addresses the following:

(1) Any limitations in data systems for such inspectors, as identified by the Comptroller General.

(2) Alignment of operations with risk assessment findings, including an approach to identifying and prioritizing entities and locations for inspections.

(3) Measurable objectives for the surface transportation security inspectors program.

(b) GAO REVIEW.—Not later than 180 days after the date the strategy under subsection (a) is submitted, the Comptroller General of the United States shall review such strategy and, as appropriate, issue recommendations.

SEC. 1976. SECURITY AWARENESS PROGRAM.

(a) ESTABLISHMENT.—The Administrator shall establish a program to promote surface transportation security through the training of surface transportation operators and frontline employees on each of the skills identified in subsection (c).

(b) APPLICATION.—The program established under subsection (a) shall apply to all modes of surface transportation, including public transportation, rail, highway, motor carrier, and pipeline.

(c) TRAINING.—The program established under subsection (a) shall cover, at a minimum, the skills necessary to recognize, assess, and respond to suspicious items or actions that could indicate a threat to transportation.

(d) ASSESSMENT.—

(1) IN GENERAL.—The Administrator shall conduct an assessment of current training programs for surface transportation operators and frontline employees.

(2) CONTENTS.—The assessment shall identify—

(A) whether other training is being provided, either voluntarily or in response to other Federal requirements; and

(B) whether there are any gaps in existing training.

(e) UPDATES.—The Administrator shall ensure the program established under subsection (a) is updated as necessary to address changes in risk and terrorist methods and to close any gaps identified in the assessment under subsection (d).

(f) SUSPICIOUS ACTIVITY REPORTING.—

(1) IN GENERAL.—The Secretary shall maintain a national telephone number for an individual to use to report suspicious activity under this section to the Administration.

(2) PROCEDURES.—The Administrator shall establish procedures for the Administration—

(A) to review and follow-up, as necessary, on each report received under paragraph (1); and

(B) to share, as necessary and in accordance with law, the report with appropriate Federal, State, local, and tribal entities.

(3) RULE OF CONSTRUCTION.—Nothing in this section may be construed to—

(A) replace or affect in any way the use of 9–1–1 services in an emergency; or

(B) replace or affect in any way the security training program requirements specified in sections 1408, 1517, and 1534 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1137, 1167, 1184).

(g) DEFINITION OF FRONTLINE EMPLOYEE.—In this section, the term ''frontline employee'' includes—

(1) an employee of a public transportation agency who is a transit vehicle driver or operator, dispatcher, maintenance and maintenance support employee, station attendant, customer service employee, security employee, or transit police, or any other employee who has direct contact with riders on a regular basis, and any other employee of a public transportation agency that the Administrator determines should receive security training under this section or that is receiving security training under other law;

(2) over-the-road bus drivers, security personnel, dispatchers, maintenance and maintenance support personnel, ticket agents, other terminal employees, and other employees of an over-the-road bus operator or terminal owner or operator that the Administrator determines should receive security training under this section or that is receiving security training under other law; or

(3) security personnel, dispatchers, locomotive engineers, conductors, trainmen, other onboard employees, maintenance and maintenance support personnel, bridge tenders, and any other employees of railroad carriers that the Administrator determines should receive security training under this section or that is receiving security training under other law.

SEC. 1977. VOLUNTARY USE OF CREDENTIALING.

(a) IN GENERAL.—An applicable individual who is subject to credentialing or a background investigation may satisfy that requirement by obtaining a valid transportation security card.

(b) ISSUANCE OF CARDS.—The Secretary of Homeland Security—

(1) shall expand the transportation security card program, consistent with section 70105 of title 46, United States Code, to allow an applicable individual who is subject to credentialing or a background investigation to apply for a transportation security card; and

(2) may charge reasonable fees, in accordance with section 520(a) of the Department of Homeland Security Appropriations Act, 2004 (6 U.S.C. 469(a)), for providing the necessary credentialing and background investigation.

(c) VETTING.—The Administrator shall develop and implement a plan to utilize, in addition to any background check required for initial issue, the Federal Bureau of Investigation's Rap Back Service and other vetting tools as appropriate, including the No-Fly and Selectee lists, to get immediate notification of any criminal activity relating to any person with a valid transportation security card.

(d) DEFINITIONS.—In this section:

(1) APPLICABLE INDIVIDUAL WHO IS SUBJECT TO CREDENTIALING OR A BACKGROUND INVESTIGATION.—The term ''applicable individual who is subject to credentialing or a background investigation'' means only an individual who—

(A) because of employment is regulated by the Transportation Security Administration, Department of Transportation, or Coast Guard and is required to have a background records check to obtain a hazardous materials endorsement on a commercial driver's license issued by a State under section 5103a of title 49, United States Code; or

(B) is required to have a credential and background records check under section 2102(d)(2) of the Homeland Security Act of 2002 (6 U.S.C. 622(d)(2)) at a facility with activities that are regulated by the Transportation Security Administration, Department of Transportation, or Coast Guard.

(2) VALID TRANSPORTATION SECURITY CARD.—The term ''valid transportation security card'' means a transportation security card that is—

(A) issued under section 70105 of title 46, United States Code;

(B) not expired;

(C) shows no signs of tampering; and

(D) bears a photograph of the individual representing such card.

SEC. 1978. BACKGROUND RECORDS CHECKS FOR ISSUANCE OF HAZMAT LICENSES.

(a) ISSUANCE OF LICENSES.—Section 5103a(a)(1) is amended—

(1) by striking ''unless'' and inserting ''unless—'';

(2) by striking ''the Secretary of Homeland Security'' and inserting the following:

''(A) ''the Secretary of Homeland Security'';'';

(3) in subparagraph (A), as designated by paragraph (2) of this subsection, by striking the period at the end and inserting ''; or''; and

(4) by adding at the end the following:

''(B) the individual holds a valid transportation security card issued under section 70105 of title 46.''.

(b) TRANSPORTATION SECURITY CARD.—Section 5103a(d)(1) is amended, in the matter preceding subparagraph (A), by striking ''described in subsection (a)(1)'' and inserting ''under subsection (a)(1)(A)''.

SEC. 1979. CARGO CONTAINER SCANNING TECHNOLOGY REVIEW.

(a) DESIGNATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and not less frequently than once every 5 years thereafter until the date of full-scale implementation of 100 percent screening of cargo containers and 100 percent scanning of high-risk containers required under section 232 of the SAFE Port Act (6 U.S.C. 982), the Secretary shall solicit proposals for scanning technologies, consistent with the standards under subsection (b)(8) of that section, to improve scanning of cargo at domestic ports.

(2) EVALUATION.—In soliciting proposals under paragraph (1), the Secretary shall establish measures to assess the performance of the proposed scanning technologies, including—

(A) the rate of false positives;

(B) the delays in processing times; and

(C) the impact on the supply chain.

(b) PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary may establish a pilot program to determine the efficacy of a scanning technology referred to in subsection (a).

(2) APPLICATION PROCESS.—In carrying out the pilot program under this subsection, the Secretary shall—

(A) solicit applications from domestic ports;

(B) select up to 4 domestic ports to participate in the pilot program; and

(C) select ports with unique features and differing levels of trade volume.

(3) REPORT.—Not later than 1 year after initiating a pilot program under paragraph (1), the Secretary shall submit to the appropriate committees of Congress a report on the pilot program, including—

(A) an evaluation of the scanning technologies proposed to improve security at domestic ports and to meet the full-scale implementation requirement;

(B) the costs to implement a pilot program;

(C) the benefits of the proposed scanning technologies;

(D) the impact of the pilot program on the supply chain; and

(E) recommendations for implementation of advanced cargo scanning technologies at domestic ports.

(4) SHARING PILOT PROGRAM TESTING RESULTS.—The results of the pilot testing of advanced cargo scanning technologies shall be shared, as appropriate, with government agencies and private stakeholders whose responsibilities encompass the secure transport of cargo.

SEC. 1980. PIPELINE SECURITY STUDY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study regarding the roles and responsibilities of the Department of Homeland Security and the Department of Transportation with respect to pipeline security.

(b) CONTENTS.—The study under subsection (a) shall examine—

(1) whether the Annex to the Memorandum of Understanding executed on August 9, 2006, between the Department of Homeland Security and the Department of Transportation adequately delineates strategic and operational responsibilities for pipeline security, including whether it is clear which department is responsible for—

(A) protecting against intentional pipeline breaches and cyber attacks;

(B) responding to intentional pipeline breaches and cyber attacks; and

(C) planning to recover from the impact of intentional pipeline breaches and cyber attacks;

(2) whether the respective roles and responsibilities of each department are adequately conveyed to relevant stakeholders and to the public;

(3) whether the processes and procedures for determining whether a particular pipeline breach is a terrorist incident are clear and effective;

(4) whether, and if so how, pipeline sector stakeholders share security-related information;

(5) the guidance pipeline operators report use to address security risks and the extent to which the TSA ensures its guidelines reflect the current threat environment;

(6) the extent to which the TSA has assessed security risks to pipeline systems; and

(7) the extent to which the TSA has assessed its effectiveness in reducing pipeline security risks.

(c) REPORT ON STUDY.—Not later than 180 days after the date of enactment of the TSA Modernization Act, the Comptroller General of the United States shall submit to the Secretary of Homeland Security and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the findings of the study under subsection (a).

(d) REPORT TO CONGRESS.—Not later than 90 days after the date the report under subsection (c) is submitted, the Secretary of Homeland Security shall review and analyze the study and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives a report on such review and analysis, including any recommendations for—

(1) changes to the Annex to the Memorandum of Understanding referred to in subsection (b)(1); and

(2) other improvements to pipeline security activities at the Department.

SEC. 1981. FEASIBILITY ASSESSMENT.

(a) EMERGING ISSUES.—Not later than 180 days after the date of enactment of this Act, the Secretary, acting through the Administrator and in coordination with the Under Secretary for Science and Technology of the Department of Homeland Security, shall submit to the appropriate committees of Congress a feasibility assessment of modifying the security of surface transportation assets by—

(1) introducing next generation technologies to be integrated into systems of surface transportation assets to detect explosives, including through the deployment of mobile explosives detection technologies to conduct risk-based passenger and property screening at such systems;

(2) providing surface transportation asset operators with access to the Transportation Security Administration's Secure Flight Program or a similar passenger vetting system maintained by the Transportation Security Administration;

(3) deploying a credential authentication technology or other means of identification document inspection to high-risk surface transportation assets to assist operators conducting passenger vetting; and

(4) deploying scalable, cost-effective technology solutions to detect chemical, biological, radiological, nuclear, or explosive threats within high-risk surface transportation assets that are capable of passive, continuous, and real-time sensing and detection of, and alerting passengers and operating personnel to, the presence of such a threat.

(b) CONSIDERATIONS.—In carrying out the assessment under subsection (a), the Secretary, acting through the Administrator and in coordination with the Under Secretary for Science and Technology of the Department of Homeland Security, shall address the technological, privacy, operational, passenger facilitation, and public acceptance considerations involved with each security measure contemplated in such assessment.

SEC. 1982. BEST PRACTICES TO SECURE AGAINST VEHICLE-BASED ATTACKS.

Not later than 180 days after the date of enactment of this Act, the Administrator shall disseminate best practices to public and private stakeholders regarding how to enhance transportation security against the threat of a vehicle-based terrorist attack.

SEC. 1983. SURFACE TRANSPORTATION STAKEHOLDER SURVEY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall begin conducting a survey of public and private stakeholders responsible for securing surface transportation assets regarding resource challenges, including the availability of Federal funding, associated with securing such assets that provides an opportunity for respondents to set forth information on specific unmet needs.

(b) REPORT.—Not later than 120 days after beginning the survey required under subsection (a), the Secretary shall report to the appropriate committees of Congress regarding the results of such survey and the Department of Homeland Security's efforts to address any identified security vulnerabilities.

SEC. 1984. NUCLEAR MATERIAL AND EXPLOSIVE DETECTION TECHNOLOGY.

The Secretary, in coordination with the Director of the National Institute of Standards and Technology and the head of each relevant Federal department or agency researching nuclear material detection systems or explosive detection systems, shall research, facilitate, and, to the extent practicable, deploy next generation technologies, including active neutron interrogation, to detect nuclear material and explosives in transportation systems and transportation facilities.

Subtitle H—Transportation Security

SEC. 1985. NATIONAL STRATEGY FOR TRANSPORTATION SECURITY REVIEW.

(a) GAO REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall evaluate the degree to which the most recent National Strategy for Transportation Security, as updated, under section 114(s) of title 49, United States Code, is reflected in relevant Federal transportation security programs, budgets, research, staffing levels, and related activities.

(2) CONSIDERATIONS.—In conducting the evaluation under paragraph (1), the Comptroller General shall consider the degree to which—

(A) the strategy is sufficiently forward-looking to guide future Federal efforts relating to transportation security;

(B) Federal transportation security programs, budgets, research, staffing levels, and related activities for fiscal year 2019 and subsequent fiscal years would be guided by the strategy; and

(C) any annual progress reports submitted to Congress under that section after the strategy is submitted would provide information on the degree to which that strategy guides Federal efforts relating to transportation security.

SEC. 1986. RISK SCENARIOS.

(a) IN GENERAL.—The Administrator shall annually develop, consistent with the transportation modal security plans required under section 114(s) of title 49, United States Code, risk-based priorities based on risk assessments conducted or received by the Secretary across all transportation modes that consider threats, vulnerabilities, and consequences.

(b) SCENARIOS.—The Administrator shall ensure that the risk-based priorities identified under subsection (a) are informed by an analysis of terrorist attack scenarios for each transportation mode, including cyber-attack scenarios and intelligence and open source information about current and evolving threats.

(c) REPORT.—Not later than 120 days after the date that annual risk-based priorities are developed under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report that includes the following:

(1) Copies of the risk assessments for each transportation mode.

(2) A summary that ranks the risks within and across modes.

(3) A description of the risk-based priorities for securing the transportation sector that identifies and prioritizes the greatest security needs of such transportation sector, both across and within modes, in the order that such priorities should be addressed.

(4) Information on the underlying methodologies used to assess risks across and within each transportation mode and the basis for any assumptions regarding threats, vulnerabilities, and consequences made in assessing and prioritizing risks within each such mode and across modes.

(d) CLASSIFICATION.—The information provided under subsection (c) may be submitted in a classified format or unclassified format, as the Administrator considers appropriate.

SEC. 1987. INTEGRATED AND UNIFIED OPERATIONS CENTERS. —

(a) FRAMEWORK.—Not later than 120 days after the date of enactment of this Act, the Administrator, in consultation with the heads of other appropriate offices or components of the Department, shall make available to public and private stakeholders a framework for establishing an integrated and unified operations center responsible for overseeing daily operations of a transportation facility that promotes coordination for responses to terrorism, serious incidents, and other purposes, as determined appropriate by the Administrator.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress regarding the establishment and activities of integrated and unified operations centers at transportation facilities at which the TSA has a presence.

SEC. 1988. NATIONAL DEPLOYMENT FORCE.

(a) IN GENERAL.—Subchapter II of chapter 449, as amended by section 1943 of this Act, is further amended by adding at the end the following:

"SEC. 44948. NATIONAL DEPLOYMENT OFFICE.

''(a) ESTABLISHMENT.—There is established within the Transportation Security Administration a National Deployment Office, to be headed by an individual with supervisory experience. Such individual shall be designated by the Administrator of the Transportation Security Administration.

''(b) DUTIES.—The individual designated as the head of the National Deployment Office shall be responsible for the following:

''(1) Maintaining a National Deployment Force within the Transportation Security Administration, including transportation security officers, supervisory transportation security officers and lead transportation security officers, to provide the Administration with rapid and efficient response capabilities and augment the Department of Homeland Security's homeland security operations to mitigate and reduce risk, including for the following:

''(A) Airports temporarily requiring additional security personnel due to an emergency, seasonal demands, hiring shortfalls, severe weather conditions, passenger volume mitigation, equipment support, or other reasons.

''(B) Special events requiring enhanced security including National Special Security Events, as determined by the Secretary of Homeland Security.

''(C) Response in the aftermath of any manmade disaster, including any terrorist attack.

''(D) Other such situations, as determined by the Administrator.

''(2) Educating transportation security officers regarding how to participate in the Administration's National Deployment Force.

''(3) Recruiting officers to serve on the National Deployment Force, in accordance with a staffing model to be developed by the Administrator.

''(4) Approving 1-year appointments for officers to serve on the National Deployment Force, with an option to extend upon officer request and with the approval of the appropriate Federal Security Director.

''(5) Training officers to serve on the National Deployment Force.''.

(b) TABLE OF CONTENTS.—The table of contents of subchapter II of chapter 449, as amended by section 1943 of this Act, is further amended by adding after the item relating to section 44947 the following:

''44948. National Deployment Office.''.

(c) CONFORMING AMENDMENT.—Section 114(f), as amended by section 1904 of this Act, is further amended—

(1) in paragraph (14), by striking ''and'' after the semicolon at the end;

(2) by redesignating paragraph (15) as paragraph (16); and

(3) by inserting after paragraph (14) the following:

''(15) establish and maintain a National Deployment Office as required under section 44948 of this title; and''.

(d) CAREER DEVELOPMENT.—The Administrator may consider service in the National Deployment Force as a positive factor when evaluating applicants for promotion opportunities within the TSA.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter for 5 years, the Administrator shall submit to the appropriate committees of Congress a report regarding activities of the National Deployment Office, including the National Deployment Force, established under section 44948 of title 49, United States Code. Each such report shall include information relating to the following:

(1) When, where, why, how many, and for how long the National Deployment Force was deployed throughout the 12-month period covered by such report and the costs associated with such deployment.

(2) A description of collaboration between the National Deployment Office and other components of the Department, other Federal agencies, and State and local transportation security stakeholders.

(3) The size of the National Deployment Force, including information on the staffing model of the National Deployment Force and adherence to such model as established by the Administrator.

(4) Information on recruitment, appointment, and training activities, including processes utilized to attract, recruit, appoint, and train officers to serve on the National Deployment Force.

SEC. 1989. INFORMATION SHARING AND CYBERSECURITY.

(a) FEDERAL SECURITY DIRECTORS.—Section 44933 is amended by adding at the end the following:

''(c) INFORMATION SHARING.—Not later than 1 year after the date of the enactment of the TSA Modernization Act, the Administrator shall—

''(1) require each Federal Security Director of an airport to meet at least quarterly with the airport director, airport security coordinator, and law enforcement agencies serving each such airport to discuss incident management protocols, including the resolution of screening anomalies at passenger screening checkpoints; and

''(2) require each Federal Security Director at an airport to inform, consult, and coordinate, as appropriate, with the respective airport security coordinator in a timely manner on security matters impacting airport operations and to establish and maintain operational protocols with such airport operators to ensure coordinated responses to security matters.''.

(b) PLAN TO IMPROVE INFORMATION SHARING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop a plan to improve intelligence information sharing with State and local transportation entities that includes best practices to ensure that the information shared is actionable, useful, and not redundant.

(2) CONTENTS.—The plan required under paragraph (1) shall include the following:

(A) The incorporation of best practices for information sharing.

(B) The identification of areas of overlap and redundancy.

(C) An evaluation and incorporation of stakeholder input in the development of such plan.

(D) The integration of any recommendations of the Comptroller General of the United States on information sharing.

(3) SOLICITATION.—The Administrator shall solicit on an annual basis input from appropriate stakeholders, including State and local transportation entities, on the quality and quantity of intelligence received by such stakeholders relating to information sharing.

(c) BEST PRACTICES SHARING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a mechanism to share with State and local transportation entities best practices from across the law enforcement spectrum, including Federal, State, local, and tribal entities, that relate to employee training, employee professional development, technology development and deployment, hardening tactics, and passenger and employee awareness programs.

(2) CONSULTATION.—The Administrator shall solicit and incorporate stakeholder input—

(A) in developing the mechanism for sharing best practices as required under paragraph (1); and

(B) not less frequently than annually on the quality and quantity of information such stakeholders receive through the mechanism established under such paragraph.

(d) CYBERSECURITY.—

(1) IN GENERAL.—The Administrator, in consultation with the Secretary, shall—

(A) not later than 120 days after the date of enactment of this Act, implement the Framework for Improving Critical Infrastructure Cybersecurity (referred to in this section as the ''Framework'' developed by the National Institute of Standards and Technology, and any update to such Framework under section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272), to manage the agency's cybersecurity risks; and

(B) evaluate, on a periodic basis, but not less often than biennially, the use of the Framework under subparagraph (A).

(2) CYBERSECURITY ENHANCEMENTS TO AVIATION SECURITY ACTIVITIES.—The Secretary, in consultation with the Secretary of Transportation, shall, upon request, conduct cybersecurity vulnerability assessments for airports and air carriers.

(3) TSA TRUSTED TRAVELER AND CREDENTIALING PROGRAM CYBER EVALUATION.—

(A) EVALUATION REQUIRED.—Not later than 120 days after the date of enactment of this Act, the Secretary shall—

(i) evaluate the cybersecurity of TSA trusted traveler and credentialing programs that contain personal information of specific individuals or information that identifies specific individuals, including the Transportation Worker Identification Credential and PreCheck programs;

(ii) identify any cybersecurity risks under the programs described in clause (i); and

(iii) develop remediation plans to address the cybersecurity risks identified under clause (ii).

(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the date the evaluation under subparagraph (A) is complete, the Secretary shall submit to the appropriate committees of Congress information relating to such evaluation, including any cybersecurity vulnerabilities identified and remediation plans to address such vulnerabilities. Such submission shall be provided in a classified form.

(4) DEFINITIONS.—In this subsection, the terms ''cybersecurity risk'' and ''incident'' have the meanings given the terms in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148).

SEC. 1990. SECURITY TECHNOLOGIES TIED TO FOREIGN THREAT COUNTRIES.

Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress an assessment of terrorist and other threats to the transportation sector, including surface transportation assets, posed by the use of security technologies, including software and networked technologies, developed or manufactured by firms that are owned or closely linked to the governments of countries that are known to pose a cyber or homeland security threat.

Subtitle I—Conforming and Miscellaneous Amendments

SEC. 1991. TITLE 49 AMENDMENTS.

(a) DELETION OF DUTIES RELATED TO AVIATION SECURITY.—Section 106(g) is amended to read as follows:

''(g) DUTIES AND POWERS OF ADMINISTRATOR.—The Administrator shall carry out the following:

''(1) Duties and powers of the Secretary of Transportation under subsection (f) of this section related to aviation safety (except those related to transportation, packaging, marking, or description of hazardous material) and stated in the following:

''(A) Section 308(b).

''(B) Subsections (c) and (d) of section 1132.

''(C) Sections 40101(c), 40103(b), 40106(a), 40108, 40109(b), 40113(a), 40113(c), 40113(d), 40113(e), and 40114(a).

''(D) Chapter 445, except sections 44501(b), 44502(a)(2), 44502(a)(3), 44502(a)(4), 44503, 44506, 44509, 44510, 44514, and 44515.

''(E) Chapter 447, except sections 44717, 44718(a), 44718(b), 44719, 44720, 44721(b), 44722, and 44723.

''(F) Chapter 451.

''(G) Chapter 453.

''(H) Section 46104.

''(I) Subsections (d) and (h)(2) of section 46301 and sections 46303(c), 46304 through 46308, 46310, 46311, and 46313 through 46316.

''(J) Chapter 465.

''(K) Sections 47504(b) (related to flight procedures), 47508(a), and 48107.

''(2) Additional duties and powers prescribed by the Secretary of Transportation.''.

(b) TRANSPORTATION SECURITY OVERSIGHT BOARD.—Section 115 is amended—

(1) in subsection (c)(1), by striking ''Under Secretary of Transportation for security'' and inserting ''Administrator of the Transportation Security Administration''; and

(2) in subsection (c)(6), by striking ''Under Secretary'' and inserting ''Administrator''.

(c) CHAPTER 401 AMENDMENTS.—Chapter 401 is amended—

(1) in section 40109—

(A) in subsection (b), by striking '', 40119, 44901, 44903, 44906, and 44935–44937''; and

(B) in subsection (c), by striking ''sections 44909 and'' and inserting ''sections 44909(a), 44909(b), and'';

(2) in section 40113—

(A) in subsection (a)—

(i) by striking ''the Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary or'' and inserting ''the Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by that Administrator or'';

(ii) by striking ''carried out by the Administrator'' and inserting ''carried out by that Administrator''; and

(iii) by striking '', Under Secretary, or Administrator,'' and inserting '', Administrator of the Transportation Security Administration, or Administrator of the Federal Aviation Administration,''; and

(B) in subsection (d)—

(i) by striking ''Under Secretary of Transportation for Security or the'';

(ii) by striking ''Transportation Security Administration or Federal Aviation Administration, as the case may be,'' and inserting ''Federal Aviation Administration''; and

(iii) by striking ''Under Secretary or Administrator, as the case may be,'' and inserting ''Administrator'';

(3) by striking section 40119; and

(4) in the table of contents, by striking the item relating to section 40119 and inserting the following:

''40119. [Reserved].''.

(d) CHAPTER 449 AMENDMENTS.—Chapter 449 is amended—

(1) in section 44901—

(A) in subsection (a)—

(i) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) by striking '', United States Code'';

(B) in subsection (c), by striking ''but not later than the 60th day following the date of enactment of the Aviation and Transportation Security Act'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(II) in subparagraph (A), by striking ''no later than December 31, 2002'';

(ii) by striking paragraphs (2) and (3);

(iii) by redesignating paragraph (4) as paragraph (2); and

(iv) in paragraph (2), as redesignated—

(I) in subparagraph (A), by striking ''Assistant Secretary (Transportation Security Administration)'' and inserting ''Administrator of the Transportation Security Administration'';

(II) in subparagraph (B), by striking ''Assistant Secretary'' and inserting ''Administrator of the Transportation Security Administration''; and

(III) in subparagraph (D)—

(aa) by striking ''Assistant Secretary'' the first place it appears and inserting ''Administrator of the Transportation Security Administration''; and

(bb) by striking ''Assistant Secretary'' the second place it appears and inserting ''Administrator'';

(D) in subsection (e)—

(i) in that matter preceding paragraph (1)—

(I) by striking ''but not later than the 60th day following the date of enactment of the Aviation and Transportation Security Act''; and

(II) by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) in paragraph (4), by striking ''Under Secretary'' and inserting ''Administrator'';

(E) in subsection (f), by striking ''after the date of enactment of the Aviation and Transportation Security Act'';

(F) in subsection (g)—

(i) in paragraph (1), by striking ''Not later than 3 years after the date of enactment of the Implementing Recommendations of the 9/11 Commission Act of 2007, the'' and inserting ''The'';

(ii) in paragraph (2), by striking ''as follows:'' and all that follows and inserting a period;

(iii) by amending paragraph (3) to read as follows:

''(3) REGULATIONS.—The Secretary of Homeland Security shall issue a final rule as a permanent regulation to implement this subsection in accordance with the provisions of chapter 5 of title 5.'';

(iv) by striking paragraph (4); and

(v) by redesignating paragraph (5) as paragraph (4);

(G) in subsection (h)—

(i) in paragraph (1), by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) in paragraph (2)—

(I) by striking ''Under Secretary'' the first place it appears and inserting ''Administrator of the Transportation Security Administration''; and

(II) by striking ''Under Secretary'' each place it appears and inserting ''Administrator'';

(H) in subsection (i)—

(i) in the matter preceding paragraph (1), by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) in paragraph (2), by striking ''Under Secretary'' and inserting ''Administrator'';

(I) in subsection (j)(1)—

(i) in the matter preceding subparagraph (A), by striking ''Before January 1, 2008, the'' and inserting ''The''; and

(ii) in subparagraph (A), by striking ''the date of enactment of this subsection'' and inserting ''August 3, 2007'';

(J) in subsection (k)—

(i) in paragraph (1), by striking ''Not later than one year after the date of enactment of this subsection, the'' and inserting ''The'';

(ii) in paragraph (2), by striking ''Not later than 6 months after the date of enactment of this subsection, the'' and inserting ''The''; and

(iii) in paragraph (3), by striking ''Not later than 180 days after the date of enactment of this subsection, the'' in paragraph (3) and inserting ''The''; and

(K) in subsection (l)—

(i) in paragraph (2)—

(I) in the matter preceding subparagraph (A), by striking ''Beginning June 1, 2012, the Assistant Secretary of Homeland Security (Transportation Security Administration)'' and inserting ''The Administrator of the Transportation Security Administration''; and

(II) in subparagraph (B), by striking ''Assistant Secretary'' and inserting ''Administrator'';

(ii) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by striking ''Assistant Secretary'' the first place it appears and inserting ''Administrator of the Transportation Security Administration''; and

(bb) by striking ''Assistant Secretary'' the second place it appears and inserting ''Administrator''; and

(II) in subparagraph (B), by striking ''Assistant Secretary'' and inserting ''Administrator of the Transportation Security Administration''; and

(iii) in paragraph (4)—

(I) in subparagraph (A)—

(aa) by striking ''60 days after the deadline specified in paragraph (2), and not later than'';

(bb) by striking ''Assistant Secretary'' the first place it appears and inserting ''Administrator of the Transportation Security Administration''; and

(cc) by striking ''Assistant Secretary'' the second place it appears and inserting ''Administrator''; and

(II) in subparagraph (B), by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(2) section 44902 is amended—

(A) in subsection (a), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(B) in subsection (b), by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration'';

(3) section 44903 is amended—

(A) in subsection (a)—

(i) in the heading, by striking ''DEFINITION'' and inserting ''DEFINITIONS'';

(ii) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(iii) in subparagraph (B), as redesignated, by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator'';

(iv) in the matter preceding subparagraph (A), as redesignated, by striking ''In this section, 'law enforcement personnel' means individuals—'' and inserting ''In this section:'';

(v) by inserting before subparagraph (A), the following:

''(2) LAW ENFORCEMENT PERSONNEL.—The term 'law enforcement personnel' means individuals—''; and

(vi) by inserting before paragraph (2), as redesignated, the following:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Transportation Security Administration.'';

(B) in subsection (d), by striking ''Secretary of Transportation'' and inserting ''Administrator'';

(C) in subsection (g), by striking ''Under Secretary's'' each place it appears and inserting ''Administrator's'';

(D) in subsection (h)—

(i) in paragraph (3), by striking ''Secretary'' and inserting ''Secretary of Homeland Security'';

(ii) in paragraph (4)—

(I) in subparagraph (A), by striking '', as soon as practicable after the date of enactment of this subsection,'';

(II) in subparagraph (C), by striking ''section 44903(c)'' and inserting ''subsection (c)''; and

(III) in subparagraph (E), by striking '', not later than March 31, 2005,'';

(iii) in paragraph (5), by striking ''Assistant Secretary of Homeland Security (Transportation Security Administration)'' and inserting ''Administrator'';

(iv) in paragraph (6)(A)—

(I) in the matter preceding clause (i), by striking ''Not later than 18 months after the date of enactment of the Implementing Recommendations of the 9/11 Commission Act of 2007, the'' and inserting ''The''; and

(II) in clause (i), by striking ''section'' and inserting ''paragraph''; and

(v) in paragraph (6)(C), by striking ''Secretary'' and inserting ''Secretary of Homeland Security'';

(E) in subsection (i)(3), by striking '', after the date of enactment of this paragraph,'';

(F) in subsection (j)—

(i) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The Administrator shall periodically recommend to airport operators commercially available measures or procedures to prevent access to secure airport areas by unauthorized persons.'';

(ii) in paragraph (2)—

(I) in the heading, by striking ''COMPUTER-ASSISTED PASSENGER PRESCREENING SYSTEM'' and inserting ''SECURE FLIGHT PROGRAM'';

(II) in subparagraph (A)—

(aa) by striking ''Computer-Assisted Passenger Prescreening System'' and inserting ''Secure Flight program'';

(bb) by striking ''Secretary of Transportation'' and inserting ''Administrator''; and

(cc) by striking ''system'' each place it appears and inserting ''program'';

(III) in subparagraph (B)—

(aa) by striking ''Computer-Assisted Passenger Prescreening System'' and inserting ''Secure Flight program'';

(bb) by striking ''Secretary of Transportation'' and inserting ''Administrator''; and

(cc) by striking ''Secretary'' and inserting ''Administrator'';

(IV) in subparagraph (C)—

(aa) in clause (i), by striking ''Not later than January 1, 2005, the Assistant Secretary of Homeland Security (Transportation Security Administration), or the designee of the Assistant Secretary,'' and inserting ''The Administrator'';

(bb) in clause (ii), by striking ''Not later than 180 days after completion of testing under clause (i), the'' and inserting ''The''; and

(cc) in clause (iv), by striking ''Not later than 180 days after'' and inserting ''After'';

(V) in subparagraph (D), by striking ''Assistant Secretary of Homeland Security (Transportation Security Administration)'' and inserting ''Administrator'';

(VI) in subparagraph (E)(i), by striking ''Not later than 90 days after the date on which the Assistant Secretary assumes the performance of the advanced passenger prescreening function under subparagraph (C)(ii), the'' and inserting ''The Administrator''; and

(VII) by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator'';

(G) in subsection (l), by striking ''Under Secretary for Border and Transportation Security of the Department of Homeland Security'' and inserting ''Administrator'';

(H) in subsection (m)—

(i) in paragraph (1), by striking ''Assistant Secretary of Homeland Security (Transportation Security Administration)'' and inserting ''Administrator''; and

(ii) by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator''; and

(I) by striking ''Under Secretary'' each place it appears and inserting ''Administrator'';

(4) section 44904 is amended—

(A) in subsection (a), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration'';

(B) in subsection (c)—

(i) by striking ''section 114(t)(3)'' and inserting ''section 114(s)(3)''; and

(ii) by striking ''section 114(t)'' and inserting ''section 114(s)'';

(C) in subsection (d)—

(i) by striking ''Not later than 90 days after the date of the submission of the National Strategy for Transportation Security under section 114(t)(4)(A), the Assistant Secretary of Homeland Security (Transportation Security Administration)'' and inserting ''The Administrator of the Transportation Security Administration''; and

(ii) by striking ''section 114(t)(1)'' and inserting ''section 114(s)(1)''; and

(D) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(5) section 44905 is amended—

(A) in subsection (a)—

(i) by striking ''Secretary of Transportation'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) by striking ''Secretary.'' and inserting ''Administrator.'';

(B) in subsection (b), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(C) in subsections (c), (d), and (f), by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(6) section 44906 is amended—

(A) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(B) by striking ''Under Secretary'' each place it appears and inserting ''Administrator'';

(7) section 44908 is amended—

(A) by striking ''Secretary of Transportation'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(B) in subsection (a), by striking ''safety or''; and

(C) in subsection (c), by striking ''The Secretary'' and inserting ''The Administrator'';

(8) section 44909 is amended—

(A) in subsection (a)(1), by striking ''Not later than March 16, 1991, the'' and inserting ''The''; and

(B) in subsection (c)—

(i) in paragraph (1), by striking ''Not later than 60 days after the date of enactment of the Aviation and Transportation Security Act, each'' and inserting ''Each'';

(ii) in paragraphs (2)(F) and (5), by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration''; and

(iii) in paragraph (6)—

(I) in subparagraph (A), by striking ''Not later than 60 days after date of enactment of this paragraph, the'' and inserting ''The''; and

(II) in subparagraph (B)(ii)—

(aa) by striking ''the Secretary will'' and inserting ''the Secretary of Homeland Security will''; and

(bb) by striking ''the Secretary to'' and inserting ''the Secretary of Homeland Security to'';

(9) section 44911 is amended—

(A) in subsection (b), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration'';

(B) in subsection (d), by striking ''request of the Secretary'' and inserting ''request of the Secretary of Homeland Security''; and

(C) in subsection (e)—

(i) by striking ''Secretary, and the Under Secretary'' and inserting ''Secretary of Homeland Security, and the Administrator of the Transportation Security Administration''; and

(ii) by striking ''intelligence community and the Under Secretary'' and inserting ''intelligence community and the Administrator of the Transportation Security Administration'';

(10) section 44912 is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator''; and

(II) by striking '', not later than November 16, 1993,''; and

(ii) in paragraph (4)(C), by striking ''Research, Engineering and Development Advisory Committee'' and inserting ''Administrator'';

(B) in subsection (c)—

(i) in paragraph (1), by striking '', as a subcommittee of the Research, Engineering, and Development Advisory Committee,''; and

(ii) in paragraph (4), by striking ''Not later than 90 days after the date of the enactment of the Aviation and Transportation Security Act, and every two years thereafter,'' and inserting ''Biennially,'';

(C) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''; and

(D) by adding at the end the following:

''(d) SECURITY AND RESEARCH AND DEVELOPMENT ACTIVITIES.—

''(1) IN GENERAL.—The Administrator shall conduct research (including behavioral research) and development activities appropriate to develop, modify, test, and evaluate a system, procedure, facility, or device to protect passengers and property against acts of criminal violence, aircraft piracy, and terrorism and to ensure security.

''(2) DISCLOSURE.—

''(A) IN GENERAL.—Notwithstanding section 552 of title 5, the Administrator shall prescribe regulations prohibiting disclosure of information obtained or developed in ensuring security under this title if the Secretary of Homeland Security decides disclosing the information would—

''(i) be an unwarranted invasion of personal privacy;

''(ii) reveal a trade secret or privileged or confidential commercial or financial information; or

''(iii) be detrimental to transportation safety.

''(B) INFORMATION TO CONGRESS.—Subparagraph (A) does not authorize information to be withheld from a committee of Congress authorized to have the information.

''(C) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to authorize the designation of information as sensitive security information (as defined in section 15.5 of title 49, Code of Federal Regulations)—

''(i) to conceal a violation of law, inefficiency, or administrative error;

''(ii) to prevent embarrassment to a person, organization, or agency;

''(iii) to restrain competition; or

''(iv) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information

not clearly related to transportation security.

''(D) PRIVACY ACT.—Section 552a of title 5 shall not apply to disclosures that the Administrator of the Transportation Security Administration may make from the systems of records of the Transportation Security Administration to any Federal law enforcement, intelligence, protective service, immigration, or national security official in order to assist the official receiving the information in the performance of official duties.

''(3) TRANSFERS OF DUTIES AND POWERS PROHIBITED.—Except as otherwise provided by law, the Administrator may not transfer a duty or power under this section to another department, agency, or instrumentality of the United States Government.

''(e) DEFINITION OF ADMINISTRATOR.—In this section, the term 'Administrator' means the Administrator of the Transportation Security Administration.'';

(11) section 44913 is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration (referred to in this section as 'the Administrator')'';

(ii) by striking paragraph (2);

(iii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(iv) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''; and

(B) in subsection (b), by striking ''Secretary of Transportation'' and inserting ''Administrator'';

(12) section 44914 is amended—

(A) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration'';

(B) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''; and

(C) by inserting ''the Department of Transportation,'' before ''air carriers, airport authorities, and others'';

(13) section 44915 is amended by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration'';

(14) section 44916 is amended—

(A) in subsection (a), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(B) in subsection (b)—

(i) by striking ''Under Secretary'' the first place it appears and inserting ''Administrator of the Transportation Security Administration''; and

(ii) by striking ''Under Secretary'' the second place it appears and inserting ''Administrator'';

(15) section 44917 is amended—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) in paragraph (2), by striking ''by the Secretary'' and inserting ''by the Administrator'';

(B) in subsection (d)—

(i) in paragraph (1), by striking ''Assistant Secretary for Immigration and Customs Enforcement of the Department of Homeland Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) in paragraph (3), by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(16) section 44918 is amended—

(A) in subsection (a)—

(i) in paragraph (2)(E), by striking ''Under Secretary for Border and Transportation Security of the Department of Homeland Security'' and inserting ''Administrator of the Transportation Security Administration'';

(ii) in paragraph (4), by striking ''Not later than one year after the date of enactment of the Vision 100—Century of Aviation Reauthorization Act, the'' and inserting ''The''; and

(iii) in paragraph (5), by striking ''the date of enactment of the Vision 100—Century of Aviation Reauthorization Act'' and inserting ''December 12, 2003,'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''Not later than one year after the date of enactment of the Vision 100—Century of Aviation Reauthorization Act, the'' and inserting ''The''; and

(ii) in paragraph (6), by striking ''Federal Air Marshals Service'' and inserting ''Federal Air Marshal Service''; and

(C) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(17) section 44920 is amended—

(A) in subsection (g)(1), by striking ''subsection (a) or section 44919'' and inserting ''subsection (a)''; and

(B) by adding at the end the following:

''(i) DEFINITION OF ADMINISTRATOR.—In this section, the term 'Administrator' means the Administrator of the Transportation Security Administration.'';

(18) section 44922 is amended—

(A) in the heading, by striking ''**Deputation**'' and inserting ''**Deputization**'';

(B) in subsection (a)—

(i) in the heading, by striking ''DEPUTATION'' and inserting ''DEPUTIZATION''; and

(ii) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration'';

(C) in subsection (e), by striking ''deputation'' and inserting ''deputization''; and

(D) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(19) section 44923 is amended—

(A) in subsection (a), by striking ''Under Secretary for Border and Transportation Security of the Department of Homeland Security'' and inserting ''Administrator of the Transportation Security Administration'';

(B) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(C) in subsection (e)—

(i) by striking paragraph (2); and

(ii) by striking ''(1) IN GENERAL.—''; and

(D) by striking subsection (j);

(20) section 44924 is amended—

(A) in subsection (a)—

(i) by striking ''Under Secretary for Border and Transportation Security of the Department of Homeland Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) by striking ''Administrator under'' and inserting ''Administrator of the Federal Aviation Administration under'';

(B) in subsections (b), (c), (d), (e), and (f), by striking ''Administrator'' and inserting ''Administrator of the Federal Aviation Administration'';

(C) in subsection (f), by striking ''Not later than 240 days after the date of enactment of this section, the'' and inserting ''The''; and

(D) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(21) section 44925 is amended—

(A) in subsection (b)(1), by striking ''Not later than 90 days after the date of enactment of this section, the Assistant Secretary of Homeland Security (Transportation Security Administration)'' and inserting ''The Administrator of the Transportation Security Administration'';

(B) in subsection (b), by striking paragraph (3); and

(C) in subsection (d), by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(22) section 44926(b)(3) is amended by striking ''an misidentified passenger'' and inserting ''a misidentified passenger'';

(23) section 44927 is amended—

(A) by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(B) in subsection (a), by striking ''Veteran Affairs'' and inserting ''Veterans Affairs''; and

(C) in subsection (f)—

(i) in the heading, by striking ''REPORT'' and inserting ''REPORTS''; and

(ii) by striking ''Not later than 1 year after the date of enactment of this section, and annually thereafter,'' and inserting ''Each year,'';

(24) section 44933 is amended—

(A) in subsection (a)—

(i) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration'';

(ii) by striking ''Federal Security Manager'' and inserting ''Federal Security Director''; and

(iii) by striking ''Managers'' each place it appears and inserting ''Federal Security Directors'';

(B) in subsection (b), by striking ''Manager'' and inserting ''Federal Security Director''; and

(C) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(25) section 44934 is amended—

(A) in subsection (a)—

(i) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration'';

(ii) by striking ''airports. In coordination with the Secretary'' and inserting ''airports. In coordination with the Secretary of State'';

(iii) by striking ''The Secretary shall give high priority'' and inserting ''The Secretary of State shall give high priority''; and

(iv) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''; and

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) in paragraph (1), by striking ''Under Secretary'' and inserting ''Administrator''; and

(C) in subsection (c), by striking ''the Secretary and the chief'' and inserting ''the Secretary of State and the chief'';

(26) section 44935 is amended—

(A) in subsection (a), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator'';

(B) in subsection (e)—

(i) in paragraph (1), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator''; and

(ii) in paragraph (2)(A)—

(I) in the matter preceding clause (i)—

(aa) by striking ''Within 30 days after the date of enactment of the Aviation and Transportation Security Act, the'' and inserting ''The''; and

(bb) by inserting ''other'' before ''provision of law''; and

(II) in clause (ii), by striking ''section 1102(a)(22)'' and inserting ''section 101(a)(22)'';

(C) in subsection (f)(1), by inserting ''other'' before ''provision of law'';

(D) in subsection (g)(2), by striking ''Within 60 days after the date of enactment of the Aviation and Transportation Security Act, the'' and inserting ''The'';

(E) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''; and

(F) by adding at the end the following:

''(l) DEFINITION OF ADMINISTRATOR.—In this section, the term 'Administrator' means the Administrator of the Transportation Security Administration.'';

(27) section 44936 is amended—

(A) in subsection (a)—

(i) by striking ''Under Secretary of Transportation for Security'' each place it appears and inserting ''Administrator'';

(ii) in paragraph (1)—

(I) in subparagraph (A), by striking '',,'' and inserting a comma; and

(II) by striking subparagraph (C); and

(iii) by redesignating subparagraph (D) as subparagraph (C);

(B) in subsection (c)(1), by striking ''Under Secretary's'' and inserting ''Administrator's'';

(C) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''; and

(D) by adding at the end the following:

''(f) DEFINITION OF ADMINISTRATOR.—In this section, the term 'Administrator' means the Administrator of the Transportation Security Administration.'';

(28) section 44937 is amended by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration'';

(29) section 44938 is amended—

(A) in subsection (a)—

(i) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) by striking ''Secretary of Transportation'' and inserting ''Secretary of Homeland Security''; and

(B) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(30) section 44939(d) is amended by striking ''Not later than 60 days after the date of enactment of this section, the Secretary'' and inserting ''The Secretary of Homeland Security'';

(31) section 44940 is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(II) by striking the last two sentences; and

(ii) by adding at the end the following:

''(2) DETERMINATION OF COSTS.—

''(A) IN GENERAL.—The amount of the costs under paragraph (1) shall be determined by the Administrator of the Transportation Security Administration and shall not be subject to judicial review.

''(B) DEFINITION OF FEDERAL LAW ENFORCEMENT PERSONNEL.—For purposes of paragraph (1)(A), the term 'Federal law enforcement personnel' includes State and local law enforcement officers who are deputized under section 44922.'';

(B) in subsections (b), (d), (e), (g), and (h), by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) by striking ''within 60 days of the date of enactment of this Act, or''; and

(II) by striking ''thereafter''; and

(ii) in paragraph (2), by striking ''subsection (d)'' each place it appears and inserting ''paragraph (1) of this subsection'';

(D) in subsection (e)(1), by striking ''FEES PAYABLE TO UNDER SECRETARY'' in the heading and inserting ''FEES PAYABLE TO ADMINISTRATOR''; and

(E) in subsection (i)(4)—

(i) by striking subparagraphs (A) through (D); and

(ii) by redesignating subparagraphs (E) through (L) as subparagraphs (A) through (H), respectively;

(32) section 44941(a) is amended by inserting ''the Department of Homeland Security,'' after ''Department of Transportation,'';

(33) section 44942 is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''Within 180 days after the date of enactment of the Aviation and Transportation Security Act, the Under Secretary for Transportation Security may, in consultation with'' and inserting ''The Administrator of the Transportation Security Administration may, in consultation with other relevant Federal agencies and''; and

(II) in subparagraph (A), by striking '', and'' and inserting ''; and''; and

(ii) in paragraph (2), by inserting a comma after ''Federal Aviation Administration'';

(B) in subsection (b)—

(i) by striking ''(1) PERFORMANCE PLAN AND REPORT.—'';

(ii) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(iii) in paragraph (1), as redesignated—

(I) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(II) in subparagraph (A), as redesignated, by striking ''the Secretary and the Under Secretary for Transportation Security shall agree'' and inserting ''the Secretary of Homeland Security and the Administrator of the Transportation Security Administration shall agree''; and

(III) in subparagraph (B), as redesignated, by striking ''the Secretary, the Under Secretary for Transportation Security'' and inserting ''the Secretary of Homeland Security, the Administrator of the Transportation Security Administration,''; and

(iv) in paragraph (2), as redesignated, by striking ''Under Secretary for Transportation Security'' and inserting ''Administrator of the Transportation Security Administration'';

(34) section 44943 is amended—

(A) in subsection (a), by striking ''Under Secretary for Transportation Security'' and inserting ''Administrator of the Transportation Security Administration'';

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking ''Secretary and Under Secretary of Transportation for Security'' and inserting ''Secretary of Homeland Security and Administrator of the Transportation Security Administration''; and

(II) by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) in paragraph (2)—

(I) by striking ''Under Secretary'' the first place it appears and inserting ''Administrator of the Transportation Security Administration''; and

(II) by striking ''Under Secretary shall'' each place it appears and inserting ''Administrator shall''; and

(C) in subsection (c), by striking ''Aviation Security Act, the Under Secretary for Transportation Security'' and inserting ''Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597), the Administrator of the Transportation Security Administration'';

(35) section 44944 is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''Under Secretary of Transportation for Transportation Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(ii) in paragraph (4), by inserting ''the Administrator of the Federal Aviation Administration,'' after ''consult with''; and

(B) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(36) section 44945(b) is amended by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration''; and

(37) section 44946 is amended—

(A) in subsection (g)—

(i) by striking paragraph (2);

(ii) by redesignating paragraph (1) as paragraph (2); and

(iii) by inserting before paragraph (2), as redesignated, the following:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Transportation Security Administration.'';

(B) by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator'';

(C) in subsection (b)(4)—

(i) by striking ''the Secretary receives'' and inserting ''the Administrator receives''; and

(ii) by striking ''the Secretary shall'' and inserting ''the Administrator shall''; and

(D) in subsection (c)(1)(A), by striking ''Not later than 180 days after the date of enactment of the Aviation Security Stakeholder Participation Act of 2014, the'' and inserting ''The''.

(e) CHAPTER 451 AMENDMENTS.—Section 45107 is amended—

(1) in subsection (a), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(2) in subsection (b), by striking the second sentence.

(f) CHAPTER 461 AMENDMENTS.—Chapter 461 is amended—

(1) in each of sections 46101(a)(1), 46102(a), 46103(a), 46104(a), 46105(a), 46106, 46107(b), and 46110(a) by striking ''Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary'' and inserting ''Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration'';

(2) in each of sections 46101, 46102(c), 46103, 46104, 46105, 46107, and 46110 by striking ''or Administrator'' each place it appears and inserting ''or Administrator of the Federal Aviation Administration'';

(3) in each of sections 46101(a)(1), 46102(a) 46103(a), 46104(a), 46105(a), 46106, 46107(b), and 46110(a) by striking ''by the Administrator)'' and inserting ''by the Administrator of the Federal Aviation Administration)'';

(4) in each of sections 46101, 46102, 46103, 46104, 46105, 46107, and 46110 by striking ''Under Secretary,'' each place it appears and inserting ''Administrator of the Transportation Security Administration,'';

(5) in section 46102—

(A) in subsection (b), by striking ''the Administrator'' each place it appears and inserting ''the Administrator of the Federal Aviation Administration'';

(B) in subsection (c), by striking ''and Administrator'' each place it appears and inserting ''and Administrator of the Federal Aviation Administration''; and

(C) in subsection (d), by striking ''the Administrator, or an officer or employee of the Administration'' in subsection (d) and inserting ''the Administrator of the Federal Aviation Administration, or an officer or employee of the Federal Aviation Administration'';

(6) in section 46104—

(A) by striking ''subpena'' each place it appears and inserting ''subpoena''; and

(B) in subsection (b)—

(i) in the heading, by striking ''SUBPENAS'' and inserting ''SUBPOENAS''; and

(ii) by striking ''the Administrator, or'' and inserting ''the Administrator of the Federal Aviation Administration, or'';

(7) in section 46105(c), by striking ''When the Administrator'' and inserting ''When the Administrator of the Federal Aviation Administration'';

(8) in section 46109, by inserting ''(or the Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator)'' after ''Secretary of Transportation''; and

(9) in section 46111—

(A) in subsection (a)—

(i) by inserting ''the'' before ''Federal Aviation Administration'';

(ii) by striking ''Administrator is'' and inserting ''Administrator of the Federal Aviation Administration is''; and

(iii) by striking ''Under Secretary for Border and Transportation Security of the Department of Homeland Security'' and inserting ''Administrator of the Transportation Security Administration'';

(B) in subsections (b), (c), (e), and (g), by striking ''Administrator'' each place it appears and inserting ''Administrator of the Federal Aviation Administration'';

(C) in subsection (g)(2)(A), by striking ''(18 U.S.C. App.)'' and inserting ''(18 U.S.C. App.))''; and

(D) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration''.

(g) CHAPTER 463 AMENDMENTS.—Chapter 463 is amended—

(1) in section 46301—

(A) in subsection (a)(5)—

(i) in subparagraph (A)(i), by striking ''or chapter 451'' and inserting ''chapter 451''; and

(ii) in subparagraph (D), by inserting ''of Transportation'' after ''Secretary'';

(B) in subsection (d)—

(i) in paragraph (2)—

(I) by striking ''defined by the Secretary'' and inserting ''defined by the Secretary of Transportation''; and

(II) by striking ''Administrator shall'' and inserting ''Administrator of the Federal Aviation Administration shall'';

(ii) in paragraphs (3), (4), (5), (6), (7), and (8), by striking ''Administrator'' each place it appears and inserting ''Administrator of the Federal Aviation Administration''; and

(iii) in paragraph (8), by striking ''Under Secretary'' and inserting ''Administrator of the Transportation Security Administration'';

(C) in subsection (e), by inserting ''of Transportation'' after ''Secretary'';

(D) in subsection (g), by striking ''Administrator'' and inserting ''Administrator of the Federal Aviation Administration''; and

(E) in subsection (h)(2)—

(i) by striking ''Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary'' and inserting ''Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration''; and

(ii) by striking ''or the Administrator with respect to aviation safety duties and powers designated to be carried out by the Administrator'' and inserting ''or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration'';

(2) in section 46304(b), by striking ''or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator'' and inserting ''or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration'';

(3) in section 46311—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1)—

(I) by striking ''Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary'' and inserting ''Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration'';

(II) by striking ''the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator'' and inserting ''or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration'';

(III) by striking ''Administrator shall'' and inserting ''Administrator of the Federal Aviation Administration shall''; and

(IV) by striking ''Administrator,'' and inserting ''Administrator of the Federal Aviation Administration,''; and

(ii) in paragraph (1), by striking ''Administrator'' and inserting ''Administrator of the Federal Aviation Administration'';

(B) in subsections (b) and (c), by striking ''Administrator'' each place it appears and inserting ''Administrator of the Federal Aviation Administration''; and

(C) by striking ''Under Secretary'' each place it appears and inserting ''Administrator of the Transportation Security Administration'';

(4) in section 46313—

(A) by striking ''Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary'' and inserting ''Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration'';

(B) by striking ''or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator'' and inserting ''or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration''; and

(C) by striking ''subpena'' and inserting ''subpoena''; and

(5) in section 46316(a)—

(A) by striking ''Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary'' and inserting ''Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration''; and

(B) by striking ''or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator'' and inserting ''or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration''.

(h) CHAPTER 465 AMENDMENTS.—Chapter 465 is amended—

(1) in section 46505(d)(2), by striking ''Under Secretary of Transportation for Security'' and inserting ''Administrator of the Transportation Security Administration''; and

(2) in the table of contents for chapter 465 of subtitle VII, by striking the following:

''46503. Repealed.''.

(i) CHAPTER 483 REPEAL.—

(1) IN GENERAL.—Chapter 483 is repealed.

(2) CONFORMING AMENDMENT.—The table of contents for subtitle VII is amended by striking the following:

''483. Aviation security funding ..... 48301''.

(j) AUTHORITY TO EXEMPT.—

(1) IN GENERAL.—Subchapter II of chapter 449 is amended by inserting before section 44933 the following:

''§ 44931. Authority to exempt

''The Secretary of Homeland Security may grant an exemption from a regulation prescribed in carrying out sections 44901, 44903, 44906, 44909(c), and 44935–44937 of this title when the Secretary decides the exemption is in the public interest.

''§ 44932. Administrative

''(a) GENERAL AUTHORITY.—The Secretary of Homeland Security or the Administrator of the Transportation Security Administration may take action the Secretary or the Administrator considers necessary to carry out this chapter and chapters 461, 463, and 465 of this title, including conducting investigations, prescribing regulations, standards, and procedures, and issuing orders.

''(b) INDEMNIFICATION.—The Administrator of the Transportation Security Administration may indemnify an officer or employee of the Transportation Security Administration against a claim or judgment arising out of an act that the Administrator decides was committed within the scope of the official duties of the officer or employee.''.

(2) TABLE OF CONTENTS.—The table of contents of chapter 449 is amended by inserting before the item relating to section 44933 the following:

''44931. Authority to exempt.
''44932. Administrative.''.

SEC. 1992. TABLE OF CONTENTS OF CHAPTER 449.

The table of contents of chapter 449 is amended—

(1) in the item relating to section 44922, by striking ''Deputation'' and inserting ''Deputization''; and

(2) by inserting after section 44941 the following:

''44942. Performance goals and objectives.
''44943. Performance management system.''.

SEC. 1993. OTHER LAWS; INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

Section 4016(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (49 U.S.C. 44917 note) is amended—

(1) in paragraph (1), by striking ''Assistant Secretary for Immigration and Customs Enforcement'' and inserting ''Administrator of the Transportation Security Administration''; and

(2) in paragraph (2), by striking ''Assistant Secretary for Immigration and Customs Enforcement and the Director of Federal Air Marshal Service of the Department of Homeland Security, in coordination with the Assistant Secretary of Homeland Security (Transportation Security Administration),'' and inserting ''Administrator of the Transportation Security Administration and the Director of Federal Air Marshal Service of the Department of Homeland Security''.

SEC. 1994. SAVINGS PROVISIONS.

References relating to the Under Secretary of Transportation for Security in statutes, Executive orders, rules, regulations, directives, or delegations of authority that precede the effective date of this Act shall be deemed to refer, as appropriate, to the Administrator of the Transportation Security Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this will be one of the last Transportation and Infrastructure bills this House will consider this Congress and the last during my chairmanship. I am extremely proud to bring a bill to the floor that has bipartisan and bicameral support today.

H.R. 302 includes the FAA Reauthorization Act, the Disaster Recovery Reform Act, the National Transportation Safety Board Reauthorization Act, and other priorities from multiple House committees.

The FAA Reauthorization Act provides for 5 years of critical stability for our aviation programs and infrastructure. This is the first time since 1982 that we will be passing a 5-year bill. Again, as I said, it brings the stability and certainty to the aviation industry that it needs to produce and perform the way it needs to.

This bill cuts red tape in the certification process, which means that our manufacturers of avionics and aviation airframes will be able to move forward faster, bringing those products to market faster, quicker, and more efficiently.

It encourages American innovation and improves aviation safety, and it provides long-term funding to the Airport Improvement Program. Many Members' small- and medium-sized airports are going to benefit greatly by this.

This bill also includes the Disaster Recovery Reform Act. It is the largest FEMA reform package since 2006 post-Katrina law. In particular, DRRA focuses on predisaster mitigation. Building better and building smarter before disasters strike is a wise use of our resources. This will save lives, will save money, and will bend the cost curve by spending a little bit of money up front to make sure these disasters don't have the devastating effects that they possibly could have.

My mother used to say that an ounce of prevention is worth a pound of cure. That is what this bill does.

I want to thank the members of the Transportation and Infrastructure Committee and other committees who worked on this bill. I especially want to thank Chairmen LOBIONDO and BARLETTA, Ranking Members DEFAZIO, LARSEN, and TITUS, and Senators THUNE and NELSON for their hard work on this bill.

I, finally, want to thank the staff of the Transportation and Infrastructure Committee and the legislative counsel for working tirelessly for months and late nights, often on weekends, to complete this bill.

Mr. Speaker, I strongly urge my colleagues to support today's legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 26, 2018.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: I write concerning the House Amendments to the Senate Amendments to H.R.302, the ''FAA Reauthorization Act of 2018''.

I appreciate you working with me to include matters in the House Amendments that fall within the Rule X jurisdiction of the Committee on Homeland Security. Several provisions included in the House Amendments will go a long way to better protect Americans and our Homeland.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the House Amendments in the Congressional Record during House Floor consideration of the ''FAA Reauthorization Act of 2018''. I look forward to working with the Committee on Transportation and Infrastructure on additional legislative initiatives this Congress.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 2018.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for your letter regarding the House Amendments to the Senate Amendments to H.R.302, the FAA Reauthorization Act of 2018.

I acknowledge your committee's jurisdictional interest in several provisions in the House amendment and appreciate your willingness to work with us on said provisions.

I will place a copy of your letter and our response in the Congressional Record during House Floor consideration of the FAA Reauthorization Act of 2018. I, too, look forward to working with the Committee on Homeland Security on additional legislative initiatives this Congress.

Sincerely,

BILL SHUSTER,
Chairman.

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

Mr. Speaker, I am going to talk quickly because I have got a lot of people who want to talk, and there are a lot of important things in this bill.

I want to thank the chairman—he has done an extraordinary job here—and Chairman LOBIONDO, both retiring, and we will miss them. I also want to thank my colleague Mr. LARSEN.

Now, there are many provisions that are very important. I won't get to all of them here. But flight attendants, thanks to MICHAEL CAPUANO of Massachusetts, are going to get a 10-hour minimum rest period. They are safety-critical professionals. In the current rules, sometimes they are only getting 4 or 5 hours a night on certain routes. That is not right. That is long overdue.

We have to see whether or not we can actually meet the standard of evacuating a plane in 90 seconds as budget carriers and others cram more and more seats in that are narrower and narrower, less and less pitch. Can we still meet those standards? We are going to find out whether we can or not.

A provision later in the bill inserted by another of my colleagues, STEVE COHEN, will require the FAA, particularly if instructed by this study, to set minimum pitch width and length requirements for passenger seats.

The drones—we have 100 reports of drone sightings by pilots in controlled airspace being illegally operated every month. Sooner or later, one of those things is going to take down a jetliner with passengers on board. Until now, Congress has prohibited the FAA from regulating these drones because the model aircraft people think they are going to all be grounded. They are not going to be grounded. The FAA isn't going to go after responsible operators.

You are going have to register. You are going to have to show that you understand the rules. But the model aircraft people already do. Many of these toy people, like the one who stopped firefighting in my district in August, are breaking the law; and we are going to know and be able to identify them, find them, fine them, jail them, whatever is necessary to stop these dangerous activities. So that is an incredibly important part of the bill.

There are certification reforms. Our manufacturers have been waiting for years. We need to maintain our lead in

aerospace. We are finally getting certification reform to make their production of new equipment, modern, state-of-the-art stuff, much easier.

We are also going to require the FAA to facilitate and defend their approvals overseas. No more Chinese aviation authority blackmailing our manufacturers into giving them proprietary information so they can sell their product in China. That has got to stop. We are going to make the FAA help our manufacturers over there.

We are going to have some passenger rights here. As I already talked about, STEVE COHEN with the seat pitch.

There are also consumer protections. We are going to have better identification of what is going to happen. They are going to have to post online, with mass cancelations, what they are going to do with people; permanent prohibition of cellphones in flight.

It did not, unfortunately, include a provision that Chairman LOBIONDO, DREW FERGUSON, and I authored to help the airline industry—or defend the airline industry—from following the cruise line model where all the crews are going to be foreign and not subject to U.S. law with flags of convenience. That is something that yet needs to be addressed.

It does not allow an increase in the passenger facility charge, which hasn't been updated in about 20 years, and yet airports do not have sufficient bonding capacity to make the improvements we need to make the airports flow more quickly and a better experience for passengers. The airlines should join me in that instead of opposing that.

It also has disaster recovery reform in there. We are going to do more investment in predisaster mitigation, which will save massive amounts of money for taxpayers.

We are going to require stronger building codes as we rebuild. It also has some important things for the State of Oregon that relate to earthquake early warning and mitigation regarding forest fires.

Finally, we are going to take money that is being stolen from passengers. Now we have a big fight over a passenger facility charge, yet the airlines did not raise a stink when the Republican Congress diverted—raised, twice—the passenger security fee and diverted the money to nonpassenger security issues, which is delaying the deployment of new, more efficient equipment by the TSA. We are going to finally end that practice, not soon enough, but perhaps we can amend that later.

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

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN), who is the chairman of the Appropriations Committee.

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding.

Mr. Speaker, I rise in support of H.R. 302.

Hurricane Florence struck North and South Carolina last week, leading to the loss of many lives and incredible hardship for thousands of families. This Chamber's thoughts are with those devastated by the storm, particularly those who lost their homes, their livelihoods, and their loved ones.

My thanks to the House Appropriations Committee's chairs, especially their dedicated appropriations staff for their quick action to provide this initial supplemental appropriation of $1.68 billion included in this legislative package. They did the same good job on behalf of the residents of the Carolinas as they did for the victims of Harvey, Irene, and Maria, whose issues and crises we addressed last year.

Mr. Speaker, I strongly support the bill in all aspects.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentleman from the State of Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise in support of this bipartisan, long-term measure to reauthorize the Federal Aviation Administration.

I want to thank Chairman SHUSTER, Chairman LOBIONDO, and Ranking Member DEFAZIO for all of the work that they have put into this bill for nearly 5 years now.

I am pleased that we have come to a bipartisan and bicameral agreement to raise the bar on aviation safety, improve the experience for the traveling public, better prepare and diversify the aviation workforce, increase the global competitiveness of U.S. aerospace manufacturers, and pave the way for advanced drone operations in U.S. airspace.

Many reforms included in this bill have an immediate impact and benefits in Washington State where I am from. It is a leader in U.S. aviation and aerospace. General aviation contributes an estimated $3.6 billion to our economy and supports more than 30,000 jobs a year.

Improving the FAA's certification processes for aircraft and other aviation and airspace products allows U.S. manufacturers like the smaller contractors and suppliers throughout my district to get newer and safer products to market faster. The bill's certification reforms will better enable U.S. aviation manufacturers to compete globally.

H.R. 302 also recognizes the importance of recruiting, training, and developing the next generation of aviation workforce. The bill creates a task force to develop recommendations on encouraging young people to pursue careers in aviation maintenance, manufacturing, and engineering through apprenticeships, as well as two new grant programs to support pilot education and recruitment of aviation maintenance workers.

In addition, the legislation includes strong consumer protections like establishing minimum seat dimensions, prohibiting airlines from involuntarily bumping passengers who have cleared the gate, and designating nursing rooms for mothers in each terminal.

I have advocated, as well, to better address the needs of passengers with disabilities while traveling. This measure makes significant improvements by requiring the FAA to study lavatory access for passengers with disabilities and increases civil penalties for damaging passengers' wheelchairs or mobility aids.

Importantly, the agreement also protects the safety of our flight attendants by mandating 10 hours of rest for flight attendants, a requirement that has not been updated in two decades and is long overdue.

The bipartisan legislation lays the groundwork for the safe and swift integration of drones into the national airspace, and advanced drone operations like package delivery.

If the U.S. cannot accommodate the growing drone industry, Congress has been told the innovation and economic benefits would move abroad. This long-term FAA reauthorization ensures these jobs stay in the United States.

Further, the bill reauthorizes the TSA. This language is particularly important to me as, less than 2 months ago, an airline employee stole an aircraft and engaged in an unauthorized flight, which could have had devastating impacts in communities in northwest Washington State. To help ensure a similar incident does not happen again, the bill requires the TSA to work with industry to evaluate security gaps and how to make industry improvements.

This moment has been a long time in the making. I am proud to have worked with the Transportation and Infrastructure Committee members and the staff on this milestone. I would like to give special thanks to my retiring colleagues, Chairman BILL SHUSTER and Chairman FRANK LOBIONDO for their years of service, dedication, and, most importantly, their friendship.

The long-term FAA reauthorization bill is a strong, bipartisan effort that will propel the aviation industry, ensure the safety of the traveling public, and support economic growth.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SMITH), who is the chairman of the Science, Space, and Technology Committee.

□ 1415

Mr. SMITH of Texas. Mr. Speaker, I thank Chairman SHUSTER for yielding, and I congratulate him on successfully advancing a 5-year FAA reauthorization.

H.R. 302 includes the Science Committee's research and development title, the FLIGHT R&D Act. Title 7 includes our priority that 70 percent of annual FAA research and development funding be for safety research, up from less than 60 percent today. It establishes a new FAA Associate Administrator for Research and Development.

And it includes the Geospatial Data Act.

Another provision provides for specified aircraft operations of space support vehicles licensed under the U.S. space code. Another establishes a DOT Office of Spaceports and a national spaceport policy report.

Mr. Speaker, I appreciate the chairman's work on this bill. I strongly support it.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of BILL SHUSTER. I am also supporting the bill. But I want to thank BILL for being a person who is constructive, visionary, and works across the aisle with constructive ideas. He has made a difference in this House. His father made a difference in this House. I thank him for his service.

Mr. Speaker, I rise in support of this bill. It includes key changes to the Stafford Act that I have been working on with Mr. MCCARTHY and Mr. BISHOP for many, many months. I have advocated for over the past year to permit Federal disaster aid funding to be used to not only reconstruct what stood before, but to build to 21st century standards.

Importantly, the bill puts an emphasis on pre-disaster mitigation. The emphasis is on actions taken to lessen the impact of future disasters. Last year, natural disasters cost the Nation a record $306 billion, eclipsing the previous record of $265 billion set in 2005.

If we fail to do this, if we fail to mitigate, then we will have forsaken the lessons of Hurricanes Katrina, Sandy, Maria, and now Florence, or the devastating wildfires of the West. For every dollar spent in mitigating future disasters, we save between $4 and $8 in avoided future recovery efforts. This just makes sense.

Last year, when I traveled with Majority Leader MCCARTHY to Puerto Rico and to the U.S. Virgin Islands with Mr. BISHOP, the chairman of the committee, to see the aftermath of Hurricanes Maria and Irma, I saw Americans struggling without power, access to clean water, basic health services, or shelter over their heads.

The majority leader and I came away from that visit determined to help these communities. Chairman BISHOP joined with us. So I thank the committee.

I want to thank Mr. DEFAZIO, too, who like Mr. SHUSTER is a constructive, positive Member who wants to make a difference for our country. My constituents thank him, and the country thanks him.

I come to support a bill that was fashioned by two people who wanted to make sure that we did positive things in this House. The American people can be proud of our work today.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LOBIONDO), the chairman of the Subcommittee on Aviation.

Mr. LOBIONDO. Mr. Speaker, this is a day we should all celebrate. It is not that often we have an opportunity to have a bipartisan, bicameral bill that does so much to help America.

There are a lot of thank yous to go around. You have heard about the particulars of the bill. I want to thank BILL SHUSTER, who has been a very good friend and has put his faith and trust in allowing me to chair the Aviation Subcommittee 6 years. I thank PETER DEFAZIO and RICK LARSEN for their help. RICK has been a partner with me on Coast Guard and aviation issues.

Also, the staff doesn't get enough thanks for the time and energy and work they put into it. I thank Holly Lyons, Naveen Rao, and Hunter Presti for all they have done over the years to make this committee move forward. And very special thanks to Geoff Gosselin, who was my legislative director for a number of years and has been a part of the major committee staff for a long time.

This is really important to me. Aviation and the FAA has been a passion for me for all of my years in Congress. I have the honor of representing the Federal Aviation Administration's crown jewel technical center, which is in my district. The technical center is the heartbeat of aviation and the FAA in America. It is, as I said, the crown jewel for safety and security, and for keeping our Nation safe with the greatest aviation system in the world.

But it is not because of the sophisticated laboratories and equipment. Yes, we have all that. It is the thousands of men and women who work there who put their heart, soul, energy, and enthusiasm into the dedication of making sure that our aviation system in the United States of America is the finest and the best. This bill will give the certainty and stability for them to do their job for 5 years.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHUSTER. Mr. Speaker, I yield the gentleman an additional 15 seconds.

Mr. LOBIONDO. As you heard Chairman SHUSTER say, this has not happened since 1982. So for the men and women of the tech center, for the heart and soul that you have put into our system, God bless you and thank you for doing the great job that you do.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI), a member of the committee.

Mr. LIPINSKI. Mr. Speaker, I would like to thank both Chairman SHUSTER and Ranking Member DEFAZIO for their work in crafting this compromise bill and for including some of my provisions in the bill.

Mr. DEFAZIO did an excellent job of going over pros and cons in this bill, so let me talk about a few provisions I have in here.

One requires the GAO to quantify the cost to passengers of every airline computer failure since 2014, including the one that just occurred last night. I am hopeful this report will spur Congress to take further action to ensure better passenger protections. Other provisions will improve transparency in ticket sales and help develop the aviation workforce's next generation.

The bill also has other wins for the traveling public, airline workers, and residents around airports. For example, the bill directs the FAA to be more responsive to community noise issues, including residents who live near airports such as Midway in my district.

Finally, this bill will help our aviation system remain the gold standard for safety, including some of those things Mr. DEFAZIO talked about in regard to drones.

I thank Chairman SHUSTER for his work on this bill, for all his work as chairman of the committee for 6 years, and for everything he has done in Congress. I urge my colleagues to support this bill.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. BARLETTA), the chairman of the Economic Development, Public Buildings, and Emergency Management Subcommittee.

Mr. BARLETTA. Mr. Speaker, I rise today in support of H.R. 302, which includes my bill, the Disaster Recovery Reform Act.

In 2017, 8 percent of the United States population, that is 26.4 million Americans, were affected by at least one disaster. This year, we have already seen tragedy strike in our communities.

For example, in July and August, Pennsylvania was devastated by widespread flooding that destroyed homes and businesses and, tragically, cost lives.

In Hershey, Pennsylvania, Swatara Creek crested at over 17 feet, the second highest level since the weather service began keeping records. As we speak, the Carolinas continue to recover from Hurricane Florence, which took the lives of more than 40 Americans. It is clear that these reforms are needed now more than ever.

I thank Chairman SHUSTER for his support in getting this bill over the finish line.

Mr. Speaker, I include in the RECORD an op-ed I coauthored with former FEMA Administrator David Paulison.

AS MILLIONS RECOVER FROM FLORENCE, CONGRESS HAS A CHANCE TO ENACT DISASTER REFORM

(By Rep. Lou Barletta (R–Pa.) and R. David Paulison, 09/25/18)

Last fall, the United States was devastated by an unprecedented string of natural disasters: hurricanes Harvey, Irma and Maria. These stain's now account for three of our country's five most expensive hurricanes on record, causing a combined $265 billion in damages. Even worse, the storms tragically took the lives of countless Americans.

With painful memories of these disasters still fresh, the Atlantic hurricane season is once again at its peak in 2018. Hurricane

Florence made landfall in the Mid-Atlantic as a record-breaking storm, causing destruction like we have never seen in the region. While the communities affected by Florence will undoubtedly demonstrate American resolve and bounce back, they are serving as unfortunate reminders of the need to overhaul and improve our nation's disaster readiness. As we help those impacted by Florence continue to recover, it is more important than ever that we work to ensure that they are fully prepared for when the next disaster strikes.

Over the course of our careers in and around emergency management, we have seen the direct impact pre-disaster mitigation can have on protecting local infrastructure, preserving property, and saving lives. Whether dealing with the aftermath of Hurricane Andrew in 1992, Katrina in 2005, or the increasingly costly storms from more recent years, the primary lesson from these events is that there is no substitute for pre-disaster mitigation and resilient infrastructure. It could not be clearer: America needs a better system that saves lives and taxpayer dollars by building smarter and stronger before disaster strikes.

These life-saving efforts can also provide massive savings to taxpayers. Expert research has consistently supported this assertion, with one recent study finding that every $1 invested up front in mitigation efforts can save as much as $8 on future costs. With the cost of these storms in the hundreds of billions, the savings pre-disaster mitigation can provide are invaluable.

But despite the devastation caused by previous storms and the ongoing havoc of Florence, the United States continues to drag its feet when it comes to disaster preparedness. Many states still do not incentivize the use of certain safety standards, and the federal government wastes billions on reactive post-disaster spending instead of focusing on proactive investment in disaster preparedness.

Fortunately, there is already a solution on the table that would provide both much-needed relief for Americans and an investment in a stronger future. The Disaster Recovery Reform Act of 2018 (DRRA), which has passed the House twice and is currently under consideration in the Senate, would go a long way toward accomplishing the goals of investing in pre-disaster mitigation and creating a more resilient America.

Importantly, this bill would increase the amount of money available for pre-disaster mitigation following major disasters. By arming communities with the necessary resources to strengthen their infrastructure against hurricanes and other disasters, those affected across the country will be better equipped for the next inevitable disaster. With the DRRA, Congress has an opportunity to enact real disaster reform.

Encouragingly, there have been recent signs that our national approach to disaster response, recovery, and mitigation is trending in the right direction. Earlier this year, the House of Representatives included a cost share incentive provision designed to greatly enhance state resiliency in the Bipartisan Budget Reform Act that was signed into law by President Trump. FEMA, in addition to its extraordinary work done regularly in responding to disasters, is taking steps to ensure that this law is implemented effectively and efficiently. The Trump administration has provided strength in its response to those suffering from recent disasters, with Vice President Pence telling a community wracked by Hurricane Harvey that they would work to ''[rebuild] all of Texas bigger and better than ever before.'' However, these actions are only the beginning of the required wholesale shift in our national disaster framework. It is up to Congress to continue this momentum and enact meaningful reforms that will save lives, property and taxpayer dollars.

Including the record-breaking 2017 season, disaster spending continues to be an ever-expanding cost category for the United States. With another tumultuous hurricane season underway, it is time for lawmakers to act. Safer, stronger communities mean a safer, stronger country. If members of Congress are serious about serving their constituents, then senators must finish the important work the House started and pass the Disaster Recovery Reform Act now.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN), an esteemed member of the committee.

Mr. COHEN. Mr. Speaker, I thank Ranking Member DEFAZIO and Chairman SHUSTER for their excellent efforts to work out this compromise on the FAA reauthorization and finding consensus with our Senate counterparts. I am glad to have successfully included four important measures in the final package.

Special thanks to Senator NELSON and Ranking Member DEFAZIO for keeping in many key Democratic priorities that support labor, airports, and consumers; and, most notably, preserve the safety of the flying public.

I should comment that the SEAT Act, which I am most proud of, a 3-year effort that I worked on with ADAM KINZINGER, was accepted by voice vote in committee. I thank Mr. SHUSTER for that. It is a watershed moment for safety for the flying public. We have never before been forced to regulate seat sizes, but the reality is, the safety of the flying public is at risk unless we do.

Representative KINZINGER and I worked on this to see to it that we put an end to the shrinking sizes of seats on airplanes through the SEAT Act, or the Safe Egress in Air Travel Act, so it would become law.

Americans have become larger. Seats have become smaller. They have become more dangerous. There needs to be a study on the width and the pitch of seats to make sure that they are safe to be evacuated within the approximate 90 seconds they are supposed to be able to evacuate a plane. Flyers Rights and the National Consumers League also supported this.

I would like to thank Senators BLUMENTHAL, MARKEY, WARNER, and WHITEHOUSE, and others. I look forward to voting for this bill, and I encourage everybody to vote for it.

□ 1430

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. GRAVES), chairman of the Highway Subcommittee, a great ally and someone who understands the aviation industry and general aviation like nobody else in Congress.

Mr. GRAVES of Missouri. Mr. Speaker, as one of the only professional pilots in Congress, I rise today in strong support of the long-awaited FAA reauthorization bill. I was happy to work closely with the chairman, ranking member, and all of our Senate counterparts to reach the compromise legislation that we have today.

We are finally providing our aviation programs the much-needed, long-term certainty that they desire, and I am excited about a number of policies included in the bill that I advocated for.

Just quickly, I secured language to prevent new taxes targeting consumers who rent cars at the airport. My aviation workforce development bill to encourage people to pursue careers in aviation as technicians and mechanics is included. I secured fixes on how the FAA regulates Living History Flight Experience flights. We finally ended the egregious FAA fees on large aviation events, such as Sun 'n Fun and Oshkosh air shows. We extended aircraft registration from 3 to 7 years. We directed the FAA to restore the ''all makes and models'' certificate for experimental aircraft. Building an aircraft in your hangar now will be considered an aeronautical use of that hangar.

There are many other things I can't include in my limited amount of time.

As we approach key milestones in the program in 2020 and beyond, my colleagues and I on the committee will remain committed to holding the FAA accountable and ensuring the goals of NextGen are achieved.

Mr. Speaker, I could go on, but, obviously, time does not allow.

Mr. Speaker, as one of the only professional pilots in Congress, I rise today in strong support of the long awaited FAA Reauthorization bill.

I was happy to work closely with the Chairman and Ranking Member, and our Senate counterparts to reach the compromise legislation before us today.

We will finally be providing our aviation programs some much needed long term certainty.

I am very excited about a number of policies included in the bill that I advocated for.

Just to go over them quickly:

I secured language to prevent new taxes targeting consumers who rent cars at the airport;

My aviation workforce development bill to encourage people to pursue careers as aviation technicians and mechanics;

I secured fixes to how FAA regulates living history flight experience flights;

We are finally ending the egregious FAA fees on large aviation events;

We extended aircraft registration from 3 years to 7 years;

Directed the FAA to restore the 'all makes and models' certificate for experimental aircraft;

Building an aircraft in your hangar will now be considered 'aeronautical use' of that hangar;

And many others that I can't cover in my limited time.

As we approach key milestones in the program in 2020 and beyond, my colleagues and I on the committee remain committed to holding FAA accountable and ensuring the goals of NextGen are achieved.

Mr. Speaker, I could go on and on when it comes to all the aviation policy in this bill that excites me.

But I'll save some time for my other colleagues.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. TITUS), a member of the committee.

Ms. TITUS. Mr. Speaker, I am proud to stand with my colleagues on the Transportation and Infrastructure Committee today in support of this bill, which is the result of a lot of hard work over many years and includes a number of important wins for my constituents in Nevada and for users of our aviation system all around the world.

As chair of the House Travel and Tourism Caucus, I am happy to see provisions to improve our airport infrastructure; protect air travelers; and support our pilots, flight attendants, and aviation professionals. In addition, I am glad the bill includes an important extension of the work being done at the Nevada UAS Test Site, which will allow critical research being carried out with NASA and FAA to advance low-altitude air traffic management vital to the success of the commercial drone industry.

As ranking member of the Economic Development Subcommittee, I am also pleased to report that the bill includes the Bipartisan Disaster Recovery and Reform Act. These critical reforms will help communities become more resilient and better prepared to deal with the impacts of global climate change.

With our neighbors in the Carolinas reeling from the impacts of Hurricane Florence, our fellow citizens in Puerto Rico and the Virgin Islands still rebuilding from last year's devastating hurricanes, and numerous communities in the West facing wildfires, this can't come soon enough.

Mr. SHUSTER. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. GRAVES), who truly is an expert when it comes to emergency management and disaster recovery.

Mr. GRAVES of Louisiana. Mr. Speaker, I first want to thank the chairman, the ranking member, and their staff for their perseverance on this legislation. This is really an amazing accomplishment that I think is going to transform how we plan for, how we prepare for, and how we respond to and recover from disasters.

Mr. Speaker, we spent more than $1.5 trillion responding to 220 disasters that have cost our Nation more than $1 billion each since 1980. We have this process in the Federal Government where we spend billions after a disaster rather than spending millions on the front-end actually preparing and making our communities more resilient. This bill begins to change that.

There are a number of very important lessons learned, commonsense provisions in this legislation. I want to highlight the duplication of benefits, section 1210, of this legislation that reverses this crazy Federal policy whereby it was incentivizing people to wait, to slow down recovery, while costing FEMA more dollars in temporary housing, eliminating this process whereby loans and grants were viewed as being duplicative.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE), a key appropriator on these issues.

Mr. PRICE of North Carolina. Mr. Speaker, I want to rise in the wake of the devastation of Hurricane Florence to profoundly thank the bipartisan leadership of the Transportation and Infrastructure Committee, of the Appropriations Committee, and of the House for working with North Carolina's Governor and with our bipartisan congressional delegation to include $1.68 billion in Community Development Block Grant Disaster Recovery funding to help communities in North Carolina, South Carolina, and across the country recover from natural disasters declared in calendar year 2018.

CDBG-DR funding is critical for restoring housing, business, and infrastructure affected by Hurricane Florence. These funds constitute a robust down payment, and I look forward to working with colleagues on both sides of the aisle to complete the job once full estimates are available.

Mr. Speaker, I just want to say it is very, very reassuring—it is heartening—to the people of North Carolina and South Carolina to have this commitment from the Congress of the United States as our long process of recovery begins.

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to the gentleman from Illinois (Mr. RODNEY DAVIS), a great friend and one of the hardest working members of the Transportation and Infrastructure Committee.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, this bill includes my bill, the Disaster Declaration Improvement Act, which requires FEMA to place greater consideration on the severe localized impact of damage following a disaster.

I have fought for this critical disaster fairness legislation for years, and we finally have an opportunity to get it signed into law. Enacting this language will help level the playing field, help central and southern Illinois receive greater fairness when disaster happens.

Thank you, Chairman SHUSTER and Ranking Member DEFAZIO, for working to include this provision. I urge adoption of this legislation and this bill.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. THOMPSON), my friend and ranking member of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, I appreciate the gentleman from Oregon yielding me the time.

Mr. Speaker, I rise in support of H.R. 302, a bill to make the Nation's transportation system more secure. Not only does H.R. 302 give needed attention to the security of air cargo, airport perimeters, and public areas of airports, as well as mass transit facilities, but for the first time since the 9/11 Act, it directs TSA to put significant focus on bolstering surface transportation security.

H.R. 302 also does two important things for TSA frontline workers. It directs TSA to sit down with labor representatives to collaborate on long-overdue personnel reforms and authorize the TSA training academy.

Mr. Speaker, I am pleased to say that H.R. 302 includes every House-passed Democratic TSA bill, as well as language to right a wrong that has resulted in billions of dollars collected from the flying public for security being diverted from TSA security operations.

Mr. Speaker, I thank my colleagues for their collaboration and support.

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to the gentleman from North Carolina (Mr. ROUZER), a hard-working member of the Transportation and Infrastructure Committee.

Mr. ROUZER. Mr. Speaker, I want to thank the chairman here, the ranking member, and so many others who have worked so hard on this legislation, which, I might add, could not be more timely for the State of North Carolina.

I want to thank our leadership team in the House and so many who have worked with me and the North Carolina delegation to include the disaster relief funding specific to Hurricane Florence. This is a critical first step of additional support from this body and Congress as a whole, and I also want to commend my colleagues Senator BURR and Senator TILLIS on the other side of the Capitol for all their great work to get us to this point today as well.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ), ranking member on the Small Business Committee.

Ms. VELÁZQUEZ. Mr. Speaker, I would like to take this opportunity to thank both the chairman and the ranking member for their important work on this legislation.

Mr. Speaker, a year ago, Hurricane Maria made landfall in my hometown of Yabucoa. The storm ravaged the island, and 115-mile-per-hour winds damaged hundreds of thousands of homes. The entire island lost power, and thousands would not regain electricity until 10 months later, the longest blackout in U.S. history.

Sadly, as this crisis unfolded, the President and the administration repeatedly claimed the Federal response was going well. As evidence, they pointed to an artificially low death toll that for months suggested only 64 people had perished. We know now that the true toll is closer to 3,000 lost lives.

We can never again allow an artificially low death toll to disguise how the local and the Federal Government failed American citizens. That is why I am pleased this bill contains my legislation, the COUNT Act, to establish Federal guidelines for disaster death counts.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DEFAZIO. Mr. Speaker, I yield the gentlewoman from New York an additional 30 seconds.

Ms. VELÁZQUEZ. Death tolls shape public opinion and, in turn, influence how resources are allocated in response. This new bill will make sure Congress and the American people have a clear picture of the severity of future catastrophes.

I thank the ranking member and the chairman for working to include my bill as a provision. I encourage my colleagues to vote ''yes.''

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Mr. Speaker, I congratulate the chairman not on just this but his entire chairmanship, for getting big things done.

Mr. Speaker, I want to speak on the underlying bill, the Sports Medicine Licensure Clarity Act. Currently, healthcare providers are licensed by their State. If a healthcare provider travels with a team—professional, college, high school—out of State to take care of the players that they are responsible for, they could be practicing out of the scope of their license since they are out of State.

For example, this April, when our Kentucky Wildcats go to Minneapolis for the Final Four, the physicians and healthcare people who travel with them need to be practicing within their licenses. It is clearly within the Commerce Clause for us to clarify this. It is important to do. I encourage the passage of this bill, this provision, and the overall bill.

Mr. DEFAZIO. Mr. Speaker, may I inquire as to the remaining time.

The SPEAKER pro tempore. The gentleman from Oregon has 3 minutes remaining. The gentleman from Pennsylvania has 9¾ minutes remaining.

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

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to the gentleman from North Carolina (Mr. HOLDING).

Mr. HOLDING. Mr. Speaker, Hurricane Florence devastated North Carolina. Historic levels of rainfall have upended countless families and destroyed crops, with flooding and debris strewn about unlike anything our communities have ever witnessed. The $1.68 billion of disaster relief in this legislation is a much-needed first step in providing relief. I will continue to work with my colleagues on both sides of the aisle to provide for those in need.

Mr. SHUSTER. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, I thank the chairman for yielding and for supporting my proposal to require the FAA to reassess the North Shore helicopter route and address the noise impact on affected communities, improve altitude enforcement, and consider alternative routes, including an all-water route over the Atlantic Ocean.

The FAA will be required to hold a public hearing on the North Shore route in impacted communities and open a public comment period, both of which the FAA has refused to do while renewing the route without consulting the public.

Mr. Speaker, I strongly urge a ''yes'' vote.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I have a brief 1 minute to say that San Francisco International Airport is in my district. We are being hounded by noise in the middle of the night at 1, 2, and 3 a.m. in the morning.

I convened a meeting with the FAA. They joined me at that meeting. They agreed to have a meeting with the airlines, and then the FAA here in Washington decided to renege.

This is a message to the FAA: You owe your obligation to all the people of this country, and when a Member of Congress seeks to have you at a meeting, you show up at a meeting. When you don't show up at a meeting, heads are going to roll.

Mr. SHUSTER. Mr. Speaker, I am prepared to close. I have no more speakers. I reserve the balance of my time.

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

Mr. Speaker, I already thanked my colleagues, but I also want to thank some staff, particularly some of the staff on my side of the aisle. The staff on both sides worked hard: Alex Burkett; Rachel Carr; Kathy Dedrick; Janet Erickson; David Napoliello; Luke Strimer; Mike Tien; in RICK LARSEN's office, Alexandra Menardy; and special thanks, because they don't get thanked enough around here, to the people who put together legislation that actually works and do yeoman's work behind the scenes, legislative counsel Karen Anderson, Rosemary Gallagher, and Stephen Hagenbuch.

Again, this is a good bill. It shows what we can do here when we drop our partisan cloaks and work together for the good of the American people, both the flying public and the businesses that are dependent upon the aviation industry, and, also, the work we did in here on disaster mitigation, things that should have been done earlier, couldn't get done earlier.

But in a must-pass bill like this, we were able to come to consensus. This is a good day for the House of Representatives—unfortunately, a somewhat rare day.

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

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

I want to thank the leader of the Democrats on the Transportation and Infrastructure Committee for his efforts and his willingness to work with me. Mr. DEFAZIO has been a great partner over the last 4 years. I want to thank him for that.

I also want to thank the chairman of the Subcommittee on Aviation, Mr. LOBIONDO, and Ranking Member LARSEN, for their hard work and bipartisan efforts on this bill. I also want to thank Chairman BARLETTA, chairman of the Subcommittee on Economic Development and Emergency Management, and Ranking Member TITUS, again, with the DRRA bill, working closely with those folks.

Also, we want to mention GARRET GRAVES, who really is a true leader and one of the true experts, not only in Congress but in the United States, when it comes to disaster recovery. I thank him for his efforts.

I also want to thank the Democratic staff for their efforts in working with our staff. I know it was a lot of late hours. I thank them so much for those efforts that they put in.

To my staff, T&I staff, they did an unbelievable job on a very, very complicated FAA bill, but they also were negotiating the disaster relief bill. There were many long nights. I can't thank them enough for their hard work and their intelligence and, many times, sort of making magic happen when we went through this. So I thank those folks for that effort.

Mr. Speaker, I include in the RECORD a list of all the staff whose great work got us to this point today:

Matt Sturges, Chris Vieson, Geoff Gosselin, Fred Miller, Holly Woodruff Lyons, Naveen Rao, Hunter Presti, Cameron Humphrey, Max Rosen, Avery Katz, Johanna Hardy, Pam Williams, Tyler Menzler, Kathy Dedrick, Alex Burkett, David Napoliello, Rachel Carr, Michael Tien, Luke Strimer, Janet Erickson, Nick Rossi.

Adrian Arnakis, Mike Reynolds, Simone Perez, Isaiah Wonnenberg, Misseye Brickell, Kim Lipsky, Christopher Day, Mohsin Syed, Tom Chapman, Christopher Mulkins, Alexia Noruk, Michael Lueptow, Barrett Percival, Karen Anderson, Rosemary Gallagher, Stephen Hagenbuch, Jaclyn Keshian, Hannah Matesic, Kathy Loden, Brittany Smith, Collin McCune.

I want to mention, call out here today, Aviation staff Holly Woodruff Lyons, Naveen Rao, Hunter Presti, Cameron Humphrey, Hannah Matesic, and Avery Katz for their efforts on this FAA bill, but also Johanna Hardy, Pam Williams, and Tyler Menzler for their efforts on the Disaster Recovery and Relief Act.

And on the full committee: Chris Vieson, Geoff Gosselin, Fred Miller, Kathy Loden, Brittany Smith, Jeff Urbanchuk, Justin Harclerode, and Nico Alcalde for their tireless efforts.

Also, not on our staff anymore, but I need to do a shout-out for him, is Matt Sturges, who was the staff director. He has gone down to be the Deputy Administrator at the FRA. Much of the legislation that we passed over the years wouldn't be possible without Matt's leadership and his hard, hard work, and I want to thank him for that.

□ 1445

Finally, I thank the leadership and their staff for working so closely with

us to get this long-term FAA bill, this disaster bill passed.

I thought this FAA bill would be the legislation that eluded me. In the last 5½ years, in a bipartisan way, the Transportation and Infrastructure Committee has enacted legislation on every mode of transportation, and, today, we are going to pass a 5-year bill, which I mentioned earlier. It hasn't been done since 1928.

But I would be remiss if I didn't point out and show the true competitive nature of the Shuster family. My father, Bud Shuster, the chairman in 2000, passed a 4½-year bill.

So, Dad, if you are watching, I just wanted to make sure that was in the RECORD.

Being chairman has been one of the great honors of my life, and I want to thank my Republican colleagues for putting their trust in me and electing me to be chairman of this committee.

Most importantly, I want to thank the people of the Ninth Congressional District for putting their faith in me. I would not be chairman today if they wouldn't have supported me as strongly as they did over the years, and I owe them this chairmanship. I thank them from the bottom of my heart.

I thank my family: my brother and three sisters; my two children, Ali and Garrett, for their love, support, and for tolerating me over the years. And, finally, to my mother, who passed away 2 years ago, we passed a WRDA bill the day she passed away. I can remember the ringing in my ears of her saying, ''Go to work. Do your job.'' And I did just that.

And to my father, whom I mentioned earlier, I thank him and my mother for the love, the guidance they have given me and, most importantly, for the life that they gave me.

Mr. Speaker, I ask all my colleagues to support H. Res. 1082, and I yield back the balance of my time.

Mr. CARTWRIGHT. Mr. Speaker, I rise in strong support of H.R. 302, the FAA Reauthorization Act of 2018, as amended. For many years, aviation has been the safest form of transportation in the United States. This is by no means an accident, it is the result of a strong regulatory framework built over time, paired with an ongoing airline system safety culture that is one of the most ambitious in our nation's history.

Mr. Speaker, when this bill first came to the House floor as H.R. 4, I strongly opposed a provision that would establish a research and development program in support of single-piloted cargo aircraft assisted with remote piloting and computer piloting, and offered an amendment striking that section. Attempts to roll back safety regulations in this manner are counterproductive and compromise safety. I am pleased to see this provision stricken from the final bill text and urge all members to join me in voting to pass H.R. 302, the FAA Reauthorization Act of 2018.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as a member of the Transportation & Infrastructure Committee, I'd like to express my support of H.R. 302 the Federal Aviation Administration Reauthorization Act of 2018.

Maintaining the safety of our national airspace is paramount, and I am pleased that the provision for Single-Piloted Commercial Cargo Aircraft was removed. Additionally, this bill also highlights a strong focus on airline passenger safety and consumer rights by emphasizing provisions such as minimum legroom, seat width and flight attendant rest mandates.

Finally, this legislation provides Hurricane Florence recovery funding, which emphasizes the importance of providing timely assistance to areas prone to natural disasters, similar to those in my home state of Texas.

Above all, this bill improves the airline passenger experience, provides long-term airport funding, improves disaster recovery, and ultimately strengthens the U.S. economy and aviation workforce.

Mr. BRAT. Mr. Speaker, I rise today to thank Chairman SHUSTER and Chairman THUNE for the inclusion of the Airport Investment Partnership Program and the removal of the ''flags of convenience'' language in H.R. 302, the FAA Reauthorization Act of 2018.

Similar to Brat 150, an amendment I filed to the Rules Committee on H.R. 4, this bill will improve the Airport Privatization Pilot Program by making it permanent, eliminating the numerical limits on airport participation, and providing grants to help with predevelopment planning costs. The new program will be called the Airport Investment Partnership Program. Airports that are looking to reorganize will soon be able to utilize this program as a viable option to achieve their goals. It is my hope and belief that through these changes, more airports will have an opportunity to increase profitability, efficiency, and improve the traveler experience.

In addition, I am pleased that the final language of H.R. 302 does not include so-called airline ''flags of convenience'' restrictions. The original language proposed was anticompetitive and would have threatened U.S. Open Skies agreements that have brought consumers more options and better prices. The fact is consumers want more choices, not less. That is why I introduced H.R. 5000, the Free to Fly Act. The Free to Fly Act would repeal an outdated regulation from the Great Depression-era which artificially caps foreign ownership in U.S. airlines at twenty-five percent. This regulation is among the strictest in the world, increases the cost of capital, and limits consumer choice. The Free to Fly Act would also require any foreign U.S. airline subsidiaries to be established and regulated under U.S. law, be based in the United States, and only employ American workers.

The Free to Fly Act has been endorsed by a wide array of organizations, from conservative groups such as the Club for Growth and FreedomWorks, business interests like the U.S. Travel Association, Airports Council International-North America, Travel Tech, and the Business Travel Coalition, taxpayer watchdogs like the National Taxpayers Union and Taxpayers Protection Alliance, and consumer groups such as Travelers United, FlyersRights.org, Air Travel Fairness, and Consumer Action for a Strong Economy. Both the travel industry and consumers recognize a need for such a change and for more competition.

I hope Congress will turn to the free market more as a solution for financing our infrastructure needs and improving the travel experience for all Americans, and I applaud Chairman SHUSTER and Chairman THUNE on the inclusion of the Airport Investment Partnership Program and the removal of the ''flags of convenience'' language in the FAA Reauthorization Act of 2018.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and agree to the resolution, H. Res. 1082.

The question was taken.

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

Mr. SHUSTER. Mr. Speaker, I demand a recorded vote.

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

CONFERENCE REPORT ON H.R. 6157, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 1077, I call up the conference report on the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ROUZER). Pursuant to House Resolution 1077, the conference report is considered read.

(For conference report and statement, see proceedings of the House of September 13, 2018, at page H8258.)

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. FRELINGHUYSEN. 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 New Jersey?

There was no objection.

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

Mr. Speaker, it is my honor this afternoon to present the conference report for H.R. 6157. This conference report provides full-year funding for the Department of Defense and for the Department of Labor, Health and Human Services, Education, and Related Agencies. It also includes a continuing resolution through December 7, 2018, for Federal Government programs and agencies not covered by the enacted appropriations legislation.

Congress has no greater duty than to provide for our common defense. This legislation fulfills this constitutional responsibility. The Department of Defense is now set to receive its full funding on time for the first time in over 10 years.

Providing this stability and predictability to our military leaders is a necessary and welcome step as we rebuild our Armed Forces. For far too long, their dedication to duty has been weakened by declining and uncertain budgets.

Congress has turned that around, beginning with significant investments in last year's omnibus and continuing this year with an additional $17 billion in base funding for the Department of Defense.

In total, the conference report provides $674.4 billion for our Armed Forces, consistent with levels that are authorized. This funding ensures our troops have the resources they need to defend our Nation and succeed in their global missions. This includes funding to sustain ongoing overseas contingency operations and to support increased troop levels.

It also ensures our warfighters have the training, readiness, and other resources needed to prepare for their missions, and a pay raise of 2.6 percent.

This conference report also replenishes our military might, investing $148 billion in new and modernized equipment and weapons platforms and $96.1 billion for research and development to improve the lethality, effectiveness, and safety of our defense systems.

In addition to this critical funding for our national defense, this legislation also includes funding for vital domestic programs. The Labor, Health and Human Services, Education, and Related Agencies Appropriations bill provides $178 billion for programs that protect the health, education, and labor standards that all Americans deserve.

Funding is directed to programs that have wide national benefit, in particular, the National Institutes of Health, which receives a $2 billion increase to bolster its lifesaving research.

Notably, funding to fight the opioid abuse epidemic receives historic funding levels, totalling $6.6 billion. This will support treatment, prevention, research, and other efforts to end this national crisis.

Another top priority is increased funding to keep our children safe in schools. This includes funding for mental health and other protective measures.

Lastly, the Labor-HHS bill invests in our future, creating economic opportunity and helping students get ahead and be part of a well-trained 21st century workforce.

In addition to these two appropriations bills I mentioned earlier, the conference report includes a continuing resolution through the remaining areas of the Federal Government not covered by this or previous bills that have already been signed into law. This will ensure that the government, indeed, stays open for business.

Upon enactment of this legislation, Congress will have provided full-year funding for three-quarters of the Federal Government, but there is more work to be done on the remaining appropriations bills.

Mr. Speaker, this legislation is yet another step forward to our goal of returning to what we call regular order and fully funding the Federal Government for the fiscal year. It is a product of months of hard work on the part of our conference committee, led by Chairwoman KAY GRANGER and Chairman TOM COLE, along with Ranking Member PETER VISCLOSKY and Ranking Member ROSA DELAURO.

I thank them, of course, and I especially thank my counterpart, the gentlewoman from New York (Mrs. LOWEY), my ranking member, who has worked with me through this process as well as earlier bills. We have had a friendship for well over 20 years of service jointly on the Appropriations Committee.

And, yes, I thank our Senate counterparts for helping us complete this work as well.

This conference report would not be on the floor today without the Appropriations Committee's dedicated professional and associate staff. I extend to all of them my deepest gratitude for their dedication, service, and hard work.

In the front office, as we call it, Nancy Fox, my staff director; Maureen Holohan; Shannon O'Keefe; Jason Gray; Tammy Hughes; Rachel Kahler; Jennifer Hing; Marta Hernandez; Parker Van de Water; and Tom Doelp; and in working closely with us in the minority, Shalanda Young and Chris Bigelow, and others. I am grateful to all these men and women for their professionalism and dedication.

Mr. Speaker, I urge my colleagues to vote ''yes'' on the conference report, and I reserve the balance of my time.

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

Mr. Speaker, I join Chairman FRELINGHUYSEN in strong support of this bipartisan legislation. The Defense and Labor-HHS-Education bills carry out some of Congress' most important constitutional responsibilities. We should all be pleased that we have completed our work on these bills on time.

This conference report provides ample resources for our armed services and strengthens military readiness. It also upholds our commitments to our servicemembers and their families, more funding to repair Department of Defense schools, additional resources to assist victims of military sexual assault, and more support for military medical research.

Turning to the Labor-HHS-Education division, I am pleased that Congress has resoundingly rejected President Trump's budget and restored $10 billion in proposed cuts that would have hurt working families. Instead, we have won increased funding for a number of important priorities.

This bill boosts biomedical research at the National Institutes of Health, expands opioid abuse treatment and prevention programs, and launches new initiatives for maternal and child health.

The bill increases funding for Head Start, childcare, and after school programs on which working families rely. It lifts the maximum Pell grant to help more students access postsecondary education, and it invests in the 21st century workforce with more support for registered apprenticeships and career and technical education.

Finally, this bill stands up to President Trump's cruel family separation policy, with more transparency and oversight of child and family detention.

Just as important is what this bill does not include: the unnecessary partisan riders that caused House Democrats to oppose the Labor-HHS-Education bill in the Appropriations Committee. And while it is unfortunate that we have no choice but to include a continuing resolution for many important Federal programs, I look forward to completing our remaining appropriation bills when Congress returns in November.

I appreciate the hard work of Chairman FRELINGHUYSEN, Chairwoman GRANGER, Chairman COLE, Ranking Member VISCLOSKY, Ranking Member DELAURO, and our Senate counterparts to get us to this point.

Of course, we appreciate our hard-working staff. We couldn't get to this point without them.

I urge my colleagues to join me in supporting this bill and sending it to the President for him to sign.

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

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. GRANGER), the chairwoman of the Subcommittee on Defense.

Ms. GRANGER. Mr. Speaker, I rise to urge my colleagues to support the FY19 Defense and Labor-HHS Appropriations conference agreement.

Congress' number one responsibility is to provide for the defense of this Nation. This agreement enables us to fulfill that most fundamental constitutional duty.

Since becoming chair, it has been my goal to ensure that this bill reflects the needs of our defense and intelligence experts so that they have the resources needed to combat the threats of today and in the future.

I want to thank Members for their participation throughout this process. Their input on how we can best address the needs of our military has been invaluable. This agreement includes many of their ideas and priorities by taking into account the over 6,600 requests submitted by Members.

With this agreement, we will be able to do something that has not been done in a decade: provide our military with the funding they need on time so we can rebuild our Armed Forces.

This is an agreement we can all be very proud of. It provides Secretary of

Defense Mattis with the resources he needs to implement the new National Defense Strategy and restore our military.

□ 1500

This conference agreement includes major investments in air superiority, shipbuilding, and the ground forces, including strong support for the National Guard.

This bill provides 18 C–130 aircraft, including 8 for the Air National Guard; 24 F–18 Super Hornets; 58 Black Hawk helicopters; 66 Apache helicopters; 93 F–35 Joint Strike Fighters; 13 V–22 aircraft; 13 Navy ships, including 2 *Virginia*-Class submarines, and 3 Littoral Combat Ships; upgrades for 135 Abrams tanks, and $1.3 billion for additional National Guard and Reserve equipment.

This agreement also invests in the research and development needed to maintain our technological superiority, including critical investments in space, hypersonics, nuclear forces, and missile defense, including the Israeli cooperative programs.

Finally, this agreement strongly supports our servicemembers and their families by funding the largest pay raise for our troops in 9 years;

Growing the force by fully funding the authorized increase in end strength; and,

Investing in the defense health program, including critical medical research.

I would like to thank Chairman FRELINGHUYSEN. This is his last defense bill, and we are thankful for his leadership on our national security.

I would like to thank Ranking Member VISCLOSKY for being a great partner on this bill.

I would also like to thank the members of the Defense Subcommittee, as well as the staff, for their many hours of work on this bill.

On our majority staff: Jennifer Miller, Walter Hearne, Brooke Boyer, BG Wright, Allison Deters, Collin Lee, Matt Bower, Jackie Ripke, Hayden Milberg, Bill Adkins, Sherry Young, and Barry Walker.

On our minority staff: Becky Leggieri, Jennifer Chartrand, and Chris Bigelow.

On my personal staff: Johnnie Kaberle and Spencer Freebairn; and on Mr. VISCLOSKY's staff, Joe DeVooght.

In closing, I, again, urge my colleagues to support this agreement and fund our national security. It is vital that we pass this agreement this week and have it signed into law. The men and women of our Armed Forces deserve no less.

Mrs. LOWEY. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member of the Defense Subcommittee.

Mr. VISCLOSKY. Mr. Speaker, I thank the ranking member for yielding.

Fiscal year 2019 starts on October 1, and it is wonderful to be here in September considering a conference report on two additional appropriation measures.

I would like to commend Chairman FRELINGHUYSEN and Ranking Member LOWEY for bringing a semblance of order back to the appropriations process. Along with their Senate counterparts they have managed to navigate an upset political situation that has completely stymied the process for years. When this two-bill package is signed into law, it will be the first time in 22 years that there have been five appropriation bills enacted before the start of the fiscal year.

I actually wish we had seven more bills conferenced and ready for enactment, but it appears those will have to be deferred until December. I hope that maturity, bipartisan cooperation, and responsible governance will also apply to their consideration and prompt enactment. Timeliness is as important as final dollar determinations.

I also would like to recognize and thank the Chairwoman, KAY GRANGER. She has been a joy to work with and a fine leader. She, along with every member of our subcommittee and our tremendous subcommittee staff and associate staff, have conducted themselves in a professional, bipartisan and collegial manner. As a result, this bill reflects the will of Congress.

Specific to the Department of Defense, this will be the first time in a decade that our military will not begin the fiscal year under a continuing resolution. Having timely appropriations should improve and stabilize budgeting at the Department, the services, our allies, and contractors.

I expect that this certainty will also allow the Department to better adhere to congressional direction, to spend the funding as appropriated, to increase transparency for budget exhibits, and to improve the quality and timeliness of communications to the committee, as has been referenced on pages 8, 9, 10, and 21 of the House Report.

Again, I thank my colleagues, Chairwoman GRANGER, and her wonderful staff.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Oklahoma (Mr. COLE), chairman of the Labor, Health and Human Services, Education and Related Agencies Subcommittee on Appropriations.

Mr. COLE. Mr. Speaker, today marks a victory in the return to regular order on the Labor, Health and Human Services appropriations bill. I am proud of the hard work that brought this bill to us, and I want to highlight just a few of the many provisions in the Labor, Health and Human Services section of the bill that all Members can be proud of.

First of all, I want to note that, while the Defense portion of the bill is up $18 billion, the Labor-H portion of the bill is actually only up $1 billion. It is no secret that our friends on the other side wanted a $5.5 billion increase. Our friends in the Senate version actually got a $2.2 billion increase. In the end, the Labor-H bill allocation actually only increased by $1 billion. In fact, almost three-quarters of the bill in front of us is dedicated to defense.

The Labor, Health and Human Services, and Education portion of the agreement boosts funding for the National Institutes of Health by $2 billion, continuing our quest to cure diseases like Alzheimer's and cancer, and unlock the secrets of genetic conditions like Down syndrome. We have provided increases to help our Nation prepare for public health emergencies, and included $6.7 billion to fight and, hopefully, end the opioid abuse epidemic, including $1.1 billion of grants to States.

I am also proud to say that the agreement includes $50 million for a new Infectious Disease Rapid Response Reserve Fund. The fund will not only save American lives, it will save money too. By banking resources now that only can be used in the event of a future infectious disease public health emergency, we will provide the Secretary of Health and Human Services with immediate access to the funds to respond to a new outbreak, without waiting months for Congress to pass a costly supplemental bill.

The conference agreement also increases funding for education and training programs, including a $70 million increase for career and technical education, a $60 million increase for TRIO and GEAR UP programs to help more students obtain solid workplace skills and a career of their choosing.

We increased funds for Impact Aid and charter schools, and provided funds for our veterans to integrate back into the workforce.

The SPEAKER pro tempore (Mr. WEBER of Texas). The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield the gentleman from Oklahoma an additional 1 minute.

Mr. COLE. We invested in TRIO and GEAR UP, and also in early childhood education.

We have increased programs to help people with disabilities live independently, and to fund early intervention and education services for children with disabilities. We have increased school safety and mental health programs, and increased funding for graduate medical education to train more primary healthcare providers.

Finally, the bill continues the existing pro-life riders, including the Hyde and Weldon amendments. We didn't give an inch on pro-life matters in this bill.

This is a good agreement. I want to thank my colleagues on both sides of the aisle, particularly Chairman FRELINGHUYSEN, and my good friend, Ranking Member LOWEY. I also want to acknowledge my working partner and good friend, ROSA DELAURO from Connecticut, and all the Members that participated in the process.

But I particularly want to thank the outstanding staff that made this possible: Susan Ross, Jennifer Cama, Justin Gibbons, Kathryn Salmon, and Karyn Richman and Lori Bias on the majority staff; and minority staff Stephen Steigleder and Robin Juliano for their diligence in bringing this across the finish line for the first time in 22 years.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. FRELINGHUYSEN. I yield the gentleman from Oklahoma an additional 15 seconds.

Mr. COLE. So I look forward to the floor passage and the President's signature.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the distinguished ranking member of the Labor-HHS Subcommittee.

Ms. DELAURO. Mr. Speaker, I rise in support of the conference report which includes the Labor, Health and Human Services, Education appropriations bill.

The Labor-H funding bill for 2019 makes important investments in health, education, and in our families. It is a $1 billion increase over 2018, leaving us to deliberate $178.1 billion. Especially when I view that the Trump administration is pursuing the fundamental hollowing out of our Federal agencies, we secured critical investments in Democratic priorities that boost the middle class.

First, let me talk about health. This bill includes an increase of $2 billion for NIH research. It also includes increases across the Centers for Disease Control and Prevention, the Health Resources and Services Administration, particularly to address health threats to pregnant women and babies.

We also secured increases for our country's youngest children and their families, including an increase of $50 million for childcare and $200 million for Head Start, including $50 million more for Early Head Start.

Turning to education, we won an increase for after-school programs and a raise in the maximum Pell grant, $100 for $6,195, to help students afford the rising cost of a college degree.

The bill also eliminates two longstanding riders. They had prohibited school districts from using education funding for transportation to address segregated schools.

So, from health, to childcare, to education, we achieved several great wins for the American people.

Importantly, the bill before us maintains the bipartisan amendments that House Democrats introduced to condemn the administration's policy of separating families, to demand a reunification plan, and to ensure that HHS upholds the highest standards of care for children in our custody.

I am proud of what we included. I am also proud of what we kept out. We held the line and kept out harmful ideological riders that would have sabotaged the Affordable Care Act, undermined women's health, and overturned the Flores settlement to allow the administration to keep kids in cages indefinitely.

All that being said, the bill is not perfect. For example, I am disappointed we missed an opportunity to say, once and for all, that the authors of the Every Student Succeeds Act never intended for Federal dollars to arm teachers, which, as I understand, is current law.

And I believe the Labor-HHS bill continues to be shortchanged. Based on the overall increase of $18 billion for non-defense discretionary spending, this bill should be receiving an increase of $5.5 billion.

Nevertheless, on the whole, this bipartisan, bicameral compromise is a positive result that helped provide the American people a better chance at a better life, and I urge my colleagues to support it.

I also take this opportunity to say a thank you to my working partner and good friend, Chairman COLE. I also want to say a thank you to the ranking member of the full Appropriations Committee, my colleague, Congresswoman NITA LOWEY, and to the chairman of the Appropriations Committee, RODNEY FRELINGHUYSEN. I thank him for the great work on this effort, and we know you will not be joining us again next year, so thank you for helping us get this across the finish line.

For the Democratic staff: Stephen Steigleder, Robin Juliano; to my staff: Leticia Mederos, Liz Albertine, Caitlin Peruccio, Will Serio, Kris Fetterman; to the majority staff: Susan Ross, Jennifer Cama, Justin Gibbons, Kathryn Salmon, Karyn Richman, and Lori Bias.

Mr. Speaker, our names appear on the doors of the congressional offices, but it is the labor every single day of these outstanding staff people that help us put these bills together on behalf of the American people.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS), chairman of the State, Foreign Operations, and Related Programs Subcommittee, my predecessor.

Mr. ROGERS of Kentucky. Mr. Speaker, I simply want to add my appreciation and thanks to the chairman and ranking members that you have just heard from for this momentous agreement before us today. And I would like to especially commend our big chairman, FRELINGHUYSEN, for the work he has done on this bill, but, more importantly, the work he has done throughout his career in this body.

Mr. FRELINGHUYSEN, you are a great friend, a great Member of this body, a great leader, and you will be missed.

□ 1515

Once again, we are demonstrating that the Appropriations Committee can and will do everything in our power to get the job done. I especially appreciate the committee's continued commitment to address the addiction crisis.

This bill maintains a comprehensive focus on prevention, treatment, and education, following the holistic model of Operation UNITE in my congressional district, and it provides a record $6.6 billion toward those programs.

You have all heard me talk endlessly, if you will, about the devastation brought by opioid abuse touching so many lives around the country over the last 20 years. Chairman COLE has been a truly incredible leader and partner in combating this epidemic, and I am confident that this bill will bring substantial relief to our communities in need.

I would also like to thank the conference committee for their work to ensure that the Department of Defense not only receives the funding it needs, but that its funding is finalized before the beginning of the fiscal year to allow them to plan.

For too long, some say 22 years, we in Congress have not delivered this bill in time to allow the Department to operate as it should with its full allotment of funding on October 1.

When combined with the Energy and Water and MILCON-VA bills that are already law, this bill does exactly that and provides the Department of Defense with the funds it needs to defend American interests and values around the world, including a well-deserved pay raise for the men and women in uniform who serve bravely under our flag.

Thank you again for your collective leadership. This is a great agreement, and I urge its support.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), the ranking member of the Interior, Environment, and Related Agencies Committee.

Ms. MCCOLLUM. Mr. Speaker, I would like to thank Chairman FRELINGHUYSEN for his service in the U.S. Congress. He will be greatly missed by me and by many of us.

I would like to thank Ranking Member LOWEY and the subcommittee chairs and the ranking members and all of their staffs for their hard work on this bipartisan legislation.

This bill makes robust investments in the Department of Defense, improving the readiness of our troops and, as has been pointed out, providing them with a well-deserved pay raise.

I am also pleased with this bill's commitment to the environmental cleanup of Defense Superfund sites, providing $184 million over the request for defense cleanup efforts. This is much needed.

The Labor-Health and Human Services portion of this package provides vital resources that will impact the lives of every American. A $2 billion increase to the National Institutes of

Health will give our researchers the tools they need to find the cures for diseases such as Alzheimer's and diabetes.

The community service block grants, however, did not receive the House level of funding but still got an increase. This is very important for families and communities that can use some of this funding, as they have come up with proven programs on how to make opioid recovery successful.

I am particularly proud of the inclusion of my amendment to allow individuals diagnosed with cancer to defer payments on their public student loans while they undergo lifesaving treatments.

I would like to thank Representative ILEANA ROS-LEHTINEN and Representative PERLMUTTER, as well as Chairman COLE and Ranking Member DELAURO, for their bipartisan leadership on this important issue.

With more than 70,000 young adults diagnosed with cancer each year, they will now be able to focus on what is more important: beating cancer and getting healthy, not worrying about making their student loan payments while receiving chemotherapy.

I support this spending package, and I look forward to the fact that we have a continuing resolution included in here so that the government doesn't shut down.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. CALVERT), the chairman of the Interior, Environment, and Related Agencies Subcommittee on Appropriations.

Mr. CALVERT. Mr. Speaker, I rise in support of the fiscal year 2019 Defense Appropriations and Labor-Health and Human Services Appropriations conference report.

First, I would like to take a minute to thank Chairman FRELINGHUYSEN, who has led the effort to return the Appropriations Committee to regular order. He knows too well the crippling impacts of a CR on the Department of Defense, and today he delivers on a promise to ensure our men and women in uniform are provided funding on time.

Personally, I am grateful to the chairman for the many years of friendship. His steady leadership will be greatly missed.

I also want to commend Chairwoman GRANGER for her good work in getting this bill here today and, certainly, PETE VISCLOSKY, the ranking member, for his work in getting this bill here today, and also Ranking Member LOWEY, the full committee ranking member, for her great work.

We are all here today, together, in a rare moment of bipartisanship to fund our military and to fund Labor-Human Services, which hasn't been passed here for some time.

I served on the House Appropriations Committee for many years, and providing for our men and women in uniform is a privilege and one of the most important things that we do.

This conference report provides vital funding for the armed services, including a 2.6 percent pay raise. This bill is an investment in our future superiority on land, air, and sea.

I might point out that, yesterday, Secretary Mattis made comments at VMI that, when he took the helm of the Department, he asked for the strategy, and he was told there was none. Well, thankfully, under General Mattis' leadership, not only does the Department have a clear strategy, but the roadmap to achieve that strategy as well. It requires Congress to do our part, which we are going to do today.

We are in a unique time in history that depends on U.S. leadership throughout the world. A strong U.S. military with our allies creates stability.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 15 seconds to the gentleman from California.

Mr. CALVERT. Mr. Speaker, the security of our Nation and the peace of the world depend on a strong U.S. military, and I urge my colleagues to support the conference report.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentlewoman for yielding.

I, too, join my colleagues in commending Ranking Member LOWEY and Chairman FRELINGHUYSEN for their stewardship of the appropriations process in the House. We are moving in the right direction. We have partial regular order, and, hopefully, with every passing fiscal year, it will get better and better. But, truly, it is an accomplishment.

I also want to commend Subcommittee Chairwoman GRANGER and Ranking Member VISCLOSKY for producing a Defense Appropriations bill that provides the resources necessary for our armed services to perform the critical role of securing our Nation.

Additionally, I thank Subcommittee Ranking Member DELAURO and Chairman COLE, my dear friends, for their hard work on the Labor-Health and Human Services-Education funding bill.

The bill before us funds both the assets our armed services need and invests in our servicemembers. It provides for a much-needed 2.6 percent increase in military pay.

The bill also includes over $1.4 billion for congressionally directed medical research programs, including $130 million for breast cancer research, a personal issue to me.

I am proud to say this bill retains my language protecting access to lifesaving mammograms, particularly for women between 40 and 50 years old, and provides $5 million for my ongoing initiative, the Breast Cancer Education and Awareness Requires Learning Young Act, or the EARLY Act, which will continue to help increase the quality and quantity of life for young women with breast cancer.

The bill increases funding for the Centers for Disease Control and Prevention by $125 million and funds programs that fight the spread of the Zika virus, as well as combats the use of tobacco.

It also provides vital funding that will benefit seniors, and it includes $5 million to help Holocaust survivors and their families.

Mr. Speaker, I represent one of the largest Holocaust survivor populations in the United States, and with every passing day, they are getting extremely elderly, and we are losing more and more of them each and every day. Honoring them and allowing them to live with dignity in the last years of their lives is critical.

I would be remiss if I didn't mention that this bill will help us shine a light on an inhumane family separation policy perpetrated by this administration. This legislation—and I very much appreciate this—includes my amendment to allow Members of Congress immediate access to immigration detention centers. We must remain committed to seeking justice for families that have been needlessly torn apart at our borders.

The administration, actually, repeatedly stopped Members of Congress from being able to immediately access these detention centers to conduct our proper oversight role, and this amendment, when it is signed into law by the President, will allow us to conduct that oversight as a coequal branch of our government.

Mr. Speaker, more importantly, before yielding back, I just want to take a moment to thank Chairman RODNEY FRELINGHUYSEN. It has really been an honor to serve with this gentleman, in the truest sense of the word. He has done a remarkable job serving his constituents. It has been fun being a member of the Appropriations Committee both while he was a chairman, a ranking member, and now the chairman of the full committee. We will miss him, and I know his constituents will miss his service.

Mr. Speaker, I urge Members to support this appropriations bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. CARTER), the chairman of the Homeland Security Subcommittee on Appropriations.

Mr. CARTER of Texas. Mr. Speaker, I rise in strong support of this conference report.

I have been honored to be able to serve on the Defense Appropriations Committee and also to represent Fort Hood, the great place, the tip of the spear of our United States Army land forces.

I am very proud of what we are doing for those men and women who stand in

harm's way on our behalf. We are giving them a 2.6 percent pay raise for all of our troops, wherever they may be. And they have earned this money because they stand in harm's way on our behalf. We are taking care of our military families that are just as important a part of the fight as our warriors, and this is a long time coming. This is the largest pay raise in 9 years.

This bill contains accelerated efforts to modernize our armored brigade combat teams, including modernizing a significant number of Abrams tanks and Strykers so they can meet the needs of future war. They are the tip of the spear. This is good for us and good for those who stand in harm's way on our behalf.

We are particularly proud of the fact that we have stood up the Army Futures Command in Austin, Texas, which is just south of my home, and we are going to learn about how to fight the next generations of wars through the Futures Command.

I am very proud that we have support for General Mattis' goal of ensuring our military is ready to fight the next fight—and fight it tonight, if necessary.

Critically, this bill provides this funding on time, ensuring money can be spent in its most efficient, effective way and that we are able to accomplish our goals accordingly.

Mr. Speaker, I want to thank everyone both in the majority and the minority who were involved in this bill and this conference, and I thank them on behalf of the men and women who stand in harm's way on our behalf and who live in my district.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Texas (Mr. CUELLAR), a member of the Appropriations Committee.

Mr. CUELLAR. Mr. Speaker, I want to thank Ranking Member LOWEY for yielding, and I want to thank her for her leadership that she provides in the Appropriations Committee.

I also want to thank Chairman FRELINGHUYSEN. As Ms. WASSERMAN SCHULTZ said, we are going to miss you. We appreciate your leadership, and we thank you. You are a decent human being, and we really appreciate your friendship.

I also want to thank the staff and the Members on both sides of the aisle who have worked in a very bipartisan way to address these issues that are important.

Every year, we have to pass the appropriations bill. It is the train that has to pass every year. And I certainly want to thank Mrs. LOWEY, the chairman, and the folks responsible for making this happen.

First of all, let me talk about defense.

I certainly agree with the Members that this provides billions of dollars to make sure that we restore critical military readiness programs. We have to make sure we have a strong military, and with this funding, we will. I certainly appreciate the sacrifice that the men and women make to protect our country, and this is what this appropriation bill does.

We also fully fund the 2.6 percent pay raise for our military families because, again, we have to make sure that we support them because they are under very difficult times.

There are a lot of other things in the Defense Appropriations bill, whether it is the assistance that provides $50 million for specialized counseling programs to meet the unique needs of military children or whether it is the National Guard's counterdrug program to help reduce the illegal drugs from coming into the United States. Those are areas that are strong for our military.

□ 1530

Let me move over to the Labor-HHS bill. There are so many things that both Chairman COLE and Ms. DELAURO also provided that they worked so hard on; let me just highlight a couple of them.

The Pell grant is so important because we increased the amount by an extra $100. Now the maximum amount is $6,195. You have to have Pell grants so that we can have our young students go off to college.

$10 billion for Head Start. There was a $200 million increase. I want to thank our folks for adding that money.

The Federal TRIO program and the GEAR UP program are moneys that we added.

I certainly want to say thank you also for the $907 million for senior nutrition programs to help our seniors.

The title I grants for school districts, $15.9 billion that we added.

And the last thing I want to talk about is the Low-Income Home Energy Assistance Program, we have increased the funding to provide that type of assistance.

So, again, I want to say thank you to the chairman, to our ranking member, Mrs. LOWEY, and all of the staff on both sides, I thank them for a job well done.

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

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, it is my privilege to thank both the chairman and chairwoman of the full committee and all of the chairs and ranking members for their outstanding job, particularly on bringing us to this point, though much work needs to be done.

I am going to speak as fast as I can, but I am very grateful for the $7.9 billion in the FEMA Disaster Relief Fund, which will include many of us who have suffered from Hurricane Harvey in 2017, but, more particularly, will help those who are suffering with much devastation after Hurricane Florence.

I am grateful for the 2.6 percent raise of our military personnel, and the $40 million for the historically Black colleges and universities that we have worked on, and minority serving institutions for basic research programs.

And then I worked on the issue dealing with triple-negative breast cancer, and I am pleased with $374 million for cancer research and $130 million for breast cancer research, being a breast cancer survivor.

And particularly, though, I would have wanted the Violence Against Women Act to be on the floor and pass the full bill. I am glad for the $35 million for continued implementation expansion of the Sexual Assault Special Victims Counsel Program under Defense.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. LOWEY. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. And I am grateful for the death gratuities for troops in the case of a government shutdown.

And the funds prohibited to use outside of the War Powers Resolution in Syria and Iraq.

But, most importantly, my constituents are suffering from a lack of healthcare because of the undermining of the Affordable Care Act that we are still fighting for. So I am very grateful for the $39.1 billion for the National Institutes of Health; $4.4 billion for programs that respond to the opioid crisis; $7.9 billion for the Centers for Disease Control, and, of course, what is so important to our constituents in Houston and Texas is that our community health centers that are our first line of defense to those who don't have healthcare; $678 million for a maternal and child health block grant—we have some of the largest numbers of maternal death in Houston among African American women; $10 billion for Head Start; and then specifically I want to talk about the unaccompanied children, $1.3 billion, but I am grateful for the language that demands of this administration to tell us who is there that has not been reunited with their families, and then the 12,000 that are in the jurisdiction of HHS. We have got to get those individuals united with their families and we have got to be able to have ICE arrest the sponsors. Finally, Mr. Speaker, $10.3 million for a domestic violence hotline.

In any event, this bill speaks to education and healthcare, and I want to ask my colleagues to recognize that more work has to be done.

Mr. FRELINGHUYSEN. Mr. Speaker, I continue to reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my dear friend from New York for her leadership. I also thank Mr. FRELINGHUYSEN for his leadership, and I wish him well in the next chapter of his career.

While this combination of a CR and a minibus is a half-measure by definition, I certainly urge its adoption in

order to avert what would be the third government shutdown just this year. As a representative of northern Virginia, I do not share the President's idea that there is ever such a thing as a good government shutdown.

I look forward to working with the committee to complete the rest of the appropriations bills for fiscal year 2019 in order to address pressing issues, especially providing our hardworking Federal employees with a raise.

Again, I thank Chairwoman GRANGER and Ranking Member VISCLOSKY for including in the defense appropriations bill an authorization for the Secretary of Defense in the event of a government shutdown to make military death gratuity payments to families of fallen servicemembers. I have made this a cause of mine for a number of Congresses now. I am so glad this is finally going to be enshrined in law, and I thank the Appropriations Subcommittee and full committee for their cooperation in including this provision.

I commend the committee for including this overdue provision, and I know the families of the fallen appreciate it. It was shameful that Congress would ever allow the government to shut down and allow grieving military families who made the ultimate sacrifice to go without this small, but very important, measure of the country's gratitude and recognition of their loved one's ultimate sacrifice.

Again, I thank the leadership of the committee, the subcommittee, and their staffs for providing this bipartisan bill. I certainly urge its passage and look forward to supporting it.

Mr. FRELINGHUYSEN. Mr. Speaker, I continue to reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 3 minutes to the gentlewoman from California (Ms. LEE), a senior member of the Appropriations Committee.

Ms. LEE. Mr. Speaker, first, I thank our ranking member for yielding, but also for her tireless work, day and night, to really help shape this bill to be, in many ways, a bipartisan bill, but also, each and every day, looking out for the American people and making sure that the American Dream is real for everyone in this country. So I thank again Congresswoman LOWEY.

Also, to all of our ranking members and to Leader PELOSI, I want to just say that the input they have received from all of us on our staff—and I want to thank our staff and the phenomenal work that they have done—it has been just amazing.

As a member of the Labor, Health and Human Services, Education funding subcommittee, I am pleased to see many good provisions in this bill. This bill eliminates hundreds of poison pill riders ranging from efforts to defund Planned Parenthood, eliminate teen pregnancy and title X to dismantling of critical labor and consumer protections.

The bill also includes $60 million for a competitive grant, which we have been working on for years, for computer science funding for young girls, young people living below the poverty line, and people of color. I thank Mr. FLEISCHMANN and others for helping us work on this, because this truly is a bipartisan effort. We included robust increases in job training, education, and childcare, as well as for historically Black colleges and universities. Now, my State of California has the highest number of students coming to HBCUs, so I am very grateful for those increases.

Even with these increases, Mr. Speaker, this conference report still falls short of what we need to just return to the funding levels before the sequester 8 years ago. Adjusted for inflation, we are still way below the 2010 levels for domestic spending.

What is worse, while underfunding our needs here at home, the bill includes an increase in $19 billion in defense. This includes a $2 billion increase for the overseas contingency fund, which really I think should be part of our base budget for the Pentagon funding. We know that the Pentagon doesn't need this excessive increase in funding to ensure our national security.

A Washington Post report in 2016 exposed a report detailing $125 billion in waste, fraud, and abuse, yet we are increasing this by $19 billion, not to mention that much of this funding is dedicated to continuing the endless wars that we are waging around the world, wars that, I might add, Congress has still not debated or voted on.

Put simply, the defense spending will be the single largest increase for the Pentagon since the beginning of the Bush so-called war on terror. Enough is enough, Mr. Speaker. We need to really make sure that our defense spending ensures our troop readiness and our national security, but we also need to work on the American people and stop these outrageous increases to defense funding.

Mr. FRELINGHUYSEN. Mr. Speaker, I continue to reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, should the President sign this package into law, three-quarters of all base discretionary spending will be enacted prior to the start of the fiscal year. While Chairman FRELINGHUYSEN and I would have preferred to finish everything, we should be proud of the work that we have done—all the members of the committees working together—and it is a testament to the chairman's leadership.

For me, it has really been an honor and a privilege to work with him. I know we have a little more work to do. But I thank him again for his hard work and commitment to doing the right thing in serving the American people.

I also thank the staff for their work, including Rebecca Leggieri, Jennifer Chartrand, Stephen Steigleder, and Robin Juliano of the minority staff, along with clerks Jennifer Miller, Susan Ross, and the rest of the majority staff.

Mr. Speaker, this is a good bill, I urge support, and I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, I just want to correct the record. I introduced Judge CARTER as the chairman of the Homeland Security Subcommittee. I want to acknowledge his former chairmanship of that committee and his able leadership of the Military Construction Subcommittee.

And also I forgot to recognize my personal staff, Katie Hazlett, and the wonderful people in my office—which is I think true of all of our offices—that make us look as good as they possibly can.

And lastly, as we gather here this afternoon, we recognize that so many young men and women are serving around the world, leaving their families on multiple deployments. We honor their service and sacrifice. They are truly doing the work of freedom.

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

Mr. SOTO. Mr. Speaker, I would like to acknowledge the Joint Explanatory Statement to the Conference Report to accompany H.R. 6157, the Department of Defense Appropriations Act, 2019, and Senate Report 115–290 which provide an additional $30 million in funding for Defense-Wide Manufacturing Science and Technology Program's Advanced Manufacturing within the Research, Development, Test and Evaluation, Defense-Wide Account. These funds will allow the Department of Defense to establish a Microelectronics Cybersecurity Center.

Microelectronics support nearly all Department of Defense activities, enabling capabilities such as the global positioning system, radar, command and control, and communications. Ensuring secure access to leading-edge microelectronics, however, is a challenge. The changing global semiconductor industry and the sophistication of U.S. adversaries, who might target military electronic components, require us to update our domestic microelectronics security framework.

Defense-Wide Manufacturing Science and Technology is an investment mechanism that allows the Department of Defense to advance state-of-the-art, defense-essential, manufacturing capabilities through the development of technologies and processes necessary to produce defense systems. This funding increase will allow the United States to achieve a rapid modernization of domestic state-of-the-art foundry operations, through the use of not-for-profit public-private-partnerships, to produce trusted microelectronics.

I support rapid modernization of domestic state-of-the-art foundry operations that produce trusted microelectronics and thank the conference committee for all their work on the issue.

Mr. SABLAN. Mr. Speaker, I want to thank the conferees on H.R. 6157 for rejecting a proposal by the Trump administration to use this appropriation measure to impose a new

$700 fee for businesses in the Northern Mariana Islands that employ foreign workers under the Commonwealth Only Transitional Worker (CW) program.

Working with Chairman BISHOP, Ranking Member GRIJALVA, and other colleagues here in the House of Representatives, I was recently able to enact the Northern Mariana Islands U.S. Workforce Act, Public Law 115–218, including a new requirement for employment of those workers: the U.S. Department of Labor must first certify that no U.S. worker is able, willing, and available for the job that would be filled.

This is the same kind of certification required prior to issuance of an H–2B visa for temporary foreign workers, but which is free for that purpose. In my view the certification should be free to employers in the Marianas, as well. I can understand that the Department may face new costs in standing up and operating this service for the Marianas CW program. The Department, however, had the opportunity during the drafting of the U.S. Workforce Act to ask for the authority to levy a fee. They did not nor is it likely I would have agreed.

Nevertheless, it is in the interest of our businesses and the Marianas economy that the new certification requirement be initiated without delay. The conferees have ensured that will be the case by providing in Section 118 of H.R. 6157 for the rescission of $8.25 million in unobligated funds from the H–1B Nonimmigrant Petitioner Account to be used in fiscal year 2019 for processing applications for foreign labor certifications, including activities related to wage determinations and associated tasks, submitted by Marianas employers. Again, I thank the conferees for adopting this win-win solution.

I wish also to record my support for extension of the Violence Against Women Act in the Continuing Resolution through December 7, although, of course, a reauthorization for a multi-year period is still wanting. I was an original cosponsor of the reauthorization in 2013 and included a provision in Section 201 that doubled funding allocated to the Northern Mariana Islands for the Sexual Assault Service Program. And Section 809 allowed women who petition for status as victims of human trafficking or violence to count the time lived in the Northern Marianas as time present in the United States, so they can more quickly adjust to a permanent immigrant status. I am also an original cosponsor of reauthorization of VAWA in this Congress, H.R. 6545.

Lastly, I strongly support the 2.6 percent pay increase for our uniformed services, mandated in H.R. 6157. Our country asks so much of these brave men and women and we owe them, at the very least, a wage that keeps pace with costs.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in support of the Conference Report to Accompany H.R. 6157, the Defense and Labor, Health and Human Services, Education Appropriations Act for FY2019.

I commend Ranking Members NITA LOWEY, ROSA DELAURO, and PETE VISCLOSKY, as well as Chairmen RODNEY FRELINGHUYSEN and TOM COLE and Chairwoman KAY GRANGER and our Senate counterparts for coming together on this bill. And I would be remiss if I did not recognize the outstanding efforts of both the majority and minority LHHS subcommittee staff—Susan Ross, Jen Cama, Kathryn Salmon, Justin Gibbons, Lori Bias, Stephen Steigleder, and Robin Juliano—for their dedication, professionalism and responsiveness to staff on both sides of the aisle throughout the entire appropriations process.

While I wish the bills had come to the floor separately under regular order to give proper time to debate and discuss all the issues, I am pleased that the Labor, Health and Human Services, Education, and Related Agencies bill is getting a vote on the floor for the first time in more than 10 years.

Mr. Speaker, this is a good bill. It rejects the draconian cuts the Trump administration proposed and strengthens our commitment to our constituents by funding critical programs. It also ensures our national defense remains strong in a dangerous world.

I am particularly pleased that HHS programs received such robust funding in this Conference agreement.

The bill increases funding for three of my top legislative priorities: fighting underage drinking, supporting newborn screening, and reducing maternal mortality. At a time when this country is experiencing the highest rates of sexually transmitted diseases in history, this bill restores both the Teen Pregnancy Prevention Program and all Title X Family Planning dollars that help our teens gain critical access to reproductive health care and education. And as this country faces a growing demand for health care providers, the conference report reinstates the Health Careers Opportunity Program to increase workforce diversity and restores funding for the Community Health Centers and the Nursing Workforce Programs to their FY18 funding levels.

As Ranking Member of the Homeland Security Subcommittee, I was particularly pleased that the bill includes amendments from our markup to protect unaccompanied migrant children, including allowing Members of Congress to access facilities funded by the Office of Refugee Resettlement for oversight visits. Finally, I am glad that we were able to maintain funding to help separated children deal with trauma.

Among Education and Labor programs, I am glad the maximum Pell award will get an increase, which I called for during our committee markup. I am also pleased we were able to work together to provide modest increases to Head Start and TRIO programs to serve students with the highest needs. Finally, the bill provides modest increases in funding for apprenticeships and maintains language that directs those funds to proven registered apprenticeships.

In the Defense section bill, I am pleased that we maintained the 2.6 percent military pay raise and that we express support for a civilian pay raise as well. The bill also ensures that families can receive death gratuities during government shutdowns. Finally, I am grateful that we were able to continue to show bipartisan support for assisting survivors of military sexual assault.

Mr. Speaker, this bill funds vital programs and ensures that our government will remain open through December. I am proud to vote in support of the bill, and I encourage my colleagues to join me so that we can safeguard the health and well-being of the most vulnerable in our country and keep our nation secure.

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

Pursuant to House Resolution 1077, the previous question is ordered.

The question is on adoption of the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

□ 1545

RECOGNIZING THAT ALLOWING ILLEGAL IMMIGRANTS THE RIGHT TO VOTE DIMINISHES THE VOTING POWER OF UNITED STATES CITIZENS

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 1077, I call up the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 1077, the resolution is considered read.

The text of the resolution is as follows:

H. RES. 1071

Whereas voting is fundamental to a functioning democracy;

Whereas the Constitution prohibits discrimination in voting based on race, sex, poll taxes, and age;

Whereas it is of paramount importance that the United States maintains the legitimacy of its elections and protects them from interference, including interference from foreign threats and illegal voting;

Whereas the city of San Francisco, California, is allowing non-citizens, including illegal immigrants, to register to vote in school board elections; and

Whereas Federal law prohibits non-citizens from voting in elections for Federal office: Now, therefore, be it

Resolved, That the House of Representatives recognizes that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens.

The SPEAKER pro tempore. The resolution shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H. Res. 1071.

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

There was no objection.

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

Mr. Speaker, I rise in support of this resolution, which expresses the official position of the United States House of Representatives regarding the sanctity of the vote in our Federal system.

The authors of America's founding documents extolled the necessity of voting to a free society. Thomas Jefferson, the principal author of the Declaration of Independence, believed that ''should things go wrong at any time, the people will set them to rights by the peaceable exercise of their elective rights.''

Jefferson also believed that ''the elective franchise, if guarded as the ark of our safety, will peaceably dissipate all combinations to subvert a constitution dictated by the wisdom, and resting on the will of the people.''

James Madison, the principal author of the Constitution and contributor to the Federalist Papers said at the Constitutional Convention that he ''considered the popular election of one branch of the national legislature as essential to every plan of free government,'' and ''that the great fabric to be raised would be more stable and durable, if it should rest on the solid foundation of the people themselves.''

Madison continued that: ''Under every view of the subject, it seems indispensable that the mass of citizens should not be without a voice in making the laws which they are to obey, and in choosing the magistrates who are to administer them.''

Alexander Hamilton, another contributor to the Federalist Papers, wrote that: ''A share in the sovereignty of the state, which is exercised by the citizens at large, in voting at elections is one of the most important rights of the subject, and in a republic ought to stand foremost in the estimation of the law.''

John Jay, the third and final contributor to the Federalist Papers believed: ''The Americans are the first people whom Heaven has favored with an opportunity of deliberating upon and choosing the forms of government under which they should live.''

The Constitution prohibits discrimination in voting based on race, sex, poll taxes, and age. The sanctity of the vote is also part of the Supreme Court's jurisprudence on the subject.

In the landmark case of Reynolds v. Sims, the Supreme Court stated: ''The right of suffrage can be denied by a debasement or dilution of a weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise.''

Voting is fundamental to a functioning democracy, and it is of paramount importance that the United States maintain the legitimacy of its elections and protect them from undue interference, including foreign threats and illegal voting.

While the Constitution allows States and localities to grant noncitizens the right to vote in non-Federal elections, citizenship today denotes an association with America which uniquely encourages voting in furtherance of the well-being of other Americans and the sovereign nation to which they owe their allegiance.

Consequently, it is very concerning to me that some localities have extended to noncitizens the right to vote in certain non-Federal elections, including school board elections.

Extending voting rights to those who are not lawfully present in the United States acts as another incentive for foreign nationals to come to the United States illegally and stay. Instead of helping deter illegal behavior, jurisdictions such as San Francisco continue to implement policies that encourage such behavior. They do so to the detriment of U.S. citizens and legal immigrants alike.

Mr. Speaker, I thank the majority leader for introducing this resolution, and I urge my colleagues to support it.

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

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

Mr. Speaker, I oppose H. Res. 1071 because it is nothing more than a bald-faced political stunt concocted by the majority in an attempt to stir up its political base ahead of the midterm elections. It also represents just the latest in a long and cynical line of attempts by the majority to denigrate and delegitimize our Nation's immigrant population and to erode public trust in our electoral system, all to bolster short-term political gains.

Let me start out by saying that I can't imagine someone in a foreign country deciding to emigrate to the United States in order to vote in a school board election. That is just absurd.

But the resolution also falls short on its own merits. For example, the resolution states that it is ''of paramount importance that the United States maintains the legitimacy of its elections and protects them from interference, including interference from foreign threats.''

I agree with the statement as far as it goes, but I question why the resolution makes no mention whatsoever of the greatest foreign threat of electoral interference, namely interference by Russia in an attempt to disrupt our democracy and sow chaos in our political and governmental system.

It is the consensus view of our Nation's intelligence community that Russia interfered in the 2016 Presidential election in order to help Donald Trump become President. Indeed, senior administration officials warned just last month that Russia's attempts to interfere in our electoral system are ongoing and threaten the integrity of both the upcoming midyear elections and the 2020 Presidential election.

At a minimum, the resolution should call attention to this fact. Yet, incredibly, the resolution makes absolutely no mention of it.

The resolution also disrespects States' rights, failing to mention that the Constitution allows States and localities to permit noncitizen voting in local elections, a practice that dates to the earliest days of the Republic. For example, New York City permitted noncitizen voting in local school board elections until elections in local school boards were done away with in New York City about 20 years ago.

Indeed, an earlier version of the resolution's text, obtained by the far-right Breitbart website, included the whereas clause acknowledging these facts stating: ''Whereas, the Constitution allows States and localities to grant noncitizens the right to vote in non-Federal elections.''

Yet perhaps recognizing that this was something of an admission against interest, the introduced version does not include this clause.

The fact of the matter is that local governments have permitted noncitizen voting in various local elections, school board elections, and so forth, through the entire history of the Republic. So why suddenly do we have this expression of terrible concern?

The resolution also speaks to the fact that ''voting is fundamental to a functioning democracy.'' Yet, it fails to address any of the real threats to voting rights that our citizens face.

Five years ago, the Supreme Court effectively gutted the Voting Rights Act's preclearance requirement, the act's most important enforcement mechanism, in its decision in Shelby County v. Holder. The Court reached its conclusion notwithstanding Congress' factual findings in 2006 that the act, including its preclearance provision, was still needed in the face of continuing discrimination by some States against minority voters.

□ 1600

In response to the Court's decision, and under Republican control, States that had been subject to the act's preclearance requirement wasted no time in pursuing voting restrictions that once again threatened to undermine the voting rights of African Americans and other racial and ethnic minority groups.

These measures included voter identification requirements, restriction or elimination of early voting or same day registration, and bans on ex-offenders from voting, all of which makes it disproportionately harder for racial and ethnic minorities to vote.

These restrictions, enacted by Republican legislatures, have probably deprived hundreds of thousands—or even several million—of our fellow citizens of the right to vote. They are the real threat to our democracy, not the few noncitizens who may vote in a school board election in some local government that has permitted it through the last 100 years.

Members have introduced various proposals to address these continuing attempts by certain States and localities to suppress voters. For example, H.R. 12, the Voter Empowerment Act,

which was introduced by Representative JOHN LEWIS and has 183 cosponsors, would reinforce the constitutional right to vote.

The bill includes, among other things, provisions to make it easier to register to vote and to prohibit and criminally punish voter suppression tactics like caging, voter intimidation, and the provision of false and deceptive voting information. The bill would also restore voting rights for nonviolent felons after they have served their sentences.

H.R. 2978, the Voting Rights Advancement Act, which was introduced by Representative Terry Sewell and has 192 cosponsors, is a direct response to the Supreme Court's invitation to Congress articulated in the Shelby County decision to revise section 4 of the Voting Rights Act. The bill would amend the Voting Rights Act to protect voters by requiring States with a recent history of voter discrimination to seek approval from the Department of Justice before making any changes to their electoral laws.

Finally, H.R. 5011, the Election Security Act, which was introduced by Representative BENNIE THOMPSON and has 122 cosponsors, would designate election infrastructure as critical infrastructure and provide financial support and enhanced security for the infrastructure to carry out elections so we are not subject to foreign invasion by hackers.

These measures each address critical threats to our electoral system and the right to vote, yet none of them has received a hearing or other consideration by the House.

It is a travesty that the Republicans have chosen to spend what is likely to be the last week of session before the midterm elections to consider this purely symbolic measure. They refuse to consider bills that would actually help ensure the right to vote but will consider this purely symbolic measure, one that in itself seeks to stoke the worst kinds of sentiments in the body politic, instead of devoting time to considering and passing meaningful and substantive protections for the right to vote and to protect us from foreign interference in our electoral system. I cannot support this travesty.

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

Mr. GOODLATTE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader and chief author of this legislation.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this resolution condemning San Francisco for allowing noncitizens to vote in local elections.

I want you to imagine for 1 minute that you are an immigrant to this country. You came here the right way. You followed all the rules. And after years of anticipation, after improving your English, passing your citizenship test, declaring your allegiance to the United States and renouncing your allegiance to foreign powers, finally, you are naturalized as an American citizen.

In that moment, you undergo a change. You have known many leaders in the past, but in that moment George Washington is your Founding Father. You have experienced many hardships, but suddenly Valley Forge is your winter. The Declaration is your inspiration, and the Constitution is your inheritance. Lincoln is your liberator. Electricity, skyscrapers, and flight are your heritage. The GIs of D-day are your heroes. Martin Luther King, Jr., spoke of your dreams. The Moon bears your flag, and our future is your future.

Imagine, again, that you are this immigrant. What do you feel the first time you step into a polling place?

Actually, we don't need to imagine, because we know of so many naturalized citizens who have come here, played by the rules, and earned their citizenship. I have talked to many of these Americans. They describe casting their first vote as one of the proudest moments of their lives. In that moment, they are reminded that they have become Americans, with all the rights and responsibilities of Americans.

Unfortunately, a handful of cities in our country are short-circuiting the legal path to citizenship. In the process, they are devaluing the very concept of citizenship itself.

These cities—Chicago, Cambridge, and, most recently, San Francisco—allow noncitizens to vote in local elections. That includes illegal immigrants who broke our laws when they entered our country.

And not only that, noncitizen voting actually dilutes the votes and voices of law-abiding Americans, including naturalized citizens. If you are an American citizen in one of these cities, your vote in local elections counts less now than it did before. You can thank your local politicians for that.

But that isn't my ultimate concern with noncitizens voting. Ultimately, I am concerned about the message that this practice sends about American citizenship itself.

Ask yourself: Does the concept of citizenship mean anything? Does it grant a person special consideration in the eyes of our government? Does it impose upon him or her special duties or obligations?

Sadly, too many of our elites and even our politicians have trouble answering these questions. But for the rest of us, American citizenship still resonates as a source of significance, purpose, and identity.

We know that citizenship has a meaning, that borders have a purpose, and that sovereignty is an imperative. Precisely because we believe these things, we have to look out for our fellow Americans while guarding our elections against all outside interference. That is why I have introduced a resolution condemning efforts to allow noncitizens to vote in our elections.

American citizenship means something special. Just ask any naturalized citizen. They will tell you about it.

I urge my colleagues to stand with me in protecting the right to vote for every American citizen of legal age and rejecting all outside and foreign interference in our elections.

Citizenship means something. It means something to become an American. And today, I hope this body understands that and stands united in condemning a devaluing of citizenship.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), ranking member of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee.

Ms. JACKSON LEE. Mr. Speaker, let me thank the ranking member for his leadership and commitment to working on real voter empowerment legislation. Let me acknowledge and thank the chairman of the full committee, Mr. GOODLATTE, and seek an opportunity to really work on legislation that addresses the question.

I have looked at it, and I have no doubt that my friends on the other side of the aisle are sincere. I read the resolution, and I noted that one particular example was utilized, Mr. Speaker. The example happens to be in San Francisco, California.

I live in Houston and my colleague lives in New York. I know that if this was a moment of crisis, we would see Members from the 50 States—at least 20 States, 35 States—bringing this to the attention of the Judiciary Committee. To date, I have had no complaint from Houston or the State of Texas.

But I do know, when I engage in dialogue with my constituents, they are all aware of the Russian interference in the 2016 election and the constant pounding of emails and the leaks that occurred and the attack on the DNC. Everybody is aware of that.

To my knowledge—help me, those of my colleagues who are on the floor—we have not passed one single legislative initiative or crime bill that addresses the question of preventing Russian interference. We are now at the end of the first crunch of this year of legislation.

So I would ask my colleagues, if they are so concerned about voting, would they help us add back to the Voting Rights Act of 1965, in which Dr. King marched and our colleague, JOHN LEWIS, was beaten almost to his death, bleeding on the Edmund Pettus Bridge, and restore section 5?

Section 5 might even help with this issue, because section 5 provides preclearance to any voting procedure that any State may have that would be unfair and discriminatory. If my colleagues want to argue anything, they can argue that the main bill that they should be putting forward is a restoration of section 5 of the Voting Rights Act.

We have found throughout the States that we do have violations. We have voter ID laws that are discriminatory. We have voter suppression. We have people being purged off of lists. Interestingly enough, they happen to be poor people, African Americans and Hispanic citizens.

Mr. Speaker, I am opposed to this legislation. I don't like legislation that is ''gotcha'' legislation. I have great respect for my friend from California. I, frankly, believe it is a State matter—it is really a city matter—that could be handled by those who are concerned.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The time of the gentlewoman has expired.

Mr. NADLER. Mr. Speaker, I yield the gentlewoman from Texas an additional 30 seconds.

Ms. JACKSON LEE. Mr. Speaker, I see that, for the national question of voter empowerment, there is a litany of laws still waiting for this body to pass: voter security, the ballot security, the question of our voting machines, the question of the individuals with the hanging chads, the right kind of voting machines and equipment, and, again, to protect people against purging legitimate registered voters off the registration list. I have faced that in Texas.

I have the Justice Department on notice. I would like to say publicly: Department of Justice, get back to me on that request that I made about being purged in Texas.

For all these reasons, I think we are going in the wrong direction, Mr. Speaker, and I would like us to put back on the floor section 5 of the Voting Rights Act of 1965.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, I rise today in support of Leader MCCARTHY's resolution recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens.

I have been deeply concerned, seeing more and more municipalities around the country starting to allow noncitizens and illegal immigrants the right to vote in local elections, the most current example being San Francisco, as they have started allowing both noncitizens and illegal immigrants to register to vote in school board elections.

One day it is local elections; the next, it could be statewide elections; and then, finally, the Federal elections. We can't start down this path. But we know this is where the radical left wants to grow their electorate.

For generations, brave men and women have fought and died in order to protect the fundamental right of American citizens to participate in free and fair elections. You and I can't go and vote in the elections of other nations, nor should we.

The gentleman from New York (Mr. NADLER) can't vote in New Jersey or Pennsylvania because he isn't a citizen of New Jersey or Pennsylvania. He is a citizen of New York. Nor should he vote in those elections.

When we start granting others the sacred right reserved for U.S. citizens, it puts our whole democratic process at risk and diminishes the voice of the American people. We simply can't allow noncitizens and illegal immigrants to water down the desires and visions of the American people at the voting booth. This is dangerous, and it disrespects the importance and value of citizenship that has been fought for throughout our Nation's history.

Now more than ever, it is critical that we ensure only American citizens are casting ballots to determine our children's future in this country. The left continues to embrace deadly sanctuary cities, more illegal immigrants at the voting booth, and open border policies that simply do not fall in line with American values.

□ 1615

These ideas are so far out of mainstream and continue to be rejected time and time again by the American people of this country who want their voice to count.

This resolution is a critical step to stand up and protect our democratic process. And while I stand here 100 percent supportive of my good friend's resolution, I believe this is laying the groundwork for what is to come. We have work to do.

I believe we must defund these communities that adopt policies like noncitizen and illegal immigrant voting. These voting policies do nothing more than foster more of the dangerous, illegal sanctuary city policies that we have seen around the country. These sanctuary policies promote illegal activity, undermine law enforcement, and suppress concerns of actual U.S. citizen voters.

I encourage all Members to support the commonsense resolution to protect the integrity of the American elections and protect the value of U.S. citizen voting power. Let's protect the voting booth. Let's protect the rule of law. Let's protect American values. Let's always put America first.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SWALWELL), a member of the Judiciary Committee.

Mr. SWALWELL of California. Mr. Speaker, it appears the stated reason for this resolution, listening to my colleague who just spoke from South Carolina, is the rule of law, integrity, upholding our democracy, all things that I think people on both sides of the aisle support and can get behind.

But, when you read the resolution, you would also think that we have a nationwide problem of undocumented immigrants voting and influencing our election. I would expect that, if that is the case, the sponsors of this legislation would introduce evidence that shows this widespread problem. I would hope that they are not relying upon the bogus, false claim that Donald Trump put forward that there are undocumented voters—3 million of them, he said—which has been panned and rebuked by every expert in the country.

I would hope they are not relying on the voting rights commission that Donald Trump put in place after the election that could best be compared to an airplane that is still at the gate with a lot of maintenance problems and is probably never, ever going to get off the ground.

There is zero evidence to support this resolution. But you know who did interfere in our last election; you know who did seek to influence the American voter? The Russians.

You know who does not care about the rule of law? The Russians.

Do you know who does not care about integrity at the ballot box? The Russians.

Our intelligence community unanimously concluded—unanimously, across the board—that the Russians sought to interfere and influence the last election. So I thought, well, if my colleagues across the aisle are interested in addressing integrity at the ballot box, they would accept an amendment that would also condemn what the Russians did.

They will not accept that amendment, and I would yield to my colleagues if they were open to accepting that amendment and showing the American people that they truly are interested in protecting the integrity of the ballot box.

After this attack on our elections, I put forward legislation with ELIJAH CUMMINGS to have an independent commission look back at our better days where, after September 11, Republicans and Democrats on the House stairs united and sang ''God Bless America'' but also came together, worked together, and used unity as an antidote against an adversary's attack. Only two Republicans have signed on to that bill.

I thought on the Intelligence Committee we could look at who was responsible, how the Russians did this, identify U.S. persons who worked with the Russians, and tell the American people how this would never happen again. Instead, that investigation has been shuttered, and we learn almost every day from new indictments from the special counsel's investigation that there is evidence that U.S. persons worked with the Russians.

I thought on the Judiciary Committee we would look at the government response to what the Russians were doing.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. SWALWELL of California. I thought on the Judiciary Committee we would look at some of these issues in our democracy. Instead, we have gone back in time and we have reopened and relitigated the Hillary Clinton emails.

This resolution does nothing but divide Americans even further. It stokes an issue where there is no evidence of it even occurring, and it fails to address our true common enemy: any adversary, from any country who would seek to interfere in our election.

Let's not miss this opportunity now to address that threat and unite and say we are not going to tolerate it.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, I thank Leader MCCARTHY for introducing this resolution.

It is important to underscore how seriously we must take the right for American citizens to vote. Several cities have granted the right to vote in local elections to those who are not citizens of the United States. San Francisco is allowing illegal aliens and other noncitizens to vote in certain local elections.

It is still illegal for noncitizens to vote in Federal elections, and rightly so. Twelve States plus the District of Columbia allow illegal aliens to obtain driver's licenses, eight of them offering voter registration at the time of getting that license, popularly called the ''motor voter laws.''

It is easy to see how illegal voting can occur. Illegal voting does not have to be widespread or number in the millions for it to make a real impact on our elections. In Ohio alone, there were 199 races or issues that were tied or decided by just 1 vote in the last 5 years.

Recent incidents of illegals attempting to vote in Federal elections have been in the news. Just last month, 19 foreign nationals were indicted in North Carolina for illegally voting in the 2016 election. In Ohio, seven were indicted for illegal voting in our elections.

Voter fraud is a serious crime. We have to take the integrity of our elections seriously. It is not just a matter of simple mistakes or a handful of improper votes. These elections determine the direction and policies of our cities, States, and the Nation. We must recognize the effect that allowing illegal immigrants to vote has on our right as Americans to self-determination.

Recently, I introduced the Ensuring American Voters Act, which would shore up potential gaps in our voter registration system like States that have the motor voter laws and give illegal aliens driver licenses.

Typically, when you register to vote, you have to show proof of residency. More importantly, in my legislation you would have to show proof of citizenship. Some say this isn't a problem, but when you don't really require proof of citizenship, how do we know the extent of the problem?

As the gentleman from California, Leader MCCARTHY, rightly says, it devalues the franchise and diminishes the voting power of American citizens. This is a commonsense resolution that emphasizes current Federal law, barring noncitizens from voting in Federal elections.

A recent poll by Rasmussen shows nearly 70 percent of American people agree.

I want to thank Leader MCCARTHY for introducing this legislation, and I urge my colleagues to support this resolution.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. DEMINGS), a member of the Judiciary Committee.

Mrs. DEMINGS. Mr. Speaker, let's discuss voting in America.

Mr. Speaker, 53 years ago—I believe we all know it—Congress passed the Voting Rights Act to stop discriminatory practices which denied minorities the right to vote. Poll workers would ask people of color ridiculous questions like how many jelly beans are in a jar or use humiliating literacy tests and poll taxes to take away this constitutional right from good, decent people.

Now here we go again. Because the President of the United States just can't accept the fact that he lost the popular vote, which he did, my Republican colleagues are using racial fears and dishonest words like ''protecting our elections'' to encourage Americans to turn against each other.

If my GOP colleagues want to protect our elections, they should join us in restoring the Voting Rights Act, which was gutted in 2013. If my Republican colleagues want to protect our elections, they should join us in passing legislation to protect the special counsel. But obviously the GOP feels that they can't win on their merits, so they will suppress the vote instead, change the rules, close polling places in Black and Latino communities, remove legitimate voters from voting rolls, pass laws like the one in North Carolina that targeted African Americans with—and I quote—surgical precision.

Mr. Speaker, the American people are tired of the division and distractions from the White House and the GOP to turn us against our neighbors, especially along racial lines. And 53 years after the passage of the Voting Rights Act, the American people expect men and women of conscience to step up and refuse to repeat the mistakes of the past.

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

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. GUTIÉRREZ), a member of the committee.

Mr. GUTIÉRREZ. Mr. Speaker, this bill does not come to the floor in a vacuum. The midterms are coming, and Republicans will try to pass whatever they can before they lose and pass the gavel to the new speaker.

We know more indictments and guilty pleas are coming from Robert Mueller and his team.

And we know Republicans are having a hard time defending tax cuts where 83 percent of the cuts went to the richest 1 percent and the rest of America got the leftovers.

Don't forget the Republican agenda to systematically strip away healthcare coverage from American families who are struggling to make ends meet.

No, the Republicans don't want to talk about tax breaks, billionaires, or foreign Russian alliances of this President, Trump. They want to talk about San Francisco and immigrants.

Republicans will do anything to beat up on immigrants so that voters forget to beat up on Republicans who hold all the power. It is the oldest political hokey-doke trick in the book: Hey, look over there. Blame them, not us.

It started with immigrants are rapists and murderers. Then it was immigrants are cheats and frauds. Then they said immigrants and their children deserve to be locked up. Then the President started pushing the biggest lie of all, that immigrants are a drain on the economy.

The Attorney General, despite being humiliated—I mean humiliated—on a daily basis by this President is adopting a scorched earth, anti-immigrant agenda to ensure as many deportations as he can before he gets the axe.

The American people are smart enough to see through this smoke screen. They see how Republicans deal with a woman's claim of sexual assault. They understand their taxes are going up at the same time taxes on the Republicans' favorite people, that is to say, corporations, are going down.

They get the message that the President opposes immigrant families, except when it comes to his wife and her ability to make her own family citizens of the United States of America. They understand Republicans are opposed to legal immigration, refugees, Dreamers, and TPS holders.

Republicans are not interested in the kinds of immigrants or the kinds of average American families, for that matter, who wake up early every day and have to go to work. Nope. Not the people who work at Mar-a-Lago, not the people who tend to the greens at Trump golf courses, not the people who clean rooms at Trump Tower.

No, Republicans are not interested in people who work at Trump Tower, only the people who can afford to live there.

Well, your time is up. The American people will make that real clear in a few weeks, regardless of how many of these resolutions you pass.

Mr. Speaker, I urge my colleagues to vote against this resolution.

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

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

Mr. Speaker, in closing, I want to be abundantly clear that this resolution is nothing more than a political stunt steeped in hypocrisy. The resolution states that it is ''of paramount importance that the United States maintains

the legitimacy of its elections and protects them from interference, including interference from foreign threats. . . .''

Yet, the resolution does not even mention the greatest foreign threat we face: Russian interference intended to disrupt our elections and sow chaos in our political system.

The hypocrisy is breathtaking. The chairman of the House Intelligence Committee and others have worked all year to undermine and discredit the Mueller investigation into Russian interference with our 2016 election.

□ 1630

To add insult to injury, House Republicans have voted to block needed funding to help States secure their election systems from the ongoing Russian and other efforts to interfere in the 2018 elections, ongoing efforts that have been confirmed by senior administration officials.

In short, this resolution ignores the real threats our elections are facing and, instead, plays political games by trying to stoke the worse kinds of sentiments in the body politic, all focused on local practices that are not sudden and not new but are as old as the Republic and suddenly pose a threat. I cannot vote for this charade.

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

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

Mr. Speaker, this is a very straightforward resolution that every Member of this House can and should vote for. It simply says: ''Resolved, that the House of Representatives recognizes that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens.''

When a United States citizen registers and votes, they expect their vote to be a full vote that counts. When someone who is not lawfully present in the United States is allowed to go into a polling place and vote, they dilute the votes of the United States citizens who are voting in that same election.

Why not recognize that? Why not discourage that? Why not call it exactly what it is? The House of Representatives recognizes that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens. It is a very straightforward resolution. I urge my colleagues to support it.

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

Ms. LOFGREN. Mr. Speaker, this resolution is simply a divisive political stunt meant to stir up conservative voters ahead of the midterm elections and seeks to stoke the worst kinds of sentiments in the body politic.

The resolution states that it is ''of paramount importance that the United States maintains the legitimacy of its elections and protects them from interference, including interference from foreign threats.'' Yet the resolution does not even mention the greatest ''foreign threat'' we face—Russian interference intended to disrupt our elections and sow chaos in our political system. The GOP hypocrisy is breathtaking. The Chairman of the House Intelligence Committee and others have worked all year to undermine and discredit the Mueller investigation into the Russian interference with our 2016 election. Furthermore, House Republicans have voted to block needed funding to help states better secure their election systems from the ongoing Russian efforts to interfere in the 2018 election—ongoing efforts that have been confirmed by senior Administration officials. In short, this resolution ignores the real threats our elections are facing, and instead plays political games.

The resolution also states that ''voting is fundamental to a functioning democracy,'' yet it fails to address any of the real threats to voting rights faced by U.S. citizens. After the conservative members of the Supreme Court effectively gutted the Voting Rights Act's preclearance requirement in Shelby County v. Holder, many states have sought to enact voting restrictions that target African Americans and other minority groups. This resolution says and does nothing about those actions.

The resolution shows that Republican support for States' rights is trumped by anti-immigrant sentiment. An earlier version of the resolution obtained by Breitbart correctly stated that ''the Constitution allows States and localities to grant non-citizens the right to vote in non-Federal elections.'' This clause is no longer in the resolution, perhaps because Republicans understood how hypocritical it made them look, especially because the resolution is focused on condemning state and local ordinances regarding voting in non-federal elections.

Putting this resolution on the floor is nothing but a political stunt, a game designed only for political advertising for the mid-term elections forty-three days from today.

I refuse to play that cynical game with Republicans and will cast my vote as ''present'' in recognition of the fraudulent nature of these proceedings.

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

Pursuant to House Resolution 1077, the previous question is ordered on the resolution and the preamble.

The question is on the resolution.

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

Mr. GOODLATTE. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

EMPOWERING FINANCIAL INSTITUTIONS TO FIGHT HUMAN TRAFFICKING ACT OF 2018

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6729) 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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6729

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 ''Empowering Financial Institutions to Fight Human Trafficking Act of 2018''.

SEC. 2. ANTI-MONEY LAUNDERING INFORMATION PROVIDERS.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

''§ 5333. Anti-money laundering information providers

''(a) COOPERATION AMONG FINANCIAL INSTITUTIONS AND SOURCES OF INFORMATION ON HUMAN TRAFFICKING AND MONEY LAUNDERING.—

''(1) IN GENERAL.—Not later than the end of the 120-day period beginning on the date of enactment of this section, the Secretary of the Treasury shall issue regulations to allow nonprofit organizations that the Secretary determines to be qualified to share information with financial institutions, associations of financial institutions, their regulatory authorities, and law enforcement agencies regarding individuals, entities, organizations, and countries suspected of possible human trafficking or related money laundering activities.

''(2) COOPERATION AND INFORMATION SHARING PROCEDURES.—The regulations required under paragraph (1) may include or create procedures for cooperation and information sharing focused on—

''(A) matters specifically related to those benefitting directly and indirectly from human trafficking, the means by which human traffickers transfer funds within the United States and around the world, and the extent to which financial institutions, including depository institutions, asset managers, and insurers in the United States, are unwittingly involved in such matters or transfers and the extent to which such entities are at risk as a result; and

''(B) means of facilitating the identification of accounts and transactions involving human traffickers and facilitating the exchange of information concerning such accounts and transactions between nonprofit organizations, financial institutions, regulatory authorities, and law enforcement agencies.

''(3) METHOD OF REGULATION.—The regulations required under paragraph (1) may—

''(A) be made coextensive with the regulations adopted pursuant to other programs, regulated by the Secretary, for sharing information on unlawful activities between financial institutions;

''(B) establish a registration process overseen by the Secretary that—

''(i) requires a nonprofit organization to demonstrate that they meet certain qualifications that the Secretary determines appropriate, including the establishment of policies and procedures reasonably designed to ensure the prompt identification and correction of inaccurate information shared under paragraph (1);

''(ii) allows the Secretary to disqualify nonprofit organizations that do not meet such qualifications; and

''(iii) allows the Secretary to terminate the registration of a nonprofit organization at any point if the Secretary determines such termination is appropriate and provides sufficient notice of such termination to the applicable nonprofit organization;

''(C) require a nonprofit organization to register with the Secretary before sharing information that will be subject to the safe harbor provided under subsection (b); and

''(D) ensure that financial institutions, associations of financial institutions, their regulatory authorities, law enforcement authorities, and any other appropriate entities are made aware of those nonprofit organizations that are registered with the Secretary.

''(4) RECIPIENTS OF INFORMATION.—

''(A) IN GENERAL.—The Secretary shall determine those financial institutions which are eligible to be recipients of information from nonprofit organizations made in compliance with the regulations issued under subsection (a). Such eligible financial institutions may include those already participating in existing information sharing programs regulated by the Secretary regarding unlawful activity.

''(B) NO SAFE HARBOR FOR INFORMATION PROVIDED TO OTHER FINANCIAL INSTITUTIONS.—If a nonprofit organization shares information with a financial institution that is not eligible under subparagraph (A), such sharing of information shall not be subject to the safe harbor provided under subsection (b).

''(5) INFORMATION SHARING BETWEEN FINANCIAL INSTITUTIONS.—The regulations adopted pursuant to this section—

''(A) may be coextensive with other regulations governing the sharing of information between financial institutions on suspected unlawful activities; and

''(B) shall allow financial institutions that receive information in compliance with the regulations issued under subsection (a) to share such information with other financial institutions through existing information sharing programs.

''(b) SAFE HARBOR FOR INFORMATION PROVIDERS.—

''(1) IN GENERAL.—A nonprofit organization, financial institution, association of financial institutions, regulatory authority of a financial institution, or law enforcement agency in compliance with the regulations issued under subsection (a) that transmits or shares information described under subsection (a) for the purposes of identifying or reporting activities that may involve human trafficking acts or related money laundering activities shall not be liable to any person under any law or regulation of the United States, any constitution, law, or regulation of any State or political subdivision thereof, or under any contract or other legally enforceable agreement (including any arbitration agreement), for such disclosure or for any failure to provide notice of such disclosure to the person who is the subject of such disclosure, or any other person identified in the disclosure, except where such transmission or sharing violates this section or regulations issued pursuant to this section.

''(2) NO GOOD FAITH REQUIREMENT.—A nonprofit organization, financial institution, association of financial institutions, regulatory authority of a financial institution, or law enforcement agency that transmits or shares information described under paragraph (1) shall not be required to demonstrate that such transmission or sharing was made on a good faith basis in order to receive the benefit of the safe harbor provided by paragraph (1).

''(c) NON-MANDATORY COMPLIANCE WITH THIS SECTION.—This section may not be construed as requiring a nonprofit organization to comply with the regulations issued under subsection (a) before sharing information with a financial institution, association of financial institutions, regulatory authority of a financial institution, or law enforcement agency.

''(d) REPORTS TO THE FINANCIAL SERVICES INDUSTRY ON SUSPICIOUS FINANCIAL ACTIVITIES.—Beginning 10 months after the date of the enactment of this section, and at least semiannually thereafter, the Secretary of the Treasury shall—

''(1) publish a report containing a detailed analysis identifying patterns of suspicious activity and other investigative insights derived from the regulations issued under this section and investigations conducted by Federal, State, local, and Tribal law enforcement agencies to the extent appropriate;

''(2) distribute such report to financial institutions; and

''(3) provide such report upon publication to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

''(e) NONPROFIT ORGANIZATION DEFINED.—For purposes of this section, the term 'nonprofit organization' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 the following:

''5333. Anti-money laundering information providers.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on this bill.

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

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Mr. Speaker, I thank Representative TIPTON. I rise today to speak on behalf of the bipartisan Empowering Financial Institutions to Fight Human Trafficking Act.

The International Labor Organization estimates that, globally, over 40 million people were victims of human trafficking in 2016. It is obvious that in order to deter the criminals who enslave and sell human beings, we need to hit them where it hurts: their bank accounts.

Right now, financial institutions are attempting to identify human trafficking activity, but many suspicious activity reports are based on false flags. Financial institutions are largely left alone to determine what information is valid. Without good, specific, verifiable, targeted information, financial institutions may wrongly identify people, overrespond, and overtarget, or fail to recognize criminal activity.

Finding the traffickers who take advantage of our financial system can be a daunting task. We need to figure out how to do it better. This legislation is an opportunity to help financial institutions wade through the muck and locate bad actors.

This summer, the Financial Action Task Force released a report that identified significant challenges in detecting, investigating, and prosecuting laundering related to human trafficking, including, ''incomplete domestic information sharing among stakeholders.''

That is why I was proud to introduce the Empowering Financial Institutions to Fight Human Trafficking Act with my colleague and fellow advocate, Congresswoman MALONEY, along with Congresswoman LOVE, Congresswoman TENNEY, and Congresswoman SINEMA.

Over the past year, I have worked in the Financial Services Committee to explore how human traffickers exploit U.S. financial markets. In January, the Subcommittee on Oversight and Investigations, which I chaired, held a hearing to examine how financial institutions monitor accounts and identify trafficking. We know that if traffickers can't finance their operations, they can't profit from their crimes.

This bill creates a pathway for registered nonprofits to safely provide valuable information on trafficking crimes to financial institutions, without the threat of defamation suits that could end their organizations.

Throughout the process of crafting this bill, I have found that banks are increasingly seeking actionable information from the nonprofits that specialize in gathering it. It is incredibly challenging for financial institutions to pinpoint trafficking crimes that are happening far away in mines, in fields, in factories, hotels, or boats, obscured from analysts who are trying to practice good customer due diligence.

Let me be clear, Mr. Speaker. This legislation instructs the Secretary of the Treasury to develop a process that will make civil society experts more available to financial institutions and establish transparent standards for information sharing.

The bill guides the Secretary to register only NGOs that have the rigor and expertise to substantiate their claims and correct any inaccurate information.

I am excited that we are finding ways to connect those who have good intelligence with those who are seeking it without exposing nonprofits to devastating lawsuits they can ill afford.

This system will target verified traffickers and reduce reliance on nonspecific information that can target innocent people.

I look forward to casting my vote to prevent human traffickers from using the U.S. financial system to exploit victims around the world. Together, this Congress can disrupt the networks that make modern-day slavery profitable and free vulnerable people around the world who have been enslaved.

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

Mr. Speaker, H.R. 6729 is a well-intentioned bill aimed at countering human trafficking. My first concern with the bill, however, is the lack of a deliberative process surrounding the measure, which could lead to a number of serious unintended consequences as currently drafted.

The bill will give a sweeping safe harbor to nonprofits that share information with financial institutions regarding the involuntary trafficking of children, women, and men that will nullify all State and local defamation, libel, and privacy laws.

This means eligible nonprofits could share personally identifiable information about any person the nonprofit merely suspects of human trafficking with any financial institution, even if their information is false or misleading. Such sharing of information could, in turn, lead financial institutions to close an individual's account and deny them access to the financial system, even if the individual has not been arrested or indicted for a crime.

Importantly, this bill also explicitly states that the Treasury Department may not impose a requirement that the nonprofits share the information in good faith. Therefore, this bill doesn't protect against malicious or negligent reporting. In fact, the Due Process Institute has stated: '' . . . Surely not every suspicion or accusation that would come through a nonprofit will be accurate or truthful. Some suspicions or accusations might even be motivated by personal, political, ethnic, racial, cultural, or religious animus.''

Finally, Mr. Speaker, I include in the RECORD two letters of opposition to the bill from two coalitions of civil liberty and privacy advocates, including the American Civil Liberties Union, the Due Process Institute, Freedom Works, the National Association of Criminal Defense Lawyers, the Project On Government Oversight, Defending Rights and Dissent, and New America's Open Technology Institute, among others.

SEPTEMBER 25, 2018.

DEAR REPRESENTATIVES: We urge you to vote against H.R. 6729 when the measure is considered later this week. The legislation would allow the Treasury Department to expand the surveillance and sharing of Americans' financial records beyond what is provided for by the USA PATRIOT Act. The government has previously sought and Congress has rightly voted to reject such an expansion. Similar legislation in the 114th Congress, H.R. 5606, drew opposition from 177 members and failed on a suspension vote.

The legislation has broad applicability and significantly harmful effects that go far beyond its stated purpose of allowing financial institutions to combat human trafficking.

H.R. 6729 contains an overly broad provision that prohibits Treasury from requiring nonprofit organizations to show that they are sharing information in good faith and preempts liability for organizations under privacy laws. While the measure is described as allowing nonprofits to report suspicions of human trafficking or money laundering to financial institutions, it risks our privacy and raises concerns about the misuse of information.

In addition, H.R. 6729 allows a wide range of institutions to communicate with each other about ''suspicious'' activities regardless of the basis for the suspicion and despite other applicable laws and consumer agreements. The concerns need not be rooted in reality. Moreover, the safe harbor provision does not merely encompass traditional financial institutions like banks and financial services providers, but extends more broadly. This legislation also fails to establish any legal recourse for negligent or malicious acts.

H.R. 6729 would create the risk of financial institutions closing accounts of people they deem too risky to do business with on the basis of meritless or otherwise unsupported claims from nonprofit organizations. Every financial institution already has a legal obligation to file a ''Suspicious Activity Report'' with the government whenever it ''knows, suspects, or has reason to suspect that an individual, entity, or organization is involved in or may be involved in terrorist activity or money laundering.'' It is an unfortunate fact that suspicions and accusations can be based on or motivated by personal, political, ethnic, racial, cultural, or religious animus. It is unacceptable to expand the scope of entities that can submit this information in a process that is broadly immunized from legal recourse.

This legislation goes far beyond the goal of combating human trafficking and significantly expands governmental surveillance, the impact of which falls most heavily and relentlessly on those who are the least able to defend themselves. Now is not the time to rush this legislation, introduced a mere two weeks ago, through a legislative procedure intended for uncontroversial bills.

Sincerely yours,

American Civil Liberties Union, American-Arab Anti-Discrimination Committee, Color Of Change, Defending Rights & Dissent, Demand Progress Action, Free Press Action, Freedom of the Press Foundation, Government Information Watch, New America's Open Technology Institute, Project On Government Oversight, X-Lab.

DUE PROCESS INSTITUTE,
September 25, 2018.

Re Bipartisan Concerns Regarding H.R. 6729 on Suspension Calendar

Hon. PAUL RYAN,
Speaker of the House,
U.S. House of Representatives.
Hon. KEVIN MCCARTHY,
Majority Leader,
U.S. House of Representatives.
Hon. NANCY PELOSI,
Minority Leader,
U.S. House of Representatives.
Hon. STENY HOYER,
Minority Whip,
U.S. House of Representatives.

DEAR SPEAKER RYAN, LEADER PELOSI, LEADER MCCARTHY, AND WHIP HOYER: The Due Process Institute, FreedomWorks, the National Association of Criminal Defense Lawyers (NACDL), and Defending Rights and Dissent write to raise concerns with several aspects of H.R. 6729 (''Empowering Financial Institutions to Fight Human Trafficking Act of 2018''). There is an effort to put this bill, which was introduced just two weeks ago, on the suspension calendar this week even though it contains controversial expansions of regulatory power that could have serious unintended consequences for innocent people. We urge leadership to ensure this bill not be placed on the suspension calendar and instead allow deliberate consideration of the serious changes it seeks to make. We urge Members to vote NO on this bill.

On its face, H.R. 6729 would protect nonprofits wishing to report suspicions of human trafficking or money laundering activities to law enforcement. Importantly, there are no known legal impediments to nonprofits who wish to engage in such reporting. Anyone can report credible suspicions of criminal activity to law enforcement. However, it is possible that a reporter could potentially face civil liability if the report was false and led to reputational damage, or if the report violated a privacy law. This bill offers a very broad ''safe harbor'' from such liability. In conflict with the principle of federalism, it would nullify any and all federal, state, or local laws that might otherwise allow someone to seek damages in the instance of damaging or malicious reporting or for otherwise invading their privacy. This powerful and all-encompassing ''safe harbor'' does not require good faith on behalf of the reporting organization yet it would invalidate all defamation, libel, or privacy laws in existence. The undersigned organizations recognize the importance of preventing and appropriately investigating human trafficking related crimes but have grave concerns about aspects of this bill that go far beyond the purpose of preventing human trafficking.

Importantly, H.R. 6729 does much more than provide a safe harbor from civil liability for nonprofits wishing to share information with law enforcement and it is those aspects of the bill that might not be readily apparent but cause concern. The bill also sets up a structure to encourage nonprofits to share their suspicions with ''financial institutions,'' and also creates a related structure by which financial institutions will be encouraged to then share these suspicions with each other. Importantly, the term ''financial institution'' is not confined to entities like traditional banks and financial services providers, but also applies to insurance companies, real estate firms, casinos, jewelers, and even car dealers. (Again, there is nothing that prevents such reporting but the ''safe harbor'' protection discussed above would also apply to any financial institution, thus preventing customers of a wide array of businesses who would otherwise have legal recourse under privacy laws or tort law to seek relief for the negligent or even malicious acts of others.) Importantly, the ''information sharing'' at stake in this bill is not based on provable criminal acts, or even criminal accusations brought by law enforcement. The types of information subject to this extraordinary ''safe harbor'' protection are mere suspicions that could be based on purposefully malicious information or stem from improper motivations.

Unfortunately, the harm that is likely to result to innocent Americans is very real and not just because of the safe harbor provision. Current banking regulations already require financial institutions to file ''Suspicious Activity Reports'' (SARs) with the government any time it ''knows, suspects, or has reason to suspect that an individual, entity, or organization is involved in, or may be involved in terrorist activity or money laundering,'' because of shared information

it has received. Because a financial institution can face criminal prosecution for failing to investigate or file SARs after receiving such information, these institutions invariably err on the side of over-filing. This bill would add a broad swath of new suspected activity to the SARs regime, causing the overall amount of SARs to increase—despite the fact that over one million SARs are already filed each year—the vast majority of which never lead to a formal investigation of any kind.

But even more importantly, one of the stated purposes for information-sharing between financial institutions is to allow these businesses to determine ''whether to establish or maintain an account, or to engage in a transaction.'' Thus, the filing of a SAR frequently leads to a person being ''de-banked'' or deemed ''too risky to do business with.'' This bill would dramatically increase the number of SARs filed on the basis of unproven suspicions passed to financial institutions, not from law enforcement agencies but from nonprofits. Stories already abound regarding instances of innocent consumers having their accounts closed or transactions prohibited as a result of unproven suspicions. See Emily Flitter & Stacy Cowley, ''Wells Fargo Accused of Harming Fraud Victims by Closing Accounts,'' New York Times, Feb. 28, 2018; Rick Jones, ''Closing the Door on Closing Accounts: Ending the Damaging Impact of De-Banking,'' The Champion, March 2018; and Alex Morrell, ''Banks are keeping closer tabs on your reputation than ever before—and it may explain why one . . . cardholder mysteriously had his account shut down. . . .'', Business Insider, Sept. 14, 2018. While the threat of human trafficking is real and law enforcement should continue to engage in best efforts to prevent such crimes, surely not every suspicion or accusation that would come through a nonprofit will be accurate or truthful. Some suspicions or accusations might even be motivated by personal, political, ethnic, racial, cultural, or religious animus. But by encouraging nonprofits to share their ''suspicions'' with financial institutions, and to encourage financial institutions to in turn share these suspicions with each other, law-abiding customers could be improperly de-banked, preventing them from engaging in critical financial activities like home buying, investing, or even having a bank account on the basis of unproven hearsay.

Another concerning aspect of H.R. 6729 is that it contains multiple authorizations for the Treasury Department to promulgate an unlimited number of additional regulations regarding the ''sharing of information between financial institutions on suspected unlawful activities.'' These incredibly broad strokes of authority—not limited to the context of the subject matter of the bill [human trafficking] but applying to any ''suspected unlawful activity''—are deeply concerning given that the regulatory state is already out of control and given previous recent attempts by the Treasury Department to increase the use of warrantless surveillance through ''information-sharing'' programs and other extraordinary powers it was previously granted only for the purposes of preventing terrorist activities. The blanket authorization in this bill would allow unelected regulators to enact changes in the law to expand surveillance and the access and sharing of Americans' financial records under Section 314 of the USA PATRIOT Act that they have been unable to get authorized in bills such as H.R. 5606 (''Anti-Terrorism Information Sharing is Strength Act''), H.R. 3439 (the ''Financial Institution Security Act'') and the November 2017 draft ''Counter Terrorism and Illicit Finance Act''—efforts that were widely opposed by a diverse group of concerned organizations. For all the reasons listed herein, we urge leadership to ensure this bill not be placed on the suspension calendar and instead be subjected to a full and fair law-making process that will allow for deliberate consideration of the serious changes it seeks to make and we urge Members to vote NO on this bill.

Respectfully,

DUE PROCESS INSTITUTE.
FREEDOMWORKS.
NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS (NACDL).
DEFENDING RIGHTS AND DISSENT.

Ms. VELÁZQUEZ. Mr. Speaker, I remain committed to fighting against human trafficking, but this bill may result in serious unintended consequences for innocent people, including losing access to their money and to the financial system based on the mere accusation from a nonprofit. For this reason, I oppose this bill.

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

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank my good friend and colleague from New York, who is the ranking member on Small Business, as an outstanding leader on Puerto Rico, on business, on women, and in so many areas. I rise today and join my colleague on the other side of the aisle, ANN WAGNER, in strong support of H.R. 6729, the Empowering Financial Institutions to Fight Human Trafficking Act.

This bill cracks down on human traffickers and human trafficking in general, which is one of the worst crimes imaginable. This bill will save lives by cracking down on human trafficking.

Human trafficking is the fastest growing criminal enterprise in the world. It already generates over $150 billion in profits every year. There are only two crimes that generate more revenue, and those are selling drugs and selling guns. But in human trafficking, you can sell the body over and over again, usually until they die.

The $150 billion is an astonishing amount of money, and that is why it is so important to make sure that financial institutions have access to high-quality, up-to-date information on human traffickers and the companies and individuals involved in this terrible trade.

This bill would ensure that financial institutions get the information they need about trafficking so that they can take appropriate action to protect both themselves and the sufferers of human trafficking.

The bill would give qualified nonprofits a legal safe harbor when they share information about human trafficking with financial institutions.

□ 1645

And it is not-for-profits that have been the most successful in combating and stopping this horrible crime.

The nonprofits would have to be registered with Treasury in order to qualify for the safe harbor and would have to abide by any safeguards Treasury establishes to ensure that the information they are providing is credible and accurate.

So the bill would not open the door to blatantly false or malicious accusations being made. To the contrary, it would help nonprofits who are actively engaged in stopping human trafficking around the world.

Without this safe harbor, these nonprofits would be afraid to share the information they have about traffickers with banks out of fear of being sued.

This bill is supported by law enforcement. This bill will allow a cracking down on this terrible, terrible crime that costs the lives of thousands of our young people. It is important.

This bill will save lives. That is why I support it, and I urge my colleagues to support this bill.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. Mr. Speaker, every day, I hear from Arizonans who are sick and tired of the dysfunction in Washington. They know that the partisan fights and name-calling keeps Congress from delivering the results that Arizona families expect from their leaders.

Arizonans deserve leaders who come together and find solutions on issues that matter, like keeping our families safe, protecting our Nation, and honoring our commitment to veterans.

We can still get things done for Arizona families if we would stop the political games and work across the aisle. We have an opportunity to prove that today by passing three bipartisan bills that will make a difference for Arizonans.

I am lucky to have worked closely with my Republican colleagues on these three commonsense solutions that improve our ability to fight human trafficking, protect our country from weapons of mass destruction, and support Arizona veterans.

We have a moral obligation to fight human trafficking, stand up for victims, and bring traffickers to justice. That is why I cosponsored the Empowering Financial Institutions to Fight Human Trafficking Act with Congresswoman WAGNER, Congresswoman MALONEY, Congresswoman LOVE, and Congresswoman TENNEY.

This legislation helps nonprofits share valuable intelligence and collaborate with institutions in real time. Nonprofits are frequently on the front lines of this fight, combating trafficking and supporting victims. They see what is happening on the ground,

and our bill ensures we can freeze money and stop those traffickers in their tracks. This is good policy that will protect families, and I urge my colleagues to vote ''yes.''

Keeping Arizonans safe is my top priority. We are also set to pass a bipartisan bill I introduced with Congressman TIPTON to protect America from terrorists and rogue states like North Korea and Iran.

This week, the President has addressed the United Nations to call for action to stop weapons proliferation and other threats in Iran. In Congress, we are taking bipartisan action to combat these same threats.

Our bill, the Improving Strategies to Counter Weapons Proliferation Act, makes it harder for America's enemies to get their hands on the world's most deadly weapons by helping choke off the financing of terrorist activity. This bill makes our country safer and our communities safer, and I urge my colleagues to vote ''yes.''

Finally, we must always ensure that our support for veterans is worthy of their sacrifice, and that is why I worked across the aisle with Congressman ZELDIN and Congresswoman TENNEY to introduce and pass the Protect Affordable Mortgages for Veterans Act. This bill fixes the law and protects veterans from higher costs to refinance their homes. Our actions help more Arizona veterans achieve the American Dream of homeownership, and, again, I would urge my colleagues to support this bipartisan fix that helps America's heroes.

These three bills show that we can get things done and deliver for everyday Arizonans if we just work together and find common ground, and I will continue to work across the aisle to keep Arizona families safe and ensure we honor our commitment to our veterans and military families.

In particular, I want to thank Congresswoman WAGNER, Congressman TIPTON, and Congresswoman TENNEY for working together on these important bills, and I urge my colleagues to support these bipartisan bills.

Mr. TIPTON. Mr. Speaker, I yield the balance of my time to the gentlewoman from Missouri (Mrs. WAGNER), and I ask unanimous consent that she be allowed to control that time.

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

In closing, I would like to reiterate, despite what some have said about this piece of legislation, that this legislation requires NGOs to register with Treasury in order to create a process that protects only rigorous, credible organizations that can offer verifiable information to financial institutions. This process will safeguard innocent people and entities that may currently be targeted by the broad, general patterns that are reported to financial institutions.

At present, there is no way for financial institutions to wade through all the tips and information they receive and use it to prevent traffickers from using our financial systems. We need a meaningful system that can actually identify traffickers and allow banks to verify those IDs. That is what this bill does.

I would also like to make clear that this piece of legislation does not amend or touch the PATRIOT Act and does not create any new structures for banks to share information with each other.

This legislation is supported by organizations, including, Mr. Speaker, Western Union, MoneyGram, and Liberty Asia. It also happens to be one of the key recommendations from Polaris' groundbreaking new report: ''A Road Map for Systems and Industries to Prevent and Disrupt Human Trafficking.''

Mr. Speaker, I include the report in the RECORD.

2. Pass legislation to provide safe harbor to facilitate information sharing between civil society and financial institutions

NGOs that work with survivors and vulnerable populations often have access to critical information about bad actors. Regulations focused on the sharing of information between financial institutions or between financial institutions and government agencies, such as Section 314(a) and (b) of the USA Patriot Act or the regulations for filing Suspicious Activity Reports (SARs), provide appropriate protections for such sharing. No such protections are currently available to NGOs for sharing critical information that may assist in the detection, deterrence or prevention of trafficking.

While NGO's are currently able to report tips directly to law enforcement, the information may be too limited to realistically spur law enforcement action—often because the information is obtained from confidential sources who cannot be contacted by law enforcement. However, if these leads were provided to financial institutions, the financial institutions may be able to assist in providing additional, relevant, and actionable information to law enforcement.

Addressing the liability concerns of NGO's which wish to participate in information exchanges is an important first step in actualizing this process. Legislation is required to provide these protections to NGOs. Once this barrier is removed, law enforcement, NGO's, and financial institutions can work together to develop agreed upon processes and protocols that govern appropriate information sharing.

Mrs. WAGNER. Mr. Speaker, Dow Jones has said that the information provided to it from NGOs like Liberty Asia and others is relevant and actionable in its anti-money laundering work.

This bill enables FinCEN and financial institutions to gather hard intelligence that can be verified or disproven, rather than rely on, as I said, general, useless, or even faulty tips from nonprofits, private citizens, and other sources without technical experience that could lead to false identifications and persecution of innocent actors.

It is the lack of verifiable specificity and the lack of regulated accreditation that allows for the targeting of innocent groups.

This bill creates a process, run by Treasury, where responsible nonprofits that professionally analyze information and create intelligence products that help financial institutions better identify these crimes can share information without worrying about whether sharing this information is going to end their organizations.

I could go on and on, but Members of this body should never forget what we are doing today is protecting the 40 million victims of trafficking around the world.

Human trafficking is a horrific crime that represents $150 billion per year, and it is far too often funded by the U.S. financial system. This is preventable, and today, we are taking steps towards ending America's financing of exploitation of our most vulnerable.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 6729.

The question was taken.

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

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

The yeas and nays were ordered.

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

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:

Adoption of the conference report to accompany H.R. 6157;

Adoption of H. Res. 1071;

Adoption of H. Res. 1082; and

The motion to suspend the rules on H.R. 6729.

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

CONFERENCE REPORT ON H.R. 6157, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019

The SPEAKER pro tempore. The unfinished business is the question on adoption of the conference report on the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

The vote was taken by electronic device, and there were—yeas 361, nays 61, not voting 6, as follows:

[Roll No. 405]

YEAS—361

Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Barletta
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Dunn
Ellison
Engel
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Hartzler
Hastings
Heck
Herrera Beutler
Higgins (NY)
Hill
Himes
Holding
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kihuen
Kildee
Kilmer
Kind
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meeks
Meng
Messer
Mitchell
Moolenaar
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Soto
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—61

Abraham
Amash
Banks (IN)
Barton
Biggs
Blackburn
Brat
Buck
Budd
Chabot
Cloud
Curtis
Davidson
DeSaulnier
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Emmer
Garrett
Gianforte
Gohmert
Gosar
Harris
Hensarling
Hice, Jody B.
Higgins (LA)
Hollingsworth
Jayapal
Johnson (LA)
Jones
Jordan
Kelly (MS)
Kelly (PA)
Khanna
King (IA)
Lamborn
Love
Marchant
Massie
McClintock
Meadows
Mooney (WV)
Moore
Mullin
Norman
Palmer
Perry
Ratcliffe
Renacci
Rooney, Francis
Rothfus
Sanford
Sensenbrenner
Smith (MO)
Smith (NE)
Smucker
Suozzi
Walker
Webster (FL)
Yoho

NOT VOTING—6

Eshoo
Jenkins (WV)
Labrador
Lujan Grisham, M.
Nolan
Rokita

□ 1726

Messrs. DAVIDSON, KING of Iowa, and MEADOWS changed their vote from ''yea'' to ''nay.''

Mr. TIPTON changed his vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THAT ALLOWING ILLEGAL IMMIGRANTS THE RIGHT TO VOTE DIMINISHES THE VOTING POWER OF UNITED STATES CITIZENS

The SPEAKER pro tempore (Mr. HULTGREN). The unfinished business is the vote on adoption of the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 279, nays 72, answered ''present'' 69, not voting 8, as follows:

[Roll No. 406]

YEAS—279

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bera
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Carbajal
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Cheney
Cicilline
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
DeLauro
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Estes (KS)
Esty (CT)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger
Knight
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawson (FL)
Lesko
Lewis (MN)
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lynch
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Newhouse
Noem
Norman
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Polis
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Ryan (OH)
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shea-Porter
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Speier
Stefanik
Stewart
Stivers
Suozzi
Taylor
Tenney
Thompson (PA)
Thornberry

Tipton
Trott
Turner
Upton
Valadao
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—72

Amash
Bass
Beyer
Brady (PA)
Brown (MD)
Carson (IN)
Castro (TX)
Clarke (NY)
Correa
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Demings
DeSaulnier
Doggett
Doyle, Michael F.
Espaillat
Evans
Foster
Green, Gene
Gutiérrez
Hastings
Higgins (NY)
Hoyer
Huffman
Jayapal
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kihuen
Lee
Lowey
Maloney, Sean
McEachin
McGovern
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Pocan
Price (NC)
Quigley
Raskin
Roybal-Allard
Rush
Sarbanes
Schakowsky
Schneider
Scott (VA)
Serrano
Smith (WA)
Soto
Swalwell (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Watson Coleman
Welch

ANSWERED ''PRESENT''—69

Adams
Aguilar
Barragán
Beatty
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brownley (CA)
Butterfield
Cárdenas
Chu, Judy
Clark (MA)
Clay
Cleaver
Connolly
DeFazio
Delaney
DelBene
Deutch
Dingell
Engel
Frankel (FL)
Fudge
Gabbard
Gallego
Gomez
Green, Al
Grijalva
Hanabusa
Heck
Jackson Lee
Jeffries
Keating
Kennedy
Khanna
Kildee
Kilmer
Krishnamoorthi
Lawrence
Levin
Lewis (GA)
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Luján, Ben Ray
Maloney, Carolyn B.
Matsui
Neal
Norcross
Perlmutter
Peters
Pingree
Rice (NY)
Richmond
Ruiz
Ruppersberger
Sánchez
Schiff
Sewell (AL)
Sherman
Sires
Takano
Thompson (CA)
Titus
Wasserman Schultz
Waters, Maxine
Wilson (FL)

NOT VOTING—8

Blackburn
Capuano
Eshoo
Jenkins (WV)
Labrador
Lujan Grisham, M.
Nolan
Rokita

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1734

Mr. NEAL and Mrs. LAWRENCE changed their vote from ''nay'' to ''present.''

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.

FAA REAUTHORIZATION ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1082) providing for the concurrence by the House in the Senate amendment to H.R. 302, with an amendment, on which a recorded vote was ordered.

The Clerk read the title of the resolution.

RECORDED VOTE

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and agree to the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 398, noes 23, not voting 7, as follows:

[Roll No. 407]

AYES—398

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Engel
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Hartzler
Hastings
Heck
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—23

Amash
Biggs
Brooks (AL)
Buck
Davidson
Duncan (SC)
Emmer
Foxx
Garrett
Gosar
Griffith
Harris
Hensarling
Jordan
Khanna
Massie
McClintock
Norman
Panetta
Rohrabacher
Sensenbrenner
Speier
Wagner

NOT VOTING—7

Blackburn
Eshoo
Jenkins (WV)
Labrador
Lujan Grisham, M.
Nolan
Rokita

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1741

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EMPOWERING FINANCIAL INSTITUTIONS TO FIGHT HUMAN TRAFFICKING ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6729) 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, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 297, nays 124, not voting 7, as follows:

[Roll No. 408]

YEAS—297

Abraham	Crist	Himes
Aderholt	Cuellar	Holding
Aguilar	Culberson	Hollingsworth
Allen	Curbelo (FL)	Hudson
Amodei	Curtis	Huizenga
Arrington	Davis (CA)	Hultgren
Babin	Davis, Rodney	Hunter
Bacon	DeFazio	Hurd
Balderson	Delaney	Issa
Banks (IN)	DeLauro	Jenkins (KS)
Barletta	DelBene	Johnson (OH)
Barr	Demings	Johnson, Sam
Barton	Denham	Joyce (OH)
Bera	DesJarlais	Kaptur
Bergman	Diaz-Balart	Katko
Bilirakis	Dingell	Keating
Bishop (MI)	Donovan	Kelly (MS)
Bishop (UT)	Doyle, Michael F.	Kelly (PA)
Black	Duffy	Kihuen
Blumenauer	Dunn	Kildee
Blunt Rochester	Ellison	Kilmer
Bost	Emmer	Kind
Boyle, Brendan F.	Estes (KS)	King (IA)
Brady (TX)	Esty (CT)	King (NY)
Brat	Faso	Kinzinger
Brooks (IN)	Ferguson	Knight
Brownley (CA)	Fitzpatrick	Krishnamoorthi
Buchanan	Fleischmann	Kuster (NH)
Bucshon	Flores	Kustoff (TN)
Budd	Fortenberry	LaHood
Bustos	Foster	LaMalfa
Byrne	Foxx	Lamb
Calvert	Frankel (FL)	Lamborn
Carbajal	Frelinghuysen	Lance
Cárdenas	Gallagher	Langevin
Carson (IN)	Gallego	Larsen (WA)
Carter (GA)	Garamendi	Larson (CT)
Carter (TX)	Gianforte	Latta
Cartwright	Gibbs	Lawson (FL)
Castor (FL)	Gottheimer	Lesko
Castro (TX)	Gowdy	Levin
Chabot	Granger	Lewis (MN)
Cheney	Graves (GA)	Lipinski
Coffman	Graves (LA)	LoBiondo
Cole	Graves (MO)	Loebsack
Collins (GA)	Green, Gene	Long
Collins (NY)	Grijalva	Loudermilk
Comer	Grothman	Love
Comstock	Guthrie	Lucas
Conaway	Handel	Luetkemeyer
Connolly	Harper	Luján, Ben Ray
Cook	Hartzler	Lynch
Cooper	Heck	MacArthur
Correa	Hensarling	Maloney, Carolyn B.
Costa	Herrera Beutler	Maloney, Sean
Costello (PA)	Hice, Jody B.	Marchant
Courtney	Higgins (LA)	Marino
Cramer	Higgins (NY)	Marshall
Crawford	Hill	Mast
McCarthy	Rice (NY)	Smucker
McCaul	Rice (SC)	Soto
McClintock	Roby	Speier
McHenry	Roe (TN)	Stefanik
McKinley	Rogers (AL)	Stewart
McMorris Rodgers	Rogers (KY)	Stivers
McSally	Rooney, Francis	Suozzi
Messer	Rooney, Thomas J.	Swalwell (CA)
Mitchell	Ros-Lehtinen	Taylor
Moolenaar	Rosen	Tenney
Mooney (WV)	Roskam	Thompson (CA)
Moore	Ross	Thompson (PA)
Moulton	Rothfus	Thornberry
Mullin	Rouzer	Tipton
Murphy (FL)	Royce (CA)	Torres
Newhouse	Ruiz	Trott
Noem	Ruppersberger	Tsongas
Norcross	Russell	Turner
Nunes	Rutherford	Upton
O'Halleran	Ryan (OH)	Valadao
O'Rourke	Sarbanes	Vargas
Olson	Scalise	Visclosky
Palazzo	Schneider	Wagner
Palmer	Schrader	Walberg
Panetta	Schweikert	Walden
Pascrell	Scott, Austin	Walker
Paulsen	Scott, David	Walorski
Pearce	Sessions	Walters, Mimi
Perlmutter	Sewell (AL)	Wasserman Schultz
Perry	Shea-Porter	Weber (TX)
Peters	Sherman	Webster (FL)
Peterson	Shimkus	Westerman
Pittenger	Shuster	Williams
Poe (TX)	Simpson	Wilson (SC)
Poliquin	Sinema	Womack
Posey	Sires	Woodall
Ratcliffe	Smith (MO)	Yoder
Reed	Smith (NE)	Young (AK)
Reichert	Smith (NJ)	Young (IA)
Renacci	Smith (TX)	Zeldin

NAYS—124

Adams	Garrett	Napolitano
Amash	Gohmert	Neal
Barragán	Gomez	Norman
Bass	Gonzalez (TX)	Pallone
Beatty	Goodlatte	Payne
Beyer	Gosar	Pelosi
Biggs	Green, Al	Pingree
Bishop (GA)	Griffith	Pocan
Blum	Gutiérrez	Polis
Bonamici	Hanabusa	Price (NC)
Brady (PA)	Harris	Quigley
Brooks (AL)	Hastings	Raskin
Brown (MD)	Hoyer	Richmond
Buck	Huffman	Rohrabacher
Burgess	Jackson Lee	Roybal-Allard
Butterfield	Jayapal	Rush
Capuano	Jeffries	Sánchez
Chu, Judy	Johnson (GA)	Sanford
Cicilline	Johnson (LA)	Schakowsky
Clark (MA)	Johnson, E. B.	Schiff
Clarke (NY)	Jones	Scott (VA)
Clay	Jordan	Sensenbrenner
Cleaver	Kelly (IL)	Serrano
Cloud	Kennedy	Smith (WA)
Clyburn	Khanna	Takano
Cohen	Lawrence	Thompson (MS)
Crowley	Lee	Titus
Cummings	Lewis (GA)	Tonko
Davidson	Lieu, Ted	Veasey
Davis, Danny	Lofgren	Vela
DeGette	Lowenthal	Velázquez
DeSaulnier	Lowey	Walz
Deutch	Massie	Waters, Maxine
Doggett	Matsui	Watson Coleman
Duncan (SC)	McCollum	Welch
Duncan (TN)	McEachin	Wenstrup
Engel	McGovern	Wilson (FL)
Espaillat	McNerney	Wittman
Evans	Meadows	Yarmuth
Fudge	Meeks	Yoho
Gabbard	Meng	
Gaetz	Nadler	

NOT VOTING—7

Blackburn	Labrador	Nolan
Eshoo	Lujan Grisham, M.	Rokita
Jenkins (WV)		

□ 1750

Mrs. LAWRENCE and Ms. JACKSON LEE changed their vote from ''yea'' to ''nay.''

Ms. KAPTUR changed her vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6756, AMERICAN INNOVATION ACT OF 2018; PROVIDING FOR CONSIDERATION OF H.R. 6757, FAMILY SAVINGS ACT OF 2018; PROVIDING FOR CONSIDERATION OF H.R. 6760, PROTECTING FAMILY AND SMALL BUSINESS TAX CUTS ACT OF 2018; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM OCTOBER 1, 2018, THROUGH NOVEMBER 12, 2018

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 115–985) on the resolution (H. Res. 1084) providing for consideration of the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes; providing for consideration of the bill (H.R. 6757) to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; providing for consideration of the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses; and providing for proceedings during the period from October 1, 2018, through November 12, 2018, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (S. Con. Res. 47) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 6157, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. BANKS of Indiana). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 47

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill H.R. 6157, the Clerk of the House of Representatives shall make the following corrections:

(1) Amend the long title so as to read: ''Making consolidated appropriations for the Departments of Defense, Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.''.

(2) In section 101(4) of division C, strike ''31'' and insert ''141''.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AIRPORT AND AIRWAY EXTENSION ACT OF 2018, PART II

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure and the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 6897) to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6897

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 ''Airport and Airway Extension Act of 2018, Part II''.

SEC. 2. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) Section 48103 of title 49, United States Code, shall be applied by substituting ''$3,350,000,000 for each of fiscal years 2012 through 2018 and $64,246,575 for the period beginning on October 1, 2018, and ending on October 7, 2018.'' for ''$3,350,000,000 for each of fiscal years 2012 through 2018.''.

(b) Subject to limitations specified in advance in appropriations Acts, sums made available pursuant to subsection (a) may be obligated at any time through September 30, 2019, and shall remain available until expended.

(c) Section 47104(c) of title 49, United States Code, shall be applied by substituting ''October 7, 2018'' for ''September 30, 2018''.

(d) Notwithstanding section 47114(b) of title 49, United States Code, the Secretary of Transportation shall apportion the amount subject to apportionment (as that term is defined in section 47114(a) of title 49, United States Code) for fiscal year 2019 on October 8, 2018.

SEC. 3. EXTENSION OF EXPIRING AUTHORITIES.

(a) The following provisions of law shall be applied by substituting ''October 7, 2018'' for ''September 30, 2018'':

(1) Section 47141(f) of title 49, United States Code.

(2) Section 409(d) of the Vision 100–Century of Aviation Reauthorization Act (49 U.S.C. 41731 note).

(3) Section 411(h) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note).

(4) Section 822(k) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47141 note).

(b) The following provisions of law shall be applied by substituting ''October 8, 2018'' for ''October 1, 2018'':

(1) Section 47107(r)(3) of title 49, United States Code.

(2) Section 2306(b) of the FAA Extension, Safety, and Security Act of 2016 (130 Stat. 641).

(c) Section 186(d) of the Vision 100–Century of Aviation Reauthorization Act (117 Stat. 2518) shall be applied by substituting ''2012 through 2018 and for the period beginning on October 1, 2018, and ending on October 7, 2018'' for ''2012 through 2018''.

SEC. 4. EXPENDITURE AUTHORITY FROM THE AIRPORT AND AIRWAY TRUST FUND.

(a) Sections 9502(d)(1) and 9502(e)(2) of the Internal Revenue Code of 1986 shall be applied by substituting ''October 8, 2018'' for ''October 1, 2018''.

(b) Section 9502(d)(1)(A) of such Code is amended by striking the semicolon at the end and inserting ''or the Airport and Airway Extension Act of 2018, Part II;''.

SEC. 5. EXTENSION OF TAXES FUNDING THE AIRPORT AND AIRWAY TRUST FUND.

(a) Sections 4081(d)(2)(B), 4261(j), 4261(k)(1)(A)(ii), and 4271(d)(1)(A)(ii) of the Internal Revenue Code of 1986 shall be applied by substituting ''October 7, 2018'' for ''September 30, 2018''.

(b) Section 4083(b) of such Code shall be applied by substituting ''October 8, 2018'' for ''October 1, 2018''.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

M.S. ''MITCH'' MITCHELL FLOODWAY

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the bill (H.R. 3383) to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the ''M.S. 'Mitch' Mitchell Floodway'', and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 3383

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

SECTION 1. DESIGNATION.

The flood control project in Sedgwick County, Kansas, commonly known as the Wichita–Valley Center Flood Control Project, shall be known and designated as the ''M.S. 'Mitch' Mitchell Floodway''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the flood control project referred to in section 1 shall be deemed to be a reference to the ''M.S. 'Mitch' Mitchell Floodway''.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH SANFORD JR. CHANNEL

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the bill (S. 1668) to rename a waterway in the State of New York as the ''Joseph Sanford Jr. Channel'', and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 1668

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

SECTION 1. JOSEPH SANFORD JR. CHANNEL.

(a) IN GENERAL.—The waterway in the State of New York designated as the ''Negro Bar Channel'' shall be known and redesignated as the ''Joseph Sanford Jr. Channel''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the waterway referred to in subsection (a) shall be deemed to be a reference to the ''Joseph Sanford Jr. Channel''.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken later.

FINANCIAL TECHNOLOGY PROTECTION ACT

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5036) to establish an Independent Financial Technology Task Force, to provide rewards for information leading to convictions related to terrorist use of digital currencies, to establish a FinTech Leadership in Innovation Program to encourage the development of tools and programs to combat terrorist and illicit use of digital currencies, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5036

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 ''Financial Technology Protection Act''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that the Federal Government should prioritize the investigation of terrorist and illicit use of new financial technology, including digital currencies.

SEC. 3. INDEPENDENT FINANCIAL TECHNOLOGY TASK FORCE.

(a) ESTABLISHMENT.—There is established the Independent Financial Technology Task Force (the ''Task Force''), which shall consist of—

(1) the Secretary of the Treasury, who shall serve as the head of the Task Force;
(2) the Attorney General;
(3) the Director of the Central Intelligence Agency;
(4) the Director of the Financial Crimes Enforcement Network;
(5) the Director of the Secret Service;
(6) the Director of the Federal Bureau of Investigation; and
(7) 6 individuals appointed by the Secretary of the Treasury to represent the private sector (including the banking industry, nonprofit groups, and think tanks), with at least 1 of such individuals having experience in the Fintech industry.

(b) DUTIES.—The Task Force shall—
(1) conduct independent research on terrorist and illicit use of new financial technologies, including digital currencies; and
(2) develop legislative and regulatory proposals to improve counter-terrorist and counter-illicit financing efforts.

(c) ANNUAL CONGRESSIONAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Task Force shall issue a report to the Congress containing the findings and determinations made by the Task Force in the previous year and any legislative and regulatory proposals developed by the Task Force.

SEC. 4. REWARDS FOR INFORMATION RELATED TO TERRORIST USE OF DIGITAL CURRENCIES.

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the Attorney General, shall establish a fund to pay a reward, not to exceed $450,000, to any person who provides information leading to the conviction of an individual involved with terrorist use of digital currencies.

(b) USE OF FINES AND FORFEITURES.—With respect to fines and forfeitures related to the conviction of an individual involved with terrorist use of digital currencies, the Secretary of the Treasury shall, subject to the availability of appropriations made in advance—
(1) use such amounts to pay rewards under this section related to such conviction; and
(2) with respect to any such amounts remaining after payments are made under paragraphs (1) and (2), deposit such amounts in the FinTech Leadership in Innovation Program.

SEC. 5. FINTECH LEADERSHIP IN INNOVATION PROGRAM.

(a) ESTABLISHMENT.—There is established a program to be known as the ''FinTech Leadership in Innovation Program'', which shall be funded as provided under section 4(b)(2).

(b) INNOVATION GRANTS.—
(1) IN GENERAL.—The Secretary of the Treasury shall make grants for the development of tools and programs to detect terrorist and illicit use of digital currencies.
(2) ELIGIBLE RECIPIENTS.—The Secretary may make grants under this subsection to entities located in the United States, including academic institutions, companies, nonprofit institutions, individuals, and any other entities locating in the United States that the Secretary determines appropriate.
(3) ELIGIBLE PROJECTS.—With respect to tools and programs described under paragraph (1), in addition to grants for the development of such tools and programs, the Secretary may make grants under this subsection to carry out pilot programs using such tools, the development of test cases using such tools, and research related to such tools.
(4) PREFERENCES.—In making grants under this subsection, the Secretary shall give preference to—
(A) technology that is nonproprietary or that is community commons-based;
(B) computer code that is developed and released on an open source basis;
(C) tools that are proactive (such as meeting regulatory requirements under ''know your customer'' and anti-money laundering requirements for any entity that has to comply with U.S. Government regulations) vs. reactive (such as aiding law enforcement organizations in catching illegal activity after the fact); and
(D) tools and incentives that are on decentralized platforms.
(5) OTHER REQUIREMENTS.—
(A) USE OF EXISTING GLOBAL STANDARDS.—Any new technology developed with a grant made under this subsection shall be based on existing global standards, such as those developed by the Internet Engineering Task Force (IETF) and the World Wide Web Consortium (W3C).
(B) SUPPORTING EXISTING LAWS OR REGULATIONS.—Tools and programs developed with a grant made under this subsection shall be in support of existing laws or regulations, including the Bank Secrecy Act, and make efforts to balance privacy and anti-money laundering concerns.
(C) OPEN ACCESS REQUIREMENT.—Tools and programs developed with a grant made under this subsection shall be freely accessible and usable by the public. This requirement may be fulfilled by publicly availing application programming interfaces or software development kits.

SEC. 6. DEFINITIONS.

For purposes of this Act:
(1) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' means—
(A) section 21 of the Federal Deposit Insurance Act;
(B) chapter 2 of title I of Public Law 91–508; and
(C) subchapter II of chapter 53 of title 31, United States Code.
(2) DIGITAL CURRENCY.—The term ''digital currency''—
(A) means a digital representation of value that—
(i) is used as a medium of exchange, unit of account, or store of value; and
(ii) is not established legal tender, whether or not denominated in established legal tender; and
(B) does not include—
(i) a transaction in which a merchant grants, as part of an affinity or rewards program, value that cannot be taken from or exchanged with the merchant for legal tender, bank credit, or digital currency; or
(ii) a digital representation of value issued by or on behalf of a publisher and used solely within an online game, game platform, or family of games sold by the same publisher or offered on the same game platform.
(3) TERRORIST.—The term ''terrorist'' includes a person carrying out domestic terrorism or international terrorism (as such terms are defined, respectively, under section 2331 of title 18, United States Code).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Nevada (Mr. KIHUEN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. 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 this bill.

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

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. BUDD).

Mr. BUDD. Mr. Speaker, I thank the gentleman from Colorado for yielding. I also want to thank Chairman HENSARLING for his dedicated leadership of his committee. I appreciate all he did to bring my legislation, H.R. 5036, to the floor. I also want to thank the gentleman from Massachusetts (Mr. LYNCH), my co-lead on the bill, for his efforts, his experience, and his knowledge. It only made the bill better, so I appreciated working with him.

Mr. Speaker, I rise today in strong support of my bipartisan legislation, the Financial Technology Protection Act.

We all know that illicit financing networks are the lynchpin of any terrorist group's, criminal organization's, or rogue state's operations. As we move into an increasingly digital world, criminals and terrorists will start to use these new technologies that are available to them. That presents a problem.

That problem is that we know that criminals use digital currencies through dark net markets to criminalize and to monetize cyber attacks. There is documented evidence that terrorists are increasingly using these currencies.

□ 1800

The RAND Corporation has some good supporting evidence on this. The bottom line is that the Federal Government has to be one step ahead of the illicit actors in this new space without threatening technological innovation, and that is what H.R. 5036 will do.

Specifically, my legislation will do the following things to help make sure the United States stays ahead of this problem: First, it establishes the Independent Financial Technology Task Force to Combat Terrorism and Illicit Financing, whose goal is to improve coordination between private and public sectors on digital currency terror strategy and to combat illicit use. From my perspective, industry and the Federal Government should be coming together to find best practices and solutions to stop this new terrorist funding threat.

Secondly, H.R. 5036 includes language from H.R. 5227, the Preventing Rogue and Foreign Actors From Evading Sanctions Act, which was introduced by my friend MARK MEADOWS of North Carolina. This language directs the Treasury Department to develop a strategy that identifies and describes the potential uses of virtual currencies and other emerging technologies by states, nonstate actors, and terrorist organizations to evade sanctions, finance terrorism, or launder monetary instruments and threaten the United States' national security.

Again, the development of a national strategy to combat illicit use strikes me as common sense; therefore, we are

excited to have it included in the bill and to have Mr. MEADOWS' support as well.

Also, the Budd-Lynch legislation establishes a targeted rewards program for information leading to the capture of terrorists or illicit actors involved with terror digital currency networks. The government should be encouraging individuals with knowledge of illicit use of virtual currencies to come forward through the offerings of rewards for successful convictions.

Finally, and perhaps most importantly, H.R. 5036 establishes the Fintech Leadership in Innovation and Financial Intelligence Program, which will be used for grants and rewards in the Fintech space for ideas and programs to combat terrorist use of digital currencies.

These technologies would be open access and open source. Experts in the private sector can track illicit use of these currencies and perhaps do a better job of leveraging their talent to create tools and programs through the Fintech Leadership and Financial Intelligence Program. We need to give them the ability to try, and that is what this bill does.

Here is the bottom line, Mr. Speaker. H.R. 5036 is legislation that sparks private-sector innovation to deal with terror and illicit financing when it comes to virtual currencies. I think that Congress should be promoting programs and technologies that give industry the tools they need to save their technology and industry from illicit use and, hopefully, save them from further regulation down the road.

Mr. Speaker, I urge adoption of the bill.

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

Mr. Speaker, H.R. 5036, the Financial Technology Protection Act, would strengthen our efforts to deter terrorist and illicit uses of financial technology. Although financial technology has potential benefits to the economy, there are pressing concerns about the digital currencies facilitating terrorist financing and money laundering.

For example, in August 2015, a Virginia man was sentenced to prison for providing material to support terrorists and admitted to using Twitter to advise others on how to use bitcoin to mask terror financing. Also, in July 2018, Special Counsel Robert Mueller indicted 12 Russian intelligence officers for hacking into the Democratic National Committee during the 2016 presidential election. The hackers used cryptocurrency to purchase the servers and other equipment necessary for the email breaches and used bitcoin to help fund their activities.

This bill would establish a public-private sector task force, a grant program, and a reward program to counter such terrorist or illicit uses of digital currencies. Also, it would require the government to identify how state and nonstate actors and foreign terrorist organizations evade sanctions, finance terrorism, or launder money using these currencies.

Mr. Speaker, I thank Congressman BUDD and Congressman LYNCH for introducing this bipartisan legislation. I urge my colleagues to support it, and I reserve the balance of my time.

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

Mr. KIHUEN. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I rise in support of H.R. 5036, the Financial Technology Protection Act. Before I begin, I would like to thank the Financial Services Committee Chair HENSARLING and Ranking Member WATERS for their support in helping to guide this bill through the committee process. I am very pleased that this legislation was passed through the committee unanimously when it was marked up back in July.

I would also like to thank my colleague from North Carolina, Mr. BUDD, for his good work on this important legislation. This has truly been a bipartisan effort.

Mr. Speaker, by a strange coincidence, I was actually elected in the Democratic primary in Massachusetts on September 11, 2001, the day of the attacks on the United States in New York, the Pentagon, and in western Pennsylvania. Since my arrival here in Washington and throughout my time in Congress, I have taken an active interest in cutting off the flow of funding to terrorists and other illicit actors.

I am very pleased to say that many of my colleagues, Democratic and Republican, have likewise approached this work with the deliberate and relentless sense of purpose that has lifted us above the petty squabbling that sometimes causes us to fall short of the high expectations of the American people.

Over the years, this work has taken me dozens of times to many countries in the Middle East, to Amman, Jordan, a major banking center, where members of our committee urged and assisted that nation to establish its first financial intelligence unit. It must, of course, be noted that we had the robust and earnest cooperation of King Abdullah of Jordan in that effort. He is someone who, I believe, has, over the years, been the greatest friend that freedom-loving people have in the Arab world.

Members of this committee also worked to expand geographic targeting orders to help the Financial Crimes Enforcement Network crack down on money laundering as part of the Countering America's Adversaries Through Sanctions Act.

Similarly, in Afghanistan, Morocco, Tunisia, and throughout the Persian Gulf, our committee has coaxed and guided our international neighbors to adopt methods that secure the legitimate banking system from terrorists and criminal exploitation.

From this work it has recently become clear to Mr. BUDD and myself that terrorists and criminal actors are increasingly relying on digital currencies, including bitcoin, to fund their illicit activities.

For example, in August of 2015, a Virginia man was sentenced to 11 years in prison for providing material support to ISIS. He admitted to using Twitter to provide instructions on how to use bitcoin to mask the transfer of funds to that terrorist group. Also, in December of 2017, a woman in New York was indicted for bank fraud and money laundering for supporting terrorists. She is alleged to have spent about $62,000 in digital currency to engage in a pattern of financial activity designed to ultimately benefit ISIS.

I am very pleased that the legislation before us today helps address this emerging threat in multiple ways.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KIHUEN. Mr. Speaker, I yield the gentleman from Massachusetts such time as he may consume.

Mr. LYNCH. As my friend, Mr. BUDD, has noted, this bill establishes a public-private sector task force to research terrorist and criminal uses of new financial technologies, including digital currencies, and then develops countermeasures to thwart such terrorist and illicit uses.

The bill also establishes a fund to pay rewards to people who provide information leading to the conviction of an individual involved with terrorist use of digital currencies.

Finally, the bill creates a grant program for the development of tools and pilot programs to detect terrorist and illicit use of digital currencies.

Mr. Speaker, in closing, I thank the chairman and ranking member, as well as my Republican cosponsor, the gentleman from North Carolina (Mr. BUDD) and urge my colleagues on both sides of the aisle to support this important legislation.

Mr. TIPTON. Mr. Speaker, I have no further requests for time on this legislation, and I reserve the balance of my time.

Mr. KIHUEN. Mr. Speaker, I support the bill; I urge my colleagues to support it as well; and I yield back the balance of my time.

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

I thank my colleagues from both sides of the aisle for bringing forward this legislation to better protect our consumers and our neighbors from illicit financial activity and I urge passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 5036, as amended.

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

A motion to reconsider was laid on the table.

IMPROVING STRATEGIES TO COUNTER WEAPONS PROLIFERATION ACT

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6332) to require the Director of the Financial Crimes Enforcement Network to submit a report to Congress on the way in which data collected pursuant to title 31 is being used, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6332

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 ''Improving Strategies to Counter Weapons Proliferation Act''.

SEC. 2. FINANCIAL CRIMES ENFORCEMENT NETWORK REPORTING REQUIREMENT.

Section 310 of title 31, United States Code, is amended by adding at the end the following:

''(e) REPORTS RELATING TO USE OF COLLECTED DATA.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection and every year thereafter, the Director shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on—

''(A) intelligence products created by FinCEN on finance transactions for the proliferation of weapons from filings submitted pursuant to subchapter II of chapter 53;

''(B) FinCEN's efforts to collaborate with law enforcement agencies, the intelligence community, and foreign financial intelligence units to maximize the use of data that is collected pursuant to subchapter II of chapter 53; and

''(C) advisory notices issued to financial institutions (as defined under section 5312(a)) on financial activity related to the proliferation of weapons.

''(2) SEPARATE PRESENTATION OF CLASSIFIED MATERIAL.—Any part of the report under paragraph (1) that involves information that is properly classified under criteria established by the President shall be submitted to the Congress separately in a classified annex.

''(3) SUNSET.—No report is required under this subsection after the end of the 5-year period beginning on the date of enactment of this subsection.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Nevada (Mr. KIHUEN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. 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 this bill.

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

There was no objection.

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

Mr. Speaker, I appreciate the consideration of this important measure on the floor here today. The work of the Terrorism and Illicit Finance Subcommittee on Financial Services has uncovered time and again that the activities of terrorists and criminal organizations are powered through financing and that illicit operations cannot continue if the revenue streams that fund those operations are shut off.

The measure before the House today would provide greater clarity into how exactly the global financial system can cut off financial schemes that enable access to illicit nuclear, chemical, and biological weapons.

H.R. 6332, the Improving Strategies to Counter Weapons Proliferation Act, would study how our financial institutions, intelligence collecting agencies, and law enforcement share information regarding known weapons financing activities to better identify weapons financing schemes.

To effectively prevent the spread of dangerous weapons into the hands of bad actors like terrorists, we must close the gaps that allow those bad actors to take advantage of the global financial system. The ever-increasing number of threats posed by foreign adversaries and dangerous organizations make it all the more important to close those gaps now. By helping financial institutions and law enforcement better identify the signs of illicit proliferation financing through this bill, these institutions will be able to maximize the effectiveness of their information and more easily coordinate strategies that disrupt and ultimately prevent dangerous crime.

In the United States, we have robust protections in place to be able to prevent financing of weapons proliferation involving suspicious activity reports that go to the Financial Crimes Enforcement Network and get reported over to law enforcement. By requiring FinCEN to report yearly to Congress on intelligence products it generates from suspicious activity filings on weapons finance transactions as well as how those intelligence products have informed law enforcement action, we can learn the indicators for proliferation finance and move to more effectively combat those illicit financial activities.

The bill before the House of Representatives today is a good first step in making sure the financial institutions, law enforcement agencies, and Congress have the tools that they need to be able to combat financing for illicit weapons proliferation, and I urge its passage here today.

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

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

Mr. Speaker, I rise in support of H.R. 6332, the Improving Strategies to Counter Weapons Proliferation Act, which aims to better inform congressional oversight of FinCEN's counter-proliferation finance efforts.

With proliferation threats growing from countries like North Korea and Iran, the reports prescribed by this bill will tell Congress more about the terrorist financing and anti-money laundering work that FinCEN is doing to combat the financing of the manufacture and delivery of weapons of mass destruction.

This bill will require the director to report on the intelligence FinCEN generates from the Bank Secrecy Act filings on suspected proliferation finance transactions; the agency's efforts to maximize the use of collected data; and the advisory notices issued to financial institutions related to the financing of chemical, nuclear, and biological weapons.

Prior to the Financial Services Committee vote, the ACLU expressed some concern, in part because the bill's report doesn't include details on the efficacy of FinCEN's data collection or its impact on privacy and civil liberties.

□ 1815

That said, I understand that the ACLU does not actively oppose the bill.

Given the legislation is focused on how FinCEN uses the data it currently collects, it does not expand the data collection. I think that that bill is appropriately scoped, and I support it.

Therefore, Mr. Speaker, I ask for a ''yes'' vote, and I urge my colleagues to support it as well.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 6332.

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

A motion to reconsider was laid on the table.

FEDERAL RESERVE SUPERVISION TESTIMONY CLARIFICATION ACT

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4753) to amend the Federal Reserve Act to require the Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System to provide a written report, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4753

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 ''Federal Reserve Supervision Testimony Clarification Act''.

SEC. 2. VICE CHAIRMAN FOR SUPERVISION REPORT REQUIREMENT.

Paragraph (12) of section 10 of the Federal Reserve Act (12 U.S.C. 247b) is amended—

(1) by redesignating such paragraph as paragraph (11); and

(2) in such paragraph—

(A) by striking ''shall appear'' and inserting ''shall provide written testimony and appear''; and

(B) by adding at the end the following: ''If, at the time of any appearance described in this paragraph, the position of Vice Chairman for Supervision is vacant, the Chairman or their designee shall appear instead and provide the required written testimony.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Nevada (Mr. KIHUEN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Speaker, I rise today to tell my colleagues about H.R. 4753 and urge they pass it.

As this body knows, Congress gave the Federal Reserve much greater regulatory authority under Dodd-Frank. The bill established the Vice Chair for Supervision position to oversee those efforts. But the first confirmed appointee to that position took office only last year, a full 7 years since Dodd-Frank.

During that time, Congress received minimal testimony on regulatory issues from the Fed. Typically, other officials who didn't oversee regulatory efforts gave testimony in this regard. But the key point is, Dodd-Frank requires only the Vice Chair for Supervision to give that testimony. While we are grateful that other Fed officials decided to speak to Congress on regulatory issues, they didn't have to under the law.

My bill would prevent that situation from arising ever again. Under my bill, if there is no Vice Chair for Supervision, either the Fed Chair or their designee will be required to give annual testimony on regulatory matters.

It is that simple, and as a result, this bill passed unanimously out of the Financial Services Committee.

Despite the simplicity, this bill is about the oversight authority of Congress and the constituents we represent. It remains vitally important that we and our Senate friends hear from these agencies.

Not only that, we should hear from the officials who are very knowledgeable on the issues in their areas, particularly when these regulations have a large effect on capital and money markets. Otherwise, our constituents will become even more distrustful of government.

Transparency is key. In fact, it is one of our greatest responsibilities as Members of Congress.

My bill promotes that responsibility, and, thus, deserves to be passed. I thank the chairman, the ranking member, and a unanimous Financial Services Committee for supporting this bill. I hope my colleagues will follow their example and vote for the bill.

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

Mr. Speaker, I rise today in support of H.R. 4753, the Federal Reserve Supervision Testimony Clarification Act. I thank Mr. LUCAS for this piece of legislation, which provides for the Chair of the Board or their designee to offer testimony in place of the Vice Chairman for Supervision, should the Vice Chair position be vacant.

It makes good sense to codify who at the Board will testify before Congress on the status of the Fed's supervisory efforts, regardless of whether there is a person confirmed for the Vice Chair for Supervision or not.

Until Randal Quarles was confirmed, the position was vacant since its creation in 2010, so this bill is a commonsense measure.

With that, I urge all my colleagues to support passage of this bill, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 4753, as amended.

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

A motion to reconsider was laid on the table.

PROTECT AFFORDABLE MORTGAGES FOR VETERANS ACT OF 2018

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6737) to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6737

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 ''Protect Affordable Mortgages for Veterans Act of 2018''.

SEC. 2. REQUIREMENTS FOR GINNIE MAE GUARANTEE OF SECURITIES.

Paragraph (1) of section 306(g) of the National Housing Act (12 U.S.C. 1721(g)(1)) is amended by striking the second sentence (as added by section 309(b) of Public Law 115–174) and inserting the following: ''The Association is authorized to take actions to protect the integrity of its securities from practices that it deems in good faith to represent abusive refinancing activities and nothing in the Protect Affordable Mortgages for Veterans Act of 2018, the amendment made by such Act, or this title may be construed to limit such authority.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Nevada (Mr. KIHUEN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on this bill.

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

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to urge passage of my bill, H.R. 6737, the Protect Affordable Mortgages for Veterans Act, which is bipartisan legislation that passed the committee with a unanimous vote of 49–0.

This legislation would provide a technical fix so that recently issued loans refinanced by the Department of Veterans Affairs can remain eligible for the secondary market.

This fix is essential to prevent a liquidity crisis in the veterans home loan market and ensure that the brave men and women who have served our Nation in uniform have access to affordable mortgages.

Through passage of this bill, we can ensure that VA home loans are not adversely impacted by issues in the veterans mortgage market created by the unintended consequences of S. 2155.

The Economic Growth, Regulatory Relief, and Consumer Protection Act, S. 2155, contained some very important bipartisan reforms to protect veterans from predatory lending and deceptive marketing. These provisions of S. 2155 are now the law of the land and essential to protect the VA home market. But unclear timelines laid out in the legislation and the way the Government National Mortgage Association, also known as Ginnie Mae, chose to implement the requirements of the new law have left an estimated 2,500 or more VA home loans boxed out of the secondary market.

These mortgages are now considered orphan loans, because they are no longer eligible for Ginnie Mae securitization, even though they met all Federal requirements and are backed by the VA.

My bill would prevent a government-triggered liquidity crisis in the VA mortgage market by fixing this problem and restoring eligibility for these orphan loans.

Addressing this ensures that veteran homeowners or prospective home buyers who have earned access to the VA home loan program through their military service aren't harmed by a fluke in S. 2155.

Without this bill, potential damage to the overall VA home loan market is

likely because VA lenders may have to sell or finance these orphan mortgages at a loss. This would have a negative impact on the brave men and women who have served our country and deserve a path to homeownership and the American Dream.

If lenders aren't able to securitize VA home loans through Ginnie Mae, closing costs and borrowing costs could go up and opportunities to borrow or refinance could go down.

Mr. Speaker, veterans have some of the lowest default and foreclosure rates in the Nation, and they have earned access to VA home loans through their selfless service to our country.

As I mentioned earlier, it is estimated that 2,500 or more VA home loans that were issued earlier in May or June of this year may now be boxed out of the market due to a minuscule legislative error. Even one VA home loan negatively impacted by a minor mistake is one too many when it comes to giving our veterans access to homeownership.

That is why we must pass this bipartisan bill. I thank my lead bipartisan cosponsors, CLAUDIA TENNEY of New York and KYRSTEN SINEMA of Arizona. I also thank Chairman HENSARLING, Ranking Member WATERS, and Housing and Insurance Subcommittee Chairman SEAN DUFFY for supporting this important bipartisan reform.

I also thank the great staff of the House Financial Services Committee for all their help throughout this process. They certainly have shown a tremendous amount of care and compassion for our Nation's veterans with this bill and so many others.

Mr. Speaker, I include in the RECORD a letter from Senator TILLIS and Senator WARREN expressing the need to address the issue of these orphan VA loans. I urge adoption of this important bipartisan bill.

U.S. SENATE,
Washington, DC, June 11, 2018.

J. PAUL COMPTON, Jr.,
General Counsel, U.S. Department of Housing and Urban Development, Washington, DC.

DEAR MR. COMPTON: As you know, S. 2304—the Protecting Veterans from Predatory Lending Act of 2018 (Act)—was introduced and subsequently included in S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, which President Trump signed into law on May 24, 2018. The Act was introduced to protect veterans from targeted predatory home loan practices by requiring lenders to demonstrate a material benefit to consumers when refinancing their mortgage. As such, the legislation included: (1) a fee recoupment requirement; (2) a net tangible benefit test; and (3) a loan seasoning requirement.

The aforementioned actions and subsequent signature of the president were taken after witnessing some bad actors in the U.S. Department of Veterans Affairs (VA) Home Loan space engage in the practice of ''churning''—the refinancing of a home loan over and over again to generate fees and profits for lenders at the expense of the consumer and taxpayers. Upon enactment of the legislation, questions arose surrounding whether Ginnie Mae (Ginnie) is statutorily authorized to continue to accept previously guaranteed Ginnie Mortgage-Backed Securities (MBS) as eligible multiclass securities collateral under its multiclass securities programs, given the requirements of the legislation—i.e. the MBS are backed by a refinanced loan that is guaranteed by the VA benefit program and do not meet the conditions required by the Act.

Specifically, the Act requires that to be included as eligible collateral for a Ginnie guaranteed MBS, a VA refinance loan must be refinanced after the later of: (1) the date that is 210 days after the date on which the first monthly payment is made on the mortgage being refinanced, and (2) the date on which six full monthly payments have been made on the mortgage being refinanced. To implement the Act, Ginnie revised its MBS pooling eligibility requirements and amended its MBS Guide to specify how Ginnie MBS are affected by this Act. Ginnie delineated that securities with an issuance date of May 1, 2018 or earlier are unaffected even if they do not meet the conditions of the Act, and that Ginnie securities with an issuance dated June 1, 2018 or later will comply with the new pooling requirements and conditions of the Act. Ginnie also determined that given the above-mentioned congressional reasons for enacting S. 2155, there was never an intent by Congress to impact Ginnie's ability to continue to guaranty multiclass securities that are collateralized by Ginnie MBS guaranteed prior to the enactment of the Act that may contain VA guaranteed refinanced loans that do not meet the requirements of the Act.

We recognize that there are a small number of loans that do not conform with the Act's requirements that were either originated or in the process of being originated before the May 31st date of Ginnie's APM regarding new seasoning requirements. It was not our intention to ''orphan'' those loans, and we urge Ginnie and the VA to work with lenders and other federal agencies to attempt to ensure that those loans are not adversely affected by the enactment of the Act.

We support the steps that Ginnie has taken, and look forward to working with Ginnie and the VA to further protect veterans from loan ''churning.''

Sincerely,

THOM TILLIS,
United States Senate.
ELIZABETH WARREN,
United States Senate.

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

Mr. Speaker, earlier this year, when Congress passed S. 2155, it included a section 309, a bill sponsored by Senators TILLIS and WARREN, entitled the ''Protecting Veterans from Predatory Lending Act of 2018.'' That provision put new requirements in place to protect veteran borrowers from aggressive and deceptive marketing tactics of lenders pushing mortgage refinance deals.

One of the new requirements included was a loan seasoning requirement that mandated a certain period of time before a VA borrower could refinance their loan. This new requirement was very similar to the loan seasoning requirement that Ginnie Mae had already implemented administratively prior to the passage of this law.

However, slight differences between the old and new requirements, and the immediate ban on securitization of loans that did not meet the new requirements, resulted in an estimated 2,500 loans that were boxed out of Ginnie Mae securitization simply because they were in the process of being refinanced or securitized when the law became effective.

The sponsors of the legislation, Senators WARREN and TILLIS, have weighed in with Ginnie Mae, stating that it was not their intention to orphan these loans, and they have urged Ginnie Mae to address the issue. However, Ginnie Mae believes legislation is needed.

I believe H.R. 6737 is a reasonable attempt to address what was clearly an unintended consequence of previous legislation, and I am pleased to support this bill.

Mr. Speaker, I ask for a ''yes'' vote. I support the bill and urge my colleagues to support it, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 6737, as amended.

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

A motion to reconsider was laid on the table.

BANKING TRANSPARENCY FOR SANCTIONED PERSONS ACT OF 2018

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6751) to increase transparency with respect to financial services benefitting state sponsors of terrorism, human rights abusers, and corrupt officials, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6751

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 ''Banking Transparency for Sanctioned Persons Act of 2018''.

SEC. 2. REPORT ON FINANCIAL SERVICES BENEFITTING STATE SPONSORS OF TERRORISM, HUMAN RIGHTS ABUSERS, AND CORRUPT OFFICIALS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall issue a report to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate that includes—

(1) a copy of any license issued by the Secretary in the preceding 180 days that authorizes a financial institution to provide financial services benefitting a state sponsor of terrorism; and

(2) a list of any foreign financial institutions that, in the preceding 180 days, knowingly conducted a significant transaction or transactions, directly or indirectly, for a sanctioned person included on the Department of the Treasury's Specially Designated Nationals And Blocked Persons List who—

(A) is owned or controlled by, or acts on behalf of, the government of a state sponsor of terrorism; or

(B) is designated pursuant to any of the following:

(i) Section 404 of the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112-208).

(ii) Subtitle F of title XII of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328, the Global Magnitsky Human Rights Accountability Act).

(iii) Executive Order 13818.

(b) FORM OF REPORT.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SEC. 3. WAIVER.

The Secretary of the Treasury may waive the requirements of section 2 with respect to a foreign financial institution described in paragraph (2) of such section—

(1) upon receiving credible assurances that the foreign financial institution has ceased, or will imminently cease, to knowingly conduct any significant transaction or transactions, directly or indirectly, for a person described in subparagraph (A) or (B) of such paragraph (2); or

(2) upon certifying to the Committees on Financial Services and Foreign Affairs of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate that the waiver is important to the national interest of the United States, with an explanation of the reasons therefor.

SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) FINANCIAL INSTITUTION.—The term ''financial institution'' means a United States financial institution or a foreign financial institution.

(2) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term under section 561.308 of title 31, Code of Federal Regulations.

(3) KNOWINGLY.—The term ''knowingly'' with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) UNITED STATES FINANCIAL INSTITUTION.—The term ''United States financial institution'' has the meaning given the term ''U.S. financial institution'' under section 561.309 of title 31, Code of Federal Regulations.

SEC. 5. SUNSET.

The reporting requirement under this Act shall terminate on the date that is the end of the 7-year period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Nevada (Mr. KIHUEN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield 5 minutes to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Mr. Speaker, I rise in support of H.R. 6751, the Banking Transparency for Sanctioned Persons Act, which is a commonsense reporting requirement that will allow our Congress to better oversee financial sanctions against state sponsors of terrorism, human rights abusers, and perpetrators of corruption around the world.

This bill is simple but important. Every 180 days, the Treasury Department would be required to send Congress a report with two sets of information. The first is a copy of any license issued by Treasury's Office of Foreign Assets Control that authorizes a financial institution to provide services benefitting a state sponsor of terrorism—such as Iran, North Korea, Syria, and Sudan—that would otherwise be prohibited.

□ 1830

Second, Treasury would have to provide a list of any foreign banks that conduct significant transactions for persons we have sanctioned for serious human rights abuses and corruption, a group that includes Russian Government officials behind the imprisonment and death of Sergei Magnitsky, Burmese military officers responsible for ethnic cleansing, and individuals in Latin America responsible for beating and killing of peaceful protesters.

Such a report would be a tremendous asset for Congress, and sharing this kind of information with Congress should be automatic, because licenses represent exemptions to our sanction programs. Some of those exemptions may be controversial, while others may enjoy broad support. The point is that congressional oversight of sanctions is limited without visibility into transactions Treasury is authorizing.

As for foreign banks' dealings with perpetrators of corruption and human rights abuses, Congress can use this information not only to better oversee existing sanctions, but to design a more effective program in the future.

Some of the questions we can begin to answer by having greater awareness of sanctioned persons' access to foreign financial services include: Are foreign banks exposing themselves to money laundering risk or facilitating activities that run counter to our national interests? And should our diplomats be exerting stronger pressure on those banks' governments in order to cut off bad actors?

Finally, I would like to note that we have been very deliberate in ensuring that the reporting required by this bill is as easy to administer as possible because we don't want to impose reporting requirements that could keep Treasury from the day-to-day work of designating bad actors. Therefore, this is a twice-a-year submission that entails no analysis and no narrative. It is as straightforward as scanning licenses and assembling a list to Treasury that that they already have components of, after which we could then follow up with questions in hearings, briefings, and the like.

I would like to thank the chairman for his support on this bill and thank all the members of the Financial Services Committee on both sides of the aisle for supporting this.

I urge my colleagues to support H.R. 6751.

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

Mr. Speaker, this legislation requires the Secretary of the Treasury to report to Congress every 6 months a list of the licenses it issues to financial institutions to provide services to countries and persons subject to certain U.S. sanctions. It also provides Congress with information about foreign financial firms that similarly provide support to those same countries and persons.

I very much support the goal of this bill because I believe it is a disclosure requirement that will serve as a useful oversight tool for Congress. For example, today, when the Office of Foreign Assets Control, OFAC, issues a specific license to a company or other entity that allows them to engage in activity that otherwise would be prohibited by the U.S. sanctions, those licenses are not currently disclosed by OFAC.

I also support the bill's other reporting requirement related to foreign financial firms. These lists of foreign financial institutions can provide a useful basis around which to discuss with the administration its overall strategy with respect to its sanctions programs; and these lists can also provide Members the opportunity to press the administration to impose restrictions on these institutions to change their behavior, if warranted.

The bill allows for the classification of these disclosures to Congress, which is important because I think it will be counterproductive to have this information revealed publicly. For example, OFAC licenses often contain commercially sensitive information, so if these licenses were publicly released, potential market competitors could gain an unfair competitive advantage; and if companies could no longer expect licenses to remain private, they would be less likely to apply for them, which, generally, would not be a good thing.

With respect to the lists of foreign financial institutions, it is important to remember that these institutions are not bound by U.S. sanctions or other designations, and they haven't necessarily violated any particular laws or prohibitions.

While Congress should know about how these sanctions are being implemented, including how effective they are at stopping the financing of activities, I don't think the public identification of these foreign firms would serve a useful policy purpose and could otherwise move legal activity into a shade of gray.

The bill does allow for a classified annex with the reporting requirements, and, as I said, I think this is a good bill

that will increase congressional oversight of U.S. sanction activities appropriately.

Mr. Speaker, I support the bill and urge my colleagues to support it.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 6751, as amended.

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

A motion to reconsider was laid on the table.

9/11 HEROES MEDAL OF VALOR ACT OF 2017

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3834) to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3834

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 ''9/11 Heroes Medal of Valor Act of 2017''.

SEC. 2. MEMBERS OF PUBLIC SAFETY AGENCIES WHO SUBSEQUENTLY DIED OF 9/11-RELATED HEALTH CONDITIONS ELIGIBLE FOR PRESIDENTIAL 9/11 HEROES MEDAL OF VALOR.

An individual who was a public safety officer (as defined in section 5 of the Public Safety Officer Medal of Valor Act of 2001) who—

(1) participated in the response at any point during the period beginning on September 11, 2001, and ending on July 31, 2002, to the terrorist attacks on the World Trade Center, the terrorist attack on the Pentagon, or the terrorist attack that resulted in the crash of the fourth airplane in Pennsylvania; and

(2) died as a result of such participation thereafter as a result of a WTC-related health condition (which term shall have the meaning given such term in section 3312 of the Public Health Service Act (42 U.S.C. 300mm–22) with respect to a WTC responder),

shall be eligible for the 9/11 Heroes Medal of Valor referred to in subsection (a) of section 124 of the Consolidated Appropriations Act, 2005, in the same manner and to the same extent as any individual who is otherwise eligible under such section, except that no requirement under such section pertaining to the death of that individual shall apply.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Nevada (Mr. KIHUEN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. 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 this bill.

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

There was no objection.

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

Mr. Speaker, today I rise in support of H.R. 3834, the 9/11 Heroes Medal of Valor Act of 2017, introduced by our colleague from New York, Representative CROWLEY.

Mr. Speaker, the terrible sights and sounds and memories of September 11, 2001, are seared into America's memory, but none more so than the stories of incredibly brave police and fire officers who rushed into the Twin Towers and the Pentagon, ignoring danger to themselves, to help others escape. 442 of those brave public safety officers died, and in recognition of their bravery and sacrifice, in 2005, Congress created the 9/11 Heroes Medal of Valor awarded in their memory to their families.

Since then, as we now know, many more of those who rushed to help others to safety from the terrorist attacks on the World Trade Center, the Pentagon, or on the attack that resulted in the crash of the fourth airplane in Pennsylvania have died as a result of their heroism because of health conditions resulting from the attacks. Mr. Speaker, they were just as brave, and many suffered terribly. We can do no less than ensure that they are eligible to receive this medal as well.

Mr. Speaker, it is appropriate that we make all first responders who have died as a result of their heroism eligible for the medal, whether they died on that terrible day or at some later date. I support this bill, salute those brave souls, thank Representative CROWLEY for introducing this legislation, and urge its immediate passage.

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

Mr. KIHUEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. CROWLEY), the sponsor of this important legislation.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman for yielding this time.

I want to thank Chairman HENSARLING and Ranking Member WATERS and all the members of the Financial Services Committee for working with me to pass this important legislation. It is something I began work on early in my tenure here in Congress, and it is important to me and to my fellow New Yorkers and, I think, our fellow Americans, as well, to see this legislation pass today.

Mr. Speaker, on September 11, 2001, our Nation was rocked by the most vicious terrorist attack in our Nation's history. The devastation and the loss of life shook the American people to their core. It shook the entire world.

But that morning, we also witnessed the bright light of heroism. The world saw and heard inspiring tales of rescue by public safety officers: our police officers, our firefighters, and our EMTs. They heard heartbreaking stories of many of those heroes, their injuries and their tragic deaths, people who risked their lives to save others.

There is something incredible about our public safety officers. Day in and day out, they put their lives on the line.

Growing up, most of us were taught to run out of burning buildings, but they do exactly the opposite. They are trained and they are devoted to responding to just that type of situation. They run into those buildings not to protect themselves or even the property, but primarily to save lives.

That is exactly what hundreds of first responders did on that fateful day in America. They ran in without pause. They climbed flights and flights of stairs, while an inferno raged above them. And as we remember all too well—the images are burned in our minds forever—those towers eventually fell, taking just about all who were living inside those towers with them.

This experience affected all of us, and it still affects us all today. It personally impacted thousands of people in New York and in the New York region, I would say the quad-State region and beyond. It affected people right here in our capital region and our Pentagon. It certainly affected the people in Pennsylvania and in Boston, and wherever those flights were heading that day.

It was a national attack against America. Every soul in America experienced that attack. And it impacted me, personally, as well, because my dear, good friend and first cousin, Battalion Chief John Moran, was one of those brave public safety officers inside the towers that morning. His last known words were as his truck pulled up to Tower 2. He said: ''Let me off here. I'm going to try to make a difference.''

That is what all those who served that day tried to do: they tried to make a difference.

So, for me, as for thousands of Americans, the effort to honor these men and women is personal. After the attacks took place, I began working on legislation to do just that.

Earlier in 2001, just a few months before the attacks, Congress had created a Public Safety Officer Medal of Valor for those who went above and beyond the call of duty. But there wasn't a way to give that award posthumously to the many who displayed extraordinary courage and who perished on September 11. But we needed to change that, and we did.

In 2004, Congress finally passed our legislation, the 9/11 Heroes Medal of Valor Act, which established a decoration, posthumously awarded by the President of the United States, to the public safety officers who died rescuing individuals at the World Trade Center, the Pentagon, and elsewhere on 9/11.

The following year, I attended the ceremony at the White House with

many of the victims' families, where then-President George W. Bush bestowed this honor on 442 heroes and their families. They all deserved this important recognition.

But as the years went on, the Nation began to learn of the longer lasting effects of the attacks because, as we all know, the story of this tragedy did not end simply on September 11. For weeks and for months after the attacks, officers continued to work day and night, first on search and rescue missions, and then on the cleanup of the wreckage itself.

The toxic dust spewing into the air, when inhaled, proved to have enduring deadly effects, particularly for our first responders. For example, according to the Uniformed Firefighters Association, more than 170 firefighters have died as a result of 9/11-related injuries.

□ 1845

Eighteen officers died in 2017 alone. Hundreds of other public safety officers have met similar fates.

At the time that we passed the original 9/11 Heroes Medal of Valor bill, we did not yet know that more brave public safety officers would fall ill and pass away because of their dedicated service to their country. They, too, were heroes, and they deserve to be honored as such.

That is why I have worked to introduce this new 9/11 Heroes Medal of Valor Act. This bill will grant the medal to public safety officers who worked at the sites of the attacks and have since died from a 9/11-connected illness as defined in the Zadroga Act. It will also allow those who continue to succumb to 9/11-related illnesses to receive this award.

I am proud to say the legislation has the support of a wide array of public safety organizations, including the International Association of Fire Fighters, International Association of Fire Chiefs, the National Association of Police Organizations, the National Volunteer Fire Council, the National Sheriffs' Association, Major County Sheriffs of America, the FealGood Foundation, and, of course, the Sergeants Benevolent Association, the Patrolmen's Benevolent Association of the New York City Police Department, and that of the Port Authority of New York and New Jersey, as well.

Without the tireless advocacy efforts of these organizations, we would not be here today. So I am extremely grateful for the work that they have done and are committed to continue to do to make this bill law. I look forward to the day when we finally honor the hundreds of heroes who have died since 9/11 for the outstanding work they did and what they continue to do to help our Nation recover.

I want to thank, again, the chairman, Mr. HENSARLING, Ranking Member WATERS, all of my colleagues on the Financial Services Committee who cosponsored this bill from New York and around the country as well, and all of those who have helped get this long-overdue bill passed here today.

Mr. Speaker, I look forward to its passage by the Senate and being signed into law by the President. I urge my colleagues to support it.

Mr. TIPTON. Mr. Speaker, I have no further requests for time. I reserve the balance of my time.

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

Mr. Speaker, I rise today to strongly support H.R. 3834, the 9/11 Heroes Medal of Valor Act of 2017. This bill reestablishes the original 9/11 Heroes Medal of Valor to be given to the families of those heroes—the firefighters, police officers, and EMTs—who have since died as a result of their exposure to toxic chemicals on that fateful day.

Though we have honored those who passed away on September 11 with the original 9/11 Heroes Medal of Valor, the casualty list has continued to rise since then as a result of the debris and chemicals that so many were exposed to. I am proud to support this piece of legislation which honors the men and women who have made such a tremendous sacrifice in serving our country.

I thank my colleague, Mr. CROWLEY, for his tireless work on this bill.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, in case the gentleman was going to yield back, I just want to thank my staff as well, both those who worked back in 2004 to help pass the original legislation, and my staff today.

In particular, I want to thank my chief of staff back home in Queens, AnneMarie Anzalone, whose husband at the time was a member of the New York City Police Department, and was a part of the cleanup on the restoration after the attack in Manhattan. It was because of her thoughtfulness in terms of moving me and pushing me to pass this legislation that this bill has come to the floor today. So I want to thank her in particular for her efforts.

I thank the gentleman again for yielding.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 3834.

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

A motion to reconsider was laid on the table.

ANWAR SADAT CENTENNIAL CELEBRATION ACT

Mr. TIPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 754) to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 754

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 ''Anwar Sadat Centennial Celebration Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Anwar Sadat was born on December 25, 1918, in Mit Abu al-Kum, al-Minufiyah, Egypt, as 1 of 13 children in a poor Egyptian family.

(2) In 1938, Sadat graduated from the Royal Military Academy in Cairo and was appointed to the Signal Corps.

(3) Sadat entered the Army as a second lieutenant and was posted to Sudan where he met Gamal Abdel Nasser and fellow junior officers who became the ''Free Officers'' who led the Egyptian revolution of 1952.

(4) Sadat held various high positions during Nasser's presidency, assuming the role of President of the National Assembly in 1960 and Vice President in 1964.

(5) President Nasser died of a heart attack on September 28, 1970, at which point Sadat became acting President. Sadat was subsequently elected as the third President of Egypt.

(6) On October 6, 1973, President Sadat, along with his Syrian counterparts, launched an offensive against Israel. A permanent cease-fire was reached on October 25, 1973.

(7) In 1974, after talks facilitated by Secretary of State Henry Kissinger, Egypt and Israel signed an agreement allowing Egypt to formally retrieve land in the Sinai. President Sadat later wrote in his memoirs that his meetings with Kissinger ''marked the beginning of a relationship of mutual understanding with the United States culminating and crystallizing in what we came to describe as a 'peace process'. Together we started that process and the United States still supports our joint efforts to this day''.

(8) Months of diplomacy between Egypt and Israel followed the signing of this initial agreement and a second disengagement agreement, the Sinai Interim Agreement, was signed in September of 1975.

(9) President Sadat addressed a joint session of Congress on November 5, 1975, during which he underscored the shared values between the United States and Egypt. In this speech, President Sadat addressed the path to peace, saying, ''We are faced, together with other nations, with one of the greatest challenges of our time, namely the task of convincing this generation, and those to follow, that we can finally build a viable international system capable of meeting the demands of tomorrow and solving the problems of the coming age''.

(10) On November 19, 1977, President Sadat became the first Arab leader to visit Israel, meeting with the Israeli Prime Minister, Menachem Begin. President Sadat spoke before the Israeli Knesset in Jerusalem about his views on how to achieve comprehensive peace in the Arab-Israeli conflict.

(11) Before commencing negotiations, President Sadat courageously announced to the Knesset, ''I have come to you so that together we might build a durable peace based on justice, to avoid the shedding of 1 single drop of blood from an Arab or an Israeli. It is for this reason that I have proclaimed my readiness to go to the farthest corner of the world''. President Sadat further poignantly stated that ''any life lost in war is a human

life, irrespective of its being that of an Israeli or an Arab. . . . When the bells of peace ring, there will be no hands to beat the drums of war''.

(12) On September 17, 1978, President Jimmy Carter hosted President Sadat and Prime Minister Begin at Camp David where the 3 leaders engaged in 13 days of negotiations that resulted in the ''Framework for Peace in the Middle East'' (commonly known as the ''Camp David Accords'').

(13) Following negotiations, President Sadat and Prime Minister Begin signed the Egypt-Israel Peace Treaty (in this section referred to as the ''Peace Treaty'') at the White House on March 26, 1979. Addressing President Sadat at the signing of the Peace Treaty, which remains an important anchor for peace in the region today, Prime Minister Begin commended President Sadat by saying, ''In the face of adversity and hostility, you have demonstrated the human value that can change history—civil courage''.

(14) The Peace Treaty featured mutual recognition of each country by the other and ultimately the cessation of the state of war that had existed between Israel and Egypt since the 1948 Arab-Israeli War. Israel completely withdrew its armed forces and civilians from the rest of the Sinai.

(15) In 1978, both President Sadat and Prime Minister Begin were awarded the Nobel Peace Prize for signing the Peace Treaty, which made Egypt the first Arab country to officially recognize Israel.

(16) While presenting the Nobel Peace Prize to President Sadat, Aase Lionaes, Chairman of the Norwegian Nobel Committee, said, ''During the 30 preceding years, the peoples of the Middle East have, on 4 separate occasions, been the victims of warfare and there seemed no prospect of peace. President Sadat's great contribution to peace was that he had sufficient courage and foresight to break away from this vicious circle. His decision to accept Prime Minister Menachem Begin's invitation of November 17, 1977, to attend a meeting of the Israeli parliament on November 19 was an act of great courage, both from a personal and from a political point of view. This was a dramatic break with the past and a courageous step forward into a new age''.

(17) During his Nobel lecture, President Sadat remarked, ''I made my trip because I am convinced that we owe it to this generation and the generations to come not to leave a stone unturned in our pursuit of peace''.

(18) In remarks to the People's Assembly in Cairo on March 10, 1979, President Carter praised President Sadat, telling the Assembly, ''Your President has demonstrated the power of human courage and human vision to create hope where there had been only despair.''. President Carter also said that the Peace Treaty would ''strengthen cooperation between Egypt and the United States'' and underscored the support of the United States for the agreement, saying, ''I fully share and will support President Sadat's belief that stability must be maintained in this part of the world . . . He and I recognize that the security of this vital region is being challenged. I applaud his determination to meet that challenge, and my Government will stand with him''.

(19) The signing of the Peace Treaty enraged many individuals who opposed normalized relations with Israel. President Sadat was assassinated on October 6, 1981, by Khalid Islambouli, a member of Egyptian Islamic Jihad. President Sadat was well aware of the controversy to which his actions would lead, but pushed for peace anyway.

(20) Upon the death of President Sadat, President Ronald Reagan proclaimed, ''President Sadat was a courageous man whose vision and wisdom brought nations and people together. In a world filled with hatred, he was a man of hope. In a world trapped in the animosities of the past, he was a man of foresight, a man who sought to improve a world tormented by malice and pettiness''.

(21) President Sadat is recognized in the United States and throughout the world as a respected leader and champion of peace whose vision provided a roadmap for the peaceful resolution of conflict that endures nearly 40 years after its inception.

(22) President Sadat bravely reached out to Israel and dedicated himself to peace, furthering the national security of Egypt and the stability of the Middle East.

(23) On the 30th anniversary of the Peace Treaty, President Barack Obama praised the enduring legacy of the Camp David Accords and the ''courage and foresight of these leaders, who stood together in unity to change the course of our shared history''. President Obama closed by saying, ''Today, as we seek to expand the circle of peace among Arabs and Israelis, we take inspiration from what Israel and Egypt achieved 3 decades ago, knowing that the destination is worthy of the struggle''.

(24) The Camp David Accords and the Peace Treaty continue to serve the interests of the United States by preserving peace and serving as a foundation for partnership and dialogue in a region fraught with conflict and division.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous award, on behalf of Congress, of a gold medal of appropriate design to Anwar Sadat in recognition of his achievements and heroic actions to attain comprehensive peace in the Middle East.

(b) DESIGN AND STRIKING.—For the purpose of the award referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) PRESENTATION.—

(1) IN GENERAL.—The gold medal referred to in subsection (a) shall be presented to—

(A)(i) the widow of Anwar Sadat, Jehan Sadat; or

(ii) if Jehan Sadat is unavailable, the next of kin of Jehan Sadat; and

(B) a representative of the Government of Egypt.

(2) AWARD OF MEDAL.—Following the presentation described in paragraph (1), the gold medal shall be given to—

(A) Jehan Sadat; or

(B) if Jehan Sadat is unavailable, the next of kin of Jehan Sadat.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. TIPTON) and the gentleman from Nevada (Mr. KIHUEN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. TIPTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on this bill.

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

There was no objection.

Mr. TIPTON. Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. STEWART).

Mr. STEWART. Mr. Speaker, I thank my friend, Mr. TIPTON, for yielding, and it is such a great pleasure that I address the House tonight as we talk about the Anwar Sadat Centennial Celebration Act, which we will be voting on later this evening.

This is actually a great time, and it is a very fitting time, to give the late President Sadat this much-deserved recognition. Just last Monday marked the 40th anniversary of the Camp David Accords, something, of course, which he is very responsible for. Additionally, this year is the centennial of his birth.

President Sadat's historic visit to Israel in 1977 was the first ever by an Arab leader and the foundation of lasting peace between Egypt and Israel. This visit was all the more courageous given the fierce opposition and outrage he faced at the time.

President Sadat fought for peace and paid the ultimate price. In honoring Mr. Sadat, we honor a man who truly embodied the statesmanship and fortitude necessary to bring peace to the Middle East, virtues that are as important today as they were then.

I would like to take this opportunity to thank my colleague, the gentlewoman from New York (Ms. MENG), the Sadat Gold Medal Commission, and the Anwar Sadat Committee for their hard work on this bill.

President Anwar Sadat's shining example of putting aside our differences and working towards peace is just as important today as it was during his tenure as President of Egypt. It is my sincere hope that we can reflect on the dream and the bravery of this visionary man and work as he did for peace, even when it seemed impossible.

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

Mr. Speaker, I rise today in support of H.R. 754, the Anwar Sadat Centennial Celebration Act.

This legislation gives the highest civilian award bestowed by Congress to the third President of Egypt who served from 1970 until he was assassinated in 1981. Under his leadership, he established lasting peace between Israel and Egypt by expunging previous hostilities towards Israel and being the first Arab leader to recognize Israel as a nation-state.

Additionally, President Sadat and former Israeli Prime Minister

Menachem Begin negotiated the peace treaty that came to be known as the Camp David Accords in a series of meetings arranged by then-President Jimmy Carter at Camp David. President Sadat's leadership and commitment to peace provided a resolution of conflict that has endured nearly 40 years after its inception.

Mr. Speaker, I urge all Members to support the passage of this bill to honor President Sadat and his commitment to peace and the national security of this country, as well as the stability of the Middle East.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. TIPTON) that the House suspend the rules and pass the bill, H.R. 754.

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

A motion to reconsider was laid on the table.

IG SUBPOENA AUTHORITY ACT

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4917) to amend the Inspector General Act of 1978 to provide testimonial subpoena authority, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4917

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 ''IG Subpoena Authority Act''.

SEC. 2. ADDITIONAL AUTHORITY PROVISIONS FOR INSPECTORS GENERAL.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by inserting after section 6 the following new section:

''SEC. 6A. ADDITIONAL AUTHORITY.

''(a) TESTIMONIAL SUBPOENA AUTHORITY.—In addition to the authority otherwise provided by this Act and in accordance with the requirements of this section, each Inspector General, in carrying out the provisions of this Act (or in the case of an Inspector General or Special Inspector General not established under this Act, the provisions of the authorizing statute), is authorized to require by subpoena the attendance and testimony of witnesses as necessary in the performance of the functions assigned to the Inspector General by this Act (or in the case of an Inspector General or Special Inspector General not established under this Act, the functions assigned by the authorizing statute), which in the case of contumacy or refusal to obey, such subpoena shall be enforceable by order of any appropriate United States district court. An Inspector General may not require by subpoena the attendance and testimony of any current Federal employees, but may use other authorized procedures.

''(b) NONDELEGATION.—The authority to issue a subpoena under subsection (a) may not be delegated.

''(c) PANEL REVIEW BEFORE ISSUANCE.—

''(1) APPROVAL REQUIRED.—

''(A) REQUEST FOR APPROVAL BY SUBPOENA PANEL.—Before the issuance of a subpoena described in subsection (a), an Inspector General shall submit a request for approval to issue a subpoena to a panel (in this section, referred to as the 'Subpoena Panel'), which shall be comprised of three Inspectors General of the Council of the Inspectors General on Integrity and Efficiency, who shall be designated by the Inspector General serving as Chairperson of the Council.

''(B) PROTECTION FROM DISCLOSURE.—The information contained in the request submitted by an Inspector General under subparagraph (A) and the identification of a witness shall be protected from disclosure to the extent permitted by law. Any request for disclosure of such information shall be submitted to the Inspector General requesting the subpoena.

''(2) TIME TO RESPOND.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Subpoena Panel shall approve or deny a request for approval to issue a subpoena not later than 10 days after the submission of such request.

''(B) ADDITIONAL INFORMATION FOR PANEL.—If the Subpoena Panel determines that additional information is necessary to approve or deny such request, the Subpoena Panel shall request such information and shall approve or deny such request not later than 20 days after the submission of such request.

''(3) DENIAL BY PANEL.—If a majority of the Subpoena Panel denies the approval of a subpoena, that subpoena may not be issued.

''(d) NOTICE TO ATTORNEY GENERAL.—

''(1) IN GENERAL.—If the Subpoena Panel approves a subpoena under subsection (c), the Inspector General shall notify the Attorney General that the Inspector General intends to issue the subpoena.

''(2) DENIAL FOR INTERFERENCE WITH AN ONGOING INVESTIGATION.—Not later than 10 days after the date on which the Attorney General is notified pursuant to paragraph (1), the Attorney General may object to the issuance of the subpoena because the subpoena will interfere with an ongoing investigation and the subpoena may not be issued.

''(3) ISSUANCE OF SUBPOENA APPROVED.—If the Attorney General does not object to the issuance of the subpoena during the 10-day period described in paragraph (2), the Inspector General may issue the subpoena.

''(e) REGULATIONS.—The Chairperson of the Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General, shall prescribe regulations to carry out the purposes of this section.

''(f) INSPECTOR GENERAL DEFINED.—For purposes of this section, the term 'Inspector General' includes each Inspector General established under this Act and each Inspector General or Special Inspector General not established under this Act.

''(g) APPLICABILITY.—The provisions of this section shall not affect the exercise of authority by an Inspector General of testimonial subpoena authority established under another provision of law.'';

(2) in section 5(a)—

(A) in paragraph (21)(B), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (22), by striking the period at the end and inserting ''; and''; and

(C) by inserting at the end the following new paragraph:

''(23) a description of the use of subpoenas for the attendance and testimony of certain witnesses authorized under section 6A.''; and

(3) in section 8G(g)(1), by inserting ''6A,'' before ''and 7''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I urge support of my bill, H.R. 4917, the IG Subpoena Authority Act. H.R. 4917 would provide inspectors general the authority to subpoena contractors, grant recipients, and former Federal employees for testimony necessary for their investigations.

Inspectors general perform a critical role in the performance of the Federal Government by rooting out waste, fraud, and abuse. In fiscal year 2016 alone, Federal inspectors general identified potential savings of over $45 billion. Nearly half of those savings were identified in the course of the IG's investigative work.

Congress, the American people, and the agencies themselves rely on inspectors general reviews to find areas for improved efficiency and effectiveness, but those reviews are limited by the IG's inability to compel contractors and former employees to cooperate. The IG Subpoena Authority Act gives inspectors general a much-needed tool to fulfill their investigative function under the Inspector General Act.

To effectively identify waste, fraud, and abuse, IGs should be able to conduct a thorough and complete investigation. To conduct a thorough and complete investigation, however, IGs need to be able to talk to the people involved.

Unfortunately, inspectors general haven't always been able to obtain testimony from those key individuals. They collect testimony from Federal employees, but sometimes the employees resign or retire before the inspectors general can review them. In fact, the IG community has informed us of many cases that went cold when witnesses left the agencies or refused to testify voluntarily.

This bill seeks to address these gaps in the evidentiary record by permitting IGs to subpoena the testimony of witnesses during the course of an audit or investigation. The bill establishes procedures to ensure the authority is not abused.

To prevent abuse, inspectors general must get approval from a subpoena review panel that will be made up of three other inspectors general. The review panel must approve or deny the subpoena request within 10 days of the request being filed.

Further, if a subpoena request is approved by the panel, the requesting IG must notify the Attorney General of the pending subpoena. The Attorney General is then able to review the subpoena and may object to its issuance if it will interfere with an ongoing Department of Justice investigation. An IG must complete all of these steps prior to issuing the subpoena.

A version of this bill already passed the House once before. Last Congress, the committee worked on a bipartisan, bicameral basis to enact the Inspector General Empowerment Act. When it first passed the House, the Inspector General Empowerment Act included testimonial subpoena authority for IGs. Although the provision did not make it into law, I hope that changes this year.

I would like to thank the Council of Inspectors General on Integrity and Efficiency, especially the Department of Justice Inspector General Michael Horowitz, who chairs the Council, and Peace Corps Inspector General Kathy Buller, who chairs its Legislation Committee, for their work in support of this bill.

Mr. Speaker, I include in the RECORD a letter from Ms. Buller supporting the legislation.

COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY,

June 7, 2018.

Hon. TREY GOWDY,
Chairman, House Committee on Oversight and Government Reform, House of Representatives, Washington, DC.
Hon. ELIJAH CUMMINGS,
Ranking Member, House Committee on Oversight and Government Reform, House of Representatives, Washington, DC.
Hon. STEVE RUSSELL,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN GOWDY, RANKING MEMBER CUMMINGS, AND REPRESENTATIVE RUSSELL: We appreciate your efforts to address the Inspector General (IG) community's longstanding interest in obtaining testimonial subpoena authority (TSA) for all IGs and would like to outline our views on H.R. 4917, the IG Subpoena Authority Act. For many years, the Legislation Committee of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) has included TSA among its legislative priorities.

The authority in H.R. 4917 would assist government oversight by providing a critical tool to address fraud, waste, and abuse by authorizing all IGs to subpoena the attendance and testimony of certain witnesses, as necessary, to fulfill the functions of the Inspector General Act of 1978, as amended (IG Act). CIGIE supports the language in the bill aligning the scope of TSA with the IG's existing documentary subpoena authority, found in Section 6(a)(4) of the IG Act. While requiring that any subpoena be necessary in the performance of IG work, the language does not limit who may be subpoenaed, other than with respect to current Federal employees (as they are already generally required to cooperate with OIGs).

Congress has already granted some IGs TSA under the IG Act or through other laws. The Department of Defense Office of Inspector General (DOD OIG) was provided TSA under Section 1042 of the National Defense Authorization Act of 2010, codified at Section 8(i) of the IG Act. As noted in the Congressional record, DOD OIG has used this authority judiciously and sparingly. The Department of Health and Human Services OIG also has testimonial subpoena power in certain circumstances. Moreover, IGs overseeing appropriations under the American Recovery and Reinvestment Act of 2009 received TSA to be exercised through the now-sunsetted Recovery Accountability and Transparency Board.

Following the practice of those IGs who already have or had TSA, CIGIE is committed to ensuring that the authority will be used appropriately and fairly. In short, CIGIE echoes Ranking Member Cummings's belief that IGs would ''act responsibly and use this authority only when absolutely necessary,'' and that appropriate safeguards provide checks on potential abuse.

THE NEED FOR TSA

While the current IG documentary subpoena authority under the IG Act is a powerful tool, it is a tool with inherent limitations. Most notably, Federal employees who are the subjects of IG investigations can retire or resign while being investigated. In such cases, limitations on IG documentary subpoena authority or other IG Act authorities can thwart IG investigations. For example, this could impact the ability to pursue the investigations considered under the Official Personnel File Enhancement Act.

These limitations have had negative, real world effects on IG oversight and can impact Congressional initiatives. As Chairman Gowdy has recognized, ''[y]ou're only as good as your access to information and witnesses.'' An informal survey of the IG community revealed TSA would have strengthened IG oversight throughout the Federal government as illustrated in the following examples:

One agency's OIG conducted an investigation of a senior staff member who allegedly modified official documents and impersonated an official, before retiring during the investigation. The former senior staff member was not receptive to being interviewed after retiring. Because the OIG lacked TSA, the OIG could not compel testimony from the retired senior staff member to conduct an effective investigation.

In connection with an OIG's review of alleged safety issues at an agency facility, the OIG was unable to interview the central person identified in the allegation or that person's supervisor since both had left Federal service and declined voluntary interviews. The unavailability of those key witnesses hampered the OIG's ability to fully investigate alleged safety issues or to address a key objective of the inspection, which was to identify factors that may have contributed to leadership being unaware of those issues.

During another OIG's investigation into a small business owner who received two Federal grants for overlapping business proposals, key individuals declined to be interviewed by the OIG. One of the employees confessed to destroying company documents and creating new ones at the request of the owner. After the confession, other individuals involved declined to be interviewed. Without TSA or the cooperation of another employee or the owner, the OIG was unable to pursue obstruction and other potential charges against the subjects.

Another agency's OIG faced obstacles when investigating fraud associated with a loan program. The loan officer was the only source of information to determine the individual associated with the borrower. The OIG was unable to effectively complete the investigation because the bank declined to make the loan officer available for an interview.

A different OIG discovered a contractor was being paid for services it did not provide, and only minimal information could be collected through documentary subpoena authority. Attempts to contact the contractor were unproductive. If that OIG had TSA, the OIG could have compelled the contractor's representative to be interviewed.

An OIG was reviewing third-party contractors retained by the agency to provide healthcare services to eligible individuals. The OIG could not determine if the contractors provided proper notifications to individuals about their eligibility for the services. Without the ability to compel the contractors to testify, the OIG could rely only on records, which did not contain specific information on which to base conclusions.

Yet another OIG was unable to effectively examine potential false and fraudulent billing after discovering an unauthorized subcontractor was performing the majority of work under a large contract. As the subcontractor was not in a direct contractual relationship with the agency, the OIG had to rely on documentary subpoenas. If that OIG had TSA, it could have fully examined the potentially false and fraudulent billing.

An investigation conducted on behalf of the Integrity Committee was unable to obtain evidence from a former senior level OIG employee who had retired from Federal service and declined to speak with investigators. The investigation concluded without the former senior level OIG employee's evidence.

Another OIG encountered a significant obstacle while conducting an audit where several former government officials refused to be interviewed. Without the ability to compel their testimony, the OIG had to report their refusal to the appropriate Congressional oversight committee. Only after the OIG reported this refusal to Congress did these former government officials finally agree to be interviewed. If that OIG had TSA, it would not have needed Congressional intervention to complete its oversight work.

SUBPOENA PANEL AND OTHER PROVISIONS

With respect to the IG subpoena panel created in the bill, and given the nature of the authority being granted, we understand the interest of Congress in putting in place an additional check on the use of TSA. While, in our view, the provision is unnecessary, we do not object to its inclusion. CIGIE requests, however, that two additional points related to the language of the legislation be reconsidered. First, the non-delegation clause in the proposed IG Act Section ''6A(b)'' may create problems for OIGs subject to the Federal Vacancies Reform Act. Most relevantly, it could limit long-serving acting IGs from exercising the authority when the acting IG is no longer able to perform the ''duties and functions'' designated solely to the IG. To avoid this issue, we recommend that this provision be removed. Second, with respect to the proposed IG Act Section ''6A(e)'', having the CIGIE Chair issue guidelines to IGs, rather than promulgate regulations, would achieve Congress's intent of standardizing and governing the use of TSA without requiring CIGIE to undergo a lengthy and resource-intensive rulemaking process. Moreover, it will be more economical to update or modify guidelines as needed.

SUPPORT FROM CONGRESS AND OTHER STAKEHOLDERS

The benefits of this legislation are reflected in the support expressed by government oversight stakeholders for providing IGs with TSA. Importantly, bi-partisan support for providing IGs with TSA has come not just from the House Oversight and Government Reform Committee, but also from the unanimous consent it received in the House of Representatives last Congress. Other important government oversight stakeholders have also expressed how government oversight would benefit from OIGs

receiving TSA. For example the Office of Special Counsel wrote to Senate leadership describing how providing IGs with this authority will enhance IG efforts to reduce government waste and abuse, and how TSA has been helpful in reprisal investigations undertaken by the Office of Special Counsel. Nongovernmental organizations emphasized in a May 2016 letter to Congress that OIGs are essential to a well-functioning Government, and noted that providing access to agency information, including through TSA, would allow OIGs to conduct proper oversight. As evidenced by both Congressional and stakeholder support, TSA will benefit the IG community in carrying out its oversight operations.

CONCLUSION

CIGIE appreciates your continued support of our work and the House Committee on Oversight and Government Reform's efforts to improve government oversight through H.R. 4917. In the decades since the IG Act's passage, IGs have saved taxpayers hundreds of billions of dollars and improved the programs and operations of the Federal government through their independent oversight. Testimonial subpoena authority would further improve the ability of IGs to detect and prevent fraud, waste, and abuse in Federal operations. As Representative Russell stated, ''Inspectors General are an essential partner for Congress and by extension to we the people that empower government,'' and ''we must provide Inspectors General with the tools they need to fully accomplish their mission. Testimonial subpoena authority is one such tool, and a critical one at that.''

Thank you for your continued support of CIGIE and its member IGs. We remain available to continue to work with you and the Congress on the important issues addressed in this legislation. If you have any questions, please do not hesitate to contact me.

Sincerely,

KATHY A. BULLER,
Chair, CIGIE Legislation Committee.

Mr. RUSSELL. Mr. Speaker, lastly, I would like to thank my Democratic colleagues for their support and thoughtful dialogue, particularly the gentleman from Virginia (Mr. CONNOLLY) and the gentleman from Pennsylvania (Mr. CARTWRIGHT), who sponsored this bill with me.

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

□ 1900

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

Mr. Speaker, this bill would give inspectors general the ability to subpoena witnesses to testify. This would be a significant new authority.

Although I believe most IGs would act responsibly, it is important that we include safeguards to protect against potential abuse of this new authority.

This bill includes several such safeguards. The bill would require an IG, before issuing a subpoena, to go through two reviews.

The first review would be conducted by the Council of Inspectors General for Integrity and Efficiency. A panel of three council members would have to approve the subpoena before the IG could issue it.

The second review would be conducted by the attorney general, who would have the opportunity to block a subpoena if it would interfere with an ongoing investigation.

The bill attempts to strike a careful balance in granting IGs the authority to interview witnesses outside of the government while also providing these important checks against potential abuse.

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

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

Mr. Speaker, one of the chief complaints of the American people is that we can't hold our government accountable. This bill goes a long way to correct that.

In the future, no longer will people be able to simply walk away from agencies and duties in government without any accounting. We have built in the safeguards, and we have worked in a bipartisan way, so that we can achieve that aim.

Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4917.

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

A motion to reconsider was laid on the table.

GUIDANCE OUT OF DARKNESS ACT

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4809) to increase access to agency guidance documents, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4809

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 ''Guidance Out Of Darkness Act'' or the ''GOOD Act''.

SEC. 2. PURPOSE.

It is the purpose of this Act to increase the transparency of agency guidance documents and to make guidance documents more readily available to the public.

SEC. 3. PUBLICATION OF GUIDANCE DOCUMENTS ON THE INTERNET.

(a) IN GENERAL.—On the date on which an agency issues a guidance document, the head of the agency shall publish the guidance document in accordance with subsection (c).

(b) PREVIOUSLY ISSUED GUIDANCE DOCUMENTS.—With respect to any guidance document issued by an agency before the effective date of this Act that is in effect on the effective date of this Act, the head of each agency shall meet the requirements of subsection (c).

(c) SINGLE LOCATION.—The head of each agency shall:

(1) Publish any guidance document issued by the agency in a single location on an online portal designated by the Director of the Office of Management and Budget.

(2) With respect to a guidance document issued by an agency, include a hyperlink on the online portal of the agency that provides access to the guidance document published pursuant to paragraph (1).

(3) Ensure that any guidance document published pursuant to paragraph (1) is—

(A) clearly identified as a guidance document;

(B) sorted into subcategories, as appropriate;

(C) published in a machine-readable and open format; and

(D) searchable.

(4) Ensure that any hyperlink described in paragraph (2) be prominently displayed on the online portal of the agency.

(d) RESCINDED GUIDANCE DOCUMENTS.—Not later than the date on which a guidance document issued by an agency is rescinded, the head of the agency shall on the online portal described in subsection (c)(1)—

(1) maintain a copy of the rescinded guidance document; and

(2) indicate—

(A) that the guidance document is rescinded; and

(B) the date on which the guidance document was rescinded.

(e) DEADLINE TO DESIGNATE PORTAL.—Not later than 30 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall designate an online portal in accordance with subsection (c)(1).

SEC. 4. RULES OF CONSTRUCTION.

(a) GUIDANCE DOCUMENTS.—In this Act, the term ''guidance document'' shall be construed broadly.

(b) CONGRESSIONAL REVIEW.—Nothing in this Act may be construed to affect whether a guidance document qualifies as a rule for purposes of chapter 8 of title 5, United States Code.

SEC. 5. DEFINITIONS.

In this Act:

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

(2) GUIDANCE DOCUMENT.—The term ''guidance document''—

(A) means an agency statement of general applicability (other than a rule that has the force and effect of law promulgated in accordance with the notice and public procedure under section 553 of title 5, United States Code) that—

(i) does not have the force and effect of law; and

(ii) sets forth—

(I) an agency decision or a policy on a statutory, regulatory, or technical issue; or

(II) an interpretation of a statutory or regulatory issue; and

(B) may include any of the following:

(i) A memorandum.

(ii) A notice.

(iii) A bulletin.

(iv) A directive.

(v) A news release.

(vi) A letter.

(vii) A blog post.

(viii) A no-action letter.

(ix) A speech by an agency official.

(x) An advisory.

(xi) A manual.

(xii) A circular.

(xiii) Any combination of the items described in clauses (i) through (xii).

(3) RULE.—The term ''rule'' has the meaning given that term in section 551 of title 5, United States Code.

SEC. 6. EFFECTIVE DATE.

Except as provided in section 3(e), this Act shall take effect on the date that is 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, I urge support of H.R. 4809, the Guidance Out of Darkness, or GOOD, Act, which was introduced by my colleague and friend from North Carolina, Mr. WALKER.

Regulatory guidance is widely used by agencies. The guidance applies to industry and taxpayers alike. However, we really don't know the full universe of agency guidance.

Professor Nicholas Parrillo of Yale Law School, who testified before the Oversight and Government Reform Committee earlier this year said, ''There is no comprehensive compilation of guidance, but everyone agrees its volume is oceanic.''

The Oversight and Government Reform Committee has been looking into agency use of guidance over the past year, and we found this is an area of government in need of reform.

H.R. 4809 introduces much-needed elements of transparency and consistency to the process of disseminating agency guidance documents.

In 2007, the Office of Management and Budget issued what is known as the ''Good Guidance Bulletin.'' This bulletin requires Federal agencies to follow certain best practices when issuing significant guidance documents, which are those that are the costliest to comply with or are otherwise exceptionally impactful.

The Good Guidance Bulletin requires agencies to maintain lists of their significant guidance documents on their websites so that they can be readily found by the people and entities the documents affect. The GOOD Act expands this posting requirement to all guidance documents. Regulated entities shouldn't have to search high and low to find out how agencies interpret the laws and regulations that affect every sector of the economy. The public deserves to have this information, and this legislation will make these policy documents more accessible to the public.

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

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

Mr. Speaker, we can all agree that agencies should be transparent about what guidance is currently in effect for agency employees.

During committee consideration of this legislation, Democratic members raised concerns that the bill should not be used for a purpose other than simple transparency. Unfortunately, the Senate sponsor of the companion legislation was quoted as stating that the bill could be used to eliminate guidance issued during President Barack Obama's administration by making those guidance documents available for disapproval under the Congressional Review Act.

Mr. Speaker, I thank the majority for working with minority to address the concerns expressed in committee. The majority agreed to include a provision in the bill that clarifies that this bill will not be used to influence whether guidance falls under the Congressional Review Act.

The bill we are considering today states that ''Nothing in this Act may be construed to affect whether a guidance document qualifies as a rule for purposes of chapter 8 of title 5, United States Code.''

There are additional improvements I believe should be made to the bill. For example, the definition in the bill of what would be considered a guidance document remains very broad, and it is unclear about who decides what is considered a guidance document.

The bill also makes no exceptions for national security or other sensitive documents. However, I do not object to this bill moving forward, but I do hope the majority will continue to work with all Members as this legislation moves through the legislative process.

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

Mr. RUSSELL. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. WALKER), the sponsor of this bill, my friend.

Mr. WALKER. Mr. Speaker, I rise today in support of H.R. 4809, the Guidance Out of Darkness, or GOOD, Act.

Mr. Speaker, those who must live their lives or run their businesses according to a set of rules have a right to know what those rules are.

To foster accountability and transparency in Federal regulation, Congress passed the Administrative Procedure Act in 1946, which required disclosure or publication of administrative rules. Unfortunately, the law contains an exception for what we commonly refer to as guidance documents.

Guidance documents are sporadically posted on agency websites and the websites of component agencies and offices, while some are not posted at all. That inconsistency places burdens on regulated entities.

Small businesses are especially harmed because they do not have the resources to hire full-time compliance staff. Instead, small-business owners have to take the time and energy away from their businesses to stay up to date on each new regulatory guidance.

The GOOD Act requires transparency and consistency in the regulatory process.

The public deserves to know what guidance documents are out there. They deserve to know how the agencies administering our laws interpret those laws and regulations.

H.R. 4809 requires agencies to post their guidance documents online in one centralized location. Agencies create these documents and expect the guidance to be followed. They should, therefore, have no problem gathering and posting these documents for the American people to see.

At the request of the Oversight and Government Reform Committee, dozens of agencies have disclosed information to us on their use of guidance documents. The results have been staggering.

To date, agencies have provided lists of more than 18,000 guidance documents issued just in the past decade, and that is just a portion of Federal guidance documents. There are a handful of agencies that have been unable or flat out refused to produce a list of guidance documents for the committees.

I believe we would agree this is a red flag. If an agency doesn't bother to keep track of its guidance documents, then how in the world can businesses and taxpayers be expected to comply with them?

The burden should be on the agencies to make guidance documents publicly available and easy to find. That is all this bill does. It requires agencies to post information they should already have in a central location so it can be easily found. This is a small step agencies can take that will have significant benefits, alleviating burdens on regulated entities and the public.

I thank the bipartisan group of my colleagues who supported H.R. 4809 during committee consideration of this bill, and I urge all Members to support this legislation. Why? Because this legislation is commonsense reform that Members of both parties can support in the name of good governance and transparency.

Mr. Speaker, there is one additional item that is common sense that I believe both parties could support, and that is wishing my wife a happy birthday today.

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

Mr. RUSSELL. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4809, as amended.

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

A motion to reconsider was laid on the table.

GRANT REPORTING EFFICIENCY AND AGREEMENTS TRANSPARENCY ACT OF 2018

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4887) to modernize Federal grant reporting, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4887

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 ''Grant Reporting Efficiency and Agreements Transparency Act of 2018'' or the ''GREAT Act''.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) modernize reporting by recipients of Federal grants and cooperative agreements by creating and imposing data standards for the information that grants and cooperative agreement recipients must report to the Federal Government;

(2) implement the recommendation by the Director of the Office of Management and Budget, under section 5(b)(6) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note), which includes the development of a ''comprehensive taxonomy of standard definitions for core data elements required for managing Federal financial assistance awards'';

(3) reduce burden and compliance costs of recipients of Federal grants and cooperative agreements by enabling technology solutions, existing or yet to be developed, by both the public and private sectors, to better manage data recipients already provide to the Federal Government; and

(4) to strengthen oversight and management of Federal grants and cooperative agreements by agencies through consolidated collection and display of and access to open data that has been standardized, and where appropriate, transparency to the public.

SEC. 3. DATA STANDARDS FOR GRANT REPORTING.

(a) AMENDMENT.—Subtitle V of title 31, United States Code, is amended by inserting after chapter 63 the following new chapter:

''CHAPTER 64—DATA STANDARDS FOR GRANT REPORTING

''§ 6401. Definitions

''In this chapter:

''(1) AGENCY.—The term 'agency' has the meaning given that term in section 552(f) of title 5.

''(2) CORE DATA ELEMENTS.—The term 'core data elements' means data elements that are not program-specific in nature and are required by agencies for all or the vast majority of Federal grant and cooperative assistance recipients for purposes of reporting.

''(3) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(4) FEDERAL AWARD.—The term 'Federal award'—

''(A) means the transfer of anything of value for a public purpose of support or stimulation authorized by a law of the United States, including financial assistance and Government facilities, services, and property;

''(B) includes grants, subgrants, awards, and cooperative agreements; and

''(C) does not include—

''(i) conventional public information services or procurement of property or services for the direct benefit or use of the Government; or

''(ii) an agreement that provides only—

''(I) direct Government cash assistance to an individual;

''(II) a subsidy;

''(III) a loan;

''(IV) a loan guarantee; or

''(V) insurance.

''(5) SECRETARY.—The term 'Secretary' means the head of the standard-setting agency.

''(6) STANDARD-SETTING AGENCY.—The term 'standard-setting agency' means the Executive department designated under section 6402(a)(1).

''(7) STATE.—The term 'State' means each State of the United States, the District of Columbia, each commonwealth, territory or possession of the United States, and each federally recognized Indian Tribe.

''§ 6402. Data standards for grant reporting

''(a) IN GENERAL.—

''(1) DESIGNATION OF STANDARD-SETTING AGENCY.—The Director shall designate the Executive department (as defined in section 101 of title 5) that issues the most Federal awards in a calendar year as the standard-setting agency.

''(2) ESTABLISHMENT OF STANDARDS.—Not later than 1 year after the date of the enactment of this chapter, the Secretary and the Director shall establish Governmentwide data standards for information reported by recipients of Federal awards.

''(3) DATA ELEMENTS.—The data standards established under paragraph (2) shall include, at a minimum—

''(A) standard definitions for data elements required for managing Federal awards; and

''(B) unique identifiers for Federal awards and entities receiving Federal awards that can be consistently applied Governmentwide.

''(b) SCOPE.—The data standards established under subsection (a) shall include core data elements and may cover any information required to be reported to any agency by recipients of Federal awards, including audit-related information reported under chapter 75 of this title.

''(c) REQUIREMENTS.—The data standards required to be established under subsection (a) shall, to the extent reasonable and practicable—

''(1) render information reported by recipients of Federal grant and cooperative agreement awards fully searchable and machine-readable;

''(2) be nonproprietary;

''(3) incorporate standards developed and maintained by voluntary consensus standards bodies;

''(4) be consistent with and implement applicable accounting and reporting principles; and

''(5) incorporate the data standards established under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).

''(d) CONSULTATION.—In establishing the data standards under subsection (a), the Secretary and the Director shall consult with, as appropriate—

''(1) the Secretary of the Treasury, to ensure that the data standards incorporate the data standards created under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note);

''(2) the head of each agency that issues Federal awards;

''(3) recipients of Federal awards and organizations representing recipients of Federal awards;

''(4) private sector experts;

''(5) members of the public, including privacy experts, privacy advocates, and industry stakeholders; and

''(6) State and local governments.

''§ 6403. Guidance applying data standards for grant reporting

''(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this chapter—

''(1) the Secretary and the Director shall issue guidance to all agencies directing the agencies to apply the data standards established under section 6402 to all applicable reporting by recipients of Federal grant and cooperative agreement awards; and

''(2) the Director shall prescribe guidance applying the data standards to audit-related information reported under chapter 75.

''(b) GUIDANCE.—The guidance issued under this section shall—

''(1) to the extent reasonable and practicable—

''(A) minimize the disruption to existing reporting practices for agencies and for recipients of Federal grant and cooperative agreement awards; and

''(B) explore opportunities to implement modern technologies within Federal award reporting;

''(2) allow the Director to permit exceptions for categories of grants if the Director publishes a list of such exceptions, including exceptions for Indian Tribes and Tribal organizations consistent with the Indian Self-Determination and Education Assistance Act; and

''(3) take into consideration the consultation required under section 6402(d).

''§ 6404. Agency requirements

''Not later than 3 years after the date of the enactment of this chapter, the head of each agency shall ensure that all of the agency's grants and cooperative agreements use data standards for all future information collection requests and amend existing information collection requests covered by chapter 35 of title 44 (commonly referred to as the Paperwork Reduction Act) to comply with the data standards established under section 6402, consistent with the guidance issued by the Secretary and the Director under section 6403.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle V of title 31, United States Code, is amended by inserting after the item relating to chapter 63 the following new item:

''64. Data Standards for Grant Reporting ..... 6401''.

SEC. 4. SINGLE AUDIT ACT.

(a) AMENDMENTS.—

(1) Section 7502(h) of title 31, United States Code, is amended by inserting before ''to a Federal clearinghouse'' the following ''in an electronic form consistent with the data standards established under chapter 64,''.

(2) Section 7505 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(d) Such guidance shall require audit-related information reported under this chapter to be reported in an electronic form consistent with the data standards established under chapter 64.''.

(b) GUIDANCE.—Not later than 2 years after the date of the enactment of this Act, the Director shall issue guidance requiring audit-related information reported under chapter 75 of title 31, United States Code, to be reported in an electronic form consistent with the data standards established under chapter 64 of title 31, United States Code, as added by section 3.

SEC. 5. CONSOLIDATION OF ASSISTANCE-RELATED INFORMATION; PUBLICATION OF PUBLIC INFORMATION AS OPEN DATA.

(a) COLLECTION OF INFORMATION.—Not later than 4 years after the date of the enactment of this Act, the Secretary and the Director shall enable the collection, public display, and maintenance of Federal award information as a Governmentwide data set, using the data standards established under chapter 64 of title 31, United States Code, as added by section 3, subject to reasonable restrictions established by the Director to ensure protection of personally identifiable and otherwise sensitive information.

(b) PUBLICATION OF INFORMATION.—The Secretary and the Director shall require the publication of recipient-reported data collected from all agencies on a single public portal. Information may be published on an existing Governmentwide website as determined appropriate by the Director.

(c) FOIA.—Nothing in this section shall require the disclosure to the public of information that would be exempt from disclosure under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

SEC. 6. EVALUATION OF NONPROPRIETARY IDENTIFIERS.

(a) DETERMINATION REQUIRED.—The Director and the Secretary shall determine whether to use nonproprietary identifiers under section 6402(a)(3)(B) of title 31, United States Code, as added by section 3(a).

(b) FACTORS TO BE CONSIDERED.—In making the determination required pursuant to subsection (a), the Director and the Secretary shall consider factors such as accessibility and cost to recipients of Federal awards, agencies that issue Federal awards, private-sector experts, and members of the public, including privacy experts and privacy advocates.

(c) PUBLICATION AND REPORT ON DETERMINATION.—Not later than the earlier of 1 year after the date of the enactment of this Act or the date on which the Secretary and Director establish data standards pursuant to section 6402(a)(2) of title 31, United States Code, as added by section 3(a), the Secretary and the Director shall publish and submit to the Committees on Oversight and Government Reform of the House of Representatives and Homeland Security and Governmental Affairs of the Senate a report explaining the reasoning for the determination made pursuant to subsection (a).

SEC. 7. DEFINITIONS.

In this Act, the terms ''agency'', ''Director'', ''Federal award'', and ''Secretary'' have the meaning given those terms in section 6401 of title 31, United States Code, as added by section 3(a).

SEC. 8. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, shall be construed to require the collection of data that is not otherwise required pursuant to any Federal law, rule, or regulation.

SEC. 9. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, I urge support of H.R. 4887, the GREAT Act, introduced by Congresswoman FOXX of North Carolina.

The GREAT Act would amend previously enacted legislation to improve reporting on Federal grants.

In 2014, Congress enacted the Digital Accountability and Transparency Act, or DATA Act. The DATA Act required the Office of Management and Budget and the Department of Health and Human Services to conduct a pilot program to alleviate reporting burdens for grant recipients.

Through the pilot, it became clear that grant recipients often have to enter the same data multiple times, and there is no single location where all the data can be analyzed. This redundancy is burdensome for both the grant recipient and for those conducting oversight of Federal awards.

In fiscal year 2017, the Federal Government awarded over $660 billion in grants. Congress has a fiscal responsibility to review this spending, but without standardized data, it is difficult to do.

The GREAT Act fixes both of these problems by tasking the Office of Management and Budget and an executive branch agency with creating standardized reporting elements for Federal awards. The data elements must be machine readable, nonproprietary, and comply with standards in the DATA Act.

The GREAT Act requires the data collected to be made publicly available within 4 years of enactment. The bill exempts personally identifying information, sensitive data, and data otherwise exempt from public disclosure under the Freedom of Information Act.

The GREAT Act increases transparency for public and private oversight, helping to ensure taxpayers get the best possible return on their $660 billion investment in Federal grants.

Improved reporting processes will also ease the burden on grant recipients, so these individuals and organizations can focus on doing the work, rather than filling out duplicative information.

The GREAT Act is supported by the DATA Coalition, the National Grants Management Association, and the Association of Government Accountants.

Mr. Speaker, I thank Representative FOXX and Representative GOMEZ for their work on this important issue.

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

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

Mr. Speaker, I would like to begin by thanking Representative FOXX for her leadership on this important piece of legislation and working closely with me. I also want to thank the staff, who spent countless hours over the past months negotiating and drafting this legislation.

I know it might come as a surprise to see a working class progressive Member of Congress from Los Angeles working with a conservative Member from North Carolina. But with some common sense on both sides of the aisle, we can come together to solve problems facing working families across the country. So I hope that Congress can come together, as we have, to make progress.

The GREAT Act is a straightforward bill that seeks to modernize the grant reporting process by standardizing the information reported by grant recipients.

□ 1915

By simplifying the grant reporting process, the GREAT Act will create a more open and transparent grant process for all recipients. In Los Angeles, that means greater opportunities for organizations working to make government work better for my constituents.

When signed into law, this bill will help universities, city departments, and other organizations automate their recording costs, reduce compliance costs, and focus their energy where it belongs—on maximizing millions in Federal grants to Los Angeles to make it a more prosperous city.

By making grant reports machine readable and fully searchable, the GREAT Act will also improve the performance of the grants process and break down barriers to grants. Nonprofits and local groups will have better access to Federal grants so they can leverage funds to maximize their impact.

This bipartisan effort represents a major step toward ensuring government works as efficiently as possible for all Americans.

Mr. Speaker, I look forward to working with Representative FOXX and others to continue our bipartisan efforts to help government work better, and I reserve the balance of my time.

Mr. RUSSELL. Mr. Speaker, I yield 5 minutes to the gentlewoman from North Carolina (Ms. FOXX), who is a sponsor of this bill.

Ms. FOXX. Mr. Speaker, I thank Mr. RUSSELL for yielding time.

Mr. Speaker, I would like to start by thanking Representative JIMMY GOMEZ for his comments tonight and for helping all through this piece of legislation, the Grant Reporting Efficiency and Agreements Transparency Act, or GREAT Act. Representative GOMEZ has been an outstanding partner on this bipartisan bill to create more transparency, efficiency, and accountability in the Federal grant reporting process, and I thank him very much for his hard work.

The GREAT Act represents bipartisan legislation to modernize the Federal grant reporting process. It would do so by mandating a standardized data structure for information that recipients report to Federal agencies.

Unless the reporting requirements for Federal grants are searchable, the auditing process will continue to yield waste and inefficiency at best, allowing fraud and abuse at worst.

Mr. Speaker, in 2017, the Federal Government awarded $662.7 billion in grants funding to State agencies, local and Tribal governments, agencies, nonprofits, universities, and other organizations. Roughly translated, this equates to the gross domestic product of Switzerland or more than the GDP of every country outside the G20.

Within our Federal Government, there are 26 agencies awarding Federal grants, and all of them continue to rely on outdated, burdensome, document-based forms to collect and track grant dollars. Society has moved into a new age of information and technology, and it is time that our government follow suit.

Adopting a governmentwide open data structure for all the information grantees will report will alleviate compliance burdens; provide instant insights for grantor agencies and Congress; and enable easy access to data for oversight, analytics, and program evaluation.

Digitizing and, therefore, automating the reporting process would have a twofold effect. First, it would allow greater scrutiny of how the money is being spent. Second, it allows grantees to maximize every dollar they receive from the government to ensure it goes back into communities supporting local businesses, organizations, and education.

In order to fix the way Federal grants are reported, we must move from a document-centric reporting system to a data superhighway. I urge my colleagues in the House and the Senate to support the GREAT Act and bring grant reporting into the 21st century.

Again, Mr. Speaker, I would like to thank Representative GOMEZ for his hard work on this bipartisan bill. I would also like the thank Representative DARRELL ISSA for his authorship of the DATA Act of 2014. It laid the foundation for the GREAT Act by applying data standardization to a pilot universe of Federal grants. And I thank him for his original cosponsorship of this bill.

I would also like to thank OMB Director Mulvaney for his office's advice on this legislation and leadership in advancing open data in the grant reporting process this year through the President's management agenda.

Lastly, I would like to thank Leader MCCARTHY for bringing this bill to the floor and for his broader leadership in pursuing an innovative agenda this Congress.

Mr. GOMEZ. Mr. Speaker, I urge passage of the GREAT Act, and I yield back the balance of my time.

Mr. RUSSELL. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4887, as amended.

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

A motion to reconsider was laid on the table.

CORRECTING MISCALCULATIONS IN VETERANS' PENSIONS ACT

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4431) to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4431

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 ''Correcting Miscalculations in Veterans' Pensions Act''.

SEC. 2. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR FORMER MEMBERS OF THE UNIFORMED SERVICES.

(a) CSRS.—Section 8334(j) of title 5, United States Code, is amended by adding at the end the following:

''(6)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the employing agency of such employee, Member, or annuitant makes an administrative error, such employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

''(B) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or Congressional employee.

''(C) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph.''.

(b) FERS.—Section 8422(e) of title 5, United States Code, is amended by adding at the end the following:

''(7)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the employing agency of such employee, Member, or annuitant makes an administrative error, such employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

''(B) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or Congressional employee.

''(C) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph.''.

SEC. 3. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR CERTAIN VOLUNTEERS.

(a) CSRS.—Section 8334(l) of title 5, United States Code, is amended by adding at the end of the following:

''(5)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if an employing agency of such employee, Member, or annuitant makes an administrative error that causes additional interest assessed to accrue on the deposit, the employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

''(B) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the Office of Personnel Management makes an administrative error that causes additional interest assessed to accrue on the deposit, the Office of Personnel Management may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

''(C) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or congressional employee.

''(D) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph.''.

(b) FERS.—Section 8422(f) of title 5, United States Code, is amended by adding at the end of the following:

''(5)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if an employing agency of such employee, Member, or annuitant makes an administrative error that causes additional interest assessed to accrue on the deposit, the employee, Member, or annuitant's employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

''(B) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the Office of Personnel Management makes an administrative error that causes additional interest assessed to accrue on the deposit, the Office of Personnel Management may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

''(C) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or congressional employee.

''(D) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph.''.

(c) AUTHORIZATION OF PAYMENTS.—All payments from the Office of Personnel Management authorized by subsections (a) and (b) shall be paid from the Civil Service Retirement and Disability Fund, and together with administrative expenses incurred by the Office in administering these subsections, shall be deemed to have been authorized to be paid from that Fund, which is appropriated for the payment thereof.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, I urge support of H.R. 4431, the Correcting Miscalculations in Veterans' Pensions Act, introduced by Congressman CARTER of Georgia.

Civilian Federal employees earn an annuity as a part of their service to the country. Newly hired civil servants with prior Federal service, such as members of the military or the Peace Corps, can pay a deposit to count their prior service toward that annuity. This allows an individual to increase their pension upon retirement by counting previous, noncivilian service in the annuity calculation.

Under Federal retirement rules, there is a set period of time in which the individual can pay the service deposit. If a deposit isn't paid within this period of time, interest is assessed.

For example, someone wishing to pay a military service deposit must do so within 2 years of starting civilian service. On the third anniversary of civilian employment, interest will begin to accrue annually until the deposit is paid in full.

From time to time, agencies make mistakes that can cause an individual to be assessed interest that would not otherwise be owed. Most commonly, the problem arises when an agency provides inaccurate information about the amount or due date of the deposit. But under current law, agencies cannot fix those mistakes, meaning the civil servant has to pay the cost of the agency's mistake.

A 1996 opinion by the Government Accountability Office found the Department of Energy was prohibited from paying the interest assessed as a result of an agency's mistake on a military service deposit without a change in the law. The agency made a mistake, and the agency wanted to pay the difference. But under the restrictions of current law, the individual had to cover the interest payments that accrued through no fault of his own.

This bill fixes that problem to ensure civil servants do not pay the cost of agencies' mistakes. Specifically, the bill authorizes Federal agencies to pay interest assessed on military service deposits, AmeriCorps service deposits, and Peace Corps service deposits, if the interest is a result of an agency error.

I thank the gentleman from Georgia, my friend, Mr. CARTER, for his work on this important bill. I look forward to hearing from him in a moment.

I would also like to thank Chairman HARPER from the Committee on House Administration for their support in bringing this bill to the floor.

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

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, June 26, 2018.

Hon. GREGG HARPER,
Chairman, Committee on House Administration, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On November 16, 2017, the Committee on Oversight and Government Reform ordered reported H.R. 4431, the Correcting Miscalculations in Veterans' Pensions Act without amendment, by voice vote. The bill was referred primarily to the Committee on Oversight and Government Reform, with additional referral to the Committee on House Administration.

I ask you allow the Committee on the House Administration to be discharged from further consideration of the bill to expedite floor consideration. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on House Administration represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

TREY GOWDY.

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, June 26, 2018.

Hon. TREY GOWDY,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4431, The Correcting Miscalculations in Veterans Pensions Act. As you know, certain provisions of the bill fall within the Jurisdiction of Committee on House Administration.

I realize that discharging the Committee on House Administration from further consideration of H.R. 4431 will serve in the best interest of the House of Representatives and agree to do so. It is the understanding of the Committee on House Administration that forgoing action on H.R. 4431 will not prejudice the Committee with respect to appointment of conferees or any future jurisdictional claim. I request that your letter and this response be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

GREGG HARPER,
Chairman.

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

Mr. Speaker, I rise in support of H.R. 4431. This measure would authorize agencies to pay interest on military service deposits in cases in which administrative error causes interest to be due.

Military servicemembers who transition to civilian service may elect to have past military service factored into their Federal pensions by making payments to the civilian retirement fund. These payments are intended to align with the contribution to the pension fund the employees would have made for their years of service in the military.

Unfortunately, current law requires these payments to be paid within 2 years of starting Federal service. After this date, interest is assessed on any outstanding payments. Sometimes agencies make mistakes calculating the deposit amount that is due. In these cases, it is only fair that the agencies that made the errors should pay the accrued interest. Under current law or regulation, not all agencies have the authority to pay such accrued interest. This bill would close that loophole.

I thank Representative CARTER and Chairman GOWDY for working with us after committee markup to add provisions in the bill that would make similar changes to title 5 regarding the service and deposits for VISTA and Peace Corps volunteers.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support H.R. 4431, and I reserve the balance of my time.

Mr. RUSSELL. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. CARTER), who is the sponsor of this bill.

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

Mr. Speaker, I rise today in support of H.R. 4431, the Correcting Miscalculations in Veterans' Pensions Act and urge all of my colleagues to support this important legislation.

I introduced this legislation after one of our veteran constituents in the First Congressional District of Georgia brought his own story to my office. In this case, he was a veteran who, after his service in the military, continued to serve our country by working in the Federal Government. Veterans who work for the Federal Government can have their Active Duty time in the military count toward their civil servant retirement pension if they pay a military service deposit.

In the case of our constituent, the employing agency made a mistake in calculating his military service deposit, but the Federal Government did not notice the mistake for more than 10 years. Years later, the Office of Personnel Management, OPM, told the constituent that he must pay the miscalculated amount plus the mistakenly accrued interest on the military service deposit that the employing government agency had miscalculated.

When he tried to fight the situation, the employing agency said that they had no ability to either waive the payment or pay it on behalf of the veteran employee.

We have found multiple occurrences just like this one for veterans working in our Federal Government. More often than not when these situations happen, the costs balloon to tens of thousands of dollars, leaving our veterans on the hook to pay. This legislation seeks to improve this situation by clarifying that the Federal agencies, in the case

of a miscalculation, are able to pay the interest that accrues on the military service deposit on behalf of the veteran, which, over time, ends up being the bulk of cost.

Our veterans risked their lives to protect our country, and they deserve the best when they return home.

It is unfortunate to me that our Federal Government cannot follow through with this commitment for even its own veteran employees. It is even more worrisome that these Federal agencies are putting off their responsibility, instead making their own employees—veteran employees—take the huge financial hit.

With this legislation, we can support our veterans working in the Federal Government.

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

Mr. RUSSELL. Mr. Speaker, I urge passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4431, as amended.

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

The title of the bill was amended so as to read: ''A bill to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes.''.

A motion to reconsider was laid on the table.

BORDER PATROL AGENT PAY REFORM AMENDMENTS ACT OF 2018

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5896) to amend title 5, United States Code, to modify the authority for pay and work schedules of border patrol agents, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5896

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 ''Border Patrol Agent Pay Reform Amendments Act of 2018''.

SEC. 2. AMENDMENTS TO THE BORDER PATROL AGENT PAY REFORM ACT OF 2014.

(a) BORDER PATROL AGENT PAY.—Section 5550 of title 5, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''agent'' after ''applicable border patrol'';

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''Not later than 30 days before the first day of each year beginning after the date of enactment of this section, a border patrol agent shall make an election whether the border patrol agent shall, for that year, be assigned to'' and inserting ''Not later than December 1 of each year, a border patrol agent shall make an election whether the border patrol agent shall, for the next annual period beginning on the first day of the first pay period that commences on or after January 1, be assigned to'';

(B) in subparagraph (C), by striking ''Not later than 60 days before the first day of each year beginning after the date of enactment of this section'' and inserting in its place ''Not later than November 1 of each year'';

(C) in subparagraph (D)—

(i) by amending clause (iv) to read as follows:

''(iv) a border patrol agent shall be assigned a basic border patrol rate of pay during the period of initial training (including initial orientation sessions, basic training, and other preparatory activities) prior to the agent's first regular work assignment; and'';

(ii) in clause (v), by striking ''or the level 2 border patrol rate of pay'';

(D) in subparagraph (E)—

(i) in clause (i), by striking ''or the level 2 border patrol rate of pay'';

(ii) in clause (ii), by striking ''the analysis conducted under section 2(e) of the Border Patrol Agent Pay Reform Act of 2014'' and inserting in its place ''a written staffing analysis''; and

(iii) by adding at the end the following:

''(iv) EXCLUSION OF CERTAIN EMPLOYEES.—In applying any percentage limit under clause (i) or (ii) to a location population, U.S. Customs and Border Protection shall exclude from such population any border patrol agent who is assigned a basic border patrol rate of pay under subparagraph (D)(iii) or (D)(iv) or who would reach the premium pay cap under section 5547 if assigned a level 1 border patrol rate of pay.

''(v) APPLICATION FREQUENCY.—The 10 percent limit under clause (i) or an alternative percentage limit under a waiver under clause (ii) shall be applied at the beginning of the first pay period beginning on or after January 1 each year.'';

(E) by striking subparagraph (G);

(3) in subsection (b)(2)—

(A) by amending subparagraph (C)(i) to read as follows:

''(i) any compensation under this section or any other provision of law in addition to the compensation provided under subparagraph (B); or'';

(B) in subparagraph (E)—

(i) by striking ''paid leave'' and inserting ''leave''; and

(ii) by striking ''absent from work'' and inserting ''excused from work'';

(C) in subparagraph (F)(ii), by striking ''and'';

(D) by amending subparagraph (G) to read as follows:

''(G) if the border patrol agent participates in a full day of advanced training but does not perform the entire required amount of scheduled overtime work under subparagraph (A)(ii) on that day, the border patrol agent shall be deemed to have performed scheduled overtime work during nonwork periods to the extent necessary to reach the required amount, but such deemed credit may be applied to no more than 180 hours in a calendar year; otherwise, the agent shall accrue a debt of hours for scheduled overtime not worked on such a day; and'';

(E) by adding at the end the following:

''(H) a border patrol agent may choose to reduce any debt of obligated overtime hours that the agent has incurred by applying any accrued compensatory time off for travel pursuant to section 5550b, and such compensatory time off for travel may be applied towards such debt only after other forms of overtime or earned compensatory time credited to the border patrol agent have been exhausted.'';

(4) in subsection (b)(3)—

(A) by amending subparagraph (C)(i) to read as follows:

''(i) any compensation under this section or any other provision of law in addition to the compensation provided under subparagraph (B); or'';

(B) in subparagraph (E), by striking ''paid leave'' and inserting ''leave'';

(C) in subparagraph (F)(ii), by striking ''and'';

(D) by amending subparagraph (G) to read as follows:

''(G) if the border patrol agent participates in a full day of advanced training but does not perform the entire required amount of scheduled overtime work under subparagraph (A)(ii) on that day, the border patrol agent shall be deemed to have performed scheduled overtime work during nonwork periods to the extent necessary to reach the required amount, but such deemed credit may be applied to no more than 90 hours in a calendar year; otherwise, the agent shall accrue a debt of hours for scheduled overtime not worked on such a day; and'';

(E) by adding at the end the following:

''(H) a border patrol agent may choose to reduce any debt of obligated overtime hours that the agent has incurred by applying any accrued compensatory time off for travel pursuant to section 5550b; such compensatory time off for travel may be applied towards such debt only after other forms of overtime or earned compensatory time credited to the border patrol agent have been exhausted.'';

(5) by amending subsection (d) to read as follows:

''(d) TREATMENT AS BASIC PAY.—

''(1) IN GENERAL.—Any overtime supplement in addition to the basic border patrol rate of pay for a border patrol agent resulting from application of the level 1 border patrol rate of pay or the level 2 border patrol rate of pay shall be treated as part of basic pay only—

''(A) except as otherwise provided in paragraph (3), for purposes of the definitions in section 8331(3) and 8401(4) and the provisions in chapters 83 and 84 that rely on those definitions (consistent with section 8331(3)(I));

''(B) except as otherwise provided in paragraph (3), for purposes of sections 5595(c) and 8704(c);

''(C) for the purpose of section 8114(e); and

''(D) subject to paragraph (2) and any limitation established under paragraph (3), any other purpose that the Director of the Office of Personnel Management may by regulation prescribe.

''(2) EXCLUSIONS.—The overtime supplement described in paragraph (1) shall not be treated as part of basic pay for purposes not covered by that paragraph, including the purposes of calculating—

''(A) overtime pay, night pay, Sunday pay, or holiday pay under section 5542, 5545, or 5546;

''(B) locality-based comparability payments under section 5304 or special rate supplements under section 5305; or

''(C) cost-of-living allowances in nonforeign areas under section 5941.

''(3) LIMITATIONS.—

''(A) IN GENERAL.—During the control period described in subparagraph (B), the amount of the overtime supplement that is considered basic pay under paragraphs (1)(A) and (1)(B) may not exceed the amount derived by multiplying the border patrol agent's basic border patrol rate of pay by the percentage representing the agent's career average of assigned overtime supplement percentages (including 0 percent for periods

of time during which no overtime supplement was payable). That career average percentage is computed without regard to the effect of the limitation on premium pay under section 5547, but the premium pay limitation remains applicable in determining the dollar amount of any overtime supplement computed using the career average percentage.

''(B) CONTROL PERIOD.—For the purposes of applying subparagraph (A), the control period described in this subparagraph is the period that begins 3 years before the date a border patrol agent will meet age and service requirements associated with entitlement to an immediate annuity and continues throughout the remainder of the individual's career as a border patrol agent.

''(C) ASSIGNED OVERTIME SUPPLEMENT PERCENTAGES.—For the purpose of applying subparagraph (A), a border patrol agent's initial career average of assigned overtime supplement percentages is the average for the border patrol agent's career (excluding any period of initial training prior to the agent's first regular work assignment) prior to the beginning of the control period described in subparagraph (B). During such control period, the career average shall be recomputed at the end of each annual period (as described in subsection (b)(1)(A)). In computing such career average, any periods of service as a border patrol agent prior to the first day of the first pay period beginning on or after January 1, 2016, shall be included, and the agent's assigned overtime supplement during such periods shall be deemed to be 25 percent.

''(4) ANNUAL LEAVE PAYMENT.—For the purpose of computing an agent's lump-sum annual leave payment under section 5551 or 5552, the pay the agent is projected to receive shall include a deemed overtime supplement derived under this paragraph. Such overtime supplement shall be based on the lower of the agent's actual overtime supplement percentage in effect at separation or the average percentage of the agent's overtime supplement over the 26 full biweekly pay periods immediately preceding that separation, and shall not exceed the amount that is or would be payable under the premium pay limitation in section 5547.'';

(6) in subsection (f)—

(A) in the heading of such subsection, by striking ''AND SUBSTITUTION OF HOURS'' and inserting ''DURING REGULAR TIME; ABSENCES DURING SCHEDULED OVERTIME''; and

(B) by adding at the end the following:

''(5) APPLICATION.—

''(A) LIMITATION ON SUBSTITUTION.—Notwithstanding paragraph (1), scheduled overtime (as described in paragraph (2)(A)(ii) or (3)(A)(ii) of subsection (b)) may not be substituted for leave without pay on a day when a border patrol agent has a full day of leave without pay.

''(B) LEAVE WITHOUT PAY.—As provided in paragraphs (2)(A)(ii) and (3)(A)(ii) of subsection (b), a border patrol agent shall incur no scheduled overtime obligation on a day when the agent has a full day of leave without pay.''; and

(7) by adding at the end the following:

'' (h) ALTERNATIVE WORK SCHEDULES.—

''(1) IN GENERAL.—Notwithstanding any other provision in this section or section 6101, U.S. Customs and Border Protection may assign a border patrol agent an alternative work schedule as described in this subsection, subject to any regulations prescribed by the Director of the Office of Personnel Management. No alternative work schedule may be established under subchapter II of chapter 61.

''(2) LEVEL 2 BORDER PATROL AGENT.—A border patrol agent receiving a level 2 border patrol rate of pay may, in lieu of the standard work schedule described in subsection (b)(3)(A), be assigned to an alternative work schedule under the following terms and conditions:

''(A) The alternative work schedule shall be a regular tour of duty consisting of 9 workdays per biweekly pay period, with—

''(i) 8 workdays including 9 hours of regular time per workday and 1 additional hour of scheduled overtime for each day the agent performs work during regular time; and

''(ii) 1 workday including 8 hours of regular time per workday and 2 additional hours of scheduled overtime when the agent performs work during such regular time.

''(B) Subparagraphs (B) through (H) of subsection (b)(3) shall continue to apply to an agent assigned to an alternative work schedule under this paragraph. References in this section to regular time under subsection (b)(3)(A)(i) and scheduled overtime under subsection (b)(3)(A)(ii) shall be deemed to be references to regular time and scheduled overtime described in subparagraph (A), respectively.

''(3) BASIC BORDER PATROL AGENT.—A border patrol agent receiving a basic border patrol rate of pay may, in lieu of the standard work schedule described in subsection (b)(4)(A), be assigned to an alternative work schedule that is a regular tour of duty consisting of 4 workdays per week with 10 hours of regular time per workday.

''(4) SUNDAY PAY; PREMIUM PAY.—A border patrol agent assigned to an alternative work schedule under this subsection, may receive, as applicable—

''(A) Sunday pay for no more than 8 hours of regular time associated with a given Sunday, consistent with section 5546(a);

''(B) premium pay for work on a holiday for no more than 8 hours of regular time associated with a given holiday, consistent with section 5546(b); and

''(C) basic pay for all regular time hours that qualify for holiday time off pay when an agent is relieved or prevented from working during such regular time on a day designated as a holiday by Federal statute or Executive order.

''(5) APPLICATION.—For purposes of administering sections 6303(a), 6304, 6307(a) and (d), 6323, 6326, 6327, and 8339(m), in the case of an employee assigned to an alternative work schedule under this subsection, references to a day or workday (or to multiples or parts thereof) contained in such sections shall be considered to be references to 8 hours (or to the respective multiples or parts thereof).

''(i) REGULATIONS.—The Director of the Office of Personnel Management shall promulgate regulations to carry out this section, including regulations governing—

''(1) elections and assignments of a border patrol rate of pay for newly hired border patrol agents who complete initial training during an annual period;

''(2) situations in which an agent receives more than one type of border patrol rate of pay in a biweekly pay period or is employed as a border patrol agent for only part of a biweekly pay period; and

''(3) the treatment of hours that are substituted for nonpay status hours during regular time.''.

(b) OVERTIME RATES.—Section 5542(g)(5) of title 5, United States Code, is amended—

(1) in subparagraph (A), by striking ''leave year'' and inserting ''an annual period, as described in section 5550(b)(1)(A)''; and

(2) by amending subparagraph (E) to read as follows:

''(E) shall not receive credit towards computation of the border patrol agent's annuity based on unused compensatory time off; and''.

(c) PREMIUM PAY CAP.—Section 5547(c) of title 5, United States Code, is amended by inserting after ''duty,'' the following: ''or to border patrol agents who receive an overtime supplement for overtime hours within their regular tour of duty under section 5550,''.

(d) BASIC PAY FOR RETIREMENT.—Section 8331(3)(I) of title 5, United States Code, is amended by adding before the semicolon at the end the following: '', subject to the limitation prescribed in section 5550(d)(3)''.

(e) SCHEDULED OVERTIME WORK.—Section 2(c)(2) of the Border Patrol Agent Pay Reform Act of 2014 (Public Law 113–277) is amended by inserting after ''scheduled overtime work'' the following: ''(other than scheduled overtime work within the regular tour of duty)''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall take effect on the first day of the first pay period beginning on or after the day that is 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I urge support of H.R. 5896, the Border Patrol Agent Pay Reform Amendments Act of 2018, introduced by my friend, the gentleman from Texas (Mr. HURD).

□ 1930

The U.S. Border Patrol is vital to the Nation's security interests. Border Patrol agents secure the international land border and the coastal waters of the United States. They protect the American public from dangerous people and dangerous materials.

Previous human capital management systems at the agency resulted in uncertain hours and overtime pay abuses. In 2014, Congress passed the Border Patrol Agency Reform Act to create a new pay system. This new system was designed to help the Border Patrol meet its mission by increasing the number of hours worked by agents, providing more reliable schedules and paychecks for agents and saving taxpayers around $100 million, annually.

Since enactment, several organizations have identified problems with the law's implementation, including U.S. Customs and Border Protection, the Office of Personnel Management, and the National Border Patrol Council.

H.R. 5896 seeks to address some of these implementation changes. It gives the Border Patrol additional flexibility to meet its staffing needs at specific locations. It removes the disincentive for agents to receive advanced training by

allowing them to incur an overtime debt in lieu of a decrease in pay and by raising the amount of training an agent can receive before the debt accrues. H.R. 5896 allows agents to apply compensatory time off accrued for travel toward the overtime debt.

To prevent gaming the system, the bill retains limitations on overtime pay during an agent's control period, which is the period of highest pay, generally just prior to retirement. However, the bill switches from the current system, where the CBP controls the agent's schedule, to a method which lets the agent work any of these three pay levels, but with only a portion of their overtime pay computed into their retirement.

The bill allows agents to take leave without pay, often used for fulfilling National Guard and Reserve training requirements, without incurring an overtime debt that they must make up, as they do under the current system.

It allows Border Patrol agents at the level 2 and basic rates of pay to work compressed schedules, as they did prior to the 2014 pay system change. Agents will still work the required number of overtime hours ordered under the Border Patrol Agent Pay Reform Act.

Finally, the bill makes a series of final changes resulting from OPM and CBP experiences in implementing the law.

I would like to thank Representative HURD for his enormous work on this important legislation. In addition, I would like to thank the CBP, OPM, and the National Border Patrol Council for working with the committee to get the bill where it is today.

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

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

Mr. Speaker, H.R. 5896 would address issues that arose from implementation of the 2014 version of the bill by making technical and clarifying changes. The bill would require that newly hired workers receive the basic rate of pay until they complete initial training. It would also allow workers to elect to perform 90 or 100 hours per pay period and receive premium pay above their basic rate. This would help incentivize workers to move into these important positions.

The bill would also remove the requirement that the agency limit a worker's tour of duty to control retirement benefits. In exchange, it would limit the amount of overtime treated as retirement-credible basic pay during the period used to calculate annuities.

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

Mr. RUSSELL. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. HURD), the sponsor of this bill.

Mr. HURD. Mr. Speaker, I appreciate the gentleman from Oklahoma yielding.

Since the birth of our Nation, brave, selfless, and patriotic individuals have committed to putting their lives on the line to keep America safe, including along the border. No matter which side of the aisle you are on, there is no debating the fact that our selfless Border Patrol agents play a vital role in our national security. We, as lawmakers, owe a debt of gratitude to ensure our Border Patrol agents are treated fairly.

As a Member of Congress who represents a district with over 800 miles of the southern border, I am all too aware of the day-to-day dangers and obstacles our Border Patrol agents face. As a result of bureaucratic inefficiencies, many Border Patrol agents are not receiving the pay they have rightfully earned and, in some cases, are being forced to work dangerously long shifts to make up for the onerous and arcane regulations handed down to them from OPM. The purpose of the Border Patrol Agent Pay Reform Amendments Act of 2018 is to fix this broken system and allow our agents to receive the pay they have earned.

I want to thank my colleagues on the House Oversight and Government Reform Committee for recognizing the urgency of these problems and passing this bill with a voice vote in May.

Additionally, I appreciate the willingness of Customs and Border Protection, the Office of Personnel Management, and the Border Patrol Council to sit down and work out an agreement on these pressing issues.

I have to thank my colleagues MARTHA MCSALLY and FILEMON VELA for their support and work on this piece of legislation.

I strongly urge my colleagues to support this bipartisan bill.

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

Mr. RUSSELL. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 5896, as amended.

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

A motion to reconsider was laid on the table.

REQUIRING UNITED STATES POSTAL SERVICE TO ESTABLISH NEW ZIP CODES

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6846) to require the United States Postal Service to establish new ZIP codes, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6846

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

SECTION 1. ESTABLISHING NEW ZIP CODES.

Not later than 270 days after the date of enactment of this Act, the Postal Service shall designate a single, unique ZIP code for, as nearly as practicable, each of the following communities:

(1) Miami Lakes, Florida.

(2) Storey County, Nevada.

(3) Flanders, Northampton, and Riverside in the Town of Southampton, New York.

(4) Ocoee, Florida.

(5) Glendale, New York.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, I support H.R. 6846, introduced by the gentleman from Florida (Mr. DIAZ-BALART). The bill would require the United States Postal Service to establish new ZIP Codes in Miami Lakes, Florida; Ocoee, Florida; Storey County, Nevada; Glendale, New York; and Flanders, Northampton; and Riverside in the town of Southampton, New York.

H.R. 756, the Postal Service Reform Act of 2017, which the Committee on Oversight and Government Reform reported earlier this Congress, would also have established these new ZIP Codes.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART) to tell us more about the need for a new ZIP Code in his district.

Mr. DIAZ-BALART. Mr. Speaker, I rise in support of this bill.

Mr. Speaker, for nearly a decade, the town of Miami Lakes has attempted to receive a unique ZIP Code. This would help with auto insurance rates, branding, economic development, and, frankly, lead to less election confusion and census confusion. Despite this, the Postal Service has yet to take action, unfortunately.

I will tell you this is an important priority for my constituents back home in Miami Lakes. In fact, just last week, Mr. Speaker, I received a call from a constituent asking about what was going on with this issue. He was asking for an update and was relaying his frustration because of his rising auto insurance rates. Thankfully, this legislation solves that problem. It grants Miami Lakes and others their own ZIP Codes.

I would like to give credit and thanks to Miami Lakes Mayor Manny Cid. It has been a privilege to work with him. He has shown great perseverance and dedication, and I am glad that, together, we are able to make this happen.

However, as everyone knows, the work is not finished. Last Congress,

the House passed a nearly identical bill like this one today. Unfortunately, the Senate did not take it up. There is ample time to get this passed before the end of this Congress.

So I implore my colleagues on the other side and the Senate to get this bill to the President for his signature. We will not rest until this bill gets to the President's desk and it is signed into law.

I want to again thank Chairman GOWDY for his help, and his committee staff as well. Also, I thank Speaker RYAN, Majority Leader MCCARTHY, and the whip, Mr. SCALISE, for their help.

Mr. Speaker, I urge passage of this legislation.

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

Mr. Speaker, ZIP Codes organize the country to ensure the effective and efficient delivery of mail for millions of Americans. The postal service has the authority to establish ZIP Codes and adjust their boundaries based on changes in delivery and on volume and operational concerns. However, communities, businesses, and other local entities can also voice their concern with ZIP Code boundaries and request adjustments.

This bill would require the Postal Service to establish new ZIP Codes for five communities that have each requested and been denied ZIP Code changes. These communities base their ZIP Code requests on concerns such as delay in mail delivery, emergency service response times, and the denial or inconsistent application of services to community members. These are important concerns and should be addressed accordingly.

The Postal Service has worked with affected communities to find solutions, and I commend those efforts. This bill would require the ZIP Code changes requested by those communities.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. RUSSELL. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ZELDIN), my friend.

Mr. ZELDIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 6846, which would create a new, unique ZIP Code for the hamlets of Flanders, Northampton, and Riverside, located in Suffolk County, New York, in my district. These three hamlets currently share the same ZIP Code with the nearby town of Riverhead, where there are at least 18 identical street names and 32 similar street names. This causes a number of issues, including the delay of mail and packages, which can hold important goods like medications. Shared street names can also delay the response for emergency and medical personnel in situations where every second counts.

This could all be avoided by assigning a new and unique ZIP Code to Flanders, Northampton, and Riverside, which is why I have been working closely with committee and House leadership to ensure this important issue does not go unresolved.

Last Congress, I brought then-Oversight and Government Reform Committee Chairman Jason Chaffetz to my district to hear from my constituents firsthand regarding how important this issue is to us. I then worked with Chairman Chaffetz to secure House passage last Congress, but, unfortunately, the Senate failed to act.

I urge my colleagues in the House to pass this bill tonight, and I implore the Senate to take this bill up immediately. This legislation will have an immediate, on-the-ground, positive impact on the lives of so many of my constituents.

I would like to thank, especially, Ron Fisher, chairman of the Flanders, Riverside, Northampton Citizens Advisory Council and president of the Flanders, Riverside, Northampton Community Association. I would also like to thank Vince Taldone and Vicki Farruggia from the Flanders, Riverside, Northampton Community Association.

I thank the chair of the House Oversight and Government Reform Committee and his great staff. I appreciate their support and urge a ''yes'' vote.

Mr. RUSSELL. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 6846.

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

A motion to reconsider was laid on the table.

□ 1945

REAL ID ACT MODIFICATION FOR FREELY ASSOCIATED STATES ACT

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3398) to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3398

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 ''REAL ID Act Modification for Freely Associated States Act''.

SEC. 2. AMENDMENT.

(a) DEFINITION OF STATE.—Section 201(5) of the Real ID Act of 2005 (49 U.S.C. 30301 note; Public Law 109–13) is amended by striking ''the Trust Territory of the Pacific Islands,''.

(b) EVIDENCE OF LAWFUL STATUS.—Section 202(c)(2)(B) of the REAL ID Act of 2005 (49 U.S.C. 30301 note; Public Law 109–13) is amended—

(1) in clause (viii), by striking ''or'' at the end;

(2) in clause (ix), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(x) is a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau who has been admitted to the United States as a nonimmigrant pursuant to a Compact of Free Association between the United States and the Republic or Federated States.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, 30 years ago, the United States solidified a unique international relationship by signing the Compact of Free Association with the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. Collectively, these three sovereign nations are referred to as the Freely Associated States.

Under the Compact of Free Association, citizens from the Freely Associated States can live, work, and study in the United States as legal nonimmigrants without a need for a visa.

In 2005, Congress enacted the Real ID Act, which enacted the 9/11 Commission's recommendation to set Federal standards for driver's license and other sources of identification. However, the Real ID Act of 2005 made no mention of the Freely Associated States or the compact. Instead, the law referred to ''the Trust Territory of the Pacific Islands,'' a now-defunct entity that ceased to exist in 1994. The former trusteeship predated the current self-governing status of Freely Associated States as established under the Compact of Free Association.

As a result of this error, citizens of the Marshall Islands, Micronesia, and Palau are often forced to settle for temporary driver's licenses that expire after a year, costing these citizens access to work, housing, transportation, and other opportunities. Because some employers have been reluctant to hire or retain temporary-licensed carriers, many of these citizens lose access to work, housing, transportation, and other opportunities.

The omission also greatly disadvantages these citizens to other nonimmigrants who are able to obtain standard licenses lasting up to 8 years, if they meet the Real ID Act eligibility requirements.

H.R. 3398 corrects this drafting error in the Real ID Act. Fixing this error in

the law clarifies the legal eligibility of the citizens of these three nations for full-term driver's licenses, honors the terms of our Compact of Free Association, and reaffirms our partnership with the three nations.

I would like to thank Representative DON YOUNG, the gentleman from Alaska and my friend, for his work on this important legislation.

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

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

Mr. Speaker, the bill before us would make a technical correction to the Real ID Act of 2005. The act incorrectly identified persons from the Marshall Islands, Micronesia, and Palau as citizens of the Trust Territory of the Pacific Islands, an entity that has not existed since 1994. This error has caused citizens of these trust territories difficulties because they are often issued only temporary driver's licenses. This, in turn, makes some employers reluctant to hire these citizens and makes it difficult for them to access government services.

Mr. Speaker, I support this bill, urge my colleagues to do so as well, and I reserve the balance of my time.

Mr. RUSSELL. Mr. Speaker, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG), the sponsor of this bill.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I thank Mr. RUSSELL and the minority member for their work on this legislation.

Mr. Speaker, H.R. 3398 is a bill that should be passed. I strongly support it. I was listening to the testimony from the chairman, and he has put it so well, I probably won't speak anymore. I do believe that what he said is all true. It is necessary. It is needed.

This is something that was an oversight, because I was here when we wrote the original bill in 2005. It was an oversight, and the gentleman did a great job explaining it.

This is needed for those citizens who we consider from Palau, Micronesia, and the other islands there, and we will do the work. I thank the gentleman again for his work.

Mr. GOMEZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. Mr. Speaker, I rise in support of H.R. 3398, the REAL ID Act Modification for Freely Associated States Act.

Mr. Speaker, I want to thank my colleague and good friend from Alaska, Congressman DON YOUNG, for introducing this bill, which I proudly cosponsored.

Through the Compact of Free Association, the United States and the Freely Associated States—the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau—agreed to the terms of our special and unique government-to-government relationships. It is through these compacts that the citizens of the Freely Associated States can enter the U.S. to live, work, study, and visit indefinitely as legal nonimmigrants without visa, with guaranteed access to social and health services.

In return, the U.S. has defense and certain other operating rights in the Freely Associated States, denial of access to the territory by other nations, and other agreements of strategic importance to the United States.

The Freely Associated States' citizens migrate to Hawaii and other places in the U.S. for many reasons, including but not limited to job and economic opportunities.

Hawaii is one of the four recognized affected jurisdictions by the U.S. Government. Hawaii experiences the highest impact of FAS migrants. The other affected jurisdictions are Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

Based on the U.S. Census data for 2010 to 2014, the five States with the highest number of FAS citizens are Hawaii, with 17,205; Arkansas, with 3,625; Washington, with 3,430; Oregon, with 2,580; and Texas, with 2,090.

Unfortunately, when Congress passed the Real ID Act in 2005, it used an obsolete reference to the Freely Associated States countries, specifically identifying them as the Trust Territory of the Pacific Islands.

As a result, when the Freely Associated States' migrants seek to obtain a U.S. ID or license, they can only obtain a temporary license for 1 year, since they are legally noncitizens without an end date of their stay.

This is extremely problematic when the migrants seek employment, and it further complicates our ability to accurately assess the size of the FAS citizen population.

It is clear Congress intended to include the Freely Associated States' citizen migrants under the Real ID Act, and I appreciate Congressman YOUNG's effort to correct the RECORD and end the ambiguity which keeps FAS citizens from fully and freely participating in our country and becoming self-sufficient members of our society.

Mr. Speaker, I would also like to remind people why we even have these compacts. It is because the United States did do atomic bomb testing, nuclear testing, in this area. As a result, it has affected their health, their ability to retain and stay in their home countries, and the compacts give them free access.

Hawaii is one of the most affected, and we carry a lot of the costs associated with the compacts, especially in the area of medical, education, and housing.

So the ability to have these Real IDs, then, will facilitate the various migrants' ability to actually seek jobs and have an equal footing in terms of economic opportunity.

Mr. Speaker, I strongly encourage my colleagues to support H.R. 3398.

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

Mr. RUSSELL. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CURTIS). The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 3398.

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

A motion to reconsider was laid on the table.

NATIONAL RICE MONTH

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

Mr. HIGGINS. Mr. Speaker, this week, I joined rice farmers in Crowley, Louisiana, the rice capital of the world, to recognize National Rice Month.

With more rice mills per square mile than anywhere else in America, the small town of Crowley was a fitting place to celebrate the beginning of the harvest for American-grown rice. Rice is a part of our Southern culture and is a major agricultural commodity for Louisiana.

There are more than 400,000 rice acres in Louisiana, generating over $700 million in economic output each year, supporting many thousands of Louisiana jobs. Rice farmers and farm families are solid Americans, and south Louisiana would not be what it is without rice.

Mr. Speaker, I am proud to be a strong advocate of American rice, and I commend the nearly 125,000 Americans who work to provide this quality, nutritious crop to our Nation and the world.

SUICIDE PREVENTION MONTH

(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, September is Suicide Prevention Month, and almost every 12 minutes, an American dies by suicide.

It is now the 10th leading cause of death in the United States of America. The Centers for Disease Control recently reported a 30 percent increase in suicide rates in the last 30 years, with nearly 45,000 Americans taking their own lives in 2016.

Mr. Speaker, suicide is preventable. Increasing access to crisis resources saves lives. Mental and behavioral health research saves lives. Ending the stigma surrounding suicide and reaching out for help saves lives.

On average, one person dies by suicide every 4 hours in the Commonwealth of Pennsylvania, according to

research from the American Foundation for Suicide Prevention.

There is no single cause of suicide, and suicide risk increases when several health factors and life stressors converge to create an experience of hopelessness and despair.

But, together, we can reverse this course. By making mental healthcare, substance abuse treatment, and suicide prevention a national priority, we can reverse the tide on these deaths of despair.

We will save lives, and we will do it together.

COMBATING WILDFIRES IN THE WESTERN UNITED STATES

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). Under the Speaker's announced policy of January 3, 2017, the gentleman from Montana (Mr. GIANFORTE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. GIANFORTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the topic of my Special Order.

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

There was no objection.

Mr. GIANFORTE. Mr. Speaker, I yield to the gentleman from Virginia (Mr. GARRETT).

HONORING BARBARA ROSE JOHNS

Mr. GARRETT. Somewhere, Mr. Speaker, someone is watching what is going on in this Chamber. Even now, probably in a Nation of 320-plus million, many someones are watching, and most of them don't have a clue who I am, and that is okay. But the fact that most of them don't have a clue who the lady pictured to my left, your right, is, is not okay.

On April 23, 1951, in Prince Edward County, Virginia, at the R.R. Moton High School, a 16-year-old student named Barbara Rose Johns strode onto a stage and implored her peers at this all-African American high school to assert their God-given rights of equality.

I am honored today by the presence of Ms. Johns' sister, Joan Johns, in the gallery. She is tickled when she speaks to me, which tickles me, because I am tickled when I speak to her. I told her earlier today, Mr. Speaker, that I was in love with her sister. It is interesting, because she is sitting with my wife.

□ 2000

The reason that I say that is that I love America, and as a member of the State house, I had the honor of carrying legislation that made April 23 Barbara Johns Day in Virginia. The reason is that Barbara Johns' story is a story that every American should know.

Someone had the temerity to tell me, as I worked towards creating Barbara Johns Day, ''That is Black history.'' Mr. Speaker, it is not Black history or White history. It is American history. And America is not Black or White or brown. America is an idea.

So when the Founders drafted the preamble to the Constitution and called for us to form a more perfect Union, the presence of the word ''more'' implied a perpetual duty. And the revolution that cast off an oppressive government from across an ocean against Great Britain is one that I would argue was perpetual, and that another hero of mine named Thomas Jefferson was a slave owner, certainly an imperfect man, who articulated near perfect ideas.

Fast-forward to April 23, 1951. Barbara Johns, with a clean and clear and bright mind, influenced by her teachers and her Uncle Vernon Johns, understood that rights are not given by government but by something bigger, and understood that the duty of a citizen and a free nation was to assert their God-given rights. So the idea of something as draconianly oppressive as separate but equal was intolerable.

That day, she implored her students to walk out of Moton High School and the tar paper shacks and the leaking roofs and to demand equality not of outcomes, but of opportunity, because that is what America is supposed to be—without regard to gender, without regard to race, without regard to faith.

Now, what that manifested itself in was a court case, Davis v. Prince Edward County. That court case was amalgamated into another case of which I hope that people have heard, Brown v. Board of Education. The difference between that case and every other case was that those were initiated by lawyers, and this case was initiated by a 16-year-old girl who understood that the promise of liberty was not just to one group or another, that the American Revolution was perpetual, and that God had given her rights just like everyone else to be asserted as a citizen in a free society.

The fact that people watching don't know who I am is fine by me, but the fact that our students don't understand that America is supposed to be not Black or White or brown, but an idea wherein all people are created equal with an opportunity to succeed based on their work and their merit, that is not okay.

As a result, Mr. Speaker, we filed H.R. 5561, the Barbara Johns Congressional Gold Medal Act. Her efforts, without lauding herself, without patting herself on the back—indeed, going forth from this date and living a humble life as a wife and a librarian, as she aspired to—are the embodiment of the nameless faces of millions who sacrificed so that we can live in a country that seeks to employ an idea that is the greatest idea known to the history of free people.

The civil rights movement is not a Black history story. It is not a White history story. It is an American history story. We are not a Black nation or a White nation. We are a nation built on an idea, and our students and our posterity need to understand that what makes us great is that this right fought for by people like this lady isn't universal.

So, Mr. Speaker, I hope that if the President is watching, he will file a Presidential Medal of Freedom; I hope that if Members or staff are watching, they will sign on to the Barbara Johns Congressional Gold Medal Act; and I hope that if students are watching, they will go to school tomorrow and tell their peers this is a country where people stood up so that we all have a chance to be that which we dream to be, because that is who Barbara Rose Johns was, and it is an American history story worth telling.

WILDFIRES

Mr. GIANFORTE. Mr. Speaker, I rise today to bring the Chamber's attention to the wildfires that have devastated our country this year, consuming nearly 7.7 million acres across 12 States. This figure, however, doesn't account for the lives tragically lost, the homes destroyed, or the livelihoods that went up in flames. This doesn't account for the smoke from these wildfires that swept from many of our Western States into the Midwest, creating poor air quality.

The House has passed measures to reduce the severity of our wildfires and improve the health of our forests. Last November, the House passed the Resilient Federal Forest Act, written by my friend from Arkansas (Mr. WESTERMAN). The legislation provides commonsense reforms that will benefit our forests, economy, and the environment.

Conservationists, organizations, foresters, stakeholders, and local leaders throughout Montana recognize the need for reforms to get us managing our forests again. Unfortunately, the other Chamber, mired in obstruction, has not taken up the bill. The House, however, has not lost our focus, including critical forest management reforms into other legislation.

Looking across the West and seeing the devastation of the wildfires this year, I know we can't afford to wait. I am honored that many of my colleagues are joining me here tonight who recognize the threat of catastrophic wildfires and want to do something about them. I look forward to hearing from them.

At this time, I yield to the gentleman from Utah, JOHN CURTIS.

Mr. CURTIS. Mr. Speaker, I rise today as thousands of Utahans in my district are returning to their homes after being evacuated due to wildfires that came within blocks of their homes.

The Pole Creek fire and the Bald Mountain fire have engulfed over 100,000 acres of land and are still burning strong. It is a testament to our brave firefighters and our incredible

community of volunteers that not a single life has been lost and property has been protected.

Although this fire season has been one of the worst our State has ever seen, it has brought out the best in Utah. During the height of the Pole Creek and Bald Mountain fires, the Red Cross was overwhelmed.

Now, Mr. Speaker, you might assume that that being overwhelmed came because of the 6,000 evacuees who needed a home. But, in reality, the Red Cross was overwhelmed because the list of people coming into the shelter offering homes was longer than the list of people needing homes. The Red Cross had to close shop.

As a matter of fact, Mr. Speaker, I visited the Red Cross shelter and found a sign on the door that said, ''Please, no more donations.'' They had too many donations from Utahans.

This is not the first time the Red Cross has had to close shop early. The people of Utah go out of their way to help others. As usual, Utah stepped up in the face of tragedy, and I plan to work to prevent future catastrophic events like this.

Before I came to Congress, I was mayor for 8 years. I understand how overwhelming it can be to coordinate disaster response, recovery, and manage the daily operations of a community.

In my district, many small towns and cities are overcome with challenges as they work out confusing jurisdictional responsibilities of the State and Federal Government, on top of actively rebuilding and preparing for the aftermath of the wildfires.

To help in this effort, last week, I convened a group of mayors, county commissioners, State representatives, and emergency personnel so that local leaders could have direct access to the Federal Government, share resources, and prepare for what comes next. I stand committed to helping our communities obtain the resources they need to rebuild their homes, businesses, and prevent further damage.

We can all agree that managing our forest is critical. While we won't prevent every fire, we need forest management reforms to reduce the risk of fires. I have already started this discussion with my colleagues in Washington.

Last week, I spoke with the interim Chief of the Forest Service, and today I met with Secretary Perdue, who oversees the U.S. Department of Agriculture, which includes the Forest Service. Both of these conversations focused on how to best manage our forests and prevent similar fires from happening in the future.

As a member of the House Committee on Natural Resources, I look forward to advancing policies that protect lives and protect property throughout Utah.

As we look ahead to preventing these catastrophic wildfires, let's not forget the value of our local officials and their roles in forest management decisions. They know better than anyone the challenges they face in their own backyards.

Should another fire strike, I am confident that Utahans will once again step up to the challenge and take care of our great State and the wonderful people in it.

Mr. GIANFORTE. Mr. Speaker, I thank the gentleman from Utah for his comments, and especially for his leadership on this important issue, bringing the knowledge of local government here to this House to help us deal with this devastating situation out west.

At this time, Mr. Speaker, I yield to the gentleman from Arizona, Mr. PAUL GOSAR, for his comments on wildfires.

Mr. GOSAR. Mr. Speaker, I thank the gentleman from Montana for organizing this tonight.

Mr. Speaker, I rise today to bring this Chamber's attention to the multitude of wildfires that have devastated the Western United States.

Now, Mr. Speaker, the West is on fire and has been on fire since April of this year. This has undoubtedly been one of the worst wildfire seasons in recent memory.

Last month, more than 100 active fires scorched nearly 2 million acres, killed at least 12 people, and caused hundreds of millions of dollars in property damage. As of today, more than 75 wildfires continue to burn throughout the United States.

Wildfires are getting worse, in fact, in the United States just as they are getting better in more similarly advanced nations. A study published in Science last year found that the amount of acreage burning globally has declined by 25 percent over the past 18 years, irrespective of climate and temperature variability. The study's findings point to day-to-day human factors, especially land management, as the most consequential determinants of wildfire acreage burned.

Substantial research and common sense continue to suggest that an imprudent combination of prematurely extinguished spontaneous small burns preventing controlled burns and limiting brush, hazardous fuel, and timber thinning to near-negligible amounts is producing tinderbox-like conditions in our forests, conditions that overdetermine the eventual outcome of catastrophic wildfire.

Our misguided land management assumptions, practices, and policies have ended up as a highly significant factor in ensuring our country's experience with wildfires is worse than that of similarly situated peers. The sad truth is that mismanagement has left our forests vulnerable to insects and disease ripe for catastrophic wildfires.

That is why the Western Caucus led efforts to pass a strong forestry title in the farm bill. The House base bill includes 10 categorical exclusions that allow for active management of our Nation's forests and critical response.

On September 13, a letter spearheaded by the Western Caucus from 40 bipartisan Members of the House was sent to the farm bill conferrees urging conferrees and leadership to include active forest management provisions in the final version of the farm bill. The base bill also reauthorizes the Landscape Scale Restoration Program.

The first meaningful step that can be made to ensure that we can mitigate the frequency and intensity of wildfires next year is for the farm bill conference committee to include these forestry provisions within the final conference report. Otherwise, next year's wildfires, sadly, may be larger than this year's and will be the result of this Congress.

Mr. GIANFORTE. Mr. Speaker, I thank the gentleman from Arizona for his principled approach to getting reform so we can start managing our forests again.

At this time, Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. THOMPSON), for his comments on wildfires.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the gentleman for his leadership. I congratulate him on some great legislation that was passed out of the Natural Resources Committee earlier today, which I know will be extremely important to the citizens who are lucky to have him as their Representative.

Mr. Speaker, I am proud to be here this evening. As vice chair of the Agriculture Committee and as a former chair of the House Forestry Subcommittee and a proud member of the Western Caucus—I always say I am on the eastern frontier of the Western Caucus, being from Pennsylvania, but we have the same issues. We really do.

I have a national forest, one of the more profitable national forests in the country, but facing a lot of the issues: rural communities, school districts that are dependent on secure rural schools, and just so many issues—energy production, development—and so I am proud to be here this evening on an issue that is incredibly important, an issue that impacts the lives of so many and heavily impacts our Western States.

I am honored to represent Pennsylvania, obviously, and as some have described our forest, Mr. Speaker, as asbestos forest in Pennsylvania, probably because of the 90-some-thousand miles of streams that we have. We have plenty of moisture. I wish we could put a bunch of that water in a pipeline and sell it to you. We would send it your direction.

But as it is, while the devastating impact on our forests is invasive species—that is a subject for another evening—I can tell you, when the wildfires occur in States such as Utah, Montana, Colorado, and throughout the West, California, these devastating wildfires, there is a large sucking sound, as I like to describe it, out of my national forest, and it comes in the form of resources, money that is taken away because of the necessity that I support of having to fight those fires.

□ 2015

We also have personnel that are deployed out of my national forest. So that means that our timber, the money for our timber marketing, and harvesting, and the multi-use comes almost to a screeching halt.

So I am pleased with the leadership that we have done, in both the Natural Resources Committee and the Agriculture Committee, to address this issue. As vice chair of the Agriculture Committee, I am proud of the Forestry Title of the House farm bill. It contains a number of reforms intended to provide the Forest Service and our private foresters with more authorities and flexibilities to help better manage; that is both in increasing timber production, but it is also in managing a forest that is healthy and, therefore, managing the understory, the fuel load that has built up over decades of mismanagement.

By providing new authorities and encouraging new timber markets, we do that in a number of ways, Mr. Speaker. The bill encourages active forest management. We reauthorize the Landscape Scale Restoration Program, and that allows for more partnerships to tackle critical challenges such as forest health, and wildfires, as well as drinking water protection.

The bill supports, in many ways, these types of initiatives but, specifically, on the wildfires, Mr. Speaker. Over the past 2 decades, wildfires have been an increasing challenge for the Forest Service as costs have skyrocketed to fight them.

Since 1995, the Forest Service's annual wildfire budget has increased from 13 percent of the budget to nearly 60 percent of the budget, Mr. Speaker. Last year was the costliest fire year on record, with the Forest Service spending $2.4 billion in 2017 alone.

Year after year, the agency runs out of fire funding, forcing it to draw additional funds from non-fire accounts and other forests, national forests, including to cover basic operational and forest management funds that pay for timbering, and research activities, and even proactive fire prevention.

Unfortunately, this occurs because the Forest Service has been unable to access additional funding when the fire funds runs out due to a budget cap.

Now, finally, the 2018 omnibus included a ''fire borrowing fix'' by creating a wildfire cap adjustment, which will treat wildfires like any other natural disasters; just like we saw down in the Carolinas with Hurricane Florence.

Now this change will free up the Forest Service to fight wildfires and do so without transferring funds from non-fire accounts. These are accounts that help to prevent fires with restorative cuts, and managing the understory, dealing with the fuel load, the standing dead timber because of, perhaps, disease.

For forests around the Nation, especially in the East, this will mean more funding for other essential activities such as management, timbering, and even recreation and research activities.

Now, along with fixing the budget cap, the omnibus currently provides the Forest Service with new management authorities, and these reforms are specifically intended to help the Forest Service better manage and proactively prevent forest fires from breaking out.

Specifically, these new authorities will streamline the environmental analysis, reduce litigation, and provide timber harvest contract certainty. Some of these reforms include, within our proposed farm bill—which we are in conference in right now, and we need the Senate to realize these improvements were based on the successes we had in the last farm bill, which has really helped our forest products industry, our timber industry, helped make our forests more healthy; and when they are healthy, they are more resilient to wildfires.

So it includes: Categorical Exclusions for Wildfire Resilience Projects; Healthy Forest Restoration Act inclusion of Fire and Fuel Breaks; 20-year Stewardship Contracts; Cottonwood Reform; Fire Hazard Mapping Initiative; Fuels Management for Protection of Electric Transmission Lines; and Good Neighbor Authority Road Amendment.

Forest fires do not recognize or respect boundaries. If they start in a national forest, they are going to wind up in State forests, they are going to wind up on private property land.

So we are doing all the right things. I am very pleased, and we need to do this.

When I look at the communities, such as the ones that the gentleman from Montana represent, as a result of wildfires, we see a loss of life; we see a loss of homes; a loss of the economy; a loss of the taxpayer-owned assets, whether it is national forests or State forests; and certainly a loss of assets for those private property owners that have forests.

So I thank the gentleman for his leadership on this topic and issue, and I really appreciate his managing this Special Order this evening on a very important topic of wildfires.

Mr. GIANFORTE. Mr. Speaker, I want to thank the gentleman from Pennsylvania, especially that he is a member of the Western Caucus joining us there, and pointing out the national implications of the massive wildfires we have out west on resources back east; on the forests that you have in Pennsylvania and the resources there.

Mr. THOMPSON of Pennsylvania. Nationwide impact.

Mr. GIANFORTE. The gentleman mentioned many of the things that—the livelihoods, the lives. You know, the other thing that we often neglect is the amount of smoke that is discharged into the air and the effect on people with asthma and other lung issues. I am sure many, many have died as a result in our communities, so it is a public safety issue as well.

Mr. THOMPSON of Pennsylvania. It really is.

Mr. Speaker, our watersheds, most of our water sources start—many of them start in national forests. They are certainly in forests, but a lot of national forests. And with wildfires, you create a situation where there is no stability in the soils. And so where these wonderful trout streams, streams that support life, support communities, support families with clean water, these wildfires, they basically caramelize that soil so that, essentially, the flash flooding, the runoffs, it puts all these solids within those streams, it creates turbidity, the solids, the nutrients that go in there.

So the impact of wildfires, as the gentleman said, it is the land, it is the air and, quite frankly, it is the water, and that is why we have to do a better job of preventing these wildfires to start with.

Mr. GIANFORTE. Mr. Speaker, I thank the gentleman from Pennsylvania for his comments.

This past summer, nearly 7.7 million acres have burned across America. Wildfires consumed thousands of acres in Glacier National Park.

The Howe Ridge Fire in Glacier National Park consumed over 14,000 acres. I was there. I saw the devastation. It destroyed homes on the shores of Lake McDonald. These are historic national buildings, lost to fire.

Last year in Glacier National Park as well we lost Sperry Chalet, which also had historic value and had created memories for thousands of tourists who had visited that facility.

Our courageous firefighting efforts did save the main Wheeler cabin, with great effort. It even threatened the Going-to-the-Sun Road. I met with the incident commanders there and the brave firefighters at the Howe Ridge Fire.

Last summer, we saw similar behavior. Nearly 8.5 million acres burned in our country last year. In Montana alone, last summer, Mr. Speaker, we lost 1.25 million acres.

Just to put that in perspective, 1.2 million acres is the equivalent of the entire State of Delaware, burned in Montana last summer. And I saw the destruction firsthand. I was on five of these fires, visiting with the incident commanders, and seeing devastation.

In one county alone, we burned 270,000 acres, and we had over 60,000 cattle with no grass. Fortunately, we were able to work with the Department of the Interior to get retired grazing allotments in the C.M. Russell opened up to fill that need for those ranchers, but those livelihoods were suspended.

The habitats were destroyed. Smoke hangs in the air. My own driveway in Bozeman, Montana, on mornings when the fires are burning the worst, we come out to cars covered with ash that we have to brush off before we can drive them. The air quality is dangerous and unhealthy.

And even where there weren't fires, we saw smoke from the tragic, destructive California fires that filled our skies in Montana.

As bad as the wildfires have been, I have seen the impact of properly managed forests. This year, when I was at the Glacier National Park fire, it was interesting to me, as the incident commanders explained what they were doing there. It turns out there were four fires being managed, all started by the same lightning storm, through lightning strikes.

Three of those fires started in national forests where there had been hazardous fuel reductions. The forest had been managed. One started in a national park, and it was such a stark example to me to see that the three fires that had been started by the same storm in the national forests where there had been hazardous fuel reduction, on the day I was there, had been constrained to two to 300 acres each. And yet, the one that started in a national park was burning over 10,000 acres.

Now I am not advocating to go log our national parks, just to be very clear. But it is a stark example of the impact.

I have been in eastern Montana, southeast of Miles City, and I have seen where the BLM has done forest management. I saw a situation where a fire had burned through a landscape and, in an area where there had been no forest management, no fuels reduction, no thinning of the forest, the fire burned so hot that, even years later, it still looked like a moonscape. Nothing was growing.

And yet, when it hit the managed forest, where the forest had been thinned, the fire quickly dropped into the underbrush, burned the grass and twigs, but not a single tree was lost. A year later, that forest was healthier than it was, and yet, the forest that had burned completely will not recover in our generation. This is a stark example.

In other areas, where forest management has been done, where trees have been thinned, the water comes back into the streams again, the surface water. These are healthier habitats.

So there are many benefits of a properly managed forest. We get more wildlife. There is more habitat. There is more opportunity for sportsmen and women. We have more recreational opportunities. You can gain access to the forests again. We have good-paying timber jobs. Wildfires are less severe, and the health of our communities are not threatened.

One of the biggest problems is litigation. We need more collaborative projects, but litigation is one of the greatest obstacles to managing our forests. A good example is the Stonewall Vegetation Project in Lincoln, Montana. I toured that site.

It took 8 years to get a permit to thin the forest, and then the lawyers swooped in, arguing the project would disrupt lynx habitat. A judge overturned the permit, and that summer, that entire forest burned.

And, Mr. Speaker, there is no lynx habitat anymore. There is no habitat for any animal there because that forest is gone.

The House did take action this past year. We passed the Resilient Federal Forests Act that Congressman WESTERMAN of Arkansas authored and I cosponsored. It would get us back into our forests, managing them again. Unfortunately, the Senate, tied up with obstruction, didn't act on it.

But we have made progress. Back earlier this spring, we overturned the Cottonwood decision, which has been used as a tool to invalidate existing forest management permits. We have been cutting red tape to accelerate the removal of hazardous fuels.

The Forest Service estimates that 6.3 billion dead and dying trees are across 11 States. I know in my own home State, in our State capital, Helena, Montana, if you drive west into the Lewis and Clark Forest, you can look at a hillside and, in some cases, because the forests have not been managed and they have overgrown, nearly 90 percent of the trees are standing. It is a tinderbox waiting to go up in flames.

We have also reformed how we pay for catastrophic fires. This was fixed also earlier this year, through legislation in this House, and it was signed into law, that will allow us to treat large fires just like we do large hurricanes when they exceed budgets, because the cost of these fires has expanded so much, it is consuming the majority of the U.S. Forest Service budget.

Mr. Speaker, last year, forest firefighting costs consumed 55 percent of the Forest Service budget.

□ 2030

That takes away money for trail maintenance and recreational programs. It is consumed in fighting these fires.

We have also added some provisions to the farm bill which is now in conference, adding Good Neighbor Authorities, extending that capability for categorical exclusions down to county commissioners and local government so that they can be involved in making our forests healthier.

We have also provided for expedited salvage operations so we can cut dead and dying trees at landscape size without the frivolous litigation shutting down these projects.

Mr. Speaker, it is time to act. We can't control the weather, but we can control how we manage our forests. It is time to reform how we manage our forests by passing commonsense forest management reform. We need to reduce the severity of the wildfires. We need to get our forests healthy again.

This is good for wildlife. It is good for recreationists. It is good for hunting. It creates good-paying jobs in our mills. Montana can't afford for Congress to continue kicking the can down the road and let important projects be tied up in unnecessary, frivolous litigation. This is an urgent issue, and we need to address it quickly.

Mr. Speaker, I appreciate my colleagues bringing to the attention of this Chamber the wildfires and the need for forest management reform. The House has offered commonsense solutions to get us back to managing our forests. The evidence shows that a properly managed forest is a healthier forest. We have less severe wildfires. I have seen this firsthand in the field.

Mr. Speaker, I appreciate the efforts of Mr. WESTERMAN, who has been a leader on the issue and a forester by training, and my colleagues who know the destruction of a catastrophic wildfire brings us to know how critical it is to deliver meaningful reforms.

Like my colleagues, I urge the Senate to act on commonsense measures this Chamber has sent so that Montanans can spend the summer in their forests enjoying them, not having to breathe them at home.

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

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE STATEMENT OF COMMITTEE ALLOCATIONS, AGGREGATES, AND OTHER BUDGETARY LEVELS FOR FISCAL YEAR 2019

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC.

Mr. Speaker, I hereby submit for printing in the Congressional Record a revision to the allocations set forth in the Statement of Committee Allocations, Aggregates, and Other Budgetary Levels for Fiscal Year 2019 published in the Congressional Record on May 10, 2018 pursuant to section 30104 of the Bipartisan Budget Act of 2018 (Public Law 115–123). The revision is for new budget authority and outlays for provisions designated for Overseas Contingency Operations/Global War on Terrorism and program integrity initiatives pursuant to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA), contained in the conference report to accompany H.R. 6157, the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019.

The Statement of Committee Allocations, Aggregates, and Other Budgetary Levels for Fiscal Year 2019 set the base discretionary 302(a) allocation to the Committee on Appropriations at $1.244 trillion, which is the sum of the fiscal year 2019 discretionary spending limits under section 251(c) of BBEDCA. Section 251(b) of BBEDCA allows for adjustments to the discretionary spending limits for certain purposes including Overseas Contingency Operations/Global War on Terrorism, disaster relief, and program integrity initiatives.

The conference report to accompany H.R. 6157 contains $67.9 billion in budget authority for Overseas Contingency Operations/Global War on Terrorism and $1.9 billion in budget authority for program integrity initiatives. Accordingly, I am revising the allocation of spending authority to the House Committee on Appropriations. After making this adjustment, the conference report to accompany H.R. 6157 is within the fiscal year

2019 discretionary spending limits under section 251(c) of BBEDCA, in addition to the aggregates and the 302(a) allocation to the Committee on Appropriations established by the Statement of Committee Allocations, Aggregates, and Other Budgetary Levels for Fiscal Year 2019 filed on May 10, 2018.

Budget enforcement provisions of H. Con. Res. 71 (115th Congress) have been deemed to be in force by section 30104(f) of the Bipartisan Budget Act of 2018. This revision represents an adjustment for purposes of enforcing sections 302 and 311 of the Congressional Budget Act of 1974. For the purposes of the Congressional Budget Act of 1974, these revised aggregates and allocations are to be considered as aggregates and allocations included in the budget resolution, pursuant to the Statement published in the Congressional Record on May 10, 2018, as adjusted.

Sincerely,

STEVE WOMACK,
Chairman.

TABLE 1—ALLOCATION OF SPENDING AUTHORITY TO HOUSE COMMITTEE ON APPROPRIATIONS

[In millions of dollars]

	2019
Base Discretionary Action:	
BA	1,244,000
OT	1,296,937
Global War on Terrorism:	
BA	68,835
OT	37,071
Program Integrity:	
BA	1,897
OT	1,573
Current Law Mandatory:	
BA	955,283
OT	949,351

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3139. An act to require State safety oversight agencies to conduct safety inspections of public transportation systems that provide rail fixed guideway public transportation and to direct the Secretary of Transportation to develop risk-based inspection guidance for such agencies, and for other purposes; to the Committee on Transportation and Infrastructure.

S. 3389. An act to redesignate a facility of the National Aeronautics and Space Administration; to the Committee on Science, Space, and Technology.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6157. An act making consolidated appropriations for the Departments of Defense, Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 25, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 698. To require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes.

ADJOURNMENT

Mr. GIANFORTE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 27, 2018, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6336. A letter from the Team Lead, Regulations Management Team, Rural Development Innovation Center, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule — Announcement Process for Rural Utilities Service Grant Programs (RIN: 0572-AC39) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6337. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Carlton D. Everhart II, United States Air Force, and his advancement to the grade of general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6338. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Kenneth R. Dahl, United States Army, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6339. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral John N. Christenson, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6340. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General John W. Nicholson, Jr., United States Army, and his advancement to the grade of general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6341. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Jack Weinstein, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6342. A letter from the Acting Assistant Secretary of the Army, Manpower and Reserve Affairs, U.S. Army, Department of Defense, transmitting a notice to Congress of the anticipated use of Selected Reserve units that will be ordered to active duty, pursuant to 10 U.S.C. 12304b(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

6343. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements (Hurricane Florence on the States North Carolina and South Carolina), pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630); to the Committee on Energy and Commerce.

6344. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Fiscal Year 2017 Annual Progress Report on the C.W. Bill Young Cell Transplantation Program and National Cord Blood Inventory Program, pursuant to 42 U.S.C. 274k(a)(6); July 1, 1944, ch. 373, title III, Sec. 379 (as amended by Public Law 109-129, Sec. 3(a)); (119 Stat. 2554); to the Committee on Energy and Commerce.

6345. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0567; FRL-9983-14] (RIN: 2070-AB27) received September 18, 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.

6346. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to New Mexico [EPA-R06-OAR-2016-0091; FRL-9982-62-Region 6] received September 18, 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.

6347. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pepino Mosaic Virus, strain CH2, isolate 1906; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0525; FRL-9983-31] received September 18, 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.

6348. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List: Partial Deletion of the Beloit Corporation Superfund Site [EPA-HQ-SFUND-1990-0011; FRL-9983-84-Region 5] received September 18, 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.

6349. 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; National Priorities List: Deletion of the Old Southington Landfill Superfund Site [EPA-HQ-SFUND-2005-0011; FRL-9983-63-Region 1] received September 18, 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.

6350. 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; National Priorities List: Deletion of the

Recticon/Allied Steel Superfund Site [EPA-HQ-SFUND-1989-0011; FRL-9983-74-Region 3] received September 18, 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.

6351. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List [EPA-HQ-SFUND-2015-0575, EPA-HQ-OLEM-2017-0605, 0608 and 0610, EPA-HQ-OLEM-2018-0252 and 0254; FRL-9983-69-OLEM] received September 18, 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.

6352. 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 2015 Ozone NAAQS [EPA-R10-OAR-2018-0061; FRL-9983-83-Region 10] received September 18, 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.

6353. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Wisconsin; Particulate Matter Standard [EPA-R05-OAR-2018-0008; FRL-9982-61-Region 5] received September 18, 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.

6354. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacteriophage Active Against Erwinia amylovora; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0702; FRL-9983-18] received September 18, 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.

6355. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacteriophage Active Against Xanthomonas citri subsp. citri; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0703; FRL-9983-10] received September 18, 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.

6356. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Tennessee: Knox County NSR Reform [EPA-R04-OAR-2017-0542; FRL-9983-75-Region 4] received September 18, 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.

6357. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Oregon; Interstate Transport Requirements for the 2012 PM2.5 NAAQS [EPA-R10-OAR-2018-0505; FRL-9983-95-Region 10] received September 18, 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.

6358. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Afidopyropen; Pesticide Tolerances [EPA-HQ-OPP-2016-0416; FRL-9976-65] received September 18, 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.

6359. A letter from the Associate General Counsel for General Law, U.S. Citizenship and Immigration Services, Department of Homeland Security, transmitting a notification of a nomination and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6360. A letter from the Secretary, Department of Labor, transmitting a report titled, ''The Department of Labor's 2017 Findings on the Worst Forms of Child Labor'', pursuant to 19 U.S.C. 2464; Public Law 93-618, Sec. 504 (as amended by Public Law 99-514, Sec. 1887(a)(6)) (100 Stat. 2923); to the Committee on Ways and Means.

6361. A letter from the Chair, Federal Election Commission, transmitting the Commission's Fiscal Year 2020 budget request, pursuant to 52 U.S.C. 30107(d)(1); Public Law 92-225, Sec. 307 (as added by Public Law 93-443, Sec. 208(a)); (88 Stat. 1283); jointly to the Committees on House Administration, Appropriations, and Oversight and Government Reform.

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. BRADY of Texas: Committee on Ways and Means. House Resolution 1018. Resolution requesting the President to transmit to the House of Representatives certain documents in the possession of the President relating to the determination to impose certain tariffs and to the strategy of the United States with respect to China (Rept. 115–979). Referred to the House Calendar.

Mr. HENSARLING: Committee on Financial Services. H.R. 4753. A bill to amend the Federal Reserve Act to require the Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System to provide a written report, and for other purposes; with an amendment (Rept. 115–980). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. 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 (Rept. 115–981). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6751. A bill to increase transparency with respect to financial services benefitting state sponsors of terrorism, human rights abusers, and corrupt officials, and for other purposes; with an amendment (Rept. 115–982). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6737. A bill to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes (Rept. 115–983). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5036. A bill to establish an Independent Financial Technology Task Force, to provide rewards for information leading to convictions related to terrorist use of digital currencies, to establish a FinTech Leadership in Innovation Program to encourage the development of tools and programs to combat terrorist and illicit use of digital currencies, and for other purposes, with amendments (Rept. 115–984). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 1084. Resolution providing for consideration of the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes; providing for consideration of the bill (H.R. 6757) to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; providing for consideration of the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses; and providing for proceedings during the period from October 1, 2018, through November 12, 2018 (Rept. 115–985). Referred to the House Calendar.

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. SENSENBRENNER (for himself and Ms. JACKSON LEE):

H.R. 6896. A bill to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. SHUSTER:

H.R. 6897. A bill to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. considered and passed.

By Mr. KNIGHT (for himself, Mr. HUIZENGA, Mr. CURTIS, Mr. DENHAM, Mrs. MIMI WALTERS of California, Mrs. WAGNER, Mr. BLUM, Mr. VALADAO, Ms. HERRERA BEUTLER, Mr. POLIQUIN, and Mr. RENACCI):

H.R. 6898. A bill to amend the Health Insurance Portability and Accountability Act to ensure coverage for individuals with preexisting conditions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, 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. SCHNEIDER):

H.R. 6899. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for civil damages as recompense for trafficking in persons; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Ms. NORTON, Mr. COHEN, Ms. SHEA-PORTER, Ms. ESHOO, Mr. GARAMENDI, Mr. RYAN of Ohio, Mr. SEAN PATRICK MALONEY of New York, Mr. DESAULNIER, Mr. CARBAJAL, Ms. CLARK of Massachusetts, and Ms. SCHAKOWSKY):

H.R. 6900. A bill to amend the Internal Revenue Code of 1986 to require certain tax-exempt organizations to include on annual returns the names and addresses of substantial contributors, and for other purposes; to the Committee on Ways and Means.

By Mr. HURD (for himself, Ms. KELLY of Illinois, Mr. MEADOWS, and Mr. CONNOLLY):

H.R. 6901. A bill to amend chapter 36 of title 44, United States Code, to make certain changes relating to electronic Government services, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KNIGHT (for himself and Ms. ESHOO):

H.R. 6902. A bill to amend title 18, United States Code, to establish criminal penalties for unlawful payments for referrals to recovery homes and clinical treatment facilities; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H.R. 6903. A bill to amend title VI of the Federal Food, Drug, and Cosmetic Act to ensure the safe use of cosmetics, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, 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. LAHOOD (for himself, Mr. KRISHNAMOORTHI, Mr. SHIMKUS, Mr. BOST, Mr. RODNEY DAVIS of Illinois, Mrs. BUSTOS, Mr. KINZINGER, Mr. HULTGREN, Mr. SCHNEIDER, Mr. FOSTER, Ms. SCHAKOWSKY, Mr. DANNY K. DAVIS of Illinois, Mr. ROSKAM, Mr. QUIGLEY, Mr. LIPINSKI, Ms. KELLY of Illinois, Mr. RUSH, and Mr. GUTIÉRREZ):

H.R. 6904. A bill to designate certain Federal land in the District of Columbia under the administrative jurisdiction of the National Park Service as the ''Illinois' Bicentennial Grove'', and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of Mississippi:

H.R. 6905. A bill to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to establish a commission to enhance cultural competence and improve recruitment and outreach efforts at the Coast Guard Academy, to amend title 14, United States Code, to modify the process for congressional nomination of individuals for appointment as cadets at the Coast Guard Academy, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, 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. RUSH:

H.R. 6906. A bill to designate the portion of Interstate Route 57 that is located in Illinois as the ''Barack Obama Highway'', and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LIPINSKI (for himself and Mr. BOST):

H.R. 6907. A bill to strengthen Buy American requirements, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself and Mr. WALZ):

H.R. 6908. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide service dogs to veterans with mental illnesses who do not have mobility impairments; to the Committee on Veterans' Affairs.

By Mr. CONNOLLY (for himself, Ms. BARRAGÁN, Ms. BASS, Mr. BEYER, Mr. BLUMENAUER, Mr. CICILLINE, Mr. COHEN, Mr. CORREA, Ms. CLARKE of New York, Ms. DELAURO, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. ELLISON, Mr. ESPAILLAT, Mr. FOSTER, Mr. GALLEGO, Mr. AL GREEN of Texas, Mr. GUTIÉRREZ, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KHANNA, Ms. LEE, Mr. TED LIEU of California, Mr. BEN RAY LUJÁN of New Mexico, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PALLONE, Mr. PANETTA, Mr. PASCRELL, Mr. PAYNE, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SIRES, Mr. SMITH of Washington, Mr. SOTO, Mr. VARGAS, Mr. VEASEY, Mr. VISCLOSKY, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. CUMMINGS):

H.R. 6909. A bill to amend the Immigration and Nationality Act to provide for a minimum number of refugees who may be admitted in any fiscal year after fiscal year 2018, and for other purposes; to the Committee on the Judiciary.

By Mr. BABIN:

H.R. 6910. A bill to specify goals and objectives of the United States with respect to human spaceflight, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. DESJARLAIS:

H.R. 6911. A bill to amend the Servicemembers Civil Relief Act to prohibit the enforcement of certain policies of homeowners associations regarding real property of servicemembers; to the Committee on Veterans' Affairs.

By Mr. DUNCAN of Tennessee:

H.R. 6912. A bill to amend title 11 of the United States Code to prohibit the payment of bonuses to highly compensated employees and insiders of the debtor to perform services during the bankruptcy case; and for other purposes; to the Committee on the Judiciary.

By Mr. GUTHRIE (for himself and Ms. MATSUI):

H.R. 6913. A bill to direct the Secretary of Commerce to establish a working group to recommend to Congress a definition of blockchain technology, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JODY B. HICE of Georgia (for himself, Mrs. LESKO, and Mr. BOST):

H.R. 6914. A bill to amend title 18, United States Code, to include railroad police officers in the definition of qualified law enforcement officers; to the Committee on the Judiciary.

By Mr. LANGEVIN:

H.R. 6915. A bill to amend the Internal Revenue Code of 1986 to expand the new energy efficient home credit, and for other purposes; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BERA, Ms. GABBARD, Mr. KHANNA, Ms. JAYAPAL, and Mr. KRISHNAMOORTHI):

H.R. 6916. A bill to posthumously award a Congressional gold medal to Mahatma Gandhi in recognition of his contributions to the Nation by the promotion of nonviolence; to the Committee on Financial Services, and in addition to the Committee on House Administration, 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. MESSER:

H.R. 6917. A bill to protect victims of nonconsensual online distribution of sexually intimate images by providing for the expeditious removal of nonconsensual sexually intimate imagery on the Internet, to encourage responsible practices by online service providers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOONEY of West Virginia:

H.R. 6918. A bill to amend the Securities Exchange Act of 1934 to change the quarterly reporting requirement with respect to certain registered securities to a semi-annual reporting requirement; to the Committee on Financial Services.

By Mr. PAYNE (for himself and Mr. THOMPSON of Mississippi):

H.R. 6919. A bill to amend the Homeland Security Act of 2002 to establish a school security coordinating council, and for other purposes; to the Committee on Homeland Security.

By Mr. PAYNE (for himself and Mr. THOMPSON of Mississippi):

H.R. 6920. A bill to amend the Homeland Security Act of 2002 to enhance Department of Homeland Security school security efforts, and for other purposes; to the Committee on Homeland Security.

By Miss RICE of New York:

H.R. 6921. A bill to amend the Internal Revenue Code of 1986 to increase the deduction allowed for student loan interest and to exclude from gross income discharges of income contingent or income-based student loan indebtedness; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, 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. FRANCIS ROONEY of Florida (for himself, Mr. GOSAR, Mr. KING of Iowa, and Mr. OLSON):

H.R. 6922. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959 to provide whistleblower protection for union employees; to the Committee on Education and the Workforce.

By Mr. SANFORD (for himself and Mr. COOPER):

H.R. 6923. A bill to require congressional approval of certain trade remedies, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, 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. SIMPSON:

H.R. 6924. A bill to authorize the Secretary of the Interior to convey certain public land within the Henry's Lake Wilderness Study Area in the State of Idaho to resolve an unauthorized use and an occupancy encroachment dating back to 1983; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ:

H.R. 6925. A bill to require reporting by the Secretary of Housing and Urban Development and the Comptroller General of the United States regarding sexual harassment

in Federal housing assistance programs, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNERNEY (for himself and Mr. JONES):

H.J. Res. 141. A joint resolution proposing an amendment to the Constitution of the United States regarding the permissible sources of funding for elections for public office and State ballot measures; to the Committee on the Judiciary.

By Mr. KHANNA (for himself, Mr. SMITH of Washington, Mr. POCAN, Mr. MCGOVERN, Mr. HOYER, Mr. ENGEL, Mr. MASSIE, Mr. TED LIEU of California, Ms. LEE, Mr. O'ROURKE, Mr. JONES, Mr. COURTNEY, Mr. KENNEDY, Ms. SCHAKOWSKY, Ms. GABBARD, Mr. CAPUANO, Ms. CLARKE of New York, Mr. ESPAILLAT, Mr. GRIJALVA, Ms. JAYAPAL, Ms. MOORE, Mrs. DINGELL, Mr. DEFAZIO, Mr. BLUMENAUER, Mr. DEUTCH, Mr. WELCH, and Mrs. LOWEY):

H. Con. Res. 138. Concurrent resolution directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; to the Committee on Foreign Affairs.

By Mr. CONAWAY (for himself and Mr. GENE GREEN of Texas):

H. Con. Res. 139. Concurrent resolution expressing the policy of the United States to pursue and enter into a military treaty alliance of extended deterrence with the State of Israel; to the Committee on Foreign Affairs.

By Mr. KINZINGER (for himself, Mr. MOULTON, Mrs. MCMORRIS RODGERS, Mr. ROYCE of California, Mr. SMITH of Washington, Mr. HASTINGS, Mr. VEASEY, Mr. TAYLOR, Mr. RUSH, Mr. FITZPATRICK, Mrs. MURPHY of Florida, Mr. GALLEGO, Mr. LANCE, Mr. BROWN of Maryland, Mrs. DINGELL, Mr. CARBAJAL, Mr. WOMACK, Ms. STEFANIK, Ms. KAPTUR, Mr. CORREA, Mr. CRIST, Ms. MCSALLY, Mr. MCCAUL, Mr. COSTELLO of Pennsylvania, Mr. JOHNSON of Georgia, Mr. COHEN, Mr. HIMES, Mr. PAULSEN, Mr. JOHNSON of Ohio, Mr. RODNEY DAVIS of Illinois, Mr. LIPINSKI, Mr. O'HALLERAN, Ms. SPEIER, Mr. LYNCH, Mr. GRIJALVA, Mr. REICHERT, Mr. THOMAS J. ROONEY of Florida, Mr. PITTENGER, Ms. JACKSON LEE, Mr. GONZALEZ of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CURBELO of Florida, Ms. SINEMA, Mr. BISHOP of Michigan, Ms. ROS-LEHTINEN, Mr. THOMPSON of California, Mr. LAHOOD, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. ROE of Tennessee, Mrs. COMSTOCK, Mr. LANGEVIN, Ms. ROSEN, Mrs. BUSTOS, Mr. BANKS of Indiana, Mr. GOWDY, Mr. SCHWEIKERT, Mrs. LESKO, Ms. HANABUSA, Mr. SAM JOHNSON of Texas, Mr. DIAZ-BALART, Mr. BURGESS, Mr. CRAMER, Ms. JENKINS of Kansas, Mr. BRADY of Pennsylvania, Mr. COLE, Mr. OLSON, Mr. FRELINGHUYSEN, Mr. KING of New York, Mr. FASO, Mr. HULTGREN, and Mr. ENGEL):

H. Con. Res. 140. Concurrent resolution expressing the sense of Congress regarding the life and work of Senator John S. McCain III in promoting the United States, human rights, and peace; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, 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. SHUSTER:

H. Res. 1082. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 302, with an amendment; considered and agreed to.

By Mr. WILLIAMS:

H. Res. 1083. A resolution expressing support for designation of the month of August as National Destroyer Recognition Month; to the Committee on Armed Services.

By Ms. FRANKEL of Florida (for herself and Ms. ROS-LEHTINEN):

H. Res. 1085. A resolution celebrating the 10th anniversary of the Women's Congressional Staff Association; to the Committee on House Administration.

By Mr. MCKINLEY (for himself and Ms. ESHOO):

H. Res. 1086. A resolution expressing support for designation of the month of September as ''Rheumatic Disease Awareness Month'', in recognition of the costs imposed by rheumatic diseases, the need for increased medical research, and the quality care provided by trained rheumatologists; to the Committee on Energy and Commerce.

By Mr. FRANCIS ROONEY of Florida (for himself and Mr. GAETZ):

H. Res. 1087. A resolution expressing the sense of the House of Representatives that sea level rise and flooding are of urgent concern impacting Florida that require proactive measures for community planning and the State's tourism-based economy to adapt; to the Committee on Transportation and Infrastructure.

By Mr. WITTMAN (for himself and Mr. JEFFRIES):

H. Res. 1088. A resolution expressing support for the designation of September 29 as National Urban Wildlife Refuge Day; to the Committee on Natural Resources.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

259. The SPEAKER presented a memorial of the Senate of the State of California, relative to senate Joint Resolution No. 12, encouraging the federal government to maintain or restore full funding to integral international exchange programs, such as the Fulbright U.S. Student Program; to the Committee on Foreign Affairs.

260. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 14, urging the Congress and the President of the United States to rename any federal buildings, parks, roadways, highways, markers, landmarks, or other federally owned property, such as United States military bases, that bear the names of elected or military leaders of the Confederate States of America and would urge the Congress that statues or busts of elected or military leaders of the Confederate States of America in the United States Capitol be removed and placed in museums where they can be viewed in proper historic context; to the Committee on House Administration.

261. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 30, urging the Congress and the President of the United States to support the retention of, and investment in, the Amtrak National Network of passenger trains, specifically the California Zephyr, the Coast Starlight, the Southwest Chief, and the Sunset Limited, as vital components of the state's rail program and would also urge Congress to reject President Trump's proposed Fiscal Year 2019 federal budget cuts to Amtrak and restore full funding for the Amtrak National Network through the appropriations process; to the Committee on Transportation and Infrastructure.

262. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 22, urging the federal government and the United States Section of the International Boundary and Water Commission to take immediate action to adequately address cross-border pollution in the Tijuana River Valley; jointly to the Committees on Foreign Affairs and Transportation and Infrastructure.

263. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 29, calling upon the President and the United States Congress to acknowledge that the separation of immigrant children from their families at the border is detrimental to the short- and long-term physical and mental well-being of the children and incompatible with our fundamental values as a nation. Also calling upon the United States Congress to issue a formal apology to all child detainees who were forcibly separated from their parents and legal guardians and seized by the United States Department of Homeland Security or United States Customs and Border Protection and to the parents of those children; jointly to the Committees on the Judiciary and Homeland Security.

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. SENSENBRENNER:

H.R. 6896.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SHUSTER:

H.R. 6897.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, and Clause 18.

By Mr. KNIGHT:

H.R. 6898.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. MARCHANT:

H.R. 6899.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States.

By Mr. PRICE of North Carolina:

H.R. 6900.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution, which provides Congress with the power to lay and collect taxes and promote the general welfare.

By Mr. HURD:

H.R. 6901.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. KNIGHT:

H.R. 6902.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18 of the U.S. Constitution

By Ms. SCHAKOWSKY:
H.R. 6903.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
By Mr. LAHOOD:
H.R. 6904.
Congress has the power to enact this legislation pursuant to the following:
''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. THOMPSON of Mississippi:
H.R. 6905.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18: 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. RUSH:
H.R. 6906.
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. LIPINSKI:
H.R. 6907.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, United States Constitution.
By Mr. STIVERS:
H.R. 6908.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1: The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
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. CONNOLLY:
H.R. 6909.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the U.S. Constitution.
By Mr. BABIN:
H.R. 6910.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 of the United States Constitution
By Mr. DESJARLAIS:
H.R. 6911.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 Clause 14: Congress shall have Power ''To make rules for the government and regulation of the land and naval forces.''
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. DUNCAN of Tennessee:
H.R. 6912.
Congress has the power to enact this legislation pursuant to the following:
Under Article I, Section 8 of the U.S. Constitution, Clause 4:
''The Congress shall have power:
To establish . . . uniform Laws on the subject of Bankruptcies throughout the United States''
By Mr. GUTHRIE:
H.R. 6913.
Congress has the power to enact this legislation pursuant to the following:
[Article I, Section 8, Clause 3]
''The Congress shall have Power To . . . regulate Commerce . . . among the several States''
By Mr. JODY B. HICE of Georgia:
H.R. 6914.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, which states that Congress has the power ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;''
Article I, Section 8, Clause 18, which states that Congress has the 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. LANGEVIN:
H.R. 6915.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
By Mrs. CAROLYN B. MALONEY of New York:
H.R. 6916.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18
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. MESSER:
H.R. 6917.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.
By Mr. MOONEY of West Virginia:
H.R. 6918.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the Constitution of the United States
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. PAYNE:
H.R. 6919.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. PAYNE:
H.R. 6920.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Miss RICE of New York:
H.R. 6921.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII
By Mr. FRANCIS ROONEY of Florida:
H.R. 6922.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. SANFORD:
H.R. 6923.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to regulate trade under the Commerce Clause (Article I, Section 8, Clause 3)
By Mr. SIMPSON:
H.R. 6924.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).
By Ms. VELÁZQUEZ:
H.R. 6925.
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; . . .
By Mr. MCNERNEY:
H.J. Res. 141.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 113: Mr. VEASEY.
H.R. 466: Mr. MAST.
H.R. 480: Mr. FLEISCHMANN.
H.R. 502: Mr. DENHAM and Mr. JOYCE of Ohio.
H.R. 525: Mr. JOHNSON of Georgia.
H.R. 667: Mr. KINZINGER, Mr. MACARTHUR, Mr. TED LIEU of California, and Ms. BROWNLEY of California.
H.R. 909: Mr. POSEY.
H.R. 930: Ms. GABBARD, Mr. LEVIN, and Mr. SABLAN.
H.R. 964: Mr. RYAN of Ohio, Mr. RUSH, and Mr. SMITH of New Jersey.
H.R. 997: Mr. BUDD.
H.R. 1291: Ms. CASTOR of Florida and Mr. KRISHNAMOORTHI.
H.R. 1300: Mr. BUTTERFIELD, Mrs. DEMINGS, Mr. KENNEDY, and Mr. O'ROURKE.
H.R. 1318: Ms. SÁNCHEZ and Mr. MEEKS.
H.R. 1322: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1456: Mr. LAMB and Mr. BARLETTA.

H.R. 1661: Mrs. LAWRENCE, Mr. SUOZZI, Mr. LATTA, and Mrs. TORRES.
H.R. 1720: Mrs. COMSTOCK.
H.R. 1904: Mr. TIPTON.
H.R. 1957: Mr. CORREA.
H.R. 2015: Mr. HIMES and Mr. LARSON of Connecticut.
H.R. 2106: Mr. KATKO.
H.R. 2119: Mr. LAWSON of Florida, Mr. LOEBSACK, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. BUSTOS, Mr. EVANS, and Mr. CORREA.
H.R. 2267: Ms. WASSERMAN SCHULTZ and Mr. GENE GREEN of Texas.
H.R. 2315: Mr. MEEKS, Mr. HURD, and Mr. ROTHFUS.
H.R. 2358: Mr. MACARTHUR and Mr. PRICE of North Carolina.
H.R. 2439: Mr. KING of New York.
H.R. 2452: Ms. ROSEN.
H.R. 2495: Mr. FLORES and Mr. POCAN.
H.R. 2498: Mr. LAWSON of Florida, Mr. DEFAZIO, and Mr. CARBAJAL.
H.R. 2556: Mr. HIGGINS of New York.
H.R. 2677: Ms. BROWNLEY of California.
H.R. 2678: Miss RICE of New York.
H.R. 2801: Mrs. TORRES and Mr. POCAN.
H.R. 2926: Ms. KUSTER of New Hampshire.
H.R. 2972: Mr. SCHIFF.
H.R. 2976: Mr. KENNEDY.
H.R. 2992: Ms. JACKSON LEE and Ms. DEGETTE.
H.R. 3086: Mr. POCAN.
H.R. 3197: Ms. BASS and Ms. CASTOR of Florida.
H.R. 3222: Mr. CORREA.
H.R. 3224: Mr. POLIQUIN.
H.R. 3325: Mr. KRISHNAMOORTHI, Ms. FRANKEL of Florida, and Mr. CHABOT.
H.R. 3730: Mr. TIPTON.
H.R. 3800: Ms. SCHAKOWSKY.
H.R. 3877: Mr. NADLER, Mrs. WATSON COLEMAN, and Ms. CLARKE of New York.
H.R. 3976: Mr. RASKIN and Mr. COMER.
H.R. 4006: Mr. SCHIFF.
H.R. 4107: Mrs. BEATTY, Mr. WALKER, Mr. LANCE, Mr. SMITH of Texas, Mr. WALZ, Ms. BROWNLEY of California, Mrs. LESKO, Mrs. NAPOLITANO, Mr. BURGESS, Mr. MAST, and Mr. CROWLEY.
H.R. 4202: Mr. ESPAILLAT, Ms. CASTOR of Florida, and Mr. MAST.
H.R. 4392: Mrs. ROBY.
H.R. 4505: Ms. JAYAPAL.
H.R. 4673: Mr. POSEY.
H.R. 4691: Mr. FOSTER, Mrs. WATSON COLEMAN, Mr. LAMB, Mr. POCAN, Ms. BONAMICI, Ms. LEE, Mr. KING of New York, Mr. CALVERT, Mr. KEATING, Mr. PASCRELL, Mr. MAST, Ms. BROWNLEY of California, and Ms. CLARK of Massachusetts.
H.R. 4732: Ms. ESTY of Connecticut, Mr. KENNEDY, Mr. FASO, and Mr. GROTHMAN.
H.R. 4815: Mr. GUTIÉRREZ.
H.R. 4932: Mr. VELA.
H.R. 5158: Mr. SARBANES.
H.R. 5160: Mr. LIPINSKI.
H.R. 5188: Mr. KHANNA.
H.R. 5220: Mr. OLSON.
H.R. 5306: Mr. LIPINSKI.
H.R. 5339: Mr. BACON.
H.R. 5471: Mr. SARBANES.
H.R. 5533: Mr. DELANEY.
H.R. 5541: Mr. RASKIN.
H.R. 5561: Mr. MCEACHIN, Mr. PERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mrs. DEMINGS, Mr. KHANNA, Ms. MOORE, Mr. HASTINGS, and Mr. THOMPSON of Mississippi.
H.R. 5671: Mr. BYRNE.
H.R. 5706: Mrs. RADEWAGEN.
H.R. 5780: Mr. SMITH of New Jersey, Mr. PASCRELL, and Ms. BASS.
H.R. 5794: Mr. RASKIN.
H.R. 5818: Mr. TED LIEU of California.
H.R. 5855: Mr. HARRIS.
H.R. 5876: Mr. DUNCAN of South Carolina.
H.R. 5881: Mr. JOHNSON of Ohio.
H.R. 5885: Mr. LOBIONDO.
H.R. 5924: Mr. SCHNEIDER.
H.R. 5941: Mr. DESAULNIER.
H.R. 6016: Mr. PASCRELL.
H.R. 6018: Mr. CONNOLLY.
H.R. 6085: Mr. KING of New York, Ms. DEGETTE, Mr. JOHNSON of Ohio, Mr. TONKO, Mr. LONG, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 6105: Mr. BRADY of Pennsylvania.
H.R. 6125: Mr. DONOVAN.
H.R. 6184: Mr. NORCROSS and Mr. VISCLOSKY.
H.R. 6207: Ms. BONAMICI.
H.R. 6238: Mr. YARMUTH, Miss RICE of New York, Mr. AGUILAR, Mr. ENGEL, Mr. PASCRELL, and Mr. DESAULNIER.
H.R. 6255: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 6270: Mr. DEFAZIO.
H.R. 6355: Mr. LATTA, Mr. MOONEY of West Virginia, and Mr. ROKITA.
H.R. 6410: Mr. LIPINSKI.
H.R. 6413: Mr. SHERMAN and Mr. SIRES.
H.R. 6500: Ms. KAPTUR.
H.R. 6503: Ms. ESHOO and Mr. VISCLOSKY.
H.R. 6505: Mr. SCHIFF.
H.R. 6506: Mr. ROKITA.
H.R. 6510: Mr. SCHIFF, Mr. NADLER, Mrs. WATSON COLEMAN, Ms. CLARKE of New York, Mrs. MCMORRIS RODGERS, and Mr. MEEKS.
H.R. 6525: Mr. CICILLINE and Mr. CÁRDENAS.
H.R. 6531: Mr. GARAMENDI.
H.R. 6571: Ms. JACKSON LEE.
H.R. 6609: Ms. GABBARD.
H.R. 6618: Mr. CRIST.
H.R. 6622: Mr. BILIRAKIS, Ms. ROS-LEHTINEN, Mr. POSEY, and Mr. MAST.
H.R. 6625: Mr. LUETKEMEYER.
H.R. 6631: Mr. POCAN.
H.R. 6636: Mr. MOULTON.
H.R. 6637: Mr. GENE GREEN of Texas.
H.R. 6645: Mr. SOTO.
H.R. 6651: Mr. CONNOLLY.
H.R. 6657: Mr. BABIN.
H.R. 6664: Mr. ROTHFUS and Mr. WENSTRUP.
H.R. 6689: Mr. STIVERS.
H.R. 6695: Mr. WENSTRUP.
H.R. 6703: Mrs. LESKO.
H.R. 6722: Mr. GRIJALVA, Ms. JACKSON LEE, and Mr. DESAULNIER.
H.R. 6723: Mr. NORMAN.
H.R. 6729: Mr. PAULSEN and Mr. GROTHMAN.
H.R. 6733: Mr. POLIQUIN.
H.R. 6734: Mr. MAST, Mr. PAULSEN, Mr. POCAN, Mr. YOUNG of Iowa, Mr. MACARTHUR, and Ms. LOFGREN.
H.R. 6759: Mr. DONOVAN.
H.R. 6775: Mr. DESAULNIER and Ms. BROWNLEY of California.
H.R. 6787: Mr. GROTHMAN and Mr. NORMAN.
H.R. 6796: Mrs. MIMI WALTERS of California, Mr. YODER, and Mr. HULTGREN.
H.R. 6805: Mr. BROWN of Maryland.
H.R. 6830: Mr. PETERSON.
H.R. 6835: Mr. BERGMAN and Mr. COSTELLO of Pennsylvania.
H.R. 6840: Ms. HANABUSA, Mr. GRIJALVA, and Mr. MCGOVERN.
H.R. 6873: Mr. BISHOP of Georgia.
H.R. 6880: Ms. LEE, Mr. ESPAILLAT, and Ms. SCHAKOWSKY.
H.J. Res. 140: Ms. ROSEN.
H. Res. 220: Mrs. LESKO.
H. Res. 318: Mr. BUCK.
H. Res. 528: Mr. KRISHNAMOORTHI.
H. Res. 766: Mr. BUDD.
H. Res. 768: Mr. GENE GREEN of Texas and Mrs. DEMINGS.
H. Res. 776: Mr. BRAT.
H. Res. 931: Mr. SHERMAN.
H. Res. 932: Mr. POSEY, Mr. CALVERT, Mr. CLAY, and Mr. FASO.
H. Res. 993: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RASKIN, Mr. ELLISON, Mr. CURBELO of Florida, and Mr. KINZINGER.
H. Res. 1006: Mr. SHERMAN.
H. Res. 1026: Mr. MAST.
H. Res. 1031: Mr. ESPAILLAT and Mr. THOMPSON of Mississippi.
H. Res. 1035: Mr. MARSHALL, Mr. POE of Texas, Mr. ROSS, Mr. LAMALFA, Mr. WEBER of Texas, Mr. GRAVES of Louisiana, Mr. WILSON of South Carolina, Mr. ALLEN, and Mr. BARR.
H. Res. 1052: Mr. SHERMAN.
H. Res. 1055: Mr. SHERMAN, Mr. SMITH of New Jersey, Ms. BASS, and Mr. CICILLINE.
H. Res. 1057: Mr. KRISHNAMOORTHI and Mr. ESPAILLAT.
H. Res. 1065: Mr. COSTELLO of Pennsylvania, Ms. JACKSON LEE, and Mr. CARSON of Indiana.
H. Res. 1071: Mrs. LESKO and Mr. ZELDIN.
H. Res. 1073: Mr. FOSTER.

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. 6774: Mr. RYAN of Ohio, Mr. COLE, Mr. MESSER, Mr. JONES, and Mr. VELA.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164 WASHINGTON, WEDNESDAY, SEPTEMBER 26, 2018 *No. 159*

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, in these challenging and unpredictable times, we look to You for guidance. You are the source of our strength and the center of our joy.

Remind our lawmakers that You are prepared to shower them with wisdom if they would only request it. Thank You for inviting our Senators to ask and receive, to seek and find, and to knock and open closed doors. Bless our legislators with productivity and progress for the glory of Your Name.

Today and always, let Your will be done on Earth as it is done in Heaven.

We pray in Your strong 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 26, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. PAUL thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2019. (Reappointment)

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. MCCONNELL. Mr. President, tomorrow morning, the Senate and the American people will hear from Judge Brett Kavanaugh and Dr. Christine Blasey Ford under oath. We will hear sworn testimony from both of them regarding the allegation of 30-plus-year-old misconduct that Dr. Ford has raised.

It goes without saying, but it bears repeating: Sexual assault is completely abhorrent. Everyone deserves to be safe. So I am glad Dr. Ford will be heard.

I would like to particularly thank Chairman GRASSLEY, who worked tirelessly to establish a fair process and a secure, comfortable setting for this to take place. He gave Dr. Ford the opportunity to testify in public or in private or to speak with investigators who would meet her anywhere she wished or to conduct the entire interview by phone. He has brought a patient professionalism to this process—one that stands in stark contrast to those on the other side of the aisle who self-describe as ''Spartacus'' and play to the television cameras. Dr. Ford will be heard, thanks to Chairman GRASSLEY and despite the irresponsibility of Senate Democrats, who ignored her allegation for weeks and then discarded her request for confidentiality and leaked it to the press.

Let me walk you through this again. The ranking Democrat on the Judiciary Committee received a letter from Dr. Ford all the way back in July in which she stated her allegation and asked for confidentiality. That was in July. The committee's thorough review of Judge Kavanaugh was just getting started. There was ample time to vet this allegation in a serious and bipartisan manner that would have maintained confidentiality and honored Dr. Ford's request for privacy.

All the Democrats needed to do was go through proper channels and share the information with their Republican colleagues so the committee could tackle it together, but that is not what Senate Democrats did. This is the Democratic caucus whose leader, my friend the senior Senator from New York, said just hours after Judge Kavanaugh was nominated that he would ''oppose him with everything I've got.'' This was just hours after the nomination. This is the Democratic caucus of which several Members preemptively announced fill-in-the-blank opposition to any nominee before

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Judge Kavanaugh had even been named. This is the Democratic caucus that spent all summer searching for reasons to delay, delay, delay this nomination. This was because there were not enough documents, because there were too many documents, because of unrelated headlines—you name it.

No, these Democratic colleagues did not treat Dr. Ford or her allegation with the seriousness and discretion she deserved. Apparently, they took no meaningful action for weeks with respect to her claim. Then, finally, at the eleventh hour, when its introduction was virtually certain to introduce further delay, they got it to the press. So much for Dr. Ford's request for confidentiality, I guess.

What lessons can we draw from all of this? If you write to the Senate Democrats in complete confidence about an extremely sensitive matter, you will soon wind up a household name. If you are a public servant whose confirmation those on the far left happen to oppose because they dislike the fact that you will interpret the law and the Constitution according to what they mean rather than what those on the far left wish they would mean, they will not hesitate to weaponize uncorroborated allegations and drag your name and your family right through the mud. That is what these guys will do to you—uncorroborated allegations, which Judge Kavanaugh has denied repeatedly in the strongest terms in public and to the Senate investigators, all under penalty of felony.

Let's not forget that Dr. Ford's account identifies three other supposed witnesses, and each of these individuals has denied participation in or recollection of any such event—also under penalty of felony in all cases. One of the alleged witnesses is a longtime friend of Dr. Ford's. She has stated not only that she does not recall any such party but that she doesn't even know Judge Kavanaugh. No corroboration. No supporting evidence before us. Just Dr. Ford's allegation.

By any normal standard of American justice, this is nowhere near enough to destroy someone's reputation or nullify one's career, but some of our colleagues are trying to move the goalposts.

The junior Senator from Delaware asserted recently on television that it is Judge Kavanaugh who bears the burden of disproving these allegations. Let me say that again. The junior Senator from Delaware said Judge Kavanaugh bears the burden of disproving these allegations. Guilty until proven innocent—in our country?

Similarly, the junior Senator from Hawaii has implied that Judge Kavanaugh does not deserve a presumption of innocence. The junior Senator from Hawaii has said that Judge Kavanaugh does not deserve a presumption of innocence because she does not agree with his judicial philosophy.

Just yesterday, the Democratic leader said that because we aren't in a criminal courtroom, ''there's no presumption of innocence or guilt here when you have a nominee before you.'' In America, somebody is saying that? Well, it will not surprise you to know the Democrats haven't always taken that position.

Back in 1991, when our friend Senator Joe Biden was chairman of the Judiciary Committee, he had this to say to Judge Clarence Thomas when the committee was evaluating an allegation against him.

Joe Biden said:

> The presumption is with you. With me, the presumption is with you, and in my opinion it should be with you until all the evidence is in and people make a judgment.

That was the chairman of the Judiciary Committee, Joe Biden, during the Clarence Thomas proceeding.

My colleagues would do well to remember this commonsense principle. After all, this is America. Every American understands the presumption of innocence.

I am glad that Chairman GRASSLEY, his staff, and committee investigators have worked so hard to clean up this mess and put together a fair process. I am encouraged by the committee's choice of Rachel Mitchell, a career prosecutor with decades of experience in sensitive investigations, who was recognized with an award by Arizona's then-Democratic Governor, Janet Napolitano, to lend expertise to this important process.

It is time for Senators to hear from both Dr. Ford and Judge Kavanaugh under oath. Tomorrow, we will do just that. Then it will be time to vote.

TRIBUTE TO TOM HAWKINS

Now, Mr. President, on an entirely different matter, it is with great reluctance that I close by marking the recent departure of a trusted adviser, a loyal friend, and a true patriot from my leadership staff.

Tom Hawkins served as my national security advisor for over a decade. Over that time, he became a familiar face to so many around the Senate. In fact, while I told my staff I was waiting for a quiet day to offer a fulsome tribute to Tom's service here on the floor, I have to admit I was really just hoping one of my colleagues would convince him to stick around so I wouldn't have to.

Of course, for Tom, with his incredibly important portfolio and his diligence and dedication, there was really no such thing as a quiet day. Long after the lights went off here on the Senate floor, Tom was reviewing intelligence, conducting classified meetings, and making sure my colleagues and I were equipped to make serious decisions about our Nation's security and footing in the international system. It was impossible to walk away from a meeting with Tom and not grasp the serious, real-world consequences of our work. After all, he had lived them.

During his own decorated military career, Tom led marines in combat. He understood firsthand the price of freedom. This was clear from his very first days on my staff. From those early months, in the heat of negotiations over a new strategy for our involvement in Iraq, I never doubted that Tom was tirelessly committed to the brave men and women in uniform who continue to serve our Nation—so tirelessly, in fact, that traveling with Tom and our military personnel abroad was a lot like traveling with our dear, late friend, Chairman John McCain—cover a lot of ground, meet a lot of people, and sleep when you get back home. As Tom moves on from the Senate, I sincerely hope that he will take a break from his grueling pace.

In fact, Tom, that is an order.

I know Tom's wife, Jennifer, and his daughters, Emily and Abigail, will back me up on that one. Very few people will ever know the full extent of Tom's service and his sacrifice, but believe me—America is safer and more secure for his efforts, and in the Halls of this institution, which he served so faithfully for so long, he will be sorely missed. Never once—not one time—did Tom put his personal views ahead of my own or his personal interests ahead of the best interests of our country. He was always faithful to me, to this body, and to our Nation. That was Tom—always faithful. To put it another way, semper fidelis.

On behalf of the Senate and the Commonwealth of Kentucky, our men and women in uniform around the globe, and the entire Nation, I thank Tom Hawkins again for his many years of patriotic service, and I extend our very best wishes for all that the future holds.

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.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

NOMINATION OF BRETT KAVANAUGH

Mrs. MURRAY. Mr. President, I come to the floor to join my colleagues in lifting up the voices of women across the country who, right now, are being ignored, swept aside, and attacked, and in calling on our Republican colleagues to join us and do everything we can to make sure women are heard, listened to, and respected as we debate and deliberate over Judge Kavanaugh's nomination to the Supreme Court.

Recently, I was back home in Washington State to talk to my constituents about the Supreme Court nomination, and I met a woman named Caitlin, who bravely told me and others about her experience of being sexually assaulted.

She shared her story. It was July 2016. She had gone to a concert that evening, and she was sexually assaulted that night, but it was how she explained what happened after that I want to share today.

She said:

As a sexual assault survivor, I know firsthand that these experiences have a lasting impact and the pain can't be overstated. In the aftermath of sexual violence, it's common to feel humiliated and to blame ourselves; to just want to forget it ever happened. I didn't want to admit that I'd ''allowed'' this to happen to me, so I tried to convince myself that the attack had never occurred. For these reasons and so many others, it's common to wait months or . . . years before confiding in anyone, even those closest to us.

Those were Caitlin's words to me. She went on, and she said:

Going public with our stories, opens us up to criticism ranging from victim blaming to accusations that we're liars and attention-seekers, in addition to far uglier insults that I won't repeat right now. I know that coming forward and forever tying our names to one of the most terrifying, degrading experiences of our lives isn't a decision to be taken lightly.

Sadly, Caitlin is not alone—far from it. She shared her story with me so her story can help others and so I can lift it up, make sure it is being heard, and help her make a difference.

So this brings me to the question I want to ask today: What is this really about, right now, in this moment, in the U.S. Senate? There is a whole lot of confusion, a whole lot of mud being kicked up, and a whole lot of distractions, but what is this moment, right now, really about?

It is not the question of this confirmation, although that is clearly important. It is not whether we think Judge Kavanaugh would make a good Supreme Court Justice or whether we can trust him, despite the lies we have already heard on issue after issue. Those are, of course, critical questions too. It is not even whether my colleagues will believe the allegations brought against him are true once all the evidence is weighed and all investigations are complete—although, of course, for many of us, that question must be dug into—but to me and millions of people across the country, this moment right now is about the answer to a few simple questions.

Is the Senate a place where women are listened to, heard, and respected or is it still just one more place where women's voices are swept under the rug, where our voices are ignored, attacked, and undermined, right now, in this moment, in the U.S. Senate, while the President of the United States is saying a woman can't be trusted because ''she was drunk''; while he was tweeting that Dr. Ford can't be trusted because if it were really as bad as she said, she would have reported it back when she was 15 when it happened; while Republican leaders are saying they will ''plow right through'' this; while they are desperately trying to distract people by pointing to the process and the timing—anything but the substance; while they hire a woman they are calling their ''female assistant''—the lawyer they found to ask Dr. Ford the questions they can't trust the Republican men on the Judiciary Committee to ask; while they are already sweeping past this hearing and scrambling to line up a committee vote right away; while they are planning to stay through the weekend to rush to a vote on the Senate floor that their leader says is ''confident'' they ''will win''—before Dr. Ford has even had a chance to be heard and a vote that doesn't need to be rushed for any good reason?

Right now, in this moment, in the U.S. Senate, these are the questions: Will women be heard or will women be ignored? Will women who are bravely coming forward to share the most horrific experience of their lives be trusted or will they be treated like liars? Will women, such as Caitlin, Dr. Ford, and Ms. Ramirez be respected, listened to, and heard or will they be pushed aside, put in their places, and told to remain quiet?

Right now, in this moment, in the U.S. Senate, what kind of message will we send to women and girls across the country who are watching, who are looking to see how Dr. Ford is being treated; whether Ms. Ramirez, who is reportedly willing to testify to the committee under oath—whether her story will be taken seriously or even be investigated. They are grappling with what may be one of the toughest decisions of their lives: Should they report a sexual assault? Should they try to bring a perpetrator to justice and make sure he faces the consequences he deserves or should they keep it to themselves, worried about the ways they may be attacked or ignored or disbelieved, interrogated about what they drank or wore, whom they told and when?

Right now, in this moment, in the U.S. Senate, what kind of message will we send to men and boys across the country who are watching right now, who will see whether women are empowered to share their experience, men facing the consequences of their actions, and a message sent that this is not acceptable behavior in high school, in college, or anywhere else, or who will, once again, hear that women can be attacked and abused and disrespected and used and then ignored and attacked all over again when they share their stories?

I decided to run for the U.S. Senate after I saw Senators get those questions wrong in the Anita Hill hearings in 1991. I ran to be a voice for the women and men across the country who thought it was absolutely wrong for her to be ignored, attacked, swept aside, and disbelieved. I ran for, right here, in this moment, in the U.S. Senate, to make sure we never allow that to happen again. I ran for my daughter who sat by my side as we watched that all-male Judiciary Committee grill Anita Hill, for her daughters—my granddaughters—who are not quite old enough to understand what will happen on Thursday but who will grow up in a world that will treat them better or worse depending on how women are treated this week, for Caitlin and the women like her who shared their stories with me—some out loud in front of crowds, some in whispered voices after everyone else has left—and for the women we don't know who have buried their experiences deep down inside, who have kept their secret for decades because they have been too scared or intimidated to come forward and who are watching right now to see what happens here, right now, in this moment, in the U.S. Senate.

I am proud to bring their voices to the floor today, and I am truly hopeful enough Republicans stand with them and that we can do the right thing.

Republican leaders need to listen—truly listen—to the women coming forward to share their experiences. Republican leaders need to investigate—truly investigate—the allegations they are making and the inconsistencies in Judge Kavanaugh's statements on so many issues. Republican leaders need to end this scramble and rush. They need to slow it down and do this right.

Women and men are watching. They are paying attention, and they are not going to forget.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Mr. President, as we approach tomorrow's hearing with Dr. Ford and Judge Kavanaugh, I want to be very clear about how the Republican leadership has handled these incredibly serious and credible allegations of sexual assault. The Republican leadership has handled them poorly, unfairly, and disrespectfully.

Leader MCCONNELL has called this entire issue a ''smear campaign'' cooked up by Democrats. That is a blatant falsehood that demeans the women who have courageously come forward. They came forward, not Democrats. They did it on their own, not Democrats. And when Leader MCCONNELL says that it is a smear campaign, he is demeaning these women. As I have said before—but we have yet to hear—Leader MCCONNELL owes Dr. Ford an apology for what he has said.

After Republicans on the Judiciary Committee learned of a second potential allegation against Judge

Kavanaugh, they renewed their request, of course, to accelerate—to speed up—the confirmation process.

Chairman GRASSLEY has prohibited witnesses in tomorrow's hearing, other than Dr. Ford and Judge Kavanaugh, including the one and only alleged eyewitness to the events in question. Chairman GRASSLEY and several of his colleagues on the other side have already proposed a final committee vote on Friday. They proposed the vote before the hearing occurs. Isn't that prejudgment? And they are acting, when they propose the vote before the hearing, as if the conclusion was foreordained and the hearing is just a nuisance to ''plow through.''

Most galling of all: Republican leadership and the White House have blocked the FBI from reopening an independent background check investigation into Judge Kavanaugh, a standard procedure for Federal nominees when new allegations arise. This isn't a new thing that Democrats are pulling out of a hat. This is something we do all the time—except in this case, no.

So this isn't a Democratic smear job, as the Leader so callously and disrespectfully suggested; this is a Republican rush job and, I might add, a rush job to avoid getting to the truth.

Here is the contradiction in Leader MCCONNELL's logic: Leader MCCONNELL keeps saying that the allegations by Dr. Ford and other women are ''uncorroborated''—his word—while, at the same time, he is blockading the obvious avenues to corroborate them, and that would be an impartial FBI investigation calling on witnesses to testify. Senator MCCONNELL's assertion is wrong on its face because sworn statements corroborating Dr. Ford's account were submitted to the Judiciary Committee yesterday. If he doesn't believe those statements, it is simple: Have the FBI go interview those who submitted the statements, and then they would have to tell the truth under the penalty of perjury.

So right here and now, I challenge any Member of the Republican Senate to come to the floor and give one good reason why we shouldn't allow the FBI to follow up on its background investigation—one good reason. I haven't heard one. With all the rhetoric, all the screaming, all the name-calling, all the disrespecting of women who have come forward—something this Nation knows all too well these days—we haven't heard one actual reason why there shouldn't be an FBI investigation.

Will it slow it down? It will take only a few days.

I would remind Leader MCCONNELL that he slowed down a nomination to the Supreme Court for a year, and now a few days is too much? Give me a break.

Dr. Ford has asked for an FBI investigation. That shows the faith she has in her account. Editorial boards across the country have echoed her call for an FBI investigation. Anita Hill, treated so unfairly in her day, said that an FBI investigation is essential. And I have to give some credit: A handful of fair-minded Republican Senators have said that an FBI investigation is warranted because they know it would get to the facts. They know it would keep politics out of it. They know it wouldn't cause much of a delay.

During Justice Thomas's confirmation process, an update to the FBI background check took 3 days—3 days. Leader MCCONNELL held a Supreme Court seat open for over 400 days. So why was that OK, and this is not OK?

Again, I say to my dear friend, Leader MCCONNELL: Give me one good reason—give the American people one good reason—why we shouldn't ask the FBI to investigate. If it is a smear job, as he claims, the FBI will find that out. But they also might find out that it is no smear job; it is the God's honest truth.

Now, another tactic: The Republican leader has just trotted out old quotes by Senator Biden pointing out that FBI investigations don't provide conclusions.

I would say to the leader: That is just the point. The purpose of the FBI investigation would not be to prove definitively who is right one way or the other. That is a judgment Senators are to make. The purpose of the FBI investigation is to provide the Senate with just the facts—that is what we want, just the facts—to make a more informed decision and one the American people could have some confidence in. Their confidence in Judge Kavanaugh and in the process is slipping daily, and with good reason. Isn't an impartial, fair, timely, and nondilatory FBI background check investigation fair to both Dr. Ford and Judge Kavanaugh, taking this out of the arena of politics and making it just about the facts? You bet it is.

Of course it is the right thing to do. But the Republican leaders and the White House have blocked it and scheduled a hearing for tomorrow anyway because, as Leader MCCONNELL promised last week, he is going to ''plow right through'' these allegations. And the motivation is clear: They want to put Judge Kavanaugh on the bench as quickly as possible because they know their nominee has a gigantic credibility problem, and every day that goes by, more and more Americans realize it.

Judge Kavanaugh has misled the Judiciary Committee on numerous occasions about his involvement in the ugliest Bush-era controversies, including on torture, on the confirmation of controversial judges William Pryor and Charles Pickering, on the sordid affair when Manny Miranda, a Republican operative, stole Democratic emails. Just today, Ranking Member FEINSTEIN said that Judge Kavanaugh misled the Judiciary Committee about an incident with a grand jury during his time working for Ken Starr.

Telling the truth, the whole truth, and nothing but the truth does not seem to be Judge Kavanaugh's way, but that is what we need on the Supreme Court.

Earlier this week, the Nation watched Judge Kavanaugh swear on national television that he never had so much to drink that he forgot events. That characterization doesn't track with several descriptions given by many of his high school and college classmates and when he says ''I can't recall this, that, and the other thing'' about his youth.

So the question of credibility looms. Is Judge Kavanaugh willing to say anything to get confirmed? And are Republican leaders willing to do anything to get him confirmed? Unfortunately, signs are pointing to yes.

Most importantly, when the credibility of the nominee is so questionable, is that the kind of person we want on the Supreme Court? I don't care if it is a liberal, a conservative, or a moderate. When the question of credibility is so much in doubt, as it is now with Judge Kavanaugh, that person should not be sitting on the highest Court in the land, the arbiter of our laws and often the determiner of right and wrong. It would be a new lower standard for the Court and for America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

URGING THE RELEASE OF INFORMATION REGARDING THE SEPTEMBER 11, 2001, TERRORIST ATTACKS UPON THE UNITED STATES

Mr. BLUMENTHAL. Mr. President, shortly, I will move for unanimous consent to pass S. Res. 610, urging the release of information regarding the September 11 terrorist attacks upon the United States. It is a bipartisan resolution, and I thank the cosponsors who joined me in this historic effort: Senators CORNYN, SCHUMER, GILLIBRAND, MURPHY, MENENDEZ, GRASSLEY, MARKEY, BOOKER, RUBIO, and SANDERS. At a time of very deep division in our country and in this body, all of us are still able to come together to help the survivors and families of the horrific September 11 terrorist attack as they seek justice and fairness to deter additional and ongoing state sponsorship of terror.

Following our successful efforts in 2016 to enact the Justice Against Sponsors of Terrorism Act, also known as JASTA, the families of 9/11 victims who perished earned the right to have their day in court. We thought that day would come quickly and they would receive justice. We believe they also earned a right to the necessary

Federal Government archive investigative files on the al-Qaida terrorists and foreign nationals who may have assisted. As much as we expected justice, the Federal Government denied them those records and documents that are vital to their cause.

So 17 years after this national tragedy, the appropriate declassification releasing these documents poses no threat to our national security, and there is no reason for the Federal Government to resist their requests. These files have been kept secret for too long. That secrecy contradicts the national interest. Their cause serves our national security, not only because it gives them justice individually, but it also deters terrorists in the future. Denying them access to this important evidence is unjust, unfair, and unwise.

The U.S. Government should make public any evidence of links between the Saudi Arabian Government officials and the support network inside the United States used to aid and abet the 9/11 hijackers. The legal and moral responsibility of our government is to provide its citizens with all available information regarding this horrific tragedy on September 11, 2001, particularly where there may be evidence that foreign nationals conspired within our borders to support terror with the assistance of foreign governments.

This resolution would never have been possible without the efforts of my constituent Brett Eagleson, of Middletown, CT. He was 15 years old when his father Bruce was lost to him in that massive, unspeakable destruction. He was on the 17th floor of Tower 2 of the World Trade Center. Brett was joined in his advocacy and efforts by members across the country of the 9/11 Families and Survivors United for Justice Against Terrorism. That group is a profile in courage, reliving the pain and anguish of those days in their efforts to seek justice for all Americans. They include a number of individuals whose names I wish to place in the RECORD: Mary Fetchet of New Cannan, who lost her son; Gordon Haberman of Wisconsin, who lost his daughter; Carol Ashley of Long Island, who lost her daughter; Tim Frolich, a survivor from New York City; Sharon Premoli, a survivor from Vermont; Loreen Sellitto from Florida, who lost her son; and Charles Wolf of New York City, who lost his wife. I thank each of them and the many others who supported this effort for their courage and strength.

There are so many we honor today by our passage of this sense-of-the-Senate resolution. This Senate resolution is itself succinct but significant. It resolves that it is the sense of the Senate that documents related to the events of September 11, 2001, should be declassified to the greatest extent possible; and, two, that the survivors, the families of the victims, and the people of the United States deserve answers about the events and circumstances surrounding the September 11 terrorist attack upon the United States.

Many years later, the pain and grief they endure on that horrific day is still with them. Each year in Connecticut we commemorate this day, and we will never forget. That is our resolve—never to forget, never to yield to hopelessness, never to allow our support for these families to diminish.

This sense-of-the-Senate resolution makes real the promise the Nation made to these 9/11 families. They deserve this evidence. Even if it is embarrassing to foreign governments or foreign nationals, they deserve justice.

Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. Res. 610 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 senior assistant legislative clerk read as follows:

A resolution (S. Res. 610) urging the release of information regarding the September 11, 2001, terrorist attacks upon the United States.

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

Mr. BLUMENTHAL. Mr. President, 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 with no intervening action or debate.

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

The resolution (S. Res. 610) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 21, 2018, under ''Submitted Resolutions.'')

Mr. BLUMENTHAL. Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

EXECUTIVE CALENDAR—Continued

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

NOMINATION OF BRETT KAVANAUGH

Mrs. GILLIBRAND. Mr. President, I rise to speak about Judge Kavanaugh's nomination to the Supreme Court.

I urge my colleagues to actually listen to Dr. Blasey Ford and treat her with the respect that she deserves. She deserves better than the setup she is walking into tomorrow.

I want to take a step back for a second and look at the big picture of what is actually going on with this nomination. We have a nominee for a lifetime appointment to the highest Court in the land who has been accused, credibly, of sexual assault. Dr. Blasey Ford reluctantly came forward out of civic duty and said that Brett Kavanaugh tried to rape her in high school. She is now facing death threats for her courage, and her worst fears of how she would be treated by this body have come to fruition.

Another woman, Deborah Ramirez, agreed to tell her story after being contacted by a reporter—again, risking her career and her safety—and said that Brett Kavanaugh exposed himself to her face in college while laughing, as part of a game.

These accusations are disturbing enough by themselves, but the response to these allegations by our colleagues are so disappointing. Take a look at how Dr. Blasey Ford is being bullied because she told her story. Listen to how she is being patronized and dismissed by some Members of the Judiciary Committee. Look at how our President belittled and demeaned Dr. Blasey Ford and Ms. Ramirez, reminding us once again that he has been credibly accused of committing sexual assault himself and denigrates not just women who accuse him but survivors everywhere.

That is not all. The chief counsel of the Senate Judiciary Committee tweeted after Dr. Blasey Ford's sexual assault allegation: ''Unfazed and determined. We will confirm Judge Kavanaugh.''

According to Ms. Ramirez's lawyer, the Judiciary Committee isn't even interested in taking her claims seriously or getting information from her about her claims. Instead of getting the facts—instead of even wanting the facts—they try to dismiss this as a smear campaign and plow right ahead.

For anyone who has ever wondered why so many survivors of sexual assault don't come forward—obviously, there is trauma, but there is also the fear of this very kind of retaliation and scorn. The question I have, that I know you have: Do we value women in this country? Do we listen to women when they tell us about sexual trauma? Do we listen to their stories about how their lives have been forever scarred? Do we take their claims seriously or do we just disbelieve them as a matter of course?

I want to echo the words of my colleague from Alaska: ''It is about whether or not a woman who has been a victim at some point of her life is to be believed.''

I believe Dr. Blasey Ford. Here is why I believe her. She has risked everything—her own safety—to come out on the record to say Brett Kavanaugh sexually assaulted her. She told her therapist and her husband about it 5 years ago. She told a friend about it a year ago. She told a reporter about it before Kavanaugh was ever named. She has even taken a lie detector test.

Why are my colleagues moving so fast, as fast as they possibly can, to confirm this judge?

This process is sending the worst possible message to girls and boys everywhere. It is telling American women that your voices don't matter. It is telling survivors everywhere that your experiences don't count, that they are not important, and that they are not to be believed. We are saying that women are worth less than a man's promotion. That is not how the world is in 2018, and we cannot allow this Senate, this body, to take us back to before 1991.

To those whom I hear say over and over that this isn't fair to Judge Kavanaugh, that he is entitled to due process and to the presumption of innocence until proven guilty and that Dr. Blasey Ford has to prove her case beyond a reasonable doubt, those are the standards for a trial. Those are the standards in criminal justice. We are not having a trial. This is not a court. He is not entitled to those because we are not actually seeking to convict him or to put him in jail. We are seeking the truth. We are seeking facts. We are seeking just what happened.

We, Senators—not staff members, not female lawyers—are being asked to assess his honesty. Is he an honest person? Is he trustworthy? Can we trust him to do the right thing for decades? To rule on women's lives for decades to come? Can we trust him to do that right?

This is not about whether he should be convicted. This is about whether he has the privilege to serve on the highest Court of the land for a lifetime. This is not a court of law. This is a job interview, and it is our job as Senators to assess if he is honest. Has he lied about his past? Has he misled members of the Judiciary Committee? Is he trustworthy?

One point, I think, that our colleagues are somewhat blind to, which I know the Presiding Officer is not, is that the last 2 weeks have been so painful for women who have experienced sexual trauma. Women have lived through this. So, when they are watching some of the most powerful people in this country disregard, distrust, disbelieve, minimize, devalue, unfortunately, it is painful for all of them. It is painful because you are tired of seeing the same old outcome every single time. You are tired of the scenarios in which the men are believed and the women are not. They can't believe their eyes when they see two women being treated with less respect and having less of a process than even Anita Hill received.

I quote a friend of mine, Amina Sow, who just disclosed today that she is a survivor. Her words are powerful and truthful and describe exactly the way many people feel:

> The truth is our strength. We are each other's strengths. To the women who are struggling: I see you. I am sorry we have to go through this. Thank you for trusting us with your stories. I am heartened by them and honored to know about you.

I believe Dr. Blasey Ford because she is risking everything—her safety, her security, her reputation, her career—to tell this story at this moment for all the right reasons. If we allow women's experiences of sexual trauma to be second to a man's promotion, it will not only diminish this watershed moment of the societal change we are in, but it will bring shame on this body and on the Court.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, as a member of the Senate Judiciary Committee, I am looking forward to a hearing that we will have tomorrow at 10 o'clock in the morning, at the request of Dr. Ford, that will give all of us an opportunity to provide a fair chance to her and for her to have her say. It is important that we do this because, during the last 10 days, it has felt like a series of small earthquakes. Actions taken and blunders committed by our Democratic colleagues have destabilized the normal confirmation process and timeline.

All of this stems from the fact that the allegations made by Dr. Ford were made to the ranking member and kept by her from other members of the committee as well as from the background investigators, who, normally, when allegations come up like this, protect the confidentiality and anonymity of both the accuser and the accused until they can be properly vetted. Yet that all went by the wayside when our friend from California, Senator FEINSTEIN, sat on this letter, this accusation. So we are where we are.

As a result of the unfairness to both the accuser and the accused because of the secrets the Democrats kept, because of the way these were leaked to the press and the pledges of confidentiality were violated, we know the nominee, Judge Kavanaugh, who has had six FBI background checks in the course of his professional career, has been subjected to multiple accusations that could and should have been brought up much earlier.

As I say, if it had been handled during the normal, conventional process, it would have protected Dr. Ford, and it would have protected the nominee from this circuslike atmosphere, and we could have gotten to the bottom of the allegation. We could have, hopefully, ascertained where the truth lies. Yet, under this approach, under this current situation—again, created by this failure to release the information so it could not be investigated until after the hearing—everybody loses. I think we all recognize the basic unfairness of this process both to Dr. Ford and to Judge Kavanaugh and that it did not have to be this way.

The process, as I say, has been patently unfair. That is why my colleagues and I have been insisting on a better way forward by returning to the process that is fair to all concerned. In the dictionary definition, ''fairness'' is defined as the ''quality of treating people equally or in a way that is right or reasonable.'' Another definition is ''impartial and just treatment of behavior without favoritism or discrimination.''

How are we to handle this accusation and this challenging difference of position on Dr. Ford's part, who said this attempted sexual assault occurred 36 years ago, and Judge Kavanaugh, who has stated under oath that no such thing happened? How do we get to the bottom of this?

The biggest challenge we have is time because I defy any one of us to try to reconstruct what we were doing on a given day at a given time 35 or 36 years ago. It is just impossible to reconstruct with complete fidelity and accuracy.

What we really need to be thinking about, I believe, is a fair process. We have tried to provide a fair process for Dr. Ford, under these unfortunate circumstances, to tell her story, but we also need to provide a fair process for the nominee. This should not be a precedent for how future nominations will be handled. We should learn from this terrible experience and commit to doing better. One way to do better would be to return to our basic values and principles in our government and in our country, under our Constitution, which guarantee the rights of a person who is accused of a crime.

I know the minority leader—my friend from New York, Senator SCHUMER—has said to Judge Kavanaugh that this is not a court, that this is a nomination, which, I presume from that, means, well, anything goes and that there are no rules. He has been accused of a crime—attempted sexual assault—and has testified under oath, under penalty of perjury, that no such thing happened. This is a very serious matter, and we need to take it seriously and not create a new framework out of thin air, which says, somehow, if somebody makes an accusation that cannot be corroborated by anybody else 36 years later, that that somehow satisfies our notions of due process and of protecting the rights of people who are accused of crimes.

Fundamentally, this is about fairness. People who have been accused of grave misconduct have a right to due process under our Constitution. They have a right to know who their accusers are as well as the nature of the charges being brought against them and the evidence that will be presented against them. Those are basic, constitutional, American rights that are consistent with our idea of what the government's burden should be when the government is trying to deny us our right to liberty or property or even to our lives.

We also know these rights include a right to speedy proceedings without unnecessary delays. Unfortunately, there have been plenty of delays for Judge Kavanaugh. Last week, we saw Chairman GRASSLEY patiently wait and wait and wait some more while the legal team and political operatives who represent Dr. Ford strung the committee along. I am sure Judge

Kavanaugh was wondering: What in the heck is going on here?

As we all heard during a televised interview on Monday night, he, unequivocally, denies the claims that have been made against him. Again, that is a serious statement because he does so under penalty of perjury. He said: ''I know what is the truth, and the truth is I have never sexually assaulted anyone in high school or otherwise.'' Those are strong words and direct words, and they remind us of something important. It is the truth that the Judiciary Committee and the entire country should be after—the truth. But for the truth to be our goal this week, some of my colleagues need to dial down the rhetoric and quit presuming guilt based on an accusation and nothing else.

At a minimum, a fair process requires a partial and open mind on the part of those charged with determining a person's professional fate. My fellow Senators need to remain open to receiving and evaluating credible evidence presented at the hearing. Unfortunately for our Democratic colleagues, that ship has sailed.

Long before Dr. Ford's allegations were leaked to the press and made public, contrary to her wishes, all of our colleagues on the other side of the aisle on the Senate Judiciary Committee had said that they would vote against this nomination, so Judge Kavanaugh hardly has an open and impartial tribunal deciding his professional fate and deciding whether this accusation will remain a stain on his professional career and reputation for the rest of his life.

Then, as I said, there is also the presumption of innocence. The Supreme Court has said: ''The law presumes that persons . . . are innocent until they are proven, by competent evidence, to be guilty.'' This is a fundamental bedrock of our constitutional system. It is nonnegotiable. It cannot be conveniently brushed away by our colleagues across the aisle. It is not one of several options; rather, it is guaranteed under our Constitution. The burden of proof is always on the party alleging wrongdoing, not the other way around.

We have the logical conundrum, as well, beyond the constitutional one, where Dr. Ford has testified—at least in the letter—to an event occurring. Judge Kavanaugh said it didn't happen. He said: I didn't do that; I wasn't there. So unless the burden is on the person making the accusation, how in the world could the person defending possibly prove a negative when he says that it didn't happen and he wasn't there? It is impossible. That would be a presumption of guilt, not a presumption of innocence. That would turn our Constitution on its head.

That is why it is so important for us to hear from Dr. Ford, to evaluate the strength of not just the allegations but what corroboration, what other evidence, there is in order to find the truth.

We have learned from media reports that attorneys for Dr. Ford have affidavits of additional people who know the accuser personally, but according to USA Today, these simply indicate that these are things that Dr. Ford told her friends 20 or 30 years later, not witnesses of the event that she claims occurred 35 or 36 years ago.

Let's also remember that three other eyewitnesses Ms. Ford identified have said that they have absolutely no recollection of the events that she says took place—none whatsoever. These are people Dr. Ford identified as witnesses to the assault that she claims Judge Kavanaugh perpetrated. Yet the witnesses she identified said that they have no knowledge of such an event.

We also need to remember the context in which all of this is occurring. Sixty-five women who went to high school with Judge Kavanaugh have written a letter saying that he has always behaved honorably toward them and treated them with respect. That doesn't mean Dr. Ford is not entitled to be heard—quite the contrary.

She has a story to tell. As the father of two daughters, I want to hear that story. I want to compare it to Judge Kavanaugh's unequivocal denial and judge for myself the reliability of each. As a former judge for 13 years and an attorney general for 4, I feel that doing anything less would be shirking my duty.

We owe Dr. Ford our time, our attention, and our best efforts at discerning the truth. That means her claims will be tested, examined, and new information, perhaps, will be brought to light. At least that is my hope. That is the way it should be.

We are trying to clean up the mess created by an unconventional process of leaking allegations to members of the press after the background test was completed and after the hearing occurred rather than handling it the way that, as I said, it should be. We should have started with that process, not end it here.

What the majority leader described yesterday as a disturbing pattern should never have taken place over the last few weeks. Our colleagues across the aisle, catching wind of an allegation, refused to share it with the majority and, instead, waited and then made sure that it was leaked to the press at the most politically opportune time, when it was likely to cause the maximum disruption and embarrassment to both Dr. Ford and Judge Kavanaugh. That is no way for the U.S. Senate to do its business.

A search for the truth—if that, in fact, is what we are involved with, and I hope it is—should not involve delays and the withholding of documents. It should not involve orchestrated personal attacks on Members either. It should not involve a mob rule like what we saw at the first Kavanaugh hearing. It should not involve people sending coat hangers to offices or forcing committee members to leave restaurants, harassing them when they are trying to have dinner with their family.

People who hold a genuine concern for Dr. Ford would have honored requests for anonymity and privacy. That is what Dr. Ford specifically requested. They would have passed those allegations to the Judiciary Committee so that an investigation could have been conducted in a more timely and confidential fashion, and then they could be addressed during the hearing, if necessary, that we had earlier this month. That standard procedure would have treated Ms. Ford as a real person, not as a political pawn, and it would have left the Democratic operatives who have now been hired to dig up dirt out of the mix.

I want to say that throughout all of this, Chairman GRASSLEY has been exceedingly generous toward Dr. Ford, as we would all want him to be, even when his patience has been tested. I want to commend him, once again, because he has had a very difficult job of trying to run the Judiciary Committee, trying to be fair to the nominee and the accuser alike when this wrench, thrown into the spokes of the committee operation, has created more of a circuslike atmosphere than a deliberative process and search for the truth, testing the background of a nominee, which is something all nominees deserve. No nominee deserves to be dragged through the mud like this.

Chairman GRASSLEY has been patient because he knows how important this is and how much is on the line, not only for the Supreme Court but also for women across this country who see a little bit of themselves in Dr. Ford and want to make sure that their voices, like hers, are always heard.

Over the last year, we have been in the middle of an important national conversation on the topic of sexual assault and the way men have treated women. As I said, I have two daughters. As I mentioned earlier, every American has a mother. Some are lucky and have a sister or a spouse or a daughter, and I think all of us would want to make sure that all of those women in our lives would be treated with dignity and respect, were they in the same position that Dr. Ford now finds herself in.

Yet it is also important to remember that every person has a father. Many are fortunate to have brothers or sons or husbands, and we would want to make sure that all of those men are also treated fairly and with respect. We would no more rather have a women's truthful claim be ignored than an uncorroborated accusation against a man be honored. That is fairness.

As we know, Dr. Ford is a real person, and so is Judge Kavanaugh—flesh and blood. Each of them should be treated with fairness, with dignity, and with respect. It is not just one or the other, which is the false choice that many of our colleagues have suggested. We can't pick one and dismiss the other outright and claim any fairness

or allegiance to our constitutional system and due process of law if we do otherwise.

As Michael Gerson, the columnist for the Washington Post, reminded us earlier this week, somewhere along the way this process devolved into one that is no longer about just winning arguments but about demonizing and destroying other people. It is not about winning arguments. It is not about winning elections. It is not about winning votes here in the Senate. This process has devolved into character assassination and destroying the reputation and lives of real people. It is not too late to change that.

This all calls to mind that famous line by Joseph Welch, a lawyer during the McCarthy hearings. He said: ''Have [we] no sense of decency . . . at long last?''

Well, I think we still do, and I hope Republicans and Democrats will prove we have a sense of decency and fairness as we approach Thursday's hearing.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CASEY. Madam President, I ask unanimous consent to speak as in morning business.

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

RUSSIA INVESTIGATION

Mr. CASEY. Madam President, I rise today to urge the Senate to pass the Special Counsel Independence and Integrity Act. This is a bill that not many Americans have heard about yet, but it is a critically important bill for the Senate to pass and very important for the country. This bill will preserve the Justice Department's independent investigation into Russia's interference in the 2016 Presidential election.

Since this weekend, there have been reports that the President may fire Deputy Attorney General Rod Rosenstein from his position at the Department of Justice. This would be a gross abuse of power—a line that we cannot allow to be crossed without consequence. Mr. Rosenstein has a long career in public service and law enforcement. He initially joined the Department of Justice nearly 30 years ago through the Attorney General's Honors Program and rose through the ranks, serving as a Trial Attorney, as a Principal Deputy Assistant Attorney General for the Tax Division, and as a U.S. Attorney in Maryland for over a decade—a critically important job in our justice system.

As Deputy Attorney General, Mr. Rosenstein has overseen the Russia investigation led by Special Counsel Robert Mueller, which has secured indictments or guilty pleas from 32 people and 3 companies, including Russian individuals and companies, as well as former Trump campaign manager Paul Manafort, deputy campaign manager Rick Gates, and other campaign advisers, including George Papadopoulos and Michael Flynn. Earlier this month, Mr. Manafort pleaded guilty to ''conspiracy against the United States.''

Mr. Rosenstein has played an integral role in ensuring that the Mueller investigation can continue without interference. Unfortunately, this work and Mr. Rosenstein's long and distinguished service at the Department of Justice could come to an end if he is fired by the President.

From day one, President Trump has systematically worked to obstruct Special Counsel Mueller's investigation into Russia's attack on our Nation. He has attempted to fire, to demand loyalty of, and to interfere with any official with oversight of this matter. By way of example, this is a President who fired the Director of the FBI and later admitted in a television interview that he had done so with the Russia investigation in mind. This is a President who has repeatedly attacked the very Attorney General he nominated, suggesting that the Department of Justice should do his political bidding. This is a President who has impugned the impartiality and the motives of judges who have ruled against his policies. This is a President who has continued to call the Mueller investigation a ''witch-hunt'' despite the fact that it has already produced dozens of indictments and guilty pleas.

In short, this is a President who believes the Department of Justice owes a duty of loyalty to him and him alone. Our Justice Department officials have a duty to serve the American people and only the American people. They swear to uphold the Constitution, not to genuflect to this President or any President.

Deputy Attorney General Rosenstein has upheld his duty to the country and our Constitution. If the President fires him, it will be yet another blatant attempt to derail the Mueller investigation, and it could very well be successful.

Rod Rosenstein supervises the Russia investigation, overseeing the work of Special Counsel Mueller and his team. He receives status reports, establishes the investigation's budget, and, according to special counsel regulations, has the power to ''determine whether the investigation should continue.'' He therefore plays an integral role in ensuring that the independent investigation can continue to seek answers on Russia's interference in the 2016 election.

If Mr. Rosenstein were fired, it could compromise the Mueller investigation in ways the public can see and in ways we may never know through warrants that are never approved or resources that are diverted to other projects. This would be a decision by the President that would put us into uncharted waters. It is therefore more important than ever that Congress step up and exercise the oversight that the American people expect from us and I would say especially here in the Senate.

Since President Trump entered office, the Republican majority has not discharged its duty to act as an independent check on the executive branch and on the President himself. The majority would not be able to abdicate its responsibility any longer if Rosenstein were to be fired.

Congress has a solemn obligation to act immediately—immediately—to protect Special Counsel Mueller's investigation and prevent any more interference from this administration. Senators in both parties have a duty to the American people to step up as a coequal branch of government and ensure that the special counsel's independent investigation remains just that—independent.

For public officials and institutions with nothing to hide, an investigation which is independent is not a ''witch-hunt''; it is an opportunity for vindication, a chance to prove that our institutions and the individuals who serve them are truly worthy of the public's trust.

At a time when the American people's confidence in our institution is low—very low—and when suspicion of wrongdoing is high, it is all the more important that the 2016 election activities of Russia, as well as the Trump campaign, be open for review. As the voice of the American people, we in the Senate must ensure that the investigation both continues and remains, in fact, independent.

The legislation to protect the Mueller investigation, the Special Counsel Independence and Integrity Act, is ready for a vote by the full Senate at any time if the majority leader would permit us to do that. It is a bipartisan bill that has been approved by a bipartisan majority of the Judiciary Committee. There is no excuse not to pass this legislation immediately. Day by day, each time the President attacks Robert Mueller or Rod Rosenstein or the rule of law, we are presented with more evidence of why this legislation is needed. That is why I have again come to the floor to urge Leader MCCONNELL to bring up this bill for a vote. It is far past time to put country over party.

We must not forget that the special counsel is investigating an attack on our democracy by a foreign adversary. As a matter of national security, the American people deserve answers about what happened during the 2016 election. We cannot allow anyone, including the President, to interfere with the investigation and prevent the American people from getting those answers to very important questions.

NOMINATION OF BRETT KAVANAUGH

Madam President, very briefly, I wanted to add a few comments with regard to the vote on Judge Kavanaugh

that is now before the Judiciary Committee. We are told that tomorrow there will be testimony from both the judge and Dr. Ford, but I think the evidence that is on the record so far and the new allegations that are just breaking news at this hour continue to reinforce my belief—and this was my belief a week ago, it was my belief a number of days ago, and it is still my belief today—that these allegations warrant an FBI investigation.

This would not be a new endeavor for the FBI. They do this routinely for nominees from the Supreme Court all the way down. They, of course, did an investigation into the judge's background for the purposes of this confirmation. An investigation of these new allegations would simply be an update to the background check. It would be the completion of the background check. That is why this is not a month-long or even weeks-long investigation that could transpire. I would hope—and there is still time to do this either today or even while the Judiciary Committee is hearing testimony tomorrow—that there would, in fact, be an investigation that might last a few days. We can certainly take the time to do that. When you are talking about the confirmation of a Justice on the most important Court in the country and probably the most powerful Court in the world, I am sure we could take a few more days to complete a background check investigation.

There are inscriptions on the Finance Building in Harrisburg—a building I worked in for a decade—that talk about issues like public service and what our government should be about. I think one of them applies to this circumstance, about whether there should be an investigation that would simply complete the background check on Judge Kavanaugh, which I think is necessary and reasonable and appropriate. Here is what was inscribed in the 1930s on this government building in our State capital: ''Open to every inspection; secure from every suspicion.'' I think those few words encapsulate what we are talking about here.

I would hope that anyone—including Judge Kavanaugh but anyone who supports his nomination and confirmation to the Supreme Court—would want to have these allegations fully reviewed. I know the Senate Judiciary Committee has staff on both sides who do investigations. That is appropriate as well, but I think we have reached a point where there is such a divide here that it is hard to be confident about the fact that staffs on both sides could do a thorough investigation and cooperate to such a degree that it would be the equivalent of an FBI background check.

I think it is important that there be an independent investigation or, as I said before, and I will say it again, the completion of a background check—not a new investigation but really an update of the existing background check. I would think that anyone would want that to be completed either prior to or even during the testimony tomorrow—it may provide a foundation for additional testimony by additional witnesses—to make sure we have reviewed every part of these allegations. I think that is fair to the judge. It is also fair to the confirmation process and, of course, fair to those who are making very troubling allegations.

If the Senate Judiciary Committee, in its review of his nomination, would be open to an investigation, I think that would reduce the likelihood, as the saying goes, that there would be suspicion. If that happened, I think the Senate Judiciary Committee and the Senate itself would be secure from every suspicion because there was a background check completed and a full investigation.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Madam President, moments ago, another serious allegation of sexual misconduct against Judge Kavanaugh was made public in a sworn affidavit. There are now multiple, credible, serious, and corroborated allegations against Judge Kavanaugh made under the penalty of perjury.

The new affidavit by Mrs. Swetnick calls out for a thorough, impartial, detailed investigation done by our FBI professionals, as do the allegations made by other women. Yet, currently, there is only a single hearing—tomorrow, with no witnesses other than Dr. Ford and Judge Kavanaugh—before a scheduled committee vote and a potential final Senate floor vote soon thereafter. That is not right. There is no need for such a rush. These women deserve to be heard in a fair way, and their claims must be properly investigated. Republicans need to immediately suspend the proceedings related to Judge Kavanaugh's nomination, and the President must order the FBI to reopen the background check investigation.

I strongly believe Judge Kavanaugh should withdraw from consideration, and the President should withdraw his nomination if Kavanaugh will not do it voluntarily. If he will not, at the very least, the hearing and vote should be postponed while the FBI investigates all of these serious and very troubling allegations.

If our Republican colleagues rush to proceed without an investigation, it would be a travesty for the honor of the Supreme Court and the honor of our country.

I yield the floor.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Nevada.

LAS VEGAS MASS SHOOTING

Mr. HELLER. Madam President, while it has been nearly a year since a madman's actions devastated Las Vegas, the shock and pain related to October 1 still remains today.

Fifty-eight innocent people lost their lives. Over 800 people were injured, and many of them continue to face a long road to physical and emotional recovery. Know that you are not alone on that road—we support you and we are praying for you.

Our community is still grieving, and it will never be the same, but hatred and fear will not win that night. That is because even though one man's horrific actions exposed humanity at its worst, what followed were countless stories of true heroism and humanity at its very best.

Las Vegas showed the world what it meant to be Vegas Strong, and I had the honor of experiencing it firsthand in the eyes and voices of those who survived and those who were eager to help others. On that tragic night, so many ordinary Nevadans made the choice to be extraordinary. Let me give you a couple examples.

They stayed on the field to help the wounded as shots continued to rain down. They took their shirts off their backs, used their belts as tourniquets, applied pressure to help stop a stranger from bleeding to death. Some made stretchers on the spot using the festival barriers. Some used their trucks and vehicles to transport the wounded to the hospital. For example, Taylor Winston, a marine and Iraq war veteran, managed to escape the gunfire. He helped several people over the fence when they took cover. Then he found an abandoned vehicle, turned it into a makeshift ambulance. After rushing multiple people to the hospital, he turned around and went back. He ultimately drove around 30 injured people to the hospital.

That night, police officers also covered concertgoers, shielded them from gunfire, and directed them to safety. Firefighters, paramedics, ambulance drivers, who had never encountered anything as horrific as that carnage of October 1, plunged into danger to save lives without hesitation, even though they were defenseless, because that is what they do.

That week I had the privilege of meeting a Las Vegas police officer, Sergeant Jonathan Riddle. He was stationed a block from the shooting scene doing traffic control. After shots were fired from Mandalay Bay, he took off sprinting toward the hotel, even though everyone else was running away from it.

Dozens of Metro police officers, including Officer Tyler Peterson, who was on his second day of the job, did the exact same thing. They rushed toward the firestorm to help in any way they could and of course to save lives.

When I visited the local hospitals, I was struck by the stories doctors and nurses shared about concertgoers who

responded bravely and admirably; stories about people who reacted to cowardly violence, stood in the face of danger to protect a neighbor, a friend, a family member, or someone they had never met.

A doctor at UMC put it best when he said, the patients showed exemplary courage. He told me he spoke to all the patients in the trauma room. Some of them were strangers who accompanied the person who sustained injuries while shielding them from bullets. He told me many of the patients in the emergency room that night said to the doctors: That person is more seriously injured than I am. Take care of them first. Come back to me later.

When I visited UMC, I had the opportunity to meet with one of the respiratory therapists who attended the concert. She showed me her phone, which had been shattered by a bullet that night. Plastic had torn through her hand, and it was embedded in her skin. What did she do? She pulled the shards out of her hand, bandaged it herself, rushed to the hospital to try to help people who she said needed more help than she did.

I am so grateful for the staff at our hospitals whose skill, whose composure and dedication saved one life after another. I am also grateful for the work of our law enforcement and our first responders on the scene. Each unit took an all-hands-on-deck approach, and everyone functioned as one team.

Instead of being frozen by the aftershock of crippling grief, Nevada mobilized and true leaders emerged. My friend Sheriff Joe Lombardo, who heads the Las Vegas Metropolitan Police Department, is one of them, but many of the heroes who emerged in the wake of this tragedy didn't have a badge. Instead, they were teachers, waiters, security guards, and construction workers who assumed the responsibility to protect others.

Take the story of Jack Beaton, a man whose final act on Earth was draping himself over his wife to protect her from deadly bullets or John, a cab driver, who accelerated toward the screams and chaos and drove nearly a dozen people to safety.

Everyone banded together. Local organizations and businesses throughout the State and country stepped up to help. Las Vegas Convention Center's South Hall was dedicated to family reunification and support services. Airlines answered the call to provide free flights to families of victims. Hotels and casinos across Las Vegas offered free rooms. Lines of people eager to give blood twisted around Las Vegas. Some even waited in line more than 7 hours just because they wanted to help in any way they could. Just a few hours after the injured concertgoers flooded the hospitals in Las Vegas, the Red Cross encouraged volunteer blood donations. In a statement, the Red Cross said, ''Last night, tragedy illustrates that it's the blood already on the shelves that helps during an emergency.''

My wife Lynne and I joined the masses of Nevadans who donated blood in Las Vegas last October, and on Monday, this October 1, on this day each year going forward, we will donate blood in recognition of this anniversary. Members of my staff who want to give blood have committed to doing the same.

While it may be just a small gesture, it is an important one because when the city of Las Vegas needed help, patients needed blood, the Red Cross was able to step in because the inventory was there.

When I returned to Washington, DC, from Las Vegas last October, I immediately began pursuing every available option to provide relief for victims and their families, as well as assistance for local law enforcement and emergency responders. From pressing the Attorney General to make funding available for victims and their families and securing funding to cover Nevada's law enforcement overtime costs relating to the response to the shooting, to leading a bipartisan resolution recognizing the innocent lives which were lost, working with Senator CORTEZ MASTO to ask health insurers and our airlines to do whatever they could to help victims, I worked with this Congress and this White House to deliver resources to Nevada to try to help in any way we could.

To help Las Vegas prevent future attacks, I also spoke with the President on Air Force One on our way out of Nevada last October about the critical role of Federal funding to protect a city that welcomes over 40 million people annually.

As a direct result, the criteria used to determine funding that is allocated to high-threat urban areas for terrorism was updated, and this year Las Vegas received nearly double the amount of Federal funding compared to last year. I will never stop working to see that Nevada has the resources it needs to keep our communities safe.

As President Donald Trump said, this attack was an act of pure evil, and unity cannot be shattered by evil. He also said the bonds between the people of the United States cannot broken by violence, and I agree with him. We are all still in this together, and together we will continue moving down the long road of recovery by honoring the memory of those lost and by holding on to the sense of compassion and community that emerged.

I, like many others, could not only feel the strong sense of family, faith, and strength in the wake of October 1, I saw it firsthand. The immeasurable pain, the suffering and devastation inflicted by one man elicited a profound, innate, and immediate human response from a city of people who stood side by side during its darkest hour to protect a friend or a stranger they had never met.

Ronald Reagan once said: ''Those who say that we are in a time when there are no heroes, they just don't know where to look.''

On October 1 and in the days that followed, the world witnessed a Las Vegas that they may have not known—a place that has been further defined by the heroes among us, the ones who sprang into action that night. That was truly the identity of Las Vegas. Las Vegas is resilient, and together we will continue to be Vegas Strong.

Thank you.

The PRESIDING OFFICER. The Senator from Arizona.

NOMINATION OF BRETT KAVANAUGH

Mr. FLAKE. Madam President, I rise today to say a few words about the two human beings who will be providing extraordinarily important testimony before the Senate Judiciary Committee tomorrow, Dr. Christine Blasey Ford and Judge Brett Kavanaugh, who will testify in that order.

Two human beings—it feels a bit odd in this political setting to specify their humanity, but we need to. I admit it feels strange to have to do that, but we in this political culture, in this city, and in this building, even in this Chamber, seem to sometimes forget that before this woman and this man are anything else, they are human beings.

We sometimes seem intent on stripping people of their humanity so that we might more easily denigrate or defame them or put them through the grinder that our politics requires. We seem sometimes even to enjoy it.

For the past 2 weeks we certainly have seen that happen to both of these human beings, for whatever reason—because we think that we are right and they are wrong, because we think our ideological struggle is more important than their humanity, because we are so practiced in dehumanizing people that we have also dehumanized ourselves.

Whatever else they are or have become to us, whatever grotesque caricature we have made of them or ourselves, before we are Democrats or Republicans and before we are even Americans, we are human beings. As President Kennedy said:

> We all breathe the same air. We all cherish our children's future. And we are all mortal.

These witnesses who will testify in a very important hearing tomorrow, these unwitting combatants in an undeclared war—these people are not props for us to make our political points, nor are they to be ''demolished like Anita Hill'' as was said on conservative media the other night, nor is one of them a ''proven sex criminal'' as has been circulating on the left side of the internet. These are human beings with families and children—people who love them and people whom they love and live for—and each is suffering through a very ugly process that we have created.

I will not review the unseemly process that brought us to this point because that is for another time, and, in any case, it didn't start with this particular nomination. But here we are.

There was an earlier case, 27 years ago, from which you might have thought we would have learned something, but the past couple of weeks

makes it clear that we haven't learned much at all.

Consequently, there have been cries from both sides of these proceedings that each of the witnesses has fallen victim to character assassination. Both of these claims are absolutely correct, so I will say to these witnesses, these human beings, we owe you both a sincere apology. An apology is inadequate, of course, but it is a start. We can't very well undo the damage that has been done. But we can govern our own behavior as we go through this painful hearing tomorrow and in the days afterward. We must do that, lest we do any even more damage.

Some of the public comments about these witnesses have been vile. Not unrelated to those comments, each of these witnesses has reportedly been subject to death threats, and for that we should be ashamed. The toxic political culture that we have created has infected everything, and we have done little to stop it. In fact, we have only indulged it and fanned the flames, taken partisan advantage at every turn, and deepened the ugly divisions that exist in our country. These past 2 years, we have tested the limits of how low we can go, and, my colleagues, I say that winning at all costs is too high a cost. If we cannot have a human rather than a political response to these witnesses, if we are heedless to the capacity that we have to do real and lasting damage, then we shouldn't be here.

When Dr. Ford came forward, I felt strongly that her voice needed to be heard. That is why I informed Chairman GRASSLEY that the Judiciary Committee could not and should not proceed to a vote until she had an opportunity to make her voice heard, until such time that her claims were fully aired and carefully considered and her credibility gauged. This is a lifetime appointment. This is said to be a deliberative body. In the interest of due diligence and fairness, it seemed to me to be the only thing to do.

Not everybody felt this way. One man, somewhere in the country, called my office in Arizona and left a message saying that he was tired of my ''interrupting our President,'' and for the offense of allowing Dr. Ford to be heard—for this offense, my family and I would be ''taken out.'' I mention this with reluctance, but only to say that we have lit a match, my colleagues. The question is, Do we appreciate how close the powder keg is?

Tomorrow, we will have a hearing. Many Members of this body from both parties have already made up their minds on the record, in advance of this hearing. They will presumably hear what they want to hear and disregard the rest. One is tempted to ask: Why even bother having a hearing?

I do not know how I will assess the credibility of these witnesses—these human beings—on the grave matters that will be testified to because I have not yet heard a word of their testimony and because I am not psychic. I am not gifted with clairvoyance. Given these limitations, I will have to listen to the testimony before I make up my mind about the testimony. What I do know is that I don't believe that Dr. Ford is part of some vast conspiracy from start to finish to smear Judge Kavanaugh, as has been alleged by some on the right. I also do not believe that Judge Kavanaugh is some serial sexual predator, as some have alleged on the left. I must also say that separate and apart from this nomination and the facts that pertain to it, I do not believe that the claim of sexual assault is invalid because a 15-year-old girl didn't promptly report the assault to authorities, as the President of the United States said just 2 days ago. How uninformed and uncaring do we have to be to say things like that, much less believe them? Do we have any idea what kind of message that sends, especially to young women? How many times do we have to marginalize and ignore women before we learn that important lesson?

Now I wish to say a word or two about the human beings, first on the Judiciary Committee and then in the full Senate, who will have to weigh the testimony that we will hear tomorrow and then come to some kind of decision on this nomination. The Judiciary Committee is scheduled to vote on Judge Kavanaugh's nomination on Friday. I hope that tomorrow's hearing gives us some guidance on how we are to vote. But those of us on the Committee have to be prepared for the possibility—indeed, the likelihood—that there will be no definitive answers to the large questions before us. In legal terms, the outcome might not be dispositive.

While we can only vote yes or no, I hope that we in this body will acknowledge that we don't have all the answers. We are imperfect humans. We will make imperfect decisions. This monumental decision will no doubt fit that description. Up or down, yes or no, however this vote goes, I am confident in saying that it will forever be steeped in doubt. This doubt is the only thing of which I am confident in this process.

I say to all of my colleagues, for this process to be a process, we have to have open minds. We must listen. We must do our best, seek the truth, in good faith. That is our only duty.

Thank you.

I yield the floor.

Mrs. FEINSTEIN. Madam President, I rise today to object to the partisan effort to improperly ''stack'' two consecutive nominations for the Consumer Product Safety Commission, CPSC.

Peter Feldman has been nominated not only to fill the remainder of a term that would expire in October 2019, but also for an additional 7-year term on top of that.

Stacking these nominations contradicts the aim of the Consumer Product Safety Act, which established the CPSC as an independent agency with commissioners serving staggered terms to prevent any one Congress from having an outsized influence on the agency.

It also violates Senate practice of considering one nomination at a time, particularly when the first term would not expire for over a year.

Both Senate Commerce Committee minority staff and the Congressional Research Service were unable to identify an analogous nomination where the beginning of a term started this far into a new Congress.

To be clear, I do not object to Mr. Feldman's nomination to the Commission. In fact, I voted to confirm him to fill the unexpired term.

However, confirming Mr. Feldman to a second, 7-year term today would undermine the CPSC's independence and set a dangerous precedent for future nominations.

The CPSC plays a critical role in protecting the public from consumer product-related injuries, and we must do all we can to defend the agency from partisanship.

For this reason, I must regretfully vote no on Mr. Feldman's nomination to serve an additional 7-year term on the Commission.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Under the previous order, all time has expired.

The question is, Will the Senate advise and consent to the Feldman nomination?

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 217 Ex.]

YEAS—51

Alexander	Flake	Murkowski
Barrasso	Gardner	Paul
Blunt	Graham	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heller	Roberts
Cassidy	Hoeven	Rounds
Collins	Hyde-Smith	Rubio
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Cruz	Kyl	Thune
Daines	Lankford	Tillis
Enzi	Lee	Toomey
Ernst	McConnell	Wicker
Fischer	Moran	Young

NAYS—49

Baldwin	Cortez Masto	Hirono
Bennet	Donnelly	Jones
Blumenthal	Duckworth	Kaine
Booker	Durbin	King
Brown	Feinstein	Klobuchar
Cantwell	Gillibrand	Leahy
Cardin	Harris	Manchin
Carper	Hassan	Markey
Casey	Heinrich	McCaskill
Coons	Heitkamp	Menendez

Merkley	Schatz	Van Hollen
Murphy	Schumer	Warner
Murray	Shaheen	Warren
Nelson	Smith	Whitehouse
Peters	Stabenow	Wyden
Reed	Tester	
Sanders	Udall	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from North Carolina.

EXECUTIVE CALENDAR—MOTION TO PROCEED

Mr. BURR. Mr. President, I move to proceed to Executive Calendar No. 1111, Robert H. McMahon.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 1111, the nomination of Robert H. McMahon, of Georgia, to be an Assistant Secretary of Defense.

The PRESIDING OFFICER. The Senator from Mississippi.

NOMINATION OF BRETT KAVANAUGH

Mrs. HYDE-SMITH. Mr. President, this is my first time to address this body. Senate tradition is for new Senators to observe, listen, and learn before delivering a maiden speech, but there is precedent, during matters of great importance and critical times for the future of our country, to make remarks prior to a maiden speech. I will reserve my maiden speech for a future date, but today I am compelled by duty to our country and the people of Mississippi to speak in strong and unyielding support for Judge Brett Kavanaugh.

The Constitution entrusts the Senate with the duty to provide the President the advice and consent for a lifetime appointment on the U.S. Supreme Court. It is a serious responsibility, but the process has devolved into a purely political effort by those who want to keep Judge Kavanaugh off the Court by destroying his reputation and his character.

I have had conversations with several colleagues who tell me they have never seen such chaos and hatred as we are witnessing in this confirmation process. The fact that accusations against Brett Kavanaugh were suspiciously withheld until the eleventh hour really is not surprising. We expected something, but we didn't know what it would be, and we never expected the opposition to stoop to this level.

Let me articulate what is going on here.

Judge Kavanaugh, who has gone through multiple background checks over the years, was unscathed by additional vetting, 31 hours of questioning under oath, and more than 1,200 written questions—all exceeding anything ever experienced by any Supreme Court nominee. When it became clear that Judge Kavanaugh had a clear path to confirmation, the opposition chose to introduce accusations of alleged misconduct that have yet to be backed by verified facts or any evidence. It seems that in their desperation, knowing he was about to be confirmed with no obstacle stopping him, they panicked. In the past 2 weeks, when was the last time you heard talk of federalism or philosophy of jurisprudence? They lost the fight on the issues. They had to try something else—thus, these eleventh-hour accusations.

Now, I want to be clear. My heart breaks for victims of assault and abuse. It is an issue that must never be taken lightly. That is why unproven accusations are so very unjust.

Faced with these disturbing accusations, Judge Kavanaugh quickly and convincingly refuted them without mincing any words. Throughout this exhaustive process, he has been very straightforward in shooting down these allegations—all under the penalty of law. I believe Judge Kavanaugh when he says these humiliating events never happened—not three decades ago, not ever.

It seems that opponents of Judge Kavanaugh are engaged in character assassination to destroy the reputation of a devoted public servant and a loving husband and father. I for one will not stand by and just watch this happen. It is an honor to serve in this body, and our debates should strengthen the integrity of this institution, which the American people have a right to expect.

The confirmation process is not easy. It should be comprehensive, detailed, and allow nominees to prove their worthiness. It should not be malicious. It should not be intentionally destructive. It should not be a weapon to use against a qualified nominee whose life has been given in service to our country's laws, the judiciary, and the American people.

Judge Kavanaugh is such a nominee. I have met him and reviewed his impeccable record of service and integrity. He is a disciple of the rule of law and judicial restraint. He is a champion of the Constitution. He believes, as I do, that all Americans are equal before the law and the courts.

On behalf of all future nominees, I want to applaud Judge Kavanaugh for standing firm and not allowing these tactics to derail his process. It is time to bring Judge Kavanaugh's confirmation to a vote on the floor of the Senate. He has earned my support. I encourage my colleagues to support him as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I ask unanimous consent to engage in a colloquy with colleagues.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LAND AND WATER CONSERVATION FUND

Mr. DAINES. Mr. President, I have come down to the floor today to discuss a very important issue to Montanans and to many of my colleagues in the Senate, and that is the Land and Water Conservation Fund, also known as LWCF. I am joined by friends and colleagues—in fact, by the Senator from North Carolina, Mr. BURR, and the Senator from Colorado, Mr. GARDNER—who know like me, firsthand, the importance of LWCF. Why we are here today is because in just a few short days—in fact, on September 30—this program is going to expire. Without any action from Congress, a program that is widely supported, provides more access to public lands, conserves our public landscapes, and—I think this is probably Senator BURR's favorite comment about LWCF—costs the taxpayers nothing—I bet you will hear that from him in a moment—is going to expire.

Of the many benefits provided by LCWF, the most important one to Montanans is making public lands accessible. In fact, I brought a few maps of Montana to show some of the challenges we have.

This map shows all the public lands in our State. Anything that is colored is a public land. That is Forest Service, BLM, national parks, wildlife refuges, and State trust land. As you can see, there is a lot of public land in Montana.

Our public lands help to drive a $7 billion outdoor economy, create tens of thousands of jobs, and supply about $300 million in State and local tax revenues. As an avid outdoorsman, myself, I know firsthand the importance of our public lands. In fact, in August, back home in Montana, my wife and I did a 25-mile backpack in the Beartooth Wilderness, fly fishing at lakes above 10,000 feet. That is my idea of a great weekend in Montana. But public lands out of public reach benefit no one.

This next map shows a portion of the eastern side of our State. In Montana, much of our public land is checkerboarded. You can see it a little better here because these checkerboards are sectioned. There are 640 acres in square miles. This means that each one of those yellow squares are inaccessible in many cases to Montanans.

This is BLM-owned public land, but despite being owned by the Federal Government, it cannot be accessed by the public. In fact, a recent study by the Teddy Roosevelt Conservation Partnership and onXmaps, a great Montana tech company, found that there are 1.52 million acres in Federal land in Montana alone that are inaccessible. I have the onXmaps app on my phone. If you are a hunter, fisherman, or outdoorsman in Montana, you oftentimes will have that app because it tells exactly where you are and where the lands are public and where the lands are private.

Let me put this in context about the inaccessibility of our lands. In Montana, we have more inaccessible public lands to the people than the entire State of Rhode Island—about the size of Delaware—all of which Montanans

are locked out of, and public land that is only open to a select few or to none at all is really not public at all.

The next map shows the western side of Montana, where we see the same problem on Forest Service land. If you look here, you can see a piece of checkerboarded land. We are using LWCF dollars to expand public access.

In fact, the Beavertail to Bearmouth corridor is currently the highest ranking Forest Service LWCF project. This project unlocks approximately 1,900 acres of currently inaccessible public land.

As you can see on this map, there are whole sections that Montanans are locked out of. This project—like many LWCF projects—ensures that our booming outdoor economy can continue to grow. It allows hunters, anglers, and other sportsmen to have access to their public land. However, projects like this are in danger if we don't reauthorize LWCF. Luckily, very fortunately, there has been some good work done. Recently, the House Committee on Natural Resources passed a bill to permanently reauthorize LWCF.

I thank Congressman GIANFORTE from Montana, on the House side, and Chairman BISHOP of Utah for getting that pushed through. The House has done their job. The Senate Committee on Energy and Natural Resources has also passed legislation to reauthorize LWCF. We now need to get this through the full House and the Senate, and we need to do that now.

LWCF is a program that maximizes the value of public lands to taxpayers, it boosts our economy, and it has strong bipartisan support. Lord help us, we know we need some bipartisan bills right now in this city. That is why I stand here today to urge my colleagues to act and reauthorize this critical program.

Montana is not the only State that has greatly benefited from LWCF. I want to turn it over to my colleague—truly one of the warriors in LWCF—the Senator from North Carolina, Mr. BURR.

Mr. BURR. Mr. President, I wish to thank Senators DAINES and GARDNER for their critical support for backing this program. If there is only one takeaway anybody has from anything I say today, let it be this: This costs zero in taxpayer money, zero. For those who are budget hawks, it is a great bill.

In June, the three of us, along with some of our colleagues, convened in front of the Capitol to commemorate the 100th day until LWCF expires. It is unfortunate we are here today, less than a week away from its expiration, with no extension of this program.

I believe we ultimately will win this fight because our colleagues know it is the right thing to do. As Senator DAINES pointed out, the majority of the House of Representatives and the majority of the U.S. Senate is supportive of this. It costs zero in taxpayer money, and it provides so much at the State and Federal level.

I appreciate my colleague's comments on public access. That is usually the focus of my LWCF monologues. Not a lot of my constituents are thinking about outdoor recreation right now; they are dealing with Hurricane Florence and her aftermath. As you all know, North Carolina recently experienced a hurricane of epic proportion. Flooding has reached record levels. People's homes and businesses are in disrepair, and flood levels continue today at dangerously high levels in some areas.

Obviously, much of this is unavoidable. If we ensure our infrastructure is well positioned to deal with major influxes of water, we can minimize the devastating impact we saw from Florence. I am not referring necessarily just to bridges, dams, and roads; I am talking about our natural infrastructure.

If we strategically create green spaces in our cities and in our river basins, we can mitigate some of the flooding. Guess what. LWCF dollars help us do that. A great example is the South Cape May Meadows Preserve and the surrounding Cape May National Wildlife Refuge which LWCF helped create in New Jersey.

The State of New Jersey, the Army Corps of Engineers, and the Nature Conservancy have worked together to restore wetlands, which now include engineered structures, as well as natural features like marshes, dunes, and wetlands.

This wetland area has since withstood several major storms, including Hurricanes Sandy and Irene. The wetland was positioned in such a way that it was able to absorb enough of the impact and water in order to protect many of the surrounding communities.

In 2016, a study by the Nature Conservancy, in partnership with a risk modeler for the insurance industry, showed that the marsh wetlands saved over $650 million in property damages during Hurricane Sandy alone and reduced annual property losses by nearly 20 percent in Ocean County, NJ.

This isn't just about protecting lands and public access; it is about those things we can do that provide a better community—a lower cost of insurance, a better way to mitigate some of nature's challenges.

Did I mention it is also a bird sanctuary? Did I mention it is a recreational destination? It also serves as critical infrastructure in times of disaster, like the one my State is dealing with today.

More and more, our civil engineers are incorporating these pieces of green infrastructure. At first glance, one would naturally think they are for aesthetic reasons.

In Charlotte, a series of greenways wind through the city. One of the greenways, Four Mile Creek Greenway, used an LWCF grant to develop the land into a multipurpose area, rather than actual acquisition of the land. It has trails winding through it. It is home to hundreds of different animal species. Yet it is also used for natural drainage. It absorbs water. It slows down the water with the vegetation and the winding creekbeds.

Our cunning civil engineers have us thinking they are building a park, but what they are really building is a flood mitigation program. As you can see, LWCF is used for projects in our cities and our rural areas—big and small projects. Ultimately, the biggest filters of water in North Carolina are our own natural forest and the Great Smoky Mountains National Park.

Healthy forests in these public lands help us to slow the flow of water, and we need those units to have the integrity so they can do their job of feeding healthy river systems that are much less prone to that flooding.

In conjunction with traditionally engineered structures, preserving strategic pieces of land in their natural state or restoring others to better take in water saves us money in the long run. Ocean County, NJ, proved that.

I can go on for hours. I can go on with hundreds of examples. There aren't a lot of facts I can give you about the program that I haven't already laid out in the past opportunities to be on the floor, but I think it is useful to end my speech by restating the original mission laid out 54 years ago when LWCF was created—authorized for 25 years, reauthorized for 25 years, and then only reauthorized for 5.

What do we want? We want permanent reauthorization. It is a program that has proven to be successful, regardless of your political views, a program that uses zero in taxpayer money, a program that produces benefits to every State in America that started with this mission statement:

> To assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations . . . such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable . . . to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the Federal acquisition and development of certain lands and other areas.

I am not sure you can sum up any differently what the definition of a good program is, a successful program. It is not just in the mission statement; it is in the examples of what over those 54 years we have accomplished. There are not many things I can walk away from and believe that my grandchildren and my great grandchildren will be positively impacted by, but I can assure my colleagues of this: Permanent reauthorization of LWCF is one of those things. I am committed, along with my colleagues, to make sure there is no temporary reauthorization; there is a permanent reauthorization. We have met the burden of proof as to why this should never go away and why the American people support it in overwhelming numbers.

I am grateful to my colleagues for their support and their time to be on the floor today.

I yield back to Senator DAINES.

Mr. DAINES. I thank Senator BURR.

I think it also demonstrates the diversity, geographically, that we have a Senator from North Carolina, a Senator from Montana, and a Senator from Colorado. It doesn't matter if you are a Western State or a State on the East side of our Nation. I knew Senator BURR would talk about the fact that it costs the taxpayer nothing. I hear that all the time. Members care deeply about responsible stewardship of taxpayer dollars. It doesn't cost the taxpayer anything.

There is another word I always hear from Senator BURR; that is, it is ''permanent'' reauthorization. This is no longer an experiment. This is proven. This is why we need to move away from this temporary reauthorization and make it permanent.

I am pleased to have another colleague of mine from Colorado, Senator GARDNER, join me now. We would be border States if it weren't for the State of Wyoming. Senator GARDNER is in the southern part of the Rockies, a beautiful State. I am grateful to have the Senator as one of the key champions in the U.S. Senate of LWCF, Mr. GARDNER.

Mr. GARDNER. Mr. President, thank you for the opportunity to be here to talk with my colleagues about the importance of the Land and Water Conservation Fund. I am pleased to be here.

Over the past several months, the press conference Senator BURR referred to marking 100 days until the expiration of Land and Water Conservation Fund—we have since come to the floor offering unanimous consent agreements. We have introduced legislation. We fought for amendments to make sure we extend not just temporarily, not just for a year or two but to make sure we fight for the permanent reauthorization of the Land and Water Conservation Fund.

I was struck by the words Senator BURR said, in particular, about the suffering in his home State of North Carolina and the aftermath of Hurricane Florence. I was reminded of a quote that Enos Mills, one of the Founding Fathers of Rocky Mountain National Park, said about our national places and spaces. I think you can apply this to public lands everywhere, the public parks, national parks, forests, you name it. He said: ''Within national parks is room—glorious room—room in which to find ourselves, in which to think and hope, to dream and plan, to rest and resolve.''

That is the importance of our public lands across the West, across the East, and everywhere in this country—from corner to corner—as we fight to preserve our most sacred places.

Senator DAINES, there have been valiant efforts in Montana to preserve our public lands in both of our States—public land States. In Colorado, if you add in the State and Federal public lands, you are looking at nearly half the State of Colorado and of course the numbers you laid out earlier. These are important management issues, important issues to resolve. Then, once in a while, there is an opportunity ahead of us to preserve a parcel of land, a portion of forests for a recreational opportunity for future generations. We use the Land and Water Conservation Fund to do just that.

Teddy Roosevelt said: ''There is a delight in the hardy life of the open.'' He went on to say: ''The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased; and not impaired in value.''

That is what the Land and Water Conservation Fund allowed us to do. I want to show you a picture of an incredible, glorious space in Colorado I visited a few weeks back. This is the Black Canyon of the Gunnison National Park. It is pretty impressive. I can tell you, if you are able to go down next to the Gunnison River and enjoy that opportunity to be alone, to be in that space, you indeed will live up to Enos Mills' quote, where you will be able to find that time to think and hope, to dream and plan, to rest, and to resolve.

If you look at this canyon, you will notice some of the uplands, the flats, the rim of the canyon. You would assume that would have been a part of the national park. When they created the Black Canyon of the Gunnison National Park, there was a private holding, and you can see part of it right here.

Imagine the risk to this great national park, this great public place that could be posed by somebody who decided they wanted to develop that space, and all of a sudden that great natural wonder, the great open space this presents to not just the people of Colorado but truly people around the world would be gone, would be blemished, would be impaired.

We worked with the Land and Water Conservation Fund. In bipartisan fashion, Senator BENNET, myself, and Congressman TIPTON have had great bipartisan support from within the Colorado congressional delegation—Congressman LAMBORN, Congressman TIPTON, Congressman COFFMAN. They all strongly support the Land and Water Conservation Fund. In this case—the Western Slope of Colorado—Congressman TIPTON, Senator BENNET, and I worked with the agencies in Colorado, which do so much great work, to make a purchase of this private land using Land and Water Conservation Fund dollars. In this case, it was the conservation fund out of Boulder, CO.

If we go to the next chart, you can see where that land was. This is Bruce Noble, the superintendent of the Black Canyon of the Gunnison National Park, and he is pointing—that river is just right down here, and this is the land the Land and Water Conservation Fund helped to purchase so that this asset will be preserved for future generations. Not just for 5 years or 10 years, but for as long as this great and hallowed Nation exists, you will be able to come to the Black Canyon of the Gunnison National Park and be at one with your thoughts, your self, and you will have the opportunity to think, to resolve, to plan, to hope. That is the respite that this brings to all of us, because we are better people knowing that some of our most wild and natural places exist in truly wild and natural spaces.

To the leadership of the Conservation Fund, Christine Quinlan, and the other folks who have worked with the Land and Water Conservation Fund, thank you for making this possible. This is just one of many examples in Colorado. In fact, over $268 million has been appropriated to Colorado through the Land and Water Conservation Fund to make purchases such as this in a recreation economy in Colorado that is responsible for over 230,000 jobs in the State of Colorado alone and an outdoor economy that is nearly $10 billion in wages and salaries and $2 billion in State and local tax revenues—a nearly $30 billion outdoor economy overall in Colorado. That is what the Land and Water Conservation Fund is able to be a part of.

So this isn't just about protecting our open spaces. It is not just about protecting these great, sacred lands that we have. It is also about a thriving economy in Colorado, in Montana, and in North Carolina, and the opportunities we have to drive those outdoor economies with hundreds of thousands of jobs and billions of dollars in revenue. This Congress, in a bipartisan fashion, passed legislation to promote that outdoor economy, but it is all related back to this crown jewel of our conservation programs, the Land and Water Conservation Fund.

We are just days away from seeing the clock tick 1 day beyond what it should and what we should allow. And I think one of the reasons we are here is that we have heard the frustration of our voters back in Colorado, North Carolina, and Montana who get frustrated with Washington and are probably wondering why something that everybody agrees with can take so long to get done. Washington seems to be the only place where the more people agree with it, the longer it takes to happen. So let's fix that.

I truly am grateful to Senator BURR for the times he has come to the floor with Democrats and Republicans alike to champion this. I thank Senator DAINES for his leadership. We have days left. We have hours remaining. We should work with every moment to make sure we get this reauthorization—permanent reauthorization, full funding—across the finish line. It is an honor to be with my colleagues to fight for this great program.

Mr. DAINES. Senator GARDNER, thank you. I thank Senator BURR as

well. I think this is something that, for us, is more than a policy discussion. You can see the passion from each Member here. It is a way of life.

I come from a State—Montana—where a mom or a dad or a grandpa or grandma can still load up a son or daughter or granddaughter or grandson in the pickup and go down to Walmart and buy an elk tag or a deer tag over the counter and then head out and have access to public lands to hunt and to fish. That makes America unique. You don't see that in most places around the world, and that sets us apart as a unique people.

Mr. BURR. Will the Senator from Montana yield?

Mr. DAINES. Yes.

Mr. BURR. I want to drive home what Senator GARDNER said. This is not the first time we have been here. Almost 100 days ago, after that event we had outside, we came inside and moved to reauthorize the Land and Water Conservation Fund.

I just pulled out my drawer and found three instances. All of those speeches start like this:

''At this time, we are only 66 days until September 30.''

''At this time today, we are only 45 days.''

''Today, we are only 38 days until expiration.''

We continue to drive this with our colleagues. Why? Because the American public supports this program so much and because this is effective and impactful in every community of every State in the country. I know my colleagues agree with me. We are going to be relentless in how many times we come to the floor.

Sometimes, Senator GARDNER, when you have been here as long as I have, you learn that sometimes you have to wear down the people who might find a reason to disagree with you. But, you know, nobody has disagreed with us because it costs money. Nobody has disagreed with us because it wasn't effective. Maybe they disagree with us because they haven't utilized it the way so many other Americans have. I can't think of a better legacy we can leave for generations to come than to permanently reauthorize that, and I believe it will happen this calendar year.

I thank the gentleman for yielding.

Mr. DAINES. Thank you, Senator BURR.

I will tell you why that permanent reauthorization is important in places like Montana, Colorado, and North Carolina. It is because it takes time to put together some of these consolidations of checkerboard lands to make this all work.

Here is an example of that right here. This is a project that was executed. And you see we are not playing checkers here; this is the way the land management works oftentimes out West. So to make all that happen, to get the parties—the State, the Federal Government, and a private landowner—together here, sometimes takes years.

What we don't need to have is the Federal Government back here—Congress—providing uncertainty about whether we are going to fund a process that oftentimes takes years, getting the landowners, the State, and the Feds together to execute a consolidation that gives the public access to those public lands. That is why permanent reauthorization is so important, to take that off the table. There are enough challenges already with the LWCF and with trying to make these transactions work without having Congress get in the way.

I thank you, Senator BURR, for your passion, for your steadfast commitment to the permanent reauthorization. And keep reminding us that it costs the taxpayers nothing. I think it is a pretty good value.

So, again, I want to thank both my colleagues here. They have been strong leaders on this issue. We are going to keep fighting. As Senator BURR just ticked down from 100 days, now we are down to 4 days. We are going to fight for this every opportunity we have. We all urge our colleagues to listen to the stories you heard today, listen to your constituents, and join us and finally reauthorize to save LWCF.

Thank you.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Oregon.

TRIBUTE TO JODI NIEHOFF

Mr. MERKLEY. Mr. President, I want to take a moment to recognize a wonderful member of my team who, after 9 years, will be leaving us at the end of this week.

For more than 9 years, Jodi Niehoff has been the heart and soul of our operation. She has been our administration and correspondence manager. She has been our intern coordinator and our unofficial planner for party events celebrating legislative victories or comings and goings of staff or birthdays. She has been the hostess and MC of our annual holiday gift swap and so many other things, adding to the esprit de corps of our team.

My team has pulled together a few stats, and these statistics indicate just some of the work she has done over these years during which I have had the privilege to work with her.

She has been a staunch believer not just in communicating with constituents but doing so quickly and in a meaningful and heartfelt way. Under her leadership, we have worked to have a substantive response to every single letter that comes into our office and try to get out that response, whenever possible, on the same day or the next day and when more research is needed, to do so within a few days. It is a huge challenge because so many people now are communicating via email, and we have weeks in which we can receive 10,000 or 12,000 or 14,000 letters. So in the course of responding to all those diverse issues that constituents have raised, Jodi has guided our team in producing 5,774 unique letters that are now in our constituent correspondence library. That averages out to nearly two letters a day 365 days a year for more than 9 years.

During her time on our team, she has mentored 227 interns, and 14 of those interns have gone on to join our team as staff members. So helping to enable them to have a significant experience here on Capitol Hill is a real contribution to the public.

I first came here as an intern—a summer intern for Senator Mark Hatfield from Oregon—and at that time, you only had a few interns. You didn't have that much mail. There were three of us over the course of the summer. I was the last to arrive, so it was my job to come in early, run all the letters—of course they were all paper letters—run the envelopes through the cutter, take out the sheets of information, the letters, and stack them into one of four stacks for the different correspondence.

Well, that now sounds like such a simple task compared to that which Jodi has guided with more than 200 interns and more than 5,000—almost 6,000—unique letters being drafted to respond.

Thank you so much. Jodi, you will be dearly missed by everybody here in Washington, DC, who has had the pleasure to know you, to work alongside with you, to partner with you over nearly a decade. I wish you all the best as you head back home to Minnesota to begin the next chapter of your life and the next chapter of your family's life. I know that the next chapter will be one in which a new set of individuals will have the pleasure, the delight, to be able to work with you.

We invite you back here anytime. We wish you and your family all the best. Thank you, Jodi, for your service to our team and your service to our Nation.

NOMINATION OF BRETT KAVANAUGH

Mr. President, today I filed a lawsuit related to a violation of the separation of powers.

Our Constitution lays out a very clear framework in which the President of the United States nominates and the Senate proceeds to review the record of an individual in order to determine if that individual is of fit character to serve. This strategy came as our Founders struggled with how to enable staff to fill key positions in the executive branch and key positions in the judiciary, and it is something that Hamilton wrote about extensively in his Federalist Papers.

No. 76 was written in 1788 as a letter to the people of the State of New York. In it, he addressed this separation of powers at length. He said that the Founders had considered giving the assembly—that is a large group—the ability to choose those who would fill posts in the executive branch as a check and balance to the President but that they had considered the fact that Senators would probably horse trade, that one Senator from one State would want their friend in one position and another Senator from another State

would want a different person, and that that horse trading would not produce the best set of individuals to populate the executive branch or to serve as judges. So they came to rest on the idea of having one individual—the President—nominate individuals to serve.

Here is a short piece of his longer discussion. He said: ''The sole and undivided responsibility of one man will naturally beget a livelier sense of duty and a more exact regard to reputation. He will, on this account, feel himself under stronger obligations and more interested to investigate with care the qualities requisite to the stations to be filled, and to prefer with impartiality the persons who may have the fairest pretensions to them.''

He goes on to applaud the many merits of having one individual bear the burden of making these nominations.

But then, of course, it is a nomination; it is not an appointment. And to be appointed, the Senate must confirm.

He addresses this question of the role of the Senate. Alexander Hamilton, writing to explain the action and the design of the Constitution in his letter to the people of New York in 1788, says:

To what purpose then require the co-operation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the President, and would tend greatly to prevent the appointment of unfit characters. . . .

He goes on to say that a President might be influenced by favoritism to people in his own State or favoritism to people in his family or family connections or favoritism because he had a friendship or a pursuit of popularity triumphing over professional skills. So for all of these reasons, the Senate process exists to review the record of the individual and to determine, as Hamilton put it: Is that individual a fit character or an unfit character?

Now, we all in the Senate took an oath of office to uphold the Constitution, and, certainly, that means defending and exercising our responsibility under the advice and consent clause of the Constitution. We cannot interfere in the ability of the President to nominate. That is the President's responsibility. We can give our suggestions, but in the end, whatever the President says in regard to an office, whatever person the President identifies, that is the nominee, and we cannot interfere with that. But so, too, then, the President cannot interfere in the exercise of the Senate in reviewing the record of the individual. Certainly, the President can share his or her insights on the individual and his or her encouragement to speed up the process but cannot interfere in the underlying exercise of reviewing the record.

But here we are in this extraordinary moment where the President of the United States has crossed the boundary between the separation of powers and has proceeded to interfere with the deliberations of the Senate, and he has done so not once and not twice but at least on three significant occasions. I will proceed to share those occasions.

The first was the President's team intervening to stop the Senate from accessing Nominee Kavanaugh's records when he served as Staff Secretary to President George W. Bush.

Senator LEAHY, the longest serving Member of the Senate and a longtime member of the Judiciary Committee notes in a letter that the committee has a ''longstanding, bipartisan expectation . . . that any materials produced while a nominee was a public servant that could shed light on his or her views, thinking, or temperament, that are not privileged, should be subject to public scrutiny and carefully considered by the Senate prior to confirmation.''

Now, this was a view that was a bipartisan view. It is a view that was expressed by a senior member of the Judiciary Committee—a Republican Member. That individual, Senator CORNYN, proceeded to note that the documents that Judge Kavanaugh had ''generated . . . authored . . . or contributed to'' during his tenure as White House Staff Secretary should be conveyed to the Committee. This ''just seems like common sense,'' he added.

In other words, it just seems fundamental to our responsibility here in the Senate to review the record of Judge Kavanaugh, but just days after the senior Republican member of the Judiciary Committee expressed those sentiments, Republican Senators were summoned to the White House by the White House Counsel, Donald McGahn, and immediately following that summoning and those instructions—those directions from the White House—suddenly, Senators were being denied the opportunity to see those documents. In fact, it went so far as the chair of the Committee proceeding not to ask for the documents after this direction from the White House. So, certainly, that intervention did directly compromise our ability as Senators to review the record of the nominee and, therefore, violated the separation of powers and violated each of our abilities to fulfill our constitutional responsibilities.

The second occasion is that Defendant William Burck, who has a series of close connections to the White House, proceeded to exercise the power of executive privilege on behalf of the President to deny the Senate access to 100,000 pages of White House Counsel documents. What did this individual say when he was exercising this power of censoring the documents that would be obtained by the Senate? He said: ''The White House . . . has directed that we not provide these documents. . . .''

That is a direct interference in the advice and consent deliberations of the Senate, and all of us together—Democrats and Republicans, northern Senators and southern Senators, eastern coast, western coast, heartland—should defend our responsibility under the Constitution to provide advice and consent, which means the ability to review the record of the nominee.

Then there is a third occasion where Defendant Burck proceeded to label documents being presented to the Senate as ''committee confidential.'' In fact, the Committee consulted with him during the process to see what the extent of this was and why they were done.

There is no index that provides information to the Senate on why so many documents were blocked by Burck from ever getting to us. That log or that index doesn't exist saying: Yes, we looked at this, document and here is why executive power prevails. There is no record or log for why more than 141,000 pages of documents were labeled ''committee confidential,'' preventing Senators from proceeding to talk about the contents, to have the contents examined by experts, to have the contents examined by the public, to take feedback from the citizens of the United States, to have staff be able to look at these documents and to be able to review them, and to be able to get feedback on them to fulfill our responsibility as Senators to examine the record of the nominee.

Thus we are in uncharted territory. Never before have we seen this direct, substantial, and extensive intervention by the President in violation of the separation of powers under the advice and consent clause of the Constitution. Thus, it is important that we ask for judicial intervention.

There is no more important document to us than the Constitution—our ''we the people'' Constitution—of the United States of America. We will be failing if we do not aggressively pursue our responsibility to review the record of a nominee. So let us do that. Let us ask the courts for intervention to ensure that we have access to this record.

We have had over the past few days new information regarding the nominee—new information from women who have shared their difficult, difficult experiences. What would be the appropriate conduct here in the Senate? It would be for the FBI to investigate—not a criminal investigation but a background investigation. That was accorded to Anita Hill in 1991, a reopening of the background investigation to get the facts.

How is it that a Senate and a President that could support the proper role of the FBI in 1991 will not stand up today for fairness for women who are coming forward?

Why is it that the nominee, steeped in the law, who has said he wants a fair hearing—he wants a fair hearing—does not demand an FBI investigation so it is fair to him and fair to these three women—Dr. Ford, Deborah Ramirez, and Ms. Swetnick—who are coming forward? They are being treated very poorly by this institution. They are being treated as if they are a problem,

when they are, in fact, courageous Americans helping us to do our advice and consent responsibility to understand the record of the individual and whether the individual is fit or unfit.

To those who say that, well, these might not be true, wouldn't you be the first, then, to stand up and say that the FBI should reopen the FBI investigation and that nothing should go forward until the President authorizes that? If you want fairness, you want facts.

Here we are. Not only are we failing the test of 1991 in terms of the FBI investigation, but we are failing the test in terms of the witnesses. In 1991, numerous corroborating witnesses came forward to share and expand the dimensions of the events under consideration with Anita Hill. Now the Judiciary Committee is saying that we are only going to allow a ''he says, she says'' dynamic. This is absolutely unfair to the women who have come forward.

Now the Judiciary Committee is saying they are going to bring an individual to prosecute, as if this is a trial of the woman that is coming forward. How wrong is that to try to turn this into a trial? If you want a trial, well, then, shouldn't you have the FBI investigate and get the facts? It shouldn't be a trial. We should be listening carefully, and we should be allowing fairness to both, those with corroborating information and, certainly, for the nominee, as well as those who are sharing their experiences from the past about the nominee. Give transparency and opportunity to both but not this farce of a hearing planned by the Republicans on the Judiciary Committee.

We should be able to do so much better. We have had decades of experience since 1991, since we went through a parallel situation of allegations regarding personal conduct. How is it that now, 27 years later, we are doing so much worse in respecting women coming forward to share their stories. Why are we doing a worse job of respecting dignity, a worse process in terms of listening to facts, a worse process in terms of trying to turn it into a trial of a courageous woman who came forward to share her experiences?

Well, I have never felt so burdened by the misconduct of this Chamber as I feel right now. Let's stand up for decency and dignity and honor those who have come forward, respect them, listen to them, and explore the stories and the experiences they share so that their voices can be fairly heard before this body.

Let us not let the President of the United States trample all over the Constitution by violating the separation of powers and blocking our Chamber from receiving the documents necessary to review the record of the nominee.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Washington.

NOMINATION OF BRETT KAVANAUGH

Ms. CANTWELL. Mr. President, I am here this afternoon to join the voices of my colleagues—Democrats and Republicans—in making sure this process that is going to continue to play out over the next several days is a fair one.

I will say to people right now that I am not for Judge Kavanaugh. I don't believe that his decisions and his views are in the mainstream of judicial opinion in the United States of America. I believe that not just about a woman's right to choose. I believe that not just about his decision on net neutrality. I definitely believe that about his decision on executive branch power.

My views are known. I would expound on them if I thought that is what we are here to debate today, and maybe that will happen in the future. But I am here this afternoon to ask my colleagues to think about this issue of sexual assault in a new way. It is not a new way that you have never thought of before, but a way that says it is time for us to slow down and have a nonpartisan investigation into the accusations that have been made by three women.

The reason that is so important is that in the last several days there have been comments that she is mixed up or confused or can't remember. I will tell you this: I guarantee you that any woman in the United States of America who has been assaulted remembers that she was assaulted. She may not remember exactly what the person was wearing, and she may not remember every person who was there, but I guarantee you it is seared into her mind, into her heart, and into her soul that she has been assaulted.

The question before us in the U.S. Senate is, Are we going to take seriously the process and not rush it to a conclusion and not join the ranks of other institutions that have swept allegations under the rug?

We all know where the Catholic Church is today, with information and documentation of accusations where people decided that, no, those couldn't be true; no, we don't have to listen; no, we can do something about it.

When I think about the fact that at least 332 victims were abused by one person in the gymnastics program at Michigan State and people said ''We don't have to pay attention to that,'' when I think about what happened at Penn State to young boys that people deny, that this couldn't be what is happening with Jerry Sandusky—it couldn't possibly be happening—I know that this is a cultural problem.

I have heard statistics that cite that anywhere from 20 percent of women in the United States of America have faced sexual abuse to a website by the Centers for Disease Control that says it is one in three women. One in three women in the United States of America has faced sexual assault or abuse, and we don't think it is a crisis? I am pretty sure there are more women in the United States of America who have been the victims of sexual assault than of the opioid crisis, yet we call that a crisis. What are we doing to make sure we are not like other institutions that have not fully addressed this issue?

We do not want to be the ones who rush through a process that demonstrates that the vote on the Supreme Court is more important than getting the truth. We need a nonpartisan investigation into the facts of these allegations against this Supreme Court nominee.

When I think of the tragedy that faces Native American women, it breaks my heart. Over 50 percent of Native American women have faced sexual assault and abuse—50 percent. How is that not a crisis?

So my colleagues, I know, do not think they are doing damage. They think they are sticking up for a nominee. They think they are sticking up for somebody that their team—their bench—pulled out of the ranks of their party or their backgrounds suggest that he should be the nominee. I understand their desire. But the desire today has to be that we do not make the same mistakes as other institutions, that we pay attention to these things and we take them seriously.

I implore my colleagues to do so. Why? It is because every victim in the United States of America who thinks that you are not giving these accusations their due is reoffended in the belief that society does not take this crisis seriously.

So I implore my colleagues: I know you think you are playing on a political scorecard to get something done for your party, but please make sure we have a thorough, nonpartisan investigation into these accusations so that we can tell victims of sexual assault in the United States of America that we treat these accusations seriously. We did our job. There is no rush, but for the actual facts that we can move forward on.

I know we can have more conversations about this. I know we can, and we should. We should. We had these conversations during the debate on the Violence Against Women Act, and we made sure that Native American women are covered under that law—a tricky problem in the Federal law that made a gap even worse by not having the aid and support—and now, with Federal help and support with Indian trial courts, we have created a better system to bring those perpetrators of those crimes to justice.

But we can, as an institution, also come to terms that this is a cultural problem in the United States of America, and we too must do our part. We must help. We must not keep reinjuring people by saying that we are not going to take the time to find the truth.

So I implore my colleagues, please—and for those of you who have spoken out, like my colleague from Arizona: Thank you. Thank you for helping us get to the truth in this matter. Thank you for standing up for women, for men, for Indian Country, and those who have faced this abuse. Let's make

sure that this institution moves in a serious but deliberate and cautious path and does not spend its time tomorrow prosecuting a woman but listening to the facts and information that she gives.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER (Mr. KYL). The Senator from New Hampshire.

Ms. HASSAN. Mr. President, over the past weeks, we have been reminded yet again why it is so hard for survivors of sexual assault to come forward. For far too long, women who bravely share their stories of sexual assault have been attacked, diminished, and marginalized, and I am sad to say that includes by some of my fellow Senators.

In some respects, we have seen remarkable progress since the ''me too.'' movement began roughly 1 year ago. More women have felt empowered and supported to speak out, and our society has begun to grapple with the horrific and widespread prevalence of sexual harassment and assault, especially in the workplace.

But, sadly, these past weeks have been a reminder that in many ways we are still stuck in 1991; 1991, of course, was when Anita Hill courageously testified before the Senate, sharing allegations of sexual harassment by then-nominee to the Supreme Court Clarence Thomas. Women and men across the country watched in horror as Dr. Hill was attacked and disrespected by the men of the Senate Judiciary Committee.

Yet, here we are, 27 years later, and Senate Republican leadership has made clear that they will do everything they can to ram Judge Kavanaugh's nomination through. They have come up with a process that is even worse, even more disrespectful and disheartening to survivors than the one we saw in 1991.

In 1991, the FBI investigated allegations of sexual assault against Mr. Thomas. The hearings stretched on for multiple days, and some corroborating witnesses were allowed to testify.

In 2018, Republican leadership has indicated that none of those things will be allowed to happen—none of them. They have simply scheduled a check-the-box hearing, rejecting calls to ask the FBI to reopen its background investigation, refusing to allow other witnesses or evidence to be heard, and limiting the questioning from Senators.

Lawyers for Dr. Ford announced that they have submitted sworn affidavits to the Senate Judiciary Committee from four individuals whom she shared these allegations with well before President Trump nominated Judge Kavanaugh to the Supreme Court. Yet, incredibly, not a single one of these corroborating witnesses will be called to testify before the committee, nor will the witness that Dr. Ford alleges was in the room while she was assaulted, and the FBI will not be asked to speak with these or any other witnesses either.

This process isn't a serious attempt to get to the truth. It is a complete sham, and some of my colleagues are hardly even trying to hide the fact that this is not a serious investigation, as they pledge that these credible allegations will not stop Judge Kavanaugh's nomination.

Some of my colleagues have complained about how unfair it is to Judge Kavanaugh that these women have dared to come forward, and they have shown little sympathy for the attacks these women are facing or interest in the corroboration they are willing to offer. They have ignored the real questions about Judge Kavanaugh's credibility and truthfulness and his blatant disrespect for women.

Make no mistake. In 2018, survivors are still not being taken seriously, and that is despite the extraordinary prevalence of sexual assault, which is hard to even quantify, given that an estimated two out of three sexual assaults go unreported.

It is simply unacceptable that survivors are still not being listened to and taken seriously.

To President Trump and Republican leadership, I say: We will not stand for these attempts to silence women and shove them back into the dark. These allegations of sexual assault are extremely serious, and they are credible. The way that these survivors have been attacked is disgusting.

Yet even before we were aware of these allegations, it was clear that Judge Kavanaugh should not serve on the U.S. Supreme Court. I watched Judge Kavanaugh's responses to my colleagues during his initial nomination hearings. I examined his judicial writings and past public statements. I reviewed the limited number of documents that Republicans shared about Judge Kavanaugh's time working in the White House. What the totality of this record makes abundantly clear is that on issue after issue, Judge Kavanaugh has promoted a judicial philosophy that diminishes the rights of individuals, particularly women and people of color, puts corporations before people, and promotes a partisan rightwing ideology at odds with the will of the American people.

But in addition to a record and an outlook that is disqualifying, there is Judge Kavanaugh's lack of credibility. Even in his initial hearings, Judge Kavanaugh raised serious questions about his credibility amid a lack of truthfulness on a range of issues stretching back to his time with the Starr investigation and his work in the Bush administration—questions about his credibility that have only been reinforced by his response to the multiple allegations of sexual assault he is now facing, as evidenced by those who knew him coming forward to dispute his statements.

The eyes of the country and the world are upon us, and I fear what they will see in the coming days. It is not too late for the Senate to pause this sham process and make clear that this body listens to survivors and takes their experiences and their pain seriously. However, if the Senate continues on its present course, it will be an abject failure by this body that will not soon be forgotten.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Rhode Island.

SAVE OUR SEAS ACT OF 2018

Mr. WHITEHOUSE. Mr. President, I have the happy occasion to actually pass a law. It is one that I have been working on for some time. So I have taken the opportunity to come to the floor to actually move it through myself. Yet, before I do that, there are a considerable number of thank yous that are in order.

The first and foremost thank you is to Senator DAN SULLIVAN of Alaska, who chaired the subcommittee hearing that first moved this issue before the Senate in a bipartisan fashion within the Environment and Public Works Committee. It was a really important thing for Senator SULLIVAN to have done. In part, it solved the problem between the Environment and Public Works Committee and the Commerce, Science, and Transportation Committee over jurisdiction in this area. We are very fortunate that Senator SULLIVAN served both as the chairman of the relevant Environment and Public Works Committee and also of the Fisheries Subcommittee of the Commerce Committee so that he was in a position to negotiate with himself over jurisdiction and, obviously, come to a happy conclusion.

I thank Senator INHOFE, who was an early sponsor of this legislation. He attended the hearing. I will confess that when Senator INHOFE came to our hearing on the Environment and Public Works Committee on an environmental matter, I was not convinced that it was a positive turn of events for the bill, but Senator INHOFE could not have been more gracious and took a very strong interest in this piece of legislation. He was an original cosponsor, so I thank him as well.

I thank Senator MURKOWSKI. In her being from Alaska, she joined Senator SULLIVAN. Alaska has a terrific problem with the issue that we are addressing. The issue at hand is marine plastic debris—the plastic waste with which we are filling the ocean. In Rhode Island, we do beach cleanups whereby people go up and down the beach and pick up the plastic trash that has washed ashore. We do those with trash bags. In Alaska, they do those with front-end loaders, dumpsters, and barges, because Alaska faces the Pacific, and there is far more plastic waste and trash in the Pacific. The worst sources for plastic waste and trash are Asian countries, which have

terrible upland waste disposal infrastructure. It ends up in the creek, and it ends up in the river, and it ends up in the sea. So Alaska has had a terrific role.

Senator MURKOWSKI's role was as my coordinate on the Oceans Caucus. She helped to make sure that the Oceans Caucus—a group of 38 Senators—supported this. It was a very bipartisan group, so that provided some added oomph to all of this, if that is not too informal a word to use on the Senate floor.

I also thank my original Democratic cosponsor, Senator BOOKER.

A lot of people have had a hand in this, and there were a great number of sponsors. I appreciate all of them for their support in all of this.

We have had an interesting time because the bill actually passed the Senate before, but when colleagues saw something moving, they wanted to put things on it. So a few pieces have been added from the House side that relate to maritime safety and a Coast Guard Center of Excellence, which we welcome onto the bill and appreciate now that we have the chance to finally pass it.

I also thank Adena Leibman, of my staff, who has just been very persistent and thorough about making this happen and has worked very well with staff members from the offices involved in having helped to coordinate all of my activities with the Oceans Caucus. She has done a really exemplary staff job. As the Presiding Officer knows, the common description of Senators around here is that we are walking constitutional impediments to the smooth and orderly operation of staff. While Senators may disagree with that from time to time, Adena Leibman certainly does a smooth and orderly operation of staff, and I appreciate her.

Senator SULLIVAN could not be here. We had hoped to be able to do this together, but I do express to him my very, very strong appreciation for what a really wonderful partner he has been in all of this. Not only are we excited to pass the Save Our Seas Act, but we are already working on SOS 2.0. Just today, in the Environment and Public Works Committee, we held another hearing on marine plastics—this one at the full committee level, led by Senator BARRASSO. So I owe Senator BARRASSO a thank you.

I find it interesting that at today's hearing, the two leading Republicans on the committee who were there, at the top—DAN and I are more junior—were Senator BARRASSO and Senator INHOFE, both of whom were present, both of whom were productive and helpful, and both who suffer this terrible disability of living in landlocked States. They don't actually have a coast. Yet they have been helpful in moving this forward. We also had a terrific coalition of business and other interests.

You have seen the reaction around the world to know how this problem has suddenly emerged onto the national and international stages, and I think we are really in a terrific position, after we pass this bill, to move on, I hope, with equal bipartisanship and alacrity, and pass our Save Our Seas 2.0.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3508, introduced earlier today by Senator SULLIVAN and me.

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

The legislative clerk read as follows:

A bill (S. 3508) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

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

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

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

The bill (S. 3508) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3508

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 ''Save Our Seas Act of 2018''.

TITLE I—MARINE DEBRIS

SEC. 101. NOAA MARINE DEBRIS PROGRAM.

Section 3 of the Marine Debris Act (33 U.S.C. 1952) is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (5)(C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(6) work to develop outreach and education strategies with other Federal agencies to address sources of marine debris;

''(7) except for discharges of marine debris from vessels, in consultation with the Department of State and other Federal agencies, promote international action, as appropriate, to reduce the incidence of marine debris, including providing technical assistance to expand waste management systems internationally; and

''(8) in the case of an event determined to be a severe marine debris event under subsection (c)—

''(A) assist in the cleanup and response required by the severe marine debris event; or

''(B) conduct such other activity as the Administrator determines is appropriate in response to the severe marine debris event.'';

(2) by redesignating subsection (c) as subsection (d);

(3) by inserting after subsection (b) the following:

''(c) SEVERE MARINE DEBRIS EVENTS.—At the discretion of the Administrator or at the request of the Governor of an affected State, the Administrator shall determine whether there is a severe marine debris event.''; and

(4) in subsection (d)(2), as redesignated—

(A) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by adding at the end the following:

''(C) SEVERE MARINE DEBRIS EVENTS.—Notwithstanding subparagraph (A), the Federal share of the cost of an activity carried out under a determination made under subsection (c) shall be—

''(i) 100 percent of the cost of the activity, for an activity funded wholly by funds made available by a person, including the government of a foreign country, to the Federal Government for the purpose of responding to a severe marine debris event; or

''(ii) 75 percent of the cost of the activity, for any activity other than an activity funded as described in clause (i).''.

SEC. 102. SENSE OF CONGRESS ON INTERNATIONAL ENGAGEMENT TO RESPOND TO MARINE DEBRIS.

It is the sense of Congress that the President should—

(1) support research and development on systems and materials that reduce—

(A) derelict fishing gear; and

(B) the amount of solid waste that is generated from land-based sources and the amount of such waste that enters the marine environment;

(2) work with representatives of foreign countries that discharge the largest amounts of solid waste from land-based sources into the marine environment, to develop mechanisms to reduce such discharges;

(3) carry out studies to determine—

(A) the primary means of discharges referred to in paragraph (2);

(B) the manner in which waste management infrastructure can be most effective in preventing such discharges; and

(C) the long-term impacts of marine debris on the national economies of the countries with which work is undertaken under paragraph (2) and on the global economy, including the impacts of reducing the discharge of such debris;

(4) work with representatives of the countries with which work is undertaken in paragraph (2) to conclude one or more new international agreements that include provisions—

(A) to mitigate the discharge of land-based solid waste into the marine environment; and

(B) to provide technical assistance and investment in waste management infrastructure to reduce such discharges, if the President determines such assistance or investment is appropriate; and

(5) encourage the United States Trade Representative to consider the impact of discharges of land-based solid waste from the countries with which work is conducted under paragraph (2) in relevant future trade agreements.

SEC. 103. SENSE OF CONGRESS SUPPORTING GREAT LAKES LAND-BASED MARINE DEBRIS ACTION PLAN.

It is the sense of Congress that the Great Lakes Land-Based Marine Debris Action Plan (NOAA Technical Memorandum NOS–OR&R–49) is vital to the ongoing efforts to clean up the Great Lakes Region and getting rid of harmful debris, such as microplastics, abandoned vessels, and other forms of pollution that are threatening the survival of native marine animals and damaging the Great Lakes' recreation and tourism economy.

SEC. 104. MEMBERSHIP OF THE INTERAGENCY MARINE DEBRIS COORDINATING COMMITTEE.

Section 5(b) of the Marine Debris Act (33 U.S.C. 1954(b)) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) by redesignating paragraph (5) as paragraph (7); and

(3) by inserting after paragraph (4) the following:

''(5) the Department of State;

''(6) the Department of the Interior; and''.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

Section 9 of the Marine Debris Act (33 U.S.C. 1958) is amended to read as follows:

''SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2018 through 2022 for carrying out sections 3, 5, and 6, of which not more than 5 percent is authorized for each fiscal year for administrative costs.

''(b) AMOUNTS AUTHORIZED FOR COAST GUARD.—Of the amounts authorized for each fiscal year under section 2702(1) of title 14, United States Code, up to $2,000,000 is authorized for the Secretary of the department in which the Coast Guard is operating for use by the Commandant of the Coast Guard to carry out section 4 of this Act, of which not more than 5 percent is authorized for each fiscal year for administrative costs.''.

TITLE II—MARITIME SAFETY

SEC. 201. SHORT TITLE.

This title may be cited as the ''Hamm Alert Maritime Safety Act of 2018''.

SEC. 202. FINDINGS.

Congress finds the following:

(1) On September 29, 2015, the SS El Faro cargo vessel left Jacksonville, Florida bound for San Juan, Puerto Rico, carrying 391 shipping containers, 294 trailers and cars, and a crew of 33 people, including 28 Americans.

(2) On the morning of October 1, the El Faro sent its final communication reporting that the engines were disabled and the ship was listing, leaving the ship directly in the path of Hurricane Joaquin and resulting in the sinking of the vessel and the loss of all 33 lives.

(3) The National Transportation Safety Board and the Coast Guard made recommendations to address safety issues, such as improving weather information and training, improving planning and response to severe weather, reviewing the Coast Guard's program delegating vessel inspections to third-party organizations to assess the effectiveness of the program, and improving alerts and equipment on the vessels, among other recommendations.

(4) Safety issues are not limited to the El Faro. For 2017, over 21,000 deficiencies were issued to United States commercial vessels and more than 2,500 U.S. vessels were issued ''no-sail'' requirements.

(5) The maritime industry, particularly the men and women of the United States merchant marine, play a vital and important role to the national security and economy of our country, and a strong safety regime is necessary to ensure the vitality of the industry and the protection of current and future mariners, and to honor lost mariners.

SEC. 203. DEFINITIONS.

In this title:

(1) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(2) RECOGNIZED ORGANIZATION.—The term ''recognized organization'' has the meaning given that term in section 2.45–1 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

SEC. 204. DOMESTIC VESSEL COMPLIANCE.

(a) IN GENERAL.—Not later than 60 days after the date on which the President submits to the Congress a budget each year pursuant to section 1105 of title 31, United States Code, the Commandant shall publish on a publicly accessible Website information documenting domestic vessel compliance with the requirements of subtitle II of title 46, United States Code.

(b) CONTENT.—The information required under subsection (a) shall—

(1) include flag-State detention rates for each type of inspected vessel; and

(2) identify any recognized organization that inspected or surveyed a vessel that was later subject to a Coast Guard-issued control action attributable to a major nonconformity that the recognized organization failed to identify in such inspection or survey.

SEC. 205. SAFETY MANAGEMENT SYSTEM.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct an audit regarding the implementation and effectiveness of the Coast Guard's oversight and enforcement of safety management plans required under chapter 32 of title 46, United States Code.

(b) SCOPE.—The audit conducted under subsection (a) shall include an evaluation of—

(1) the effectiveness and implementation of safety management plans, including such plans for—

(A) a range of vessel types and sizes; and

(B) vessels that operate in a cross-section of regional operating areas; and

(2) the effectiveness and implementation of safety management plans in addressing the impact of heavy weather.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General 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 detailing the results of the audit and providing recommendations related to such results, including ways to streamline and focus such plans on ship safety.

(d) MARINE SAFETY ALERT.—Not later than 60 days after the date the report is submitted under subsection (c), the Commandant shall publish a Marine Safety Alert providing notification of the completion of the report and including a link to the report on a publicly accessible website.

(e) ADDITIONAL ACTIONS.—

(1) IN GENERAL.—Upon completion of the report under subsection (c), the Commandant shall consider additional guidance or a rulemaking to address any deficiencies identified, and any additional actions recommended, in the report.

(2) REPORT.—Not later than 1 year after the date the report is submitted under subsection (c), the Commandant 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 the actions the Commandant has taken to address any deficiencies identified, and any additional actions recommended, in the report submitted under subsection (c).

SEC. 206. EQUIPMENT REQUIREMENTS.

(a) REGULATIONS.—

(1) IN GENERAL.—Section 3306 of title 46, United States Code, is amended by adding at the end the following:

''(l)(1) The Secretary shall require that a freight vessel inspected under this chapter be outfitted with distress signaling and location technology for the higher of—

''(A) the minimum complement of officers and crew specified on the certificate of inspection for such vessel; or

''(B) the number of persons onboard the vessel; and

''(2) the requirement described in paragraph (1) shall not apply to vessels operating within the baseline from which the territorial sea of the United States is measured.

''(m)(1) The Secretary shall promulgate regulations requiring companies to maintain records of all incremental weight changes made to freight vessels inspected under this chapter, and to track weight changes over time to facilitate rapid determination of the aggregate total.

''(2) Records maintained under paragraph (1) shall be stored, in paper or electronic form, onboard such vessels for not less than 3 years and shoreside for the life of the vessel.''.

(2) DEADLINES.—The Secretary shall—

(A) begin implementing the requirement under section 3306(l) of title 46, United States Code, as amended by this subsection, by not later than 1 year after the date of the enactment of this Act; and

(B) promulgate the regulations required under section 3306(m) of title 46, United States Code, as amended by this subsection, by not later than 1 year after the date of the enactment of this Act.

(b) ENGAGEMENT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend regulation 25 of chapter II–1 of the International Convention for the Safety of Life at Sea to require a high-water alarm sensor in each cargo hold of a freight vessel (as that term is defined in section 2101 of title 46, United States Code), that connects with audible and visual alarms on the navigation bridge of the vessel.

SEC. 207. VOYAGE DATA RECORDER; ACCESS.

(a) IN GENERAL.—Chapter 63 of title 46, United States Code, is amended by adding at the end the following:

''§ 6309. Voyage data recorder access

''Notwithstanding any other provision of law, the Coast Guard shall have full, concurrent, and timely access to and ability to use voyage data recorder data and audio held by any Federal agency in all marine casualty investigations, regardless of which agency is the investigative lead.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''6309. Voyage data recorder access.''.

SEC. 208. VOYAGE DATA RECORDER; REQUIREMENTS.

(a) FLOAT-FREE AND BEACON REQUIREMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend regulation 20 of chapter V of the International Convention for the Safety of Life at Sea to require that all voyage data recorders are installed in a float-free arrangement and contain an integrated emergency position indicating radio beacon.

(2) PROGRESS UPDATE.—Not later than 3 years after the date of the enactment of this Act, the Commandant 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 an update on the progress of the engagement required under paragraph (1).

(b) COST-BENEFIT ANALYSIS.—Not later than 2 years after the date of the enactment of this Act, the Commandant 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 cost-benefit analysis of requiring that voyage data recorders installed on commercial vessels documented under chapter 121 of title 46, United States Code, capture communications on the internal telephone systems of such vessels, including requiring the capture of both sides of all communications with the bridge onboard such vessels.

SEC. 209. SURVIVAL AND LOCATING EQUIPMENT.

Not later than 2 years after the date of the enactment of this Act, the Commandant shall, subject to the availability of appropriations, identify and procure equipment that will provide search-and-rescue units the ability to attach a radio or Automated Identification System strobe or beacon to an object that is not immediately retrievable.

SEC. 210. TRAINING OF COAST GUARD PERSONNEL.

(a) PROSPECTIVE SECTOR COMMANDER TRAINING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall implement an Officer in Charge, Marine Inspections segment to the sector commander indoctrination course for prospective sector commanders without a Coast Guard prevention ashore officer specialty code.

(b) STEAMSHIP INSPECTIONS.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall implement steam plant inspection training for Coast Guard marine inspectors and, subject to availability, recognized organizations to which authority is delegated under section 3316 of title 46, United States Code.

(c) ADVANCED JOURNEYMAN INSPECTOR TRAINING.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall establish advanced training to provide instruction on the oversight of recognized organizations to which authority is delegated under section 3316 of title 46, United States Code, auditing responsibilities, and the inspection of unique vessel types.

(2) RECIPIENTS.—The Commandant shall—

(A) require that such training be completed by senior Coast Guard marine inspectors; and

(B) subject to availability of training capacity, make such training available to recognized organization surveyors authorized by the Coast Guard to conduct inspections.

(d) COAST GUARD INSPECTIONS STAFF; BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing detailing—

(1) the estimated time and funding necessary to triple the current size of the Coast Guard's traveling inspector staff; and

(2) other options available to the Coast Guard to enhance and maintain marine safety knowledge, including discussion of increased reliance on—

(A) civilian marine inspectors;

(B) experienced licensed mariners;

(C) retired members of the Coast Guard;

(D) arranging for Coast Guard inspectors to ride onboard commercial oceangoing vessels documented under chapter 121 of title 46, United States Code, to gain experience and insight; and

(E) extending tour-lengths for Coast Guard marine safety officers assigned to inspection billets.

(e) AUDITS; COAST GUARD ATTENDANCE AND PERFORMANCE.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall—

(1) update Coast Guard policy to utilize risk analysis to target the attendance of Coast Guard personnel during external safety management certificate and document of compliance audits; and

(2) perform a quality assurance audit of recognized organization representation and performance regarding United States-flagged vessels.

SEC. 211. MAJOR MARINE CASUALTY PROPERTY DAMAGE THRESHOLD.

Section 6101(i)(3) of title 46, United States Code, is amended by striking ''$500,000'' and inserting ''$2,000,000''.

SEC. 212. REVIEWS, BRIEFINGS, REPORTS, AND TECHNICAL CORRECTIONS.

(a) MAJOR CONVERSION DETERMINATIONS.—

(1) REVIEW OF POLICIES AND PROCEDURES.—The Commandant shall conduct a review of policies and procedures for making and documenting major conversion determinations, including an examination of the deference given to precedent.

(2) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the findings of the review required by paragraph (1).

(b) VENTILATORS, OPENINGS AND STABILITY STANDARDS.—

(1) REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall complete a review of the effectiveness of United States regulations, international conventions, recognized organizations' class rules, and Coast Guard technical policy regarding—

(A) ventilators and other hull openings;

(B) fire dampers and other closures protecting openings normally open during operations;

(C) intact and damage stability standards under subchapter S of chapter I of title 46, Code of Federal Regulations; and

(D) lifesaving equipment for mariners, including survival suits and life jackets.

(2) BRIEFING.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the effectiveness of the regulations, international conventions, recognized organizations' class rules, and Coast Guard technical policy reviewed under paragraph (1).

(c) SELF-LOCATING DATUM MARKER BUOYS.—Not later than 6 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the reliability of self-locating datum marker buoys and other similar technology used during Coast Guard search-and-rescue operations. The briefing shall include a description of reasonable steps the Commandant could take to increase the reliability of such buoys, including the potential to leverage technology used by the Navy, and how protocols could be developed to conduct testing of such buoys before using them for operations.

(d) CORRECTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation, for purposes of section 502(f)(4) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)(4)) (as in effect on the day before the amendments made by section 11607 of Public Law 114–94 (129 Stat. 1698) took effect)—

(A) not later than 30 days after the date of enactment of this Act, and in consultation with the Director of the Office of Management and Budget, shall define the term ''cohorts of loans'';

(B) before the deadline described in paragraph (2), shall return to the original source, on a pro rata basis, the credit risk premiums paid for the loans in the cohort of loans, with interest accrued thereon, that were not used to mitigate losses; and

(C) shall not treat the repayment of a loan after the date of enactment of Public Law 114–94 as precluding, limiting, or negatively affecting the satisfaction of the obligation of its cohort prior to the enactment of Public Law 114–94.

(2) DEADLINE DESCRIBED.—The deadline described in this paragraph is—

(A) if all obligations attached to a cohort of loans have been satisfied, not later than 60 days after the date of enactment of this Act; and

(B) if all obligations attached to a cohort of loans have not been satisfied, not later than 60 days after the date on which all obligations attached to the cohort of loans are satisfied.

(e) OVERSIGHT PROGRAM; EFFECTIVENESS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall commission an assessment of the effectiveness of the Coast Guard's oversight of recognized organizations and its impact on compliance by and safety of vessels inspected by such organizations.

(2) EXPERIENCE.—The assessment commissioned under paragraph (1) shall be conducted by a research organization with significant experience in maritime operations and marine safety.

(3) SUBMISSION TO CONGRESS.—Not later than 180 days after the date that the assessment required under paragraph (1) is completed, the Commandant 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 the results of such assessment.

SEC. 213. FLAG-STATE GUIDANCE AND SUPPLEMENTS.

(a) FREIGHT VESSELS; DAMAGE CONTROL INFORMATION.—Within 1 year after the date of the enactment of this Act, the Secretary shall issue flag-State guidance for all freight vessels documented under chapter 121 of title 46, United States Code, built before January 1, 1992, regarding the inclusion of comprehensive damage control information in safety management plans required under chapter 32 of title 46, United States Code.

(b) RECOGNIZED ORGANIZATIONS; UNITED STATES SUPPLEMENT.—The Commandant shall—

(1) work with recognized organizations to create a single United States Supplement to rules of such organizations for classification of vessels; and

(2) by not later than 1 year after the date of the enactment of this Act, provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on whether it is necessary to revise part 8 of title 46, Code of Federal Regulations, to authorize only one United States Supplement to such rules.

SEC. 214. MARINE SAFETY STRATEGY.

Section 2116 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''each year of an annual'' and inserting ''of a triennial'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''ANNUAL'' and inserting ''TRIENNIAL''; and

(B) by striking ''annual'' each place it appears and inserting ''triennial'';

(3) in subsection (c)—

(A) by striking ''fiscal year 2011 and each fiscal year'' and inserting ''fiscal year 2020 and triennially''; and

(B) by striking ''annual plan'' and inserting ''triennial plan''; and

(4) in subsection (d)(2), by striking ''annually'' and inserting ''triennially''.

SEC. 215. RECOGNIZED ORGANIZATIONS; OVERSIGHT.

(a) IN GENERAL.—Section 3316 of title 46, United States Code, is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following:

''(g)(1) There shall be within the Coast Guard an office that conducts comprehensive and targeted oversight of all recognized organizations that act on behalf of the Coast Guard.

''(2) The staff of the office shall include subject matter experts, including inspectors, investigators, and auditors, who possess the capability and authority to audit all aspects of such recognized organizations.

''(3) In this subsection the term 'recognized organization' has the meaning given that term in section 2.45–1 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Hamm Alert Maritime Safety Act of 2018.''.

(b) DEADLINE FOR ESTABLISHMENT.—The Commandant of the Coast Guard shall establish the office required by the amendment made by subsection (a) by not later than 2 years after the date of the enactment of this Act.

SEC. 216. TIMELY WEATHER FORECASTS AND HAZARD ADVISORIES FOR MERCHANT MARINERS.

Not later than 1 year after the date of enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend the International Convention for the Safety of Life at Sea to require that vessels subject to the requirements of such Convention receive—

(1) timely synoptic and graphical chart weather forecasts; and

(2) where available, timely hazard advisories for merchant mariners, including broadcasts of tropical cyclone forecasts and advisories, intermediate public advisories, and tropical cyclone updates to mariners via appropriate technologies.

SEC. 217. ANONYMOUS SAFETY ALERT SYSTEM.

(a) PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Commandant shall establish an anonymous safety alert pilot program.

(b) REQUIREMENTS.—The pilot program established under subsection (a) shall provide an anonymous reporting mechanism to allow crew members to communicate urgent and dire safety concerns directly and in a timely manner with the Coast Guard.

SEC. 218. MARINE SAFETY IMPLEMENTATION STATUS.

(a) IN GENERAL.—Not later than December 19 of 2018, and of each of the 2 subsequent years thereafter, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of implementation of each action outlined in the Commandant's final action memo dated December 19, 2017, regarding the sinking and loss of the vessel El Faro.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Department of Homeland Security Inspector General shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of the Coast Guard's implementation of each action outlined in the Commandant's final action memo dated December 19, 2017, regarding the sinking and loss of the vessel El Faro.

SEC. 219. DELEGATED AUTHORITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall review the authorities that have been delegated to recognized organizations for the alternative compliance program as described in subpart D of part 8 of title 46, Code of Federal Regulations, and, if necessary, revise or establish policies and procedures to ensure those delegated authorities are being conducted in a manner to ensure safe maritime transportation.

(b) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the implementation of subsection (a).

TITLE III—CENTER OF EXPERTISE

SEC. 301. SHORT TITLE.

This title may be cited as the ''Coast Guard Blue Technology Center of Expertise Act''.

SEC. 302. COAST GUARD BLUE TECHNOLOGY CENTER OF EXPERTISE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act and subject to the availability of appropriations, the Commandant may establish under section 58 of title 14, United States Code, a Blue Technology center of expertise.

(b) MISSIONS.—In addition to the missions listed in section 58(b) of title 14, United States Code, the Center may—

(1) promote awareness within the Coast Guard of the range and diversity of Blue Technologies and their potential to enhance Coast Guard mission readiness, operational performance, and regulation of such technologies;

(2) function as an interactive conduit to enable the sharing and dissemination of Blue Technology information between the Coast Guard and representatives from the private sector, academia, nonprofit organizations, and other Federal agencies;

(3) increase awareness among Blue Technology manufacturers, entrepreneurs, and vendors of Coast Guard acquisition policies, procedures, and business practices;

(4) provide technical support, coordination, and assistance to Coast Guard districts and the Coast Guard Research and Development Center, as appropriate; and

(5) subject to the requirements of the Coast Guard Academy, coordinate with the Academy to develop appropriate curricula regarding Blue Technology to be offered in professional courses of study to give Coast Guard cadets and officer candidates a greater background and understanding of Blue Technologies.

(c) BLUE TECHNOLOGY EXPOSITION; BRIEFING.—Not later than 6 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the costs and benefits of hosting a biennial Coast Guard Blue Technology exposition to further interactions between representatives from the private sector, academia, and nonprofit organizations, and the Coast Guard and examine emerging technologies and Coast Guard mission demands.

(d) DEFINITIONS.—In this section:

(1) CENTER.—The term ''Center'' means the Blue Technology center of expertise established under this section.

(2) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(3) BLUE TECHNOLOGY.—The term ''Blue Technology'' means any technology, system, or platform that—

(A) is designed for use or application above, on, or below the sea surface or that is otherwise applicable to Coast Guard operational needs, including such a technology, system, or platform that provides continuous or persistent coverage; and

(B) supports or facilitates—

(i) maritime domain awareness, including—

(I) surveillance and monitoring;

(II) observation, measurement, and modeling: or

(III) information technology and communications;

(ii) search and rescue;

(iii) emergency response;

(iv) maritime law enforcement;

(v) marine inspections and investigations; or

(vi) protection and conservation of the marine environment.

Mr. WHITEHOUSE. I thank the Presiding Officer. Bravo to all who participated in making this possible.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WICKER). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR NO. 867

Mr. FLAKE. Mr. President, I ask unanimous consent that following leader remarks on Thursday, September 27, the Senate proceed to executive session for the consideration of the following nomination: Executive Calendar No. 867. I further ask that the time until 12:40 be equally divided in the usual form; that following the use or yielding back of time, the Senate vote on the nomination with no motions in order and without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nomination be printed in the RECORD.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. FLAKE. 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.

MUSIC MODERNIZATION ACT

Mr. HATCH. Mr. President, I wish to enter a few remarks into the RECORD

regarding section 103(a) of the Music Modernization Act, which the Senate recently passed.

By striking current sections 114(f)(1) and (2) of title 17 and substituting a new section 114(f)(1) based on current section 114(f)(2), section 103(a) of the bill creates a uniform ''willing buyer/willing seller'' rate standard in section 114. This fair standard requires that performing artists and copyright owners be appropriately compensated for the use of their works under the statutory license because rates under this standard are to be set at a level that best approximates the rates that artists and copyright owners would have been able to negotiate in a free market. It has long been a goal of Congress to move toward a free market standard for the statutory license and to move away from the 801(b) standard that permits the copyright royalty judges to set a nonmarket rate for satellite digital audio radio services, (SDARS), and preexisting subscription services, (PSS). Discounted nonmarket rates harm artists and copyright owners, as well as the competitors of SDARS and PSS. As a transitional matter, however, the bill amends section 804(b)(3)(B) of the Copyright Act to continue, through 2027, 2018-2022 statutory royalty rates for PSS that are finally determined in the rate proceeding currently pending before the copyright royalty judges.

The bill also continues through 2027 the statutory royalty rates for SDARS set forth by the copyright royalty judges on December 14, 2017, in their initial determination for the rate period ending on December 31, 2022. The remainder of my statement today will address the PSS category.

After 2027, the PSS will remain a distinct category of service under section 114. We have chosen to retain the PSS category as a distinct category because, over the last 20 years, the PSS have been treated distinctly from other types of services for purposes other than the rate standard, such as in the statutory license reporting regulations in 37 C.F.R. 370.3. We express no view as to the merits of those particular provisions or as to whether it makes sense to continue to treat the PSS differently from other types of services as to reporting requirements or any other matter besides the rate standard.

One consequence of retaining the PSS category after 2027 is that, so long as there continue to be PSS in operation, statutory royalty rates for PSS will continue to be set in proceedings separate from those in which rates are set for similar ''new subscription services'' that also provide music channels delivered over cable and satellite networks as part of cable and satellite subscription packages. Statutory royalty rates for such new subscription services have always been subject to the willing buyer/willing seller rate standard and are currently found at 37 C.F.R. part 383. The difference in the timing of rate proceedings for PSS and similar new subscription services is simply the result of keeping each service on the same 5-year cycle of rate-setting proceedings that has applied to the service in the past and does not reflect a judgment that the royalty rates for PSS and similar new subscription services should be different. The intent of this legislation is to eliminate the rate-setting preference that the PSS and SDARS previously enjoyed under section 114(f)(1) and require all services to pay statutory royalties reflecting the fair market value of the recordings they use without regard to regulatory categories or the schedule of rate-setting proceedings. We expect that similar services will pay similar market rates.

During the period through 2027, when the PSS may continue to pay statutory royalty rates that have been set at below-market levels depending on the outcome of the pending rate proceeding—eligibility for the PSS rates will continue to be limited to the category of services eligible for grandfathering under the old rate standard when the PSS category was created, so as to protect pre–1998 investments in the particular service offerings at issue.

Mr. President, I now wish to enter into the RECORD a few remarks regarding section 105 of the Music Modernization Act, or MMA, which the Senate recently passed.

An important policy objective of the MMA is to bring legal certainty to areas of the music licensing marketplace where it is lacking today in order to benefit songwriters, recording artists, music users, and ultimately listeners. In the market for the public performance of musical works, where no governing statutory framework exists, that certainty has long been provided by the Department of Justice, DOJ, consent decrees with ASCAP and BMI.

To ensure that certainty remains in that market, section 105 of the MMA creates a process that will enable Congress to exercise an ongoing oversight role over decisions by DOJ to review, modify, or terminate the ASCAP or BMI consent decree. Terminating either of these decrees without a viable legislative alternative in place would create the very market uncertainty that the MMA seeks to remedy.

For that reason, in the event DOJ elects to undertake a review of the ASCAP or BMI consent decree, the MMA instructs DOJ to consult with and report to Congress throughout that review. Such a process will enable Congress to act on any needed legislative improvements or replacement of the consent decree framework as a precursor to DOJ action to terminate the decrees.

Importantly, in the event that DOJ decides to move to terminate either the ASCAP or BMI consent decree, including through a motion to sunset the decree after a specified period of time, the MMA requires DOJ to notify the House and Senate Committees on the Judiciary of its intent to file such a motion ''a reasonable time before'' filing the motion. The purpose of this provision is to provide adequate time for congressional consultation and any legislative action that may be necessary as the result of a motion to terminate the decree. The bill's sponsors believe that such notification is required under section 105 and that ''a reasonable time'' means at least 90 days before a motion to terminate is filed, in order to provide adequate notice to Congress.

ROHINGYA CRISIS

Mr. DURBIN. Mr. President, Saturday, August 25, 2018, marked 1 year since the brutal attacks in Burma that sent more than 700,000 Rohingya fleeing for their lives to Bangladesh.

Horrific stories were reported, including mass murder, rape, babies being thrown into fires, and entire villages razed to the ground at the hands of Burmese military officials. In Bangladesh, these desperate refugees joined hundreds of thousands of others who fled in waves of previous violence.

The Rohingya sadly have a long history of being discriminated against and even violently attacked in Burma. In fact, UN Secretary General Antonio Gutteres said recently of the Rohingya, ''there is no population in the world that I have seen more discrimination against.'' While we have seen changes in Burma recently, the horrible treatment of ethnic minorities such as the Rohingya has continued.

Saturday, August 25, 2018, is also the day we lost our Senate colleague, the great patriot, John McCain.

John McCain and I historically partnered with Senators FEINSTEIN and MCCONNELL to renew sanctions against Burma until it released Aung San Suu Kyi and moved toward democracy. More recently, John McCain was the sponsor of bipartisan Senate legislation that would narrowly sanction those Burmese military officials response for the violence against the Rohingya. I was proud to join him in that effort. The bill has nearly two dozen cosponsors, Members from across the country and the political spectrum. We all recognize as John McCain did that, despite the historic changes in Burma, we must not allow the Burmese military to continue to act with impunity.

We appreciate the efforts of our administration—humanitarian aid, sanctions on a few security officials and units, interviewing refugees and documenting crimes—but it is not enough, especially as Burmese officials continue to deny that any crimes took place and ignore calls of safe and voluntary repatriation and accountability. There are even reports that the Burmese military continues to bulldoze and overtake former Rohingya villages, as well as engage in attacks in Shan and Kachin State against other ethnic minorities.

It is no wonder that the UN's Independent International Fact-Finding Mission on Myanmar reported recently that the Burmese military acted with ''genocidal intent''—genocide, not a term taken lightly and not a term applied often. This comes on the heels of reports by others, such as Fortify Rights, Amnesty International, and Human Rights Watch. Presented by the UN's Human Rights Council, the latest report is the result of interviews with nearly 900 witnesses, and it calls for the international community to act.

Our State Department has similarly reported that the Burmese military's operations against the Rohingya were ''well-planned and coordinated,'' although I am disappointed that the Department stopped short of making a legal determination on the crimes.

Senator MCCONNELL continues to block any action on the late John McCain's bipartisan legislation.

A year after the latest wave of violence, report after damning report documents the Burmese military's scorched-earth tactics. The international community calls for immediate action: accountability, humanitarian relief, conducive conditions in Burma for safe and voluntary repatriation.

Congress has its hands tied by the majority leader.

Like Senator MCCONNELL, I have also been a big fan of Aung San Suu Kyi and had high hopes for her, and I recognize the near impossible position she is in with the Burmese military, but her blindness to the suffering of her own people, not to mention her defense of the absurd jailing of the two Reuters reporters, troubles me deeply. That is not the Aung San Suu Kyi that John McCain called his ''personal hero.''

John McCain's bill is about ensuring that we hold the Burmese military accountable for its operations. I hope the majority leader will finally recognize that and allow this bipartisan bill to move.

MALNUTRITION AWARENESS WEEK

Mr. CASEY. Mr. President, September 24 to 28, 2018, marks Malnutrition Awareness Week. Malnutrition Awareness Week is a multi-organizational, multipronged campaign created by the American Society for Parenteral and Enteral Nutrition to educate healthcare professionals to identify and treat for malnutrition earlier, educate consumers and patients to discuss their nutrition status with healthcare professionals, and increase awareness of nutrition's role in patient recovery.

Last summer, the U.S. Senate Special Committee on Aging held a hearing to discuss the importance of proper nutrition and the impact of malnutrition on America's seniors. We learned that, in 2014, more than 13 percent of seniors in Pennsylvania reported food insecurity. Experts shared that poverty, food insecurity, and changes with age significantly increase the risk of malnutrition.

Unfortunately, we do not know the full extent to which malnutrition plagues seniors across the country. It is for this reason that last fall I called on the U.S. Government Accountability Office to examine what is known about the caloric and nutrient needs of older adults as well as the extent to which federally funded nutrition programs that serve older adults are meeting their nutrition needs.

No seniors should have to choose between putting food on the table and taking their medications. That is why, as ranking member of the Aging Committee, I authored a bill, the Nourishing Our Golden Years Act, to improve seniors' access to the senior food box program, my bill assures that seniors are not kicked off the program simply because of red tape and difficult deadlines.

We cannot solve malnutrition without better understanding the issue. Older adults, caregivers and healthcare professionals require guidance on the identification of and interventions for seniors facing this crisis. I am pleased to raise awareness about malnutrition among seniors as part of Malnutrition Awareness Week.

TRIBUTE TO MATT MEAD

Mr. BARRASSO. Mr. President, today I wish to share my appreciation for Governor Matt Mead. He will complete his second term as Wyoming's commander in chief this year. It is an honor to recognize his devotion to our servicemen and women.

Here in Wyoming, we rely on the cowboy code. The Code of the West was adopted as the State's official code of ethics. It reminds us to ''live each day with courage'' and ''be tough, but fair.'' It also reminds us to ''take pride in our work.''

Governor Mead can certainly take pride in his role as a champion and advocate for Wyoming's military members and their families. Since 2008, Matt attended 22 deployment ceremonies for members of the Wyoming Air and Army National Guards. In 8 years, exactly 2,235 airmen and soldiers have been deployed to fight the war on terror and protect our Nation.

Matt knows the importance of supporting our troops, both at home and overseas. He visited deployed troops on six separate occasions to bring words of support and encouragement from home. Similarly, he was on the ground with families and friends at 22 homecoming events, greeting returning men and women with a smile on his face.

Governor Mead is also dedicated to thanking those who have already served. During his tenure, he attended 53 Veterans Day and welcome home events. These welcome home ceremonies began as a way to honor veterans of the Korean conflict and the Vietnam war who returned home without receiving proper recognition of their service and sacrifice.

In addition, he signed legislation designating Interstate 25, which runs north to south from Buffalo, Wyoming, to the Colorado border, as the Vietnam Veterans Welcome Home Highway.

Finally, under his direction, the Wyoming Veterans Commission assisted over 8,000 veterans and family members with problems or requests for information. Matt's determination to provide high-quality care and support to Wyoming's veterans is unparalleled.

Matt does not stop at honoring veterans and supporting Active-Duty servicemembers. In 2011, he saw a need to recognize those just beginning their service. Now, he regularly hosts enlistment ceremonies for young men and women who commit to joining the Armed Forces.

At these special events, Governor Mead takes time to share his appreciation for their bravery, patriotism, and desire to serve our Nation. His warm words of inspiration provide reassurance to these young people and their families as they embark on this momentous journey. Since the first ceremony, a total of 3,035 enlistees have been recognized for answering the call of duty.

Governor Mead is not alone in his efforts to celebrate their selfless sacrifice. He is aided by the Hon. Gary Hartman, who serves as Mead's military and veteran policy analyst. Judge Hartman is a U.S. Air Force veteran who served in Vietnam. Judge Hartman coordinates each ceremony and plays a vital role in ensuring each and every one of these talented individuals is celebrated.

In addition to his military service, Judge Hartman served for 25 years on the Fifth Judicial District Court. His extensive knowledge of the law, along with his passion for veterans' affairs, allowed him to help bring a veterans treatment court to Laramie County. The program's unique approach aims to add much-needed mental health and mentoring services to veterans facing criminal charges. His experiences, both in the Air Force and on the bench, make him a proud advocate who never hesitates to uphold, encourage, and defend veteran causes.

Wyoming holds two enlistment ceremonies each year. On November 12, Matt, with Judge Hartman's assistance, will host his final ceremony as Governor. Addressing a new group of enlistees, he will impart wisdom and speak about Wyoming's legacy of service. I have been honored to attend many of these ceremonies. It will again be my honor to stand beside my friend as we commend these fine young folks.

President Teddy Roosevelt famously said, ''People don't care how much you know until they know how much you care.'' Time and time again, Governor Matt Mead demonstrates his respect and gratitude for our servicemembers. He leads with honor, integrity, and pride, and our State and Nation are better because of his dedication.

ADDITIONAL STATEMENTS

TRIBUTE TO AUDREY ROSENSTEIN

● Mr. HELLER. Mr. President, today I wish to recognize Audrey Rosenstein of Las Vegas, NV, for her tireless efforts on behalf of children in need of a family and her work that has distinguished her as a 2018 Angel in Adoption honoree. After learning of Audrey's story, I was proud to nominate her for this award, which is presented to individuals for outstanding contributions to adoption and child welfare through the Congressional Coalition on Adoption Institute.

Audrey and her husband, Craig, are parents to five biological children and 10 adopted children. Sixteen years ago, the Rosensteins decided to fill the empty bedrooms of their adult children with children in need of a safe and loving environment. Since then, their family has welcomed 25 foster children into their loving home. As a father of four, I have great admiration for the Rosensteins who have opened their heart and home to those who are in need of it most.

In addition to her parenting role, Audrey is committed to serving her community. Audrey is the president of Fostering Southern Nevada, an organization that is dedicated to improving foster parent recruitment and retention. She also works closely with the Clark County Department of Family Services on the Quality Parenting Initiative, as well as with Child Haven and Peggy's Closet to help ensure that foster families have access to the resources that they need.

Audrey was quoted in a Las Vegas Review Journal article saying, ''I'm hoping we give children a feeling of being loved, important and being a part of a family. The idea that we've made an impact in someone's life makes it all worth it.''

I certainly believe that Audrey has made a significant impact on many young lives, and I believe that Nevada is better off because of her unwavering commitment to providing young Nevadans with much-needed hope and love. I offer my deepest appreciation to both Audrey and her husband Craig for their efforts to care for Southern Nevada's children, and I ask that all of my colleagues join me in recognizing their service to our community.●

25TH ANNIVERSARY OF SUNRISE COUNTY ECONOMIC COUNCIL

● Mr. KING. Mr. President, today I wish to recognize the Sunrise County Economic Council of Washington County as they celebrate their 25th anniversary. Founded using funds left over from the Quoddy Job Opportunity Zone, an initiative from then-Governor John McKernan, SCEC has used a grassroots approach to economic development in Washington County. They have worked tirelessly across political, economic, and municipal boundaries to promote development in one of the least populated counties in the State.

SCEC was founded in 1993 by a group of businesses and community leaders to promote economic and community development. SCEC brings together community-focused businesses, not-for-profit organizations, municipalities, and citizens to all work together to create jobs and promote prosperity in Washington County. During my time as Governor, we created the Investing in Washington County initiative, which was a partnership between SCEC and State agencies working through the cabinet subcommittee on economic development. Since then, SCEC has been dedicated to job creation and development and continues to play a vital role in Maine's economic prosperity.

Today SCEC has several programs and initiatives to achieve their goals to improve their community and promote development. One of these programs is Family Futures Downeast. This program aims to break the cycle of poverty by providing children with a safe, secure environment, high-quality education, and supporting parents through postsecondary education and career development. Parents enroll at the University of Maine Machias or Washington County Community College and their children are enrolled in early-education programs right on campus. Families receive support from a variety of partners, including college preparatory and tutoring services, workforce training, career counseling, and financial support. This program is life-changing for parents and children. Thanks to the program, children are thriving in high-quality childcare, parents can pursue opportunities without worrying about their children's care, and parents are on path to long-term, higher-paying jobs right in Washington County.

Another SCEC program is the Washington County Leadership Institute. Founded in 1997, the institute provides Washington County citizens with the skills, insight, and professional network to be more effective leaders in their communities. Participants come from all sectors, including small business, finance, education, tourism, healthcare, nonprofit, and municipal government. Institute graduates have gone on to serve on planning boards, school boards, filled a variety of volunteer positions, and served in the legislature.

I am honored to join all of the communities of Washington County and the entire State of Maine in congratulating Sunrise County Economic Council for 25 years of incredible work. I look forward to their continued growth and service to the State, and I thank them for their dedication to making Maine such a special place to call home.●

RECOGNIZING BEAR KNUCKLES

● Mr. RISCH. Mr. President, Idaho's entrepreneurs are passionate individuals who consistently innovate and create high-quality products. As chairman of the Senate Committee on Small Business and Entrepreneurship, it is my distinct privilege to recognize Bear Knuckles as the Small Business of the Month for September 2018. Located in Blackfoot, ID, Bear Knuckles manufactures gloves with a unique design that allow for a stronger grip while still protecting the wearer's hands.

Bear Knuckles' founder, Shawn Schild, is one of three brothers who own B Bar B in Blackfoot. B Bar B is a family-owned leather shop founded by Shawn's parents, Bob and Gay Schild. Bob Schild began his career as a professional rodeo rider in 1954. Throughout his rodeo career, Bob carried a sewing machine and other tailoring supplies in his camper to craft his own equipment. He often sold rodeo chaps and other items that he crafted to make extra income while on the road. Bob continued his rodeo career until he settled down in Blackfoot with his wife Gay and founded B Bar B Leather in 1961. He continued to compete in the rodeo part time to help support the business until 1969. Bob and Gay passed along this entrepreneurial spirit and the values of hard work and integrity to their three sons: Jeff, Shawn, and Kelly. After taking the reins of the business from their parents in 1994, the three brothers founded B Bar B Wholesale in 1996.

Shawn began designing his own line of gloves over 20 years ago, while competing in the rodeo like his father had done before him. He wanted to make a glove that could protect his hands, while providing a better grip on bucking bulls. After a great deal of experimentation, Shawn created gloves with curved fingers to better conform to the natural shape of the hand. This resulted in a glove that allows for a strong grip, while also reducing grip fatigue. Shawn's patented double wedge ergonomic design worked so well that it was adopted by several professional bullriders who still use it to this day.

Shawn saw the potential for this new glove to benefit working men and women. He began making different types of gloves and approached local stores and industrial businesses asking them to test his new products. Several employees at a local natural gas distributor, who tested the welding gloves, praised Shawn's design and claimed that they no longer wanted to use any other type of glove. After further tinkering and experimentation, he received a patent for the design in 2015. Following the patent, Shawn took the next step and decided to pursue a manufacturing and distribution agreement with a large glove manufacturing company. Shawn overcame multiple challenges in the manufacturing of his glove, which ultimately led him to start his own small business, Bear Knuckles. Today Shawn's gloves are sold in stores throughout the area.

The State of Idaho is proud to be home to innovative, hard-working entrepreneurs like Shawn. The entire B

Bar B and Bear Knuckles family shows how one innovative idea and a dedication to hard work can lead to small business success. They exemplify Idaho's unique entrepreneurial spirit, as well as the importance of always continuing to press on when difficulties arise. I would like to congratulate Shawn, the Schild family, and all of the employees at Bear Knuckles for being named the Small Business of the Month for September 2018. I look forward to watching your continued growth and success.●

REMEMBERING FRANK BRADLEY

● Mr. RUBIO. Mr. President, today I pay tribute to the memory of Frank Bradley, a lifelong Tallahassee, FL, resident who owned a famed local country store and was well regarded as a consummate southern gentleman.

Frank Bradley was born on July 11, 1925, in Tallahassee and served his country honorably in the U.S. Navy during World War II. When he came home from the war, he began working in his father's family store, Bradley's Country Store. In 1970, Frank added a packinghouse to the store, with products still made from his grandmother Mary's 1910 recipe.

He also began to host the store's annual Old Fashioned Fun Day, which brings in thousands of visitors each year. Frank retired from the store in 2008, leaving it in the hands of his daughter Janet. His lesson for her was to treat their customers with respect as if they are always right.

Frank was dedicated to improving his community and worked to address issues affecting residents, including leading the charge to pave a portion of Old Centerville Road. While he sought for the entire road to be paved to the Georgia line, he accepted a compromise of 2 miles.

I express my sincere condolences to his wife Lillian, two daughters Janet Bradley Parker and Julie Bradley Obrecht, six grandchildren, and one great-grandson. May God bless his family during this time of loss.●

RECOGNIZING SUNRISE STING 2000

● Mr. RUBIO. Mr. President, today I recognize the Sunrise Sting 2000 Girls Soccer Club, who won the 2018 United States Youth Soccer National Championship.

Sunrise Sting 2000 is comprised of talented young women from Sunrise, FL. Several of the players have been together since they were 8 years old, under the direction of coach Juan Laureano. Sunrise Sting has existed since 1975; yet this is their first time winning the Southern Regional and National Championship tournaments.

After winning the Southern Regional Championship 4–0 against Mandeville, LA, the team entered the final stage of the National Championship series. In group play, the Sunrise club defeated CDA Slammers FC from California 1–0 in their opening match. They rebounded from losing a close contest to Campton United of Illinois with a 3–1 victory over the Scottsdale Blackhawks of Arizona. In the semifinals, they won 3–0 over CDA Premier 00 of Ohio.

In the National Championship game, they avenged their previous loss to Campton United by defeating them with a 3–2 victory, despite trailing at halftime. The team considers itself a family and refused to quit in the face of adversity because of their strong teamwork.

I extend my best wishes to head coach Aguinaldo Ferreira, coach Juan Laureano, Victoria Burbrick, Stephanie Cuan, Taylor Dobles, Marlee Fray, Liliana Fernandez, Kayla Fernandez, Madison Grushoff, Jordan Horacek, Cassandra Lawson, Chloe Laureano, Elizabeth Matei, Maiya Matos, Megan Morgan, Sylvie Prepetit, Evanthia Spyredes, Amber Tam, Samantha Wald, Sydney Waiters, and the entire Sunrise Sting organization on this impressive accomplishment.●

REMEMBERING ELIZABETH FULLON

● Mr. TESTER. Mr. President, today I wish to honor the memory of an outstanding Montanan and leader.

Elizabeth Fullon served as interim dean at Montana State University Billings City College, an Air Force Reservist, and an advocate for veterans and students in Montana.

Like many of us, Elizabeth was deeply affected by the September 11 attacks. A member of the Massachusetts Air National Guard at the time, she was on base when the planes hit and worked for months around the clock in the aftermath.

Her service eventually brought her to Billings, where she wanted to find a way to honor the first responders who gave so much that day. Anyone who has been to Montana's 9/11 Memorial at City College has seen the fruits of her labor. Elizabeth secured a grant to bring a 612-pound I-beam from one of the Twin Towers to Billings to serve as the centerpiece for the memorial.

The memorial serves as a reminder of the selflessness of the 9/11 first responders and as a reminder of those who lost their lives on that horrible day. Elizabeth's efforts in making the memorial possible ensure Montanans can pay tribute and respect the brave Americans who, then and now, rush into danger whenever it calls, to keep us safe.

Elizabeth's legacy was one of service, and I stand today to thank her and to ask that we remember her by taking a moment to honor the heroes in each of our lives.●

MESSAGES FROM THE HOUSE

At 4:40 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 bills, without amendment:

S. 791. An act to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

S. 2553. An act to amend title XVIII of the Social Security Act to prohibit health plans and pharmacy benefit managers from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

S. 2554. An act to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

S. 2559. An act to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

S. 3479. An act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1320. An act to amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes.

H.R. 1872. An act to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

H.R. 2278. An act to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado.

H.R. 2389. An act to reauthorize the West Valley demonstration project, and for other purposes.

H.R, 2634. An act to designate the Mental Health Residential Rehabilitation Treatment Facility Expansion of the Department of Veterans Affairs Alvin C. York Medical Center in Murfreesboro, Tennessee, as the ''Sergeant John Toombs Residential Rehabilitation Treatment Facility''.

H.R. 5075. An act to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes.

H.R. 5433. An act to require the Secretary of State to design and establish a Vulnerability Disclosure Process (VDP) to improve Department of State cybersecurity and a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the Department of State, and for other purposes.

H.R. 5509. An act to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

H.R. 5585. An act to extend the authorization for the Cape Code National Seashore Advisory Commission.

H.R. 6013. An act to amend the Migratory Bird Treaty Act to establish January 31 of each year as the Federal framework closing date for the duck hunting season and to establish special duck hunting days for youths, veterans, and active military personnel, and for other purposes.

H.R. 6229. An act to authorize the programs of the National Institute of Standards and Technology, and for other purposes.

H.R. 6299. An act to modify the process of the Secretary of the Interior for examining certain mining claims on Federal lands in Storey County, Nevada, to facilitate certain pinyon-juniper-related projects in Lincoln County, Nevada, to modify the boundaries of

certain wilderness areas in the State of Nevada, to fully implement the White Pine County Conservation, Recreation, and Development Act, and for other purposes.

H.R. 6316. An act to clarify the primary functions and duties of the Office of Advocacy of the Small Business Administration, and for other purposes.

H.R. 6330. An act to amend the Small Business Act to modify the method for prescribing size standards for business concerns.

H.R. 6347. An act to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6348. An act to adjust the real estate appraisal thresholds under the section 504 program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6367. An act to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors, and for other purposes.

H.R. 6368. An act to encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration's mentor-protege program, to promote the use of interagency contracts, and for other purposes.

H.R. 6369. An act to amend the Small Business Act to eliminate the inclusion of option years in the award price for sole source contracts, and for other purposes.

H.R. 6378. An act to reauthorize certain programs under the Pandemic and All-Hazards Preparedness Reauthorization Act.

H.R. 6382. An act to amend the Small Business Act to require the Administrator of the Small Business Administration to report certain information to the Congress and to the President, and for other purposes.

H.R. 6398. An act to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, and for other purposes.

H.R. 6511. An act to authorize the Secretary of Energy to carry out a program to lease underutilized Strategic Petroleum Reserve facilities, and for other purposes.

H.R. 6580. An act to amend the Immigration and Nationality Act to provide for naturalization processes for the immediate relatives of first responders who die as a result of their employment, and for other purposes.

H.R. 6599. An act to modify the application of temporary limited appointment regulations to the National Park Service, and for other purposes.

H.R. 6620. An act to require the Department of Homeland Security to prepare a threat assessment relating to unmanned aircraft systems, and for other purposes.

H.R. 6687. An act to direct the Secretary of the Interior to manage the Point Reyes National Seashore in the State of California consistently with Congress' longstanding intent to continue to authorize working dairies and ranches on agricultural property as part of the seashore's unique historic, cultural, scenic and natural values, and for other purposes.

H.R. 6735. An act to direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes.

H.R. 6740. An act to amend the Homeland Security Act of 2002 to establish Border Tunnel Task Forces, and for other purposes.

H.R. 6742. An act to amend the Homeland Security Act of 2002 to ensure that appropriate officers and agents of U.S. Customs and Border Protection are equipped with secure radios or other two-way communication devices, supported by system interoperability, and for other purposes.

H.R. 6758. An act to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes.

H.R. 6847. An act to amend title 18, United States Code, to expand and strengthen Federal sex offenses, to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 48. Concurrent resolution directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1551.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 72. Concurrent resolution expressing the sense of Congress that child safety is the first priority of custody and visitation adjudications, and that State courts should improve adjudications of custody where family violence is alleged.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 46) to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1551) to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities.

The message also announced that pursuant to section 1652(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), the Minority Leader appoints the following Member on the part of the House of Representatives to the Cyberspace Solarium Commission: Mr. LANGEVIN of Rhode Island; And from private life: The Honorable Patrick Murphy of Bristol, Pennsylvania.

At 6:23 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 bill, in which it requests the concurrence of the Senate:

H.R. 6897. An act to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 47. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 6157.

The message also announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1320. An act to amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes; to the Committee on Environment and Public Works.

H.R. 1872. An act to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes; to the Committee on Foreign Relations.

H.R. 2634. An act to designate the Mental Health Residential Rehabilitation Treatment Facility Expansion of the Department of Veterans Affairs Alvin C. York Medical Center in Murfreesboro, Tennessee, as the ''Sergeant John Toombs Residential Rehabilitation Treatment Facility''; to the Committee on Veterans' Affairs.

H.R. 5075. An act to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 5433. An act to require the Secretary of State to design and establish a Vulnerability Disclosure Process (VDP) to improve Department of State cybersecurity and a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the Department of State, and for other purposes; to the Committee on Foreign Relations.

H.R. 5509. An act to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5585. An act to extend the authorization for the Cape Cod National Seashore Advisory Commission; to the Committee on Energy and Natural Resources.

H.R. 6013. An act to amend the Migratory Bird Treaty Act to establish January 31 of each year as the Federal Framework closing date for the duck hunting season and to establish special duck hunting days for youths, veterans, and active military personnel, and for other purposes; to the Committee on Environment and Public Works.

H.R. 6229. An act to authorize the programs of the National Institute of Standards and Technology, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 6299. An act to modify the process of the Secretary of the Interior for examining certain mining claims on Federal lands in Storey County, Nevada, to facilitate certain pinyon-juniper-related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, to fully implement the White Pine County Conservation, Recreation, and Development Act, and for other purposes; to the

Committee on Energy and Natural Resources.

H.R. 6316. An act to clarify the primary functions and duties of the Office of Advocacy of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 6330. An act to amend the Small Business Act to modify the method for prescribing size standards for business concerns; to the Committee on Small Business and Entrepreneurship.

H.R. 6347. An act to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 6348. An act to adjust the real estate appraisal thresholds under the section 504 program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 6367. An act to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 6368. An act to encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration's mentor-protege program, to promote the use of interagency contracts, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 6369. An act to amend the Small Business Act to eliminate the inclusion of option years in the award price for sole source contracts, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 6382. An act to amend the Small Business Act to require the Administrator of the Small Business Administration to report certain information to the Congress and to the President, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 6398. An act to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6511. An act to authorize the Secretary of Energy to carry out a program to lease underutilized Strategic Petroleum Reserve facilities, and for other purposes; to the Committee on Energy and Natural Resources .

H.R. 6580. An act to amend the Immigration and Nationality Act to provide for naturalization processes for the immediate relatives of first responders who die as a result of their employment, and for other purposes; to the Committee on the Judiciary.

H.R. 6599. An act to modify the application of temporary limited appointment regulations to the National Park Service, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6620. An act to require the Department of Homeland Security to prepare a threat assessment relating to unmanned aircraft systems, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6687. An act to direct the Secretary of the Interior to manage the Point Reyes National Seashore in the State of California consistently with Congress' long-standing intent to continue to authorize working dairies and ranches on agricultural property as part of the seashore's unique historic, cultural, scenic and natural values, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6735. An act to direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6740. An act to amend the Homeland Security Act of 2002 to establish Border Tunnel Task Forces, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6742. An act to amend the Homeland Security Act of 2002 to ensure that appropriate officers and agents of U.S. Customs and Border Protection are equipped with secure radios or other two-way communication devices, supported by system interoperability, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6847. An act to amend title 18, United States Code, to expand and strengthen Federal sex offenses, to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2278. An act to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 6287. An act to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

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–6602. A communication from the Assistant Secretary of the Navy (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Armed Services.

EC–6603. A communication from the Director of Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Case 'Infinite Quantities-No Fixed Charges'' ' ((RIN0750–AJ96) (DFARS Case 2018–D034)) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Armed Services.

EC–6604. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order to take additional steps with respect to the national emergencies declared in Executive Order 13660 of March 6, 2014 and authorizing the implementation of certain sanctions set forth in the Countering America's Adversaries through Sanctions Act; to the Committee on Banking, Housing, and Urban Affairs.

EC–6605. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulation Crowdfunding and Regulation A Relief and Assistance for Victims of Hurricane Florence'' (Rel. No. 33–10556) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6606. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation for Overseas Contingency Operations/Global War on Terrorism all funding so designated by the Congress in the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019, pursuant to section 251 (b) (2) (A) of the Balanced Budget and Emergency Deficit Control Act of 1985, for the enclosed list of accounts; to the Committee on the Budget.

EC–6607. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Integrated Light-Emitting Diode Lamps'' ((RIN1904–AD74) (Docket No. EERE–2016–BT–TP–0037)) received during adjournment of the Senate in the Office of the President of Senate on September 21, 2018; to the Committee on Energy and Natural Resources.

EC–6608. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustments to the Price-Anderson Act Financial Protection Regulations'' ((RIN3150–AK01) (NRC–2017–0030)) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Environment and Public Works.

EC–6609. A communication from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting, pursuant to law, a report entitled ''Social Security Number Fraud Prevention Act of 2017 Initial Report to Congress-June 2018''; to the Committees on Finance; and Homeland Security and Governmental Affairs.

EC–6610. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled ''List of Goods Produced by Child Labor or Forced Labor''; to the Committees on Foreign Relations; and the Judiciary.

EC–6611. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of the danger pay allowance for Managua and Pyongyang; to the Committee on Foreign Relations.

EC–6612. A joint communication from the Secretary of Agriculture and the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to Thefts, Losses, or Releases of Select Agents and Toxins for Calendar Year 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–6613. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled ''The Department of Labor's 2017 Findings on the Worst Forms of Child Labor''; to the Committee on Health, Education, Labor, and Pensions.

EC–6614. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report relative to

the Board's budget request for fiscal year 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–6615. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted for Direct Addition to Food for Human Consumption; Vitamin D3'' ((21 CFR Part 172) (Docket No. FDA–2017–F–3717)) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6616. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Subject to Certification; D and C Black No. 4; Confirmation of Effective Date'' ((21 CFR Part 74) (Docket No. FDA–2017–C–0935)) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6617. A communication from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Net Worth, Asset Transfers, and Income Exclusions for Needs-Based Benefits'' (RIN2900–AO73) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Veterans' Affairs.

EC–6618. A communication from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA Acquisition Regulation: Subcontracting Policies and Procedures; Government Property'' (RIN2900–AQ05) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Veterans' Affairs.

EC–6619. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Rural Call Completion'' ((FCC 18–120) (WC Docket No, 13–29)) received during adjournment of the Senate in the Office of the President of the Senate on September 19, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6620. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Guides for the Jewelry, Precious Metals, and Pewter Industries'' (16 CFR Part 23) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6621. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Telemarketing Sales Rule Fees'' ((RIN3084–AA98) (16 CFR Part 310)) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6622. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules and Regulations under the Textile Fiber Products Identification Act'' ((RIN3084–AB47) (16 CFR Part 303)) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6623. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Energy Labeling Rule'' ((RIN3084–AB15) (16 CFR Part 305)) received in the Office of the President of the Senate on September 24, 2018; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

Francisco Luis Palmieri, of Connecticut, 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 Honduras.

Nominee: Francisco L. Palmieri.

Post: Republic of Honduras.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $100.00, January, 2016, Glen Ivey for U.S. Congress.

2. Spouse: $375.00, 10/29/16, Hillary Victory Fund; $1,000.00, 8/4/16, Hillary Victory Fund; $10.00, 6/3/15, Hillary Victory Fund; $10.00, 5/3/15, Hillary Victory Fund; $250.00, 4/12/15, Hillary Victory Fund.

3. Children and Spouses: None.

4. Parents: None.

5. Grandparents: N/A.

6. Brothers and Spouses: None.

7. Sisters and Spouses: N/A.

Ron Johnson, of Wisconsin, to be a Representative of the United States of America to the Seventy-third Session of the General Assembly of the United Nations.

Jeff Merkley, of Oregon, to be a Representative of the United States of America to the Seventy-third Session of the General Assembly of the United Nations.

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Peter Gaynor, of Rhode Island, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

*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.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. BOOZMAN, and Mr. HATCH):

S. 3501. A bill to require the Secretary of Veterans Affairs to enter into a contract or other agreement with a third party to review appointees in the Veterans Health Administration who had a license terminated for cause by a State licensing board for care or services rendered at a non-Veterans Health Administration facility and providing individuals treated by such an appointee with notice if it is determined that an episode of care or services to which they received was below the standard of care, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHATZ (for himself, Mr. GARDNER, Mr. PORTMAN, and Ms. HARRIS):

S. 3502. A bill to authorize an emerging technology policy lab within the General Services Administration, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. WARREN:

S. 3503. A bill to make housing more affordable, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. WYDEN):

S. 3504. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for civil damages as recompense for trafficking in persons; to the Committee on Finance.

By Mr. ISAKSON (for himself, Mr. KAINE, Mr. WICKER, and Mr. BLUNT):

S. 3505. A bill to provide for partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself and Mr. RUBIO):

S. 3506. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen school security; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself and Mr. HELLER):

S. 3507. A bill to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to prescribe regulations providing that a presumption of service connection is warranted for a disease with a positive association with exposure to a herbicide agent, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SULLIVAN (for himself, Mr. WHITEHOUSE, Mr. INHOFE, and Mr. NELSON):

S. 3508. A bill to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes; considered and passed.

By Mr. ENZI (for himself and Mr. BARRASSO):

S. 3509. A bill to reauthorize the Congressional Award Act; considered and passed.

By Mr. NELSON (for himself and Mr. RUBIO):

S. 3510. A bill to amend title VII of the Tariff Act of 1930 to provide for the treatment of core seasonal industries affected by antidumping or countervailing duty investigations, and for other purposes; to the Committee on Finance.

By Ms. CORTEZ MASTO:

S. 3511. A bill to broaden unmanned aircraft systems safety awareness, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CORTEZ MASTO (for herself, Mrs. FISCHER, Ms. DUCKWORTH, Mr. WYDEN, Mr. CRAPO, Mr. MORAN, and Mr. RISCH):

S. 3512. A bill to amend title 49, United States Code, to authorize grants from the small airport fund for the construction or improvement of a nonapproach control tower; to the Committee on Commerce, Science, and Transportation.

By Ms. CORTEZ MASTO (for herself and Mrs. FISCHER):

S. 3513. A bill to establish a deadline for the establishment of a process to allow applicants to petition the Administrator of the Federal Aviation Administration to prohibit or restrict the operation of an unmanned aircraft in close proximity to a fixed site facility; to the Committee on Commerce, Science, and Transportation.

By Ms. CORTEZ MASTO:

S. 3514. A bill to amend title 49, United States Code, to encourage the use of zero-emission vehicles and technology at public-use airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY:

S. 3515. A bill to provide mandatory funding to the Secretary of Agriculture to carry out hazardous fuels reduction projects on National Forest System land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Ms. HEITKAMP, Mr. CORNYN, Mr. WICKER, Mr. TILLIS, Mr. ROUNDS, Ms. COLLINS, Mrs. FISCHER, and Mr. HELLER):

S. 3516. A bill to impose additional sanctions with respect to Iran's Revolutionary Guard Corps, and for other purposes; to the Committee on Foreign Relations.

By Mr. UDALL (for himself, Mr. LEAHY, Mrs. FEINSTEIN, Mr. DURBIN, Mr. SANDERS, Mr. MERKLEY, Mr. HEINRICH, and Mr. MURPHY):

S. 3517. A bill to limit the use of funds for kinetic military operations in or against Iran; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

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

S. Res. 653. A resolution expressing support for the designation of October 20, 2018, as the ''National Day on Writing''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. CARDIN, Mr. WYDEN, Ms. COLLINS, Mr. ALEXANDER, Mr. JONES, Mr. YOUNG, and Ms. HASSAN):

S. Res. 654. A resolution supporting the goals and ideals of National Retirement Security Week, including raising public awareness of the various tax-preferred retirement vehicles, increasing personal financial literacy, and engaging the people of the United States on the keys to success in achieving and maintaining retirement security throughout their lifetimes; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mr. BROWN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Mr. HEINRICH, Mr. HELLER, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mrs. MURRAY, Mr. NELSON, Mr. REED, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. CARDIN, and Mr. DURBIN):

S. Res. 655. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 783

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 783, a bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

S. 2208

At the request of Mr. MARKEY, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2208, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 2317

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2317, a bill to amend the Controlled Substances Act to provide for additional flexibility with respect to medication-assisted treatment for opioid use disorders, and for other purposes.

S. 2572

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2572, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 2763

At the request of Mr. BROWN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 2763, a bill to provide grants to State, local, territorial, and tribal law enforcement agencies to purchase chemical screening devices and train personnel to use chemical screening devices in order to enhance law enforcement efficiency and protect law enforcement officers.

S. 2852

At the request of Mr. CASEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2852, a bill to reauthorize certain programs under the Pandemic and All-Hazards Preparedness Reauthorization Act.

S. 2971

At the request of Mr. BOOKER, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2971, a bill to amend the Animal Welfare Act to prohibit animal fighting in the United States territories.

S. 3052

At the request of Mr. GARDNER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3052, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on heavy trucks and trailers, and for other purposes.

S. 3063

At the request of Mr. BARRASSO, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 3063, a bill to delay the reimposition of the annual fee on health insurance providers until after 2020.

S. 3164

At the request of Mr. JONES, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3164, a bill to amend the Gramm-Leach-Bliley Act to update the exception for certain annual notices provided by financial institutions.

S. 3172

At the request of Mr. WARNER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3172, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

At the request of Mr. PORTMAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 3172, supra.

S. 3257

At the request of Mr. CRUZ, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 3257, a bill to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes.

S. 3321

At the request of Mr. COONS, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3321, a bill to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden and to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson in recognition of their contributions to the success of the National Aeronautics and Space Administration during the Space Race.

S. 3459

At the request of Ms. DUCKWORTH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3459, a bill to amend the Internal Revenue Code of 1986 to expand the credit for expenditures to provide access to disabled individuals, and for other purposes.

S.J. RES. 64

At the request of Mr. TESTER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S.J. Res. 64, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Treasury relating to ''Returns by Exempt Organizations and Returns by Certain Non-Exempt Organizations''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. WYDEN):

S. 3504. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for civil damages as recompense for trafficking in persons; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3504

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 ''Human Trafficking Survivor Tax Relief Act''.

SEC. 2. EXEMPTING FROM FEDERAL INCOME TAXATION CIVIL DAMAGES AWARDED UNDER SECTION 1595 OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before section 140 the following new section:

''SEC. 139H. CERTAIN AMOUNT RECEIVED AS CIVIL DAMAGES AS RECOMPENSE FOR TRAFFICKING IN PERSONS.

''(a) EXCLUSION FROM GROSS INCOME.—Gross income shall not include any civil damages, restitution, or other monetary award (including compensatory or statutory damages and restitution imposed in a criminal matter) awarded in an action under section 1595 of title 18, United States Code.''.

(b) CONFORMING AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before the item relating to section 140 the following new item:

''Sec. 139H. Certain amount received as civil damages as recompense for trafficking in persons.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

By Mr. SULLIVAN (for himself, Mr. WHITEHOUSE, Mr. INHOFE, and Mr. NELSON):

S. 3508. A bill to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes; considered and passed.

S. 3508

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 ''Save Our Seas Act of 2018''.

TITLE I—MARINE DEBRIS

SEC. 101. NOAA MARINE DEBRIS PROGRAM.

Section 3 of the Marine Debris Act (33 U.S.C. 1952) is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (5)(C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(6) work to develop outreach and education strategies with other Federal agencies to address sources of marine debris;

''(7) except for discharges of marine debris from vessels, in consultation with the Department of State and other Federal agencies, promote international action, as appropriate, to reduce the incidence of marine debris, including providing technical assistance to expand waste management systems internationally; and

''(8) in the case of an event determined to be a severe marine debris event under subsection (c)—

''(A) assist in the cleanup and response required by the severe marine debris event; or

''(B) conduct such other activity as the Administrator determines is appropriate in response to the severe marine debris event.'';

(2) by redesignating subsection (c) as subsection (d);

(3) by inserting after subsection (b) the following:

''(c) SEVERE MARINE DEBRIS EVENTS.—At the discretion of the Administrator or at the request of the Governor of an affected State, the Administrator shall determine whether there is a severe marine debris event.''; and

(4) in subsection (d)(2), as redesignated—

(A) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by adding at the end the following:

''(C) SEVERE MARINE DEBRIS EVENTS.—Notwithstanding subparagraph (A), the Federal share of the cost of an activity carried out under a determination made under subsection (c) shall be—

''(i) 100 percent of the cost of the activity, for an activity funded wholly by funds made available by a person, including the government of a foreign country, to the Federal Government for the purpose of responding to a severe marine debris event; or

''(ii) 75 percent of the cost of the activity, for any activity other than an activity funded as described in clause (i).''.

SEC. 102. SENSE OF CONGRESS ON INTERNATIONAL ENGAGEMENT TO RESPOND TO MARINE DEBRIS.

It is the sense of Congress that the President should—

(1) support research and development on systems and materials that reduce—

(A) derelict fishing gear; and

(B) the amount of solid waste that is generated from land-based sources and the amount of such waste that enters the marine environment;

(2) work with representatives of foreign countries that discharge the largest amounts of solid waste from land-based sources into the marine environment, to develop mechanisms to reduce such discharges;

(3) carry out studies to determine—

(A) the primary means of discharges referred to in paragraph (2);

(B) the manner in which waste management infrastructure can be most effective in preventing such discharges; and

(C) the long-term impacts of marine debris on the national economies of the countries with which work is undertaken under paragraph (2) and on the global economy, including the impacts of reducing the discharge of such debris;

(4) work with representatives of the countries with which work is undertaken in paragraph (2) to conclude one or more new international agreements that include provisions—

(A) to mitigate the discharge of land-based solid waste into the marine environment; and

(B) to provide technical assistance and investment in waste management infrastructure to reduce such discharges, if the President determines such assistance or investment is appropriate; and

(5) encourage the United States Trade Representative to consider the impact of discharges of land-based solid waste from the countries with which work is conducted under paragraph (2) in relevant future trade agreements.

SEC. 103. SENSE OF CONGRESS SUPPORTING GREAT LAKES LAND-BASED MARINE DEBRIS ACTION PLAN.

It is the sense of Congress that the Great Lakes Land-Based Marine Debris Action Plan (NOAA Technical Memorandum NOS–OR&R–49) is vital to the ongoing efforts to clean up the Great Lakes Region and getting rid of harmful debris, such as microplastics, abandoned vessels, and other forms of pollution that are threatening the survival of native marine animals and damaging the Great Lakes' recreation and tourism economy.

SEC. 104. MEMBERSHIP OF THE INTERAGENCY MARINE DEBRIS COORDINATING COMMITTEE.

Section 5(b) of the Marine Debris Act (33 U.S.C. 1954(b)) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) by redesignating paragraph (5) as paragraph (7); and

(3) by inserting after paragraph (4) the following:

''(5) the Department of State;

''(6) the Department of the Interior; and''.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

Section 9 of the Marine Debris Act (33 U.S.C. 1958) is amended to read as follows:

''SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There is authorized to be appropriated to the Administrator $10,000,000 for each of fiscal years 2018 through 2022 for carrying out sections 3, 5, and 6, of which not more than 5 percent is authorized for each fiscal year for administrative costs.

''(b) AMOUNTS AUTHORIZED FOR COAST GUARD.—Of the amounts authorized for each fiscal year under section 2702(1) of title 14, United States Code, up to $2,000,000 is authorized for the Secretary of the department in which the Coast Guard is operating for use by the Commandant of the Coast Guard to carry out section 4 of this Act, of which not more than 5 percent is authorized for each fiscal year for administrative costs.''.

TITLE II—MARITIME SAFETY

SEC. 201. SHORT TITLE.

This title may be cited as the ''Hamm Alert Maritime Safety Act of 2018''.

SEC. 202. FINDINGS.

Congress finds the following:

(1) On September 29, 2015, the SS El Faro cargo vessel left Jacksonville, Florida bound for San Juan, Puerto Rico, carrying 391 shipping containers, 294 trailers and cars, and a crew of 33 people, including 28 Americans.

(2) On the morning of October 1, the El Faro sent its final communication reporting that the engines were disabled and the ship was listing, leaving the ship directly in the path of Hurricane Joaquin and resulting in the sinking of the vessel and the loss of all 33 lives.

(3) The National Transportation Safety Board and the Coast Guard made recommendations to address safety issues, such as improving weather information and training, improving planning and response to severe weather, reviewing the Coast Guard's program delegating vessel inspections to third-party organizations to assess the effectiveness of the program, and improving alerts and equipment on the vessels, among other recommendations.

(4) Safety issues are not limited to the El Faro. For 2017, over 21,000 deficiencies were issued to United States commercial vessels and more than 2,500 U.S. vessels were issued ''no-sail'' requirements.

(5) The maritime industry, particularly the men and women of the United States merchant marine, play a vital and important

role to the national security and economy of our country, and a strong safety regime is necessary to ensure the vitality of the industry and the protection of current and future mariners, and to honor lost mariners.

SEC. 203. DEFINITIONS.

In this title:

(1) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(2) RECOGNIZED ORGANIZATION.—The term ''recognized organization'' has the meaning given that term in section 2.45–1 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

SEC. 204. DOMESTIC VESSEL COMPLIANCE.

(a) IN GENERAL.—Not later than 60 days after the date on which the President submits to the Congress a budget each year pursuant to section 1105 of title 31, United States Code, the Commandant shall publish on a publicly accessible Website information documenting domestic vessel compliance with the requirements of subtitle II of title 46, United States Code.

(b) CONTENT.—The information required under subsection (a) shall—

(1) include flag-State detention rates for each type of inspected vessel; and

(2) identify any recognized organization that inspected or surveyed a vessel that was later subject to a Coast Guard-issued control action attributable to a major nonconformity that the recognized organization failed to identify in such inspection or survey.

SEC. 205. SAFETY MANAGEMENT SYSTEM.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct an audit regarding the implementation and effectiveness of the Coast Guard's oversight and enforcement of safety management plans required under chapter 32 of title 46, United States Code.

(b) SCOPE.—The audit conducted under subsection (a) shall include an evaluation of—

(1) the effectiveness and implementation of safety management plans, including such plans for—

(A) a range of vessel types and sizes; and

(B) vessels that operate in a cross-section of regional operating areas; and

(2) the effectiveness and implementation of safety management plans in addressing the impact of heavy weather.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General 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 detailing the results of the audit and providing recommendations related to such results, including ways to streamline and focus such plans on ship safety.

(d) MARINE SAFETY ALERT.—Not later than 60 days after the date the report is submitted under subsection (c), the Commandant shall publish a Marine Safety Alert providing notification of the completion of the report and including a link to the report on a publicly accessible website.

(e) ADDITIONAL ACTIONS.—

(1) IN GENERAL.—Upon completion of the report under subsection (c), the Commandant shall consider additional guidance or a rulemaking to address any deficiencies identified, and any additional actions recommended, in the report.

(2) REPORT.—Not later than 1 year after the date the report is submitted under subsection (c), the Commandant 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 the actions the Commandant has taken to address any deficiencies identified, and any additional actions recommended, in the report submitted under subsection (c).

SEC. 206. EQUIPMENT REQUIREMENTS.

(a) REGULATIONS.—

(1) IN GENERAL.—Section 3306 of title 46, United States Code, is amended by adding at the end the following:

''(l)(1) The Secretary shall require that a freight vessel inspected under this chapter be outfitted with distress signaling and location technology for the higher of—

''(A) the minimum complement of officers and crew specified on the certificate of inspection for such vessel; or

''(B) the number of persons onboard the vessel; and

''(2) the requirement described in paragraph (1) shall not apply to vessels operating within the baseline from which the territorial sea of the United States is measured.

''(m)(1) The Secretary shall promulgate regulations requiring companies to maintain records of all incremental weight changes made to freight vessels inspected under this chapter, and to track weight changes over time to facilitate rapid determination of the aggregate total.

''(2) Records maintained under paragraph (1) shall be stored, in paper or electronic form, onboard such vessels for not less than 3 years and shoreside for the life of the vessel.''.

(2) DEADLINES.—The Secretary shall—

(A) begin implementing the requirement under section 3306(l) of title 46, United States Code, as amended by this subsection, by not later than 1 year after the date of the enactment of this Act; and

(B) promulgate the regulations required under section 3306(m) of title 46, United States Code, as amended by this subsection, by not later than 1 year after the date of the enactment of this Act.

(b) ENGAGEMENT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend regulation 25 of chapter II–1 of the International Convention for the Safety of Life at Sea to require a high-water alarm sensor in each cargo hold of a freight vessel (as that term is defined in section 2101 of title 46, United States Code), that connects with audible and visual alarms on the navigation bridge of the vessel.

SEC. 207. VOYAGE DATA RECORDER; ACCESS.

(a) IN GENERAL.—Chapter 63 of title 46, United States Code, is amended by adding at the end the following:

''§ 6309. Voyage data recorder access

''Notwithstanding any other provision of law, the Coast Guard shall have full, concurrent, and timely access to and ability to use voyage data recorder data and audio held by any Federal agency in all marine casualty investigations, regardless of which agency is the investigative lead.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''6309. Voyage data recorder access.''.

SEC. 208. VOYAGE DATA RECORDER; REQUIREMENTS.

(a) FLOAT-FREE AND BEACON REQUIREMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend regulation 20 of chapter V of the International Convention for the Safety of Life at Sea to require that all voyage data recorders are installed in a float-free arrangement and contain an integrated emergency position indicating radio beacon.

(2) PROGRESS UPDATE.—Not later than 3 years after the date of the enactment of this Act, the Commandant 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 an update on the progress of the engagement required under paragraph (1).

(b) COST-BENEFIT ANALYSIS.—Not later than 2 years after the date of the enactment of this Act, the Commandant 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 cost-benefit analysis of requiring that voyage data recorders installed on commercial vessels documented under chapter 121 of title 46, United States Code, capture communications on the internal telephone systems of such vessels, including requiring the capture of both sides of all communications with the bridge onboard such vessels.

SEC. 209. SURVIVAL AND LOCATING EQUIPMENT.

Not later than 2 years after the date of the enactment of this Act, the Commandant shall, subject to the availability of appropriations, identify and procure equipment that will provide search-and-rescue units the ability to attach a radio or Automated Identification System strobe or beacon to an object that is not immediately retrievable.

SEC. 210. TRAINING OF COAST GUARD PERSONNEL.

(a) PROSPECTIVE SECTOR COMMANDER TRAINING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall implement an Officer in Charge, Marine Inspections segment to the sector commander indoctrination course for prospective sector commanders without a Coast Guard prevention ashore officer specialty code.

(b) STEAMSHIP INSPECTIONS.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall implement steam plant inspection training for Coast Guard marine inspectors and, subject to availability, recognized organizations to which authority is delegated under section 3316 of title 46, United States Code.

(c) ADVANCED JOURNEYMAN INSPECTOR TRAINING.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall establish advanced training to provide instruction on the oversight of recognized organizations to which authority is delegated under section 3316 of title 46, United States Code, auditing responsibilities, and the inspection of unique vessel types.

(2) RECIPIENTS.—The Commandant shall—

(A) require that such training be completed by senior Coast Guard marine inspectors; and

(B) subject to availability of training capacity, make such training available to recognized organization surveyors authorized by the Coast Guard to conduct inspections.

(d) COAST GUARD INSPECTIONS STAFF; BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing detailing—

(1) the estimated time and funding necessary to triple the current size of the Coast Guard's traveling inspector staff; and

(2) other options available to the Coast Guard to enhance and maintain marine safety knowledge, including discussion of increased reliance on—

(A) civilian marine inspectors;

(B) experienced licensed mariners;

(C) retired members of the Coast Guard;

(D) arranging for Coast Guard inspectors to ride onboard commercial oceangoing vessels documented under chapter 121 of title 46, United States Code, to gain experience and insight; and

(E) extending tour-lengths for Coast Guard marine safety officers assigned to inspection billets.

(e) AUDITS; COAST GUARD ATTENDANCE AND PERFORMANCE.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall—

(1) update Coast Guard policy to utilize risk analysis to target the attendance of Coast Guard personnel during external safety management certificate and document of compliance audits; and

(2) perform a quality assurance audit of recognized organization representation and performance regarding United States-flagged vessels.

SEC. 211. MAJOR MARINE CASUALTY PROPERTY DAMAGE THRESHOLD.

Section 6101(i)(3) of title 46, United States Code, is amended by striking ''$500,000'' and inserting ''$2,000,000''.

SEC. 212. REVIEWS, BRIEFINGS, REPORTS, AND TECHNICAL CORRECTIONS.

(a) MAJOR CONVERSION DETERMINATIONS.—

(1) REVIEW OF POLICIES AND PROCEDURES.—The Commandant shall conduct a review of policies and procedures for making and documenting major conversion determinations, including an examination of the deference given to precedent.

(2) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the findings of the review required by paragraph (1).

(b) VENTILATORS, OPENINGS AND STABILITY STANDARDS.—

(1) REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall complete a review of the effectiveness of United States regulations, international conventions, recognized organizations' class rules, and Coast Guard technical policy regarding—

(A) ventilators and other hull openings;

(B) fire dampers and other closures protecting openings normally open during operations;

(C) intact and damage stability standards under subchapter S of chapter I of title 46, Code of Federal Regulations; and

(D) lifesaving equipment for mariners, including survival suits and life jackets.

(2) BRIEFING.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the effectiveness of the regulations, international conventions, recognized organizations' class rules, and Coast Guard technical policy reviewed under paragraph (1).

(c) SELF-LOCATING DATUM MARKER BUOYS.—Not later than 6 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the reliability of self-locating datum marker buoys and other similar technology used during Coast Guard search-and-rescue operations. The briefing shall include a description of reasonable steps the Commandant could take to increase the reliability of such buoys, including the potential to leverage technology used by the Navy, and how protocols could be developed to conduct testing of such buoys before using them for operations.

(d) CORRECTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation, for purposes of section 502(f)(4) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)(4)) (as in effect on the day before the amendments made by section 11607 of Public Law 114–94 (129 Stat. 1698) took effect)—

(A) not later than 30 days after the date of enactment of this Act, and in consultation with the Director of the Office of Management and Budget, shall define the term ''cohorts of loans'';

(B) before the deadline described in paragraph (2), shall return to the original source, on a pro rata basis, the credit risk premiums paid for the loans in the cohort of loans, with interest accrued thereon, that were not used to mitigate losses; and

(C) shall not treat the repayment of a loan after the date of enactment of Public Law 114–94 as precluding, limiting, or negatively affecting the satisfaction of the obligation of its cohort prior to the enactment of Public Law 114–94.

(2) DEADLINE DESCRIBED.—The deadline described in this paragraph is—

(A) if all obligations attached to a cohort of loans have been satisfied, not later than 60 days after the date of enactment of this Act; and

(B) if all obligations attached to a cohort of loans have not been satisfied, not later than 60 days after the date on which all obligations attached to the cohort of loans are satisfied.

(e) OVERSIGHT PROGRAM; EFFECTIVENESS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall commission an assessment of the effectiveness of the Coast Guard's oversight of recognized organizations and its impact on compliance by and safety of vessels inspected by such organizations.

(2) EXPERIENCE.—The assessment commissioned under paragraph (1) shall be conducted by a research organization with significant experience in maritime operations and marine safety.

(3) SUBMISSION TO CONGRESS.—Not later than 180 days after the date that the assessment required under paragraph (1) is completed, the Commandant 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 the results of such assessment.

SEC. 213. FLAG-STATE GUIDANCE AND SUPPLEMENTS.

(a) FREIGHT VESSELS; DAMAGE CONTROL INFORMATION.—Within 1 year after the date of the enactment of this Act, the Secretary shall issue flag-State guidance for all freight vessels documented under chapter 121 of title 46, United States Code, built before January 1, 1992, regarding the inclusion of comprehensive damage control information in safety management plans required under chapter 32 of title 46, United States Code.

(b) RECOGNIZED ORGANIZATIONS; UNITED STATES SUPPLEMENT.—The Commandant shall—

(1) work with recognized organizations to create a single United States Supplement to rules of such organizations for classification of vessels; and

(2) by not later than 1 year after the date of the enactment of this Act, provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on whether it is necessary to revise part 8 of title 46, Code of Federal Regulations, to authorize only one United States Supplement to such rules.

SEC. 214. MARINE SAFETY STRATEGY.

Section 2116 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''each year of an annual'' and inserting ''of a triennial'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''ANNUAL'' and inserting ''TRIENNIAL''; and

(B) by striking ''annual'' each place it appears and inserting ''triennial'';

(3) in subsection (c)—

(A) by striking ''fiscal year 2011 and each fiscal year'' and inserting ''fiscal year 2020 and triennially''; and

(B) by striking ''annual plan'' and inserting ''triennial plan''; and

(4) in subsection (d)(2), by striking ''annually'' and inserting ''triennially''.

SEC. 215. RECOGNIZED ORGANIZATIONS; OVERSIGHT.

(a) IN GENERAL.—Section 3316 of title 46, United States Code, is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following:

''(g)(1) There shall be within the Coast Guard an office that conducts comprehensive and targeted oversight of all recognized organizations that act on behalf of the Coast Guard.

''(2) The staff of the office shall include subject matter experts, including inspectors, investigators, and auditors, who possess the capability and authority to audit all aspects of such recognized organizations.

''(3) In this subsection the term 'recognized organization' has the meaning given that term in section 2.45–1 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Hamm Alert Maritime Safety Act of 2018.''.

(b) DEADLINE FOR ESTABLISHMENT.—The Commandant of the Coast Guard shall establish the office required by the amendment made by subsection (a) by not later than 2 years after the date of the enactment of this Act.

SEC. 216. TIMELY WEATHER FORECASTS AND HAZARD ADVISORIES FOR MERCHANT MARINERS.

Not later than 1 year after the date of enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend the International Convention for the Safety of Life at Sea to require that vessels subject to the requirements of such Convention receive—

(1) timely synoptic and graphical chart weather forecasts; and

(2) where available, timely hazard advisories for merchant mariners, including broadcasts of tropical cyclone forecasts and advisories, intermediate public advisories, and tropical cyclone updates to mariners via appropriate technologies.

SEC. 217. ANONYMOUS SAFETY ALERT SYSTEM.

(a) PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Commandant shall establish an anonymous safety alert pilot program.

(b) REQUIREMENTS.—The pilot program established under subsection (a) shall provide an anonymous reporting mechanism to allow crew members to communicate urgent and

dire safety concerns directly and in a timely manner with the Coast Guard.

SEC. 218. MARINE SAFETY IMPLEMENTATION STATUS.

(a) IN GENERAL.—Not later than December 19 of 2018, and of each of the 2 subsequent years thereafter, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of implementation of each action outlined in the Commandant's final action memo dated December 19, 2017, regarding the sinking and loss of the vessel El Faro.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Department of Homeland Security Inspector General shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of the Coast Guard's implementation of each action outlined in the Commandant's final action memo dated December 19, 2017, regarding the sinking and loss of the vessel El Faro.

SEC. 219. DELEGATED AUTHORITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall review the authorities that have been delegated to recognized organizations for the alternative compliance program as described in subpart D of part 8 of title 46, Code of Federal Regulations, and, if necessary, revise or establish policies and procedures to ensure those delegated authorities are being conducted in a manner to ensure safe maritime transportation.

(b) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the implementation of subsection (a).

TITLE III—CENTER OF EXPERTISE

SEC. 301. SHORT TITLE.

This title may be cited as the ''Coast Guard Blue Technology Center of Expertise Act''.

SEC. 302. COAST GUARD BLUE TECHNOLOGY CENTER OF EXPERTISE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act and subject to the availability of appropriations, the Commandant may establish under section 58 of title 14, United States Code, a Blue Technology center of expertise.

(b) MISSIONS.—In addition to the missions listed in section 58(b) of title 14, United States Code, the Center may—

(1) promote awareness within the Coast Guard of the range and diversity of Blue Technologies and their potential to enhance Coast Guard mission readiness, operational performance, and regulation of such technologies;

(2) function as an interactive conduit to enable the sharing and dissemination of Blue Technology information between the Coast Guard and representatives from the private sector, academia, nonprofit organizations, and other Federal agencies;

(3) increase awareness among Blue Technology manufacturers, entrepreneurs, and vendors of Coast Guard acquisition policies, procedures, and business practices;

(4) provide technical support, coordination, and assistance to Coast Guard districts and the Coast Guard Research and Development Center, as appropriate; and

(5) subject to the requirements of the Coast Guard Academy, coordinate with the Academy to develop appropriate curricula regarding Blue Technology to be offered in professional courses of study to give Coast Guard cadets and officer candidates a greater background and understanding of Blue Technologies.

(c) BLUE TECHNOLOGY EXPOSITION; BRIEFING.—Not later than 6 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the costs and benefits of hosting a biennial Coast Guard Blue Technology exposition to further interactions between representatives from the private sector, academia, and nonprofit organizations, and the Coast Guard and examine emerging technologies and Coast Guard mission demands.

(d) DEFINITIONS.—In this section:

(1) CENTER.—The term ''Center'' means the Blue Technology center of expertise established under this section.

(2) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(3) BLUE TECHNOLOGY.—The term ''Blue Technology'' means any technology, system, or platform that—

(A) is designed for use or application above, on, or below the sea surface or that is otherwise applicable to Coast Guard operational needs, including such a technology, system, or platform that provides continuous or persistent coverage; and

(B) supports or facilitates—

(i) maritime domain awareness, including—

(I) surveillance and monitoring;

(II) observation, measurement, and modeling: or

(III) information technology and communications;

(ii) search and rescue;

(iii) emergency response;

(iv) maritime law enforcement;

(v) marine inspections and investigations; or

(vi) protection and conservation of the marine environment.

By Mr. ENZI (for himself and Mr. BARRASSO):

S. 3509. A bill to reauthorize the Congressional Award Act; considered and passed.

S. 3509

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 ''Congressional Award Program Reauthorization Act of 2018''.

SEC. 2. TERMINATION.

(a) IN GENERAL.—Section 108 of the Congressional Award Act (2 U.S.C. 808) is amended by striking ''October 1, 2018'' and inserting ''October 1, 2023''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2018.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 653—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 20, 2018, AS THE ''NATIONAL DAY ON WRITING''

Mr. CASEY (for himself and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 653

Whereas people in the 21st century are writing more than ever before for personal, professional, and civic purposes;

Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing;

Whereas more and more people in every occupation consider writing to be essential and influential in their work;

Whereas individuals who write continue to learn how to write for different purposes, audiences, and occasions throughout their lifetimes;

Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before;

Whereas young people are leading the way in developing new forms of composing by using different forms of digital media;

Whereas effective communication contributes to building a global economy and a global community;

Whereas the National Council of Teachers of English, in conjunction with its many national and local partners, honors and celebrates the importance of writing through the National Day on Writing;

Whereas the National Day on Writing celebrates the foundational place of writing in the personal, professional, and civic lives of the people of the United States;

Whereas the National Day on Writing highlights the importance of writing instruction and practice at every educational level and in every subject area;

Whereas the National Day on Writing emphasizes the lifelong process of learning to write and compose for different audiences, purposes, and occasions;

Whereas the National Day on Writing honors the use of the full range of media for composing, from traditional tools, including print, audio, and video, to social media, including Twitter, Facebook, and Instagram, and Internet website tools, including blogs, wikis, and podcasts;

Whereas the National Day on Writing encourages all people of the United States and overseas to write, enjoy, and learn from the writing of others;

Whereas, since the inception of the hashtag #WhyIWrite in 2009, the hashtag has generated hundreds of thousands of tweets and reached millions of people, encouraging students, from elementary school through the university level, athletes, authors, and artists from all over the world to participate; and

Whereas, on the National Day on Writing in 2018, the National Council of Teachers of English encourages all people of the United States to tell others #WhyIWrite through print, social media, or other means: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2018, as the ''National Day on Writing'';

(2) strongly affirms the purposes of the National Day on Writing; and

(3) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing.

SENATE RESOLUTION 654—SUPPORTING THE GOALS AND IDEALS OF NATIONAL RETIREMENT SECURITY WEEK, INCLUDING RAISING PUBLIC AWARENESS OF THE VARIOUS TAX-PREFERRED RETIREMENT VEHICLES, INCREASING PERSONAL FINANCIAL LITERACY, AND ENGAGING THE PEOPLE OF THE UNITED STATES ON THE KEYS TO SUCCESS IN ACHIEVING AND MAINTAINING RETIREMENT SECURITY THROUGHOUT THEIR LIFETIMES

Mr. ENZI (for himself, Mr. CARDIN, Mr. WYDEN, Ms. COLLINS, Mr. ALEXANDER, Mr. JONES, Mr. YOUNG, and Ms. HASSAN) submitted the following resolution; which was considered and agreed to:

S. RES. 654

Whereas people in the United States are living longer and the cost of retirement is increasing significantly;

Whereas Social Security remains the bedrock of retirement income for the great majority of the people of the United States but was never intended by Congress to be the sole source of retirement income for families;

Whereas recent data from the Employee Benefit Research Institute indicates that, in the United States—

(1) only approximately ⅗ of workers or the spouses of those workers are saving for retirement; and

(2) the amount that workers have saved for retirement is much less than the amount those workers need to adequately fund their retirement years;

Whereas the financial literacy of workers in the United States is important so that those workers understand the need to save for retirement;

Whereas saving for retirement is a key component of overall financial health and security during retirement years and the importance of financial literacy in planning for retirement must be advocated;

Whereas many workers may not—

(1) be aware of the various options in saving for retirement; or

(2) have focused on the importance of, and need for, saving for retirement and successfully achieving retirement security;

Whereas, although many employees have access through their employers to defined benefit and defined contribution plans to assist the employees in preparing for retirement, many of those employees may not be taking advantage of those plans at all or to the full extent allowed by Federal law;

Whereas saving for retirement is necessary even during economic downturns or market declines, which makes continued contributions all the more important;

Whereas all workers, including public and private sector employees, employees of tax-exempt organizations, and self-employed individuals, can benefit from developing personal budgets and financial plans that include retirement savings strategies that take advantage of tax-preferred retirement savings vehicles;

Whereas effectively and sustainably withdrawing retirement resources throughout the retirement years of an individual is as important and crucial as saving and accumulating funds for retirement; and

Whereas the week of October 21 through October 27, 2018, has been designated as ''National Retirement Security Week'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Retirement Security Week, including raising public awareness of the importance of saving adequately for retirement;

(2) acknowledges the need to raise public awareness of a variety of tax-preferred retirement vehicles that are used by many people in the United States but could be used by more; and

(3) calls on States, localities, schools, universities, nonprofit organizations, businesses, other entities, and the people of the United States to observe National Retirement Security Week with appropriate programs and activities, with the goal of increasing the retirement savings and personal financial literacy of all people in the United States, thereby enhancing the retirement security of the people of the United States.

SENATE RESOLUTION 655—RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. CORNYN, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mr. BROWN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Mr. HEINRICH, Mr. HELLER, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mrs. MURRAY, Mr. NELSON, Mr. REED, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. CARDIN, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 655

Whereas from September 15, 2018, through October 15, 2018, the United States celebrates Hispanic Heritage Month;

Whereas the Bureau of the Census estimates the Hispanic population living in the continental United States at over 58,000,000, plus an additional 3,400,000 living in the Commonwealth of Puerto Rico, making Hispanic Americans almost 18 percent of the total population of the United States and the largest racial or ethnic minority group in the United States;

Whereas, in 2017, there were close to 1,000,000 or more Latino residents in the Commonwealth of Puerto Rico and in each of the following States: Arizona, California, Colorado, Florida, Georgia, Illinois, Massachusetts, Nevada, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Texas, and Washington;

Whereas, between July 1, 2016, and July 1, 2017, Latinos grew the United States population by approximately 1,476,442 individuals, accounting for more than half of the total population growth during that period;

Whereas, by 2060, the Latino population in the United States is projected to grow to 119,000,000, and the Latino population will comprise more than 28.6 percent of the total United States population;

Whereas the Latino population in the United States is currently the third largest worldwide, exceeding the size of the population in every Latin American and Caribbean country except Mexico and Brazil;

Whereas, in 2017, there were approximately 18,588,304 Latino children under the age of 18 in the United States, which represents approximately ⅓ of the total Latino population in the United States;

Whereas more than 1 in 5 public school students in the United States are Latino, and the ratio of Latino students is expected to rise to nearly 30 percent by 2027;

Whereas 19 percent of all college students between the ages of 18 and 24 are Latino, making Latinos the largest racial or ethnic minority group on college campuses in the United States, including 2-year community colleges and 4-year colleges and universities;

Whereas the number of eligible Latino voters is expected to rise to 40,000,000 by 2030, accounting for 40 percent of the growth in the eligible electorate in the United States by 2032;

Whereas each year approximately 800,000 Latino citizens turn 18 years old and become eligible to vote, a number that could grow to 1,000,000 by 2030, adding a potential 18,000,000 new Latino voters by 2032;

Whereas, in 2017, the annual purchasing power of Hispanic Americans was an estimated $1,700,000,000,000, which is an amount greater than the economy of all except 14 countries in the world;

Whereas there are more than 3,300,000 Hispanic-owned firms in the United States, supporting 2,300,000 employees nationwide and contributing more than $473,000,000,000 in revenue to the economy of the United States;

Whereas Hispanic-owned businesses represent the fastest-growing segment of small businesses in the United States, with Latino-owned businesses growing at more than 15 times the national rate;

Whereas, as of August 2018, more than 28,000,000 Latino workers represented 17 percent of the total civilian labor force of the United States;

Whereas between 2016 and 2026, Latinos are projected to have the fastest rate of growth of any racial or ethnic group in the labor force, with Latina women having the fastest growth overall;

Whereas, with 65.9 percent labor force participation, Latinos have the highest labor force participation rate of any racial or ethnic group, as compared to 62.7 percent labor force participation overall;

Whereas, as of 2017, there were 326,800 Latino elementary and middle school teachers, 77,033 Latino chief executives of businesses, 54,576 Latino lawyers, 73,372 Latino physicians and surgeons, and 15,895 Latino psychologists, who contribute to the United States through their professions;

Whereas Hispanic Americans serve in all branches of the Armed Forces and have fought bravely in every war in the history of the United States;

Whereas, as of July 31, 2016, more than 164,000 Hispanic active duty service members and 15,033 officers served with distinction in the Armed Forces;

Whereas, as of August 31, 2016, more than 284,000 Latinos have served in post-September 11, 2001, overseas contingency operations, including more than 8,500 Latinos currently serving in operations in Iraq and Afghanistan;

Whereas, as of September 2015, at least 675 United States military fatalities in Iraq and Afghanistan were Hispanic;

Whereas an estimated 200,000 Hispanics were mobilized for World War I, and approximately 500,000 Hispanics served in World War II;

Whereas more than 80,000 Hispanics served in the Vietnam War, representing 5.5 percent of individuals who made the ultimate sacrifice for the United States in the conflict, even though Hispanics comprised only 4.5 percent of the population of the United States during the Vietnam War;

Whereas approximately 148,000 Hispanic soldiers served in the Korean War, including

the 65th Infantry Regiment of the Commonwealth of Puerto Rico, known as the ''Borinqueneers'', the only active duty, segregated Latino military unit in United States history;

Whereas, as of 2015, there were more than 1,200,200 living Hispanic veterans of the Armed Forces, including 136,000 Latinas;

Whereas 61 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force bestowed on an individual serving in the Armed Forces;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of the Government of the United States, including 1 seat on the Supreme Court of the United States, 4 seats in the Senate, 34 seats in the House of Representatives, and 1 seat in the Cabinet; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2018, through October 15, 2018;

(2) esteems the integral role of Latinos and the manifold heritage of Latinos in the economy, culture, and identity of the United States; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities that celebrate the contributions of Latinos to the United States.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 13 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 10 a.m., to conduct a hearing entitled ''Examining Safeguards for Consumer Data Privacy.''

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 10 a.m., to conduct a hearing entitled ''Cleaning up the Oceans: How to Reduce the Impact of Man-made Trash on the Environment, Wildlife, and Human Health?''

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 10:30 a.m., to conduct a hearing entitled ''Impact of Tariffs on the U.S. Automotive Industry.''

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 11 a.m., to conduct a business meeting.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 11 a.m., to conduct a hearing on the nomination of Francisco Luis Palmieri, of Connecticut, to be Ambassador to the Republic of Honduras, Department of State.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 10 a.m., to conduct a hearing on pending legislation and the nomination of Peter T. Gaynor to be Deputy Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 2:30 p.m., to conduct a hearing entitled ''Justice for Native Youth. The GAO Report on 'Native American Youth Involvement in Justice Systems and Information on Grants to Help Address Juvenile Delinquency.''

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 2:30 p.m., to conduct a hearing entitled ''Register of Copyrights Selection and Accountability Act.''

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 3 p.m., to conduct a hearing entitled ''The State of the VA: A 60 day Report.''

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON SPACE, SCIENCE, AND COMPETITIVENESS

The Subcommittee on Space, Science, and Competitiveness of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 2:15 p.m., to conduct a hearing entitled ''Global Space Race: Ensuring the United States Remains the Leader in Space.''

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

The Subcommittee on Federal Spending Oversight and Emergency Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 26, 2018, at 2:30 p.m., to conduct a hearing entitled ''The Federal Role in the Toxic PFAS Chemical Crisis.''

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Blanca Gaytan Farfan, be granted privileges of the floor for the remainder of the day.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 93–642, reappoints the following Senator to be a member of the Board of Trustees of the Harry S. Truman Scholarship Foundation: The Honorable ROY BLUNT of Missouri.

REAUTHORIZING THE CONGRESSIONAL AWARD ACT

Mr. FLAKE. I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3509 introduced earlier today.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3509) to reauthorize the Congressional Award Act.

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

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

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

The bill (S. 3509) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3509

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 ''Congressional Award Program Reauthorization Act of 2018''.

SEC. 2. TERMINATION.

(a) IN GENERAL.—Section 108 of the Congressional Award Act (2 U.S.C. 808) is amended by striking ''October 1, 2018'' and inserting ''October 1, 2023''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2018.

JUSTICE SERVED ACT OF 2018

Mr. FLAKE. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4854.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 4854) to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

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

Mr. FLAKE. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. FLAKE. 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 (H.R. 4854) was passed.

Mr. FLAKE. 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.

NATIONAL RETIREMENT SECURITY WEEK

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 654, 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. 654) supporting the goals and ideals of National Retirement Security Week, including raising public awareness of the various tax-preferred retirement vehicles, increasing personal financial literacy, and engaging the people of the United States on the keys to success in achieving and maintaining retirement security throughout their lifetimes.

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

Mr. FLAKE. Mr. President, 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 with no intervening action of debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 654) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

HISPANIC HERITAGE MONTH

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 655, 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. 655) recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States.

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

Mr. FLAKE. 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. 655) was agreed to.

The preamble was agreed to.

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

DIRECT SUPPORT PROFESSIONALS RECOGNITION

Mr. FLAKE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. Res. 625 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 senior assistant legislative clerk read as follows:

A resolution (S. Res. 625) designating the week beginning September 9, 2018, as ''National Direct Support Professionals Recognition Week.''

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

Mr. FLAKE. 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. 625) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in the RECORD of September 12, 2018, under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—H.R. 6287

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

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 6287) to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

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

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

ORDERS FOR THURSDAY, SEPTEMBER 27, 2018

Mr. FLAKE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Thursday, September 27; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session under the previous order.

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

SIGNING AUTHORITY

Mr. FLAKE. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills or joint resolutions on Thursday, September 27.

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

ADJOURNMENT UNTIL TOMORROW

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

There being no objection, the Senate, at 6:24 p.m., adjourned until Thursday, September 27, 2018, at 12 noon.

CONFIRMATION

Executive nomination confirmed by the Senate September 26, 2018:

CONSUMER PRODUCT SAFETY COMMISSION

PETER A. FELDMAN, OF THE DISTRICT OF COLUMBIA, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2019.

EXTENSIONS OF REMARKS

MR. DAVID CAMERON HOPPER

HON. JAMES COMER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. COMER. Mr. Speaker, I rise to recognize Mr. David Cameron Hopper of Russell County in the First District of Kentucky. Mr. Hopper recently celebrated his 90th birthday with a host of family and friends. Growing up in a household with nine other siblings, he learned the value of hard work and continued education.

In 1948, Mr. Hopper enlisted in the Navy, serving four years during the Korean War aboard the U.S.S. *Aggerholm*. In 1955, he married Faye Smith and cared for her children, Pam Smith Adams and Gene Smith. He later graduated from the University of Kentucky's College of Engineering with a Bachelor of Science in Electrical Engineering. Together, he and Faye would attend yearly reunions with his shipmates, visiting a new destination during each trip.

After graduating, he began working for McDonnell Aircraft in St. Louis, Missouri, where he helped complete a top-secret mission for the company. His family later learned he specialized in data analysis for the first manned space expedition, Project Mercury. During his tenure with the company, he also worked on the experimental F4H executive jet.

In 1961, he served as an electrical engineer for the East Kentucky Power Cooperative, which supplied power to sixteen owner-member cooperatives throughout the Commonwealth. Shortly after he was hired, he assisted with purchasing the cooperative's first computer and wrote their payroll and consumer billing programs. His leadership in these areas compelled him to serve as a founding member of the East Kentucky Employees' Federal Credit Union and later served as the organization's President for thirteen years. Upon his retirement from East Kentucky Power in 1992, he had risen to the position of Transmission Division Director.

Mr. David Cameron Hopper is a man of many interests, blessed with many talents. He could be described as a farmer, fixer of anything, electrician, entrepreneur, mechanic, fisherman, landlord, avid gardener and University of Kentucky fan, but his most treasured titles are those of a dedicated, generous, and proud father, grandfather, great-grandfather, brother, and uncle.

RECOGNIZING MAUNICA STHANKI FOR HER SERVICE TO THE HOUSE JUDICIARY COMMITTEE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. NADLER. Mr. Speaker, today I rise, along with Subcommittee on Immigration and Border Security Ranking Member ZOE LOFGREN, to thank Maunica Sthanki for her service to the Judiciary Committee.

Maunica has served as a counsel for the Committee since 2014. During this time, she has been a passionate and dogged advocate for women and children seeking asylum, for refugees from Syria, Africa, and other war-torn regions—indeed for all immigrants who come to America seeking a better life for themselves and their children.

For Maunica, immigration and protection of the most vulnerable is personal. While her family's story in many respects began in Uganda in the 1970s, it is an American story. In 1972, Ugandan military strongman Idi Amin issued an order expelling Asians living in the country. Her father, one of approximately 60,000 persons of Indian descent in Uganda at the time was left stateless. Her mother, who had a U.K. passport, was able to move to England. But thanks to America's generosity and a Jewish charity, the Hebrew Immigrant Aid Society, her mother and father were able together to resettle in the United States. Like so many immigrants before them and immigrants who would come in the decades that followed, Maunica's parents came without much more than the clothes on their backs and settled in Baton Rouge, Louisiana, where Maunica would be born.

Maunica attended Baton Rouge Magnet High School, one of the Southeast's most competitive public schools, Louisiana State University, and the University of Texas School of Law. She began her career in law representing migrants and children along the border, and became a professor of clinical law at the University of the District of Columbia, imparting to others her passion for the rule of law.

Maunica began her work for the Committee in 2014 just as we were experiencing an unprecedented increase in the number of unaccompanied children arriving at our Southern border. Within days she was responsible for organizing a congressional delegation to visit with parents in detention, children and adults in crowded Border Patrol stations, and attorneys on the ground. Maunica's advocacy skills and unbending sense of justice during that summer steeled her for fights to come. She became an advocate for ending family detention and a defender of laws that ensure that children have the opportunity to apply for asylum in the United States. That these laws remain on the books is a great tribute to Maunica's commitment.

After the Paris bombings of November 13, 2015, Maunica knew immediately that the U.S. refugee program—an ocean away and with an extensive vetting process-would be subject to the same xenophobic attacks that followed 9/11 and were the very reason she became an immigration lawyer. She, again, fought to preserve asylum and refugee protections—laws that set the standard around the world and provide a safe haven to the most vulnerable irrespective of their faith, ethnicity or nationality.

In January 2016, when the first Executive Order banned travel to the United States for citizens of several Muslim-majority countries, she recognized it as what federal courts would later declare it to be—a Muslim ban so infected with racial and religious animus that it could not stand. Perhaps, again, it was personal. Maunica's husband, a man of Muslim faith, has dedicated his life's work to combating bigotry as a prosecutor with the Department of Justice Civil Rights Division.

Earlier this year, when the Trump Administration began separating children from their families, Maunica worked tirelessly to help draft the Keep Families Together Act, legislation to end family separation at the U.S. border. Her expertise made the legislation stronger, and her passion and commitment led 190 Members of Congress to cosponsor the legislation. Together, we mounted a campaign to stop the policy and reunite children with their families. Work that continues today. We thank her for her dedication and compassion to helping others.

Maunica is a vegetarian because of her faith, and as her daughter would tell you because animals are our friends, and she is also a rabid LSU football fan. She is an irrepressible spirit who has made great sacrifices to serve the Committee.

We wish Maunica Sthanki the very best in her future endeavors and thank her for her outstanding service to the Committee and our country.

RECOGNIZING THE 25TH ANNIVERSARY OF NOSOTROS RADIO

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. KATKO. Mr. Speaker, I rise today in recognition of the 25th anniversary of Nosotros Radio. Located in East Syracuse, New York, Nosotros Radio has long served the Central New York Latino community by providing on-air entertainment and education.

Nosotros Radio was founded in 1994 by Fanny Villarreal, an immigrant from Peru. Ms. Villarreal formed the new radio network due to a lack of Spanish radio programming in Syracuse and sought to entertain and inform the Hispanic community. Once established, Nosotros began broadcasting to the broader Syracuse region in order to reach Hispanic audiences. The station successfully achieved this goal and has provided cultural enrichment to the area for many years. For its work and community contributions, Nosotros Radio was awarded the American Red Cross Good Neighbor Award in 2009.

Today, Nosotros continues to be operated under Fanny Villarreal's steady leadership. In addition to Latino music, the station airs many bilingual talk shows and educational on-air programs. The radio station also holds the unique distinction of also serving as a Non-Profit Organization, striving to further connect its Latino audience with the greater Syracuse community.

Mr. Speaker, I ask my colleagues in the House to join me in celebrating Nosotros Radio's 25 years of serving Central New Yorkers. We must also applaud the efforts of community engagement workers like Fanny Villarreal around the nation, who work tirelessly to spread unique cultural viewpoints. It is my hope Nosotros continues to succeed in the future and further advances the Syracuse Hispanic community.

PREVENTING CHILD EXPLOITATION ACT OF 2018

SPEECH OF

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 2018

Mr. SENSENBRENNER. Mr. Speaker, I am pleased that the House is considering H.R. 6847, the Preventing Child Exploitation Act, which includes a reauthorization of key provisions of the Adam Walsh Child Protection and Safety Act. As the original sponsor of the 2006 Adam Walsh Child Protection and Safety Act, I have made a point to seek remedies to prevent the sexual exploitation of our nation's children. This law strengthened sex offender registry requirements and enforcement across the country, extended registry requirements to Indian tribes, increased penalties for child predators, and authorized funding for a number of programs to strengthen our defenses against child exploitation.

A primary component of the law is the Sex Offender Registration and Notification Act ("SORNA"), which set minimum guidelines for state sex offender registries. SORNA also established the Dru Sjodin National Sex Offender Public Website, a comprehensive national system for the registration and notification to the public of sex offenders. Currently, this registry contains information on more than 600,000 convicted sex offenders in the United States.

But, as several widely-publicized scandals have shown, the fight against child exploitation is not over. The Justice Department reports that only 16 states, three territories, and 36 tribes have substantially implemented SORNA, despite a July 27, 2011 deadline for reaching substantial compliance. There are also an estimated 100,000 fugitive sex offenders across the United States who are unregistered or otherwise noncompliant with their registry requirements.

H.R. 6847 includes a five year reauthorization of the two primary programs of the Adam Walsh Act. These include the Sex Offender Management Assistance Program, which provides funding to the states, tribes and other jurisdictions to offset the costs of implementing and enhancing SORNA, and funding for the U.S. Marshals Service and other law enforcement agencies to assist jurisdictions in locating and apprehending sex offenders who violate registration requirements. The bill also reauthorizes grants for the treatment of juvenile sex offenders, as well as funding for the National Center for Missing & Exploited Children ("NCMEC"), a Congressionally-authorized not-for-profit corporation that provides resources for families and law enforcement officials to assist in the recovery of missing children and prevent the victimization of children.

By incorporating feedback from the states, the bill makes targeted changes to the SORNA requirements in order to facilitate the states' compliance with the Act. These changes include giving the States more flexibility in classifying sex offenders on their registry, lowering the period that certain juveniles must register to 25 years, and limiting public access to juvenile sex offender information.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 400, and YEA on Roll Call No. 401.

CONGRATULATING BLAKE KEITH HUFF AND BENJAMIN M. HAWKINS FOR RECEIVING THE CARNEGIE MEDAL OF HEROISM

HON. JACK BERGMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. BERGMAN. Mr. Speaker, it's my honor to congratulate Blake Keith Huff and Benjamin M. Hawkins for receiving the Carnegie Medal in recognition of their act of extraordinary heroism. Through their actions, Blake and Benjamin have shown themselves to be selfless, courageous, and indispensable parts of Michigan's First District.

The Carnegie Medal was established in 1904 by the industrialist and philanthropist Andrew Carnegie. It is given to recognize those who perform extraordinary acts of heroism in civilian life, and to provide financial assistance for those disabled and the dependents of those killed saving or attempting to save others. Since 1904, more than 10,000 awardees have been honored, with more than $40 million given in grants, scholarships, death benefits, and other assistance. There is no doubt that Benjamin and Blake are deserving of this honor.

Mary Jo Tester, 50 and a paraplegic, was in her home's living room when fire broke out and began to spread in that room. Tester called for help. Huff, a 23-year-old police sergeant, and Hawkins, a 35-year-old deputy sheriff, both of Kalkaska, responded to the home after learning of the fire. Seeing flames through the living room window and black smoke issuing from the eaves, Huff and Hawkins entered the home. Huff crawled on his belly about 15 feet across the living room toward Tester, who was on the floor with flames nearby. Along the way he moved a recliner, which was on fire, from his path. Hawkins crawled inside behind Huff.

Reaching Tester on the far side of the room amid nearby flames, Huff grasped Tester by the ankles and crawled backward, dragging her. Hawkins grasped Huff's pant leg and pulled and guided Huff, Tester in tow, to the door. Huff and Hawkins lifted Tester and carried her from the home. While Mary Jo tragically died of smoke inhalation five days later, the heroic actions of Benjamin and Blake serve as an inspiration for those in Michigan's First District. Their courage and devotion to public duty have touched the lives of countless community members, and the impact of their heroism cannot be overstated.

Mr. Speaker, it's my honor to recognize Blake and Benjamin for their exceptional heroism and congratulate them for receiving the Carnegie Medal. Michiganders can take great pride in knowing the First District is home to such selfless and courageous individuals. On behalf of my constituents, I wish Benjamin and Blake all the best in their future endeavors.

IN HONOR OF DAVID HILL

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. BRADY of Texas. Mr. Speaker, today, I rise to honor my good friend, Constable David Hill, for his fifty plus years of tireless service to the residents, businesses, and families of the Eighth Congressional District of Texas.

As a sixth grade student in Palestine, Texas, David first set his sights on a job in law enforcement after a career day presentation by the Border Patrol at his local elementary school. In 1967, David fulfilled this goal when he began working in Huntsville, Texas at the Texas Department of Corrections as a correctional officer. Shortly thereafter, David decided to join the Department of Public Safety (DPS), eventually becoming the second Trooper ever assigned to Magnolia. At first, David only planned on staying in Magnolia for a year, but he quickly fell in love with the area and decided to make Magnolia home—beginning his fifty-year relationship with the community he loved so dearly.

After some praying, in 1982 David made the life-changing decision to leave his position as a State Trooper to run for Constable of Precinct 5 in Montgomery County. Due to a policy by the DPS, David was required to resign from his current position to run for public office. However, David won the election for Constable—an office he has served in admirably since 1983.

Through his job and his personal life, David has shaped the Magnolia community for the better. During his time as constable, David held himself to the highest of standards and always allowed his Christian principles to guide his actions. His selfless service and the positive impact he has made on the Magnolia community has certainly not gone unnoticed. The impact of David's time of service will be felt for years to come, and I know his presence as Constable will be greatly missed.

David is excited to start his well-deserved, hard-earned retirement. He plans on traveling with his wife and visiting every state. The Magnolia community was blessed to have David for the past fifty years, and we are happy to see him begin this new chapter of his life.

I am proud to join his colleagues, friends, and family members in thanking David for his years of public service and wishing him the best as he begins his retirement.

HONORING THE LIFE OF MARY EDWARDS WALKER

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. KATKO. Mr. Speaker, I rise today to honor the life of Mary Edwards Walker, an abolitionist, physician, and service member from Oswego, New York. Walker dedicated her life to the practice of medicine and her country, serving as a surgeon with the Union Army throughout the Civil War. In recognition of her service to protect this nation, Mary Walker is the only woman to ever receive the Medal of Honor.

Mary Edwards Walker was born in Oswego, New York and grew up in the decades leading up to the American Civil War. Born the youngest of seven children, Walker was raised in a manner that was well ahead of its time. Determined that their daughters get the same education as their sons, Walker's parents established an elementary school that she attended in the late 1830s. After primary school, Walker would continue her education at Falley Seminary in Fulton, New York. Attending Falley Seminary would instill in Walker the motivation she needed to defy the norms of her time.

Walker then studied at the Syracuse Medical College and graduated, with honors, as a medical doctor in 1855 and was the only female in her class. After marrying later that year, Walker and her husband joined together to establish a practice in Rome, New York. She would later attend Bowen Collegiate Institute in 1960 before returning to the medical profession full-time.

Though she was able to find eventual success in private practice, Walker answered to a higher calling and enlisted as a volunteer surgeon when the Civil War broke out. Though initially limited to serve strictly as a nurse, Walker would later be allowed to serve as an unpaid field surgeon during the Battles of Fredricksburg and Chickamauga. As the first female surgeon of the Union army, she later would be promoted to ''Contract Acting Assistant Surgeon'' and then appointed assistant surgeon of the 52nd Infantry of Ohio. In the spring of 1864, Walker was captured and arrested as a spy after aiding a Confederate doctor conduct an amputation. She was released four months later and spent the rest of her life in Oswego, New York, championing women's rights and suffrage.

Mr. Speaker, I ask that my colleagues in the House join me to honor the remarkable life of Mary Edwards Walker. She was a trailblazing figure from Central New York who paved the way for future Americans. Her many contributions to her community and service to her country will not be forgotten.

IN HONOR OF DALE STEENBERGEN'S SELECTION OF DIRECTOR OF THE YEAR FROM THE WYOMING CHAMBER OF COMMERCE

HON. LIZ CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Ms. CHENEY. Mr. Speaker, I rise today to extend my congratulations to Dale Steenbergen for receiving the Chamber Director of the Year Award from the Wyoming Chamber of Commerce.

The Wyoming Chamber of Commerce annual award recognizes directors that have had an outstanding impact and made significant contributions to the community. His selection for this award is a sign of his dedication to our community and his support of F.E. Warren Air Force Base, and I thank him for all he does.

Again, Mr. Speaker, I would like to extend my congratulations to Dale Steenbergen for receiving the Chamber Director of the Year Award from the Wyoming Chamber of Commerce. I wish him the best in his future endeavors.

HONORING CHARLES W. BOWSER, ESQ.

HON. DWIGHT EVANS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. EVANS. Mr. Speaker, I rise today along with Representative ROBERT BRADY to honor an influential and dedicated man from Philadelphia, Charles W. Bowser, Esquire, a devoted public official, and former Deputy Mayor of Philadelphia. Mr. Bowser was born on October 9, 1930, in Philadelphia, Pennsylvania and dedicated his life and career to improving the lives of others through public service.

Mr. Bowser graduated from Temple University in 1952 and earned a Bachelor of Science degree in Journalism. After graduation, Mr. Bowser joined the United States Armed Services and served as an Explosive Disposal Expert in Korea from 1952 to 1954, earning the rank of Sergeant. Upon returning from Korea, Mr. Bowser graduated from Temple University Law School in 1957 with a Juris Doctorate.

Mr. Bowser began his lengthy career in public service in the 1960's under the tutelage of former United States Representative, Rev. Dr. William H. Gray, II and Samuel Evans. In 1964, Mr. Bowser served as Executive Director of the Philadelphia Anti-Poverty Action Committee. He was later appointed as the first African-American Deputy Mayor of Philadelphia by Mayor James Tate.

In 1968, Mr. Bowser became the first Executive Director of the Philadelphia Urban Coalition, now known as the Urban Affairs Coalition. Under his leadership, the total value of programs at the Urban Affairs Coalition had grown from $3.9 million to $12 million. This growth was a result of Mr. Bowser's innovative means of leadership and vision for the organization.

Over the course of his outstanding career and lifetime, Mr. Bowser remained a staunch supporter and advocate of the community. He served on numerous boards and commissions, including but not limited to, the MOVE Commission, 1985 and the Pennsylvania Commission on Judicial Reform, 1987 through 1988 and as Special Counsel to the Pennsylvania Legislative Black Caucus, 1998 through 2000. Mr. Bowser received numerous awards over the span of his career. These countless honors serve as a testament to Mr. Bowser's service to the city of Philadelphia.

Charles W. Bowser, Esquire passed away on August 9, 2010. He will be remembered as a force in local, state and national politics. He was a treasured son of Philadelphia's African American community.

In recognition of his service we support the designation of, October 9, 2018 as ''Charles W. Bowser Day'' in the city of Philadelphia.

On behalf of the 1st and 2nd Congressional Districts of Pennsylvania and the city of Philadelphia, we extend gratitude to the late Charles W. Bowser for his dedicated support and service to the Commonwealth of Pennsylvania.

RECOGNIZING ANTHONY CRISCI

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. HIMES. Mr. Speaker, I rise today to recognize Anthony Crisci for his leadership in the LGBTQ+ community of Fairfield County. After five years, Anthony will be stepping down as the Triangle Community Center's (TCC) Executive Director.

Starting in 2013 as TCC's first full-time staff member, Anthony breathed new life into the organization, carrying a fresh perspective and boundless energy. Under Anthony's guidance, TCC's budget increased eight-fold and its staff quintupled, enabling it to expand its core mission to include case assistance, regular programming and educational initiatives for over 300 individuals. As a community leader, Anthony has also prioritized cultivating LGBTQ+ pride in our state. He worked to revive Pride in the Park, Connecticut's largest pride march, where thousands of individuals from around the region gather to celebrate the LGBTQ+ community's accomplishments.

Through his dedication and advocacy, Anthony has worked tirelessly to ensure LGBTQ+ individuals feel welcome in Fairfield County, that their civil rights are upheld, and that their contributions to the community are celebrated. Anthony is a passionate advocate for equality, a pillar of the community, and I'm proud to call him my friend.

Mr. Speaker, it is an honor to represent Anthony Crisci in the United States Congress. I ask you and our colleagues to join me in commending Anthony for his commitment to the TCC, the LGBTQ+ community, and the continuing effort for equality.

IN HONOR OF MAURO CALDERÓN

HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. CORREA. Mr. Speaker, I rise today to honor Mauro Calderón for his dedication and passion in sharing Mexican cultural traditions with the world. Mr. Calderón has done this through a voluminous body of musical and artistic work that transcends genres and touches the lives of people all over the world. Twenty years of traversing the globe has gifted Mr. Calderón with unique experiences and insights that leave an indelible imprint on his music which resonates with all those who have the pleasure of listening.

Though his career has taken him far, Mr. Calderón has never forgotten those who have

come before him and offered him instruction and advice when he was just beginning his lifelong journey in music back in 1983. Now 35 years later, Mr. Calderón has taken those lessons and turned them into a successful musical career working with renowned artists and being recognized with numerous awards along the way. One such award that was especially fitting was his recognition as ''Ambassador of Mexican Music in the World'' after a successful tour in Japan.

I know the impact music has in solidifying cultural identity—by bridging generational gaps and expressing a community—and Mr. Calderón has worked effortlessly to enshrine the Mexican cultural identity in song. For this reason, I am honored to recognize the accomplishments and career of Mauro Calderón.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber on Tuesday, September 25, 2018. Had I been present, I would have voted Yea on Roll Call votes 400 and 401.

CONGRATULATING TAIWAN ON THE 107TH ANNIVERSARY

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. TED LIEU of California. Mr. Speaker, I rise today to congratulate the people of Taiwan as they celebrate the 107th anniversary of its National Day on October 10, 2018.

We just celebrated the 39th anniversary of the Taiwan Relations Act (TRA) this past April. The TRA was intended by Congress to endure an important relationship between close friends and allies. I am heartened by the strengthening of ties that have taken place since the enactment of the TRA, notably Taiwan's admission to the U.S. Visa Waiver Program in 2012. Travel from Taiwan to the United States has since increased by 50 percent.

Our close ties are underscored by our shared commitment to democratic values. With the success of its sixth direct presidential election in 2016, Taiwan continues to serve as a beacon of vibrant democracy in the Asia-Pacific region. There are now 150 sister cities between the United States and Taiwan. In 2017, Taiwan became the third in East Asia and twelfth worldwide whose passport holders are eligible for the U.S. Global Entry Program. In addition, Taiwan is the United States' seventh largest source of international students. Correspondingly, many of our students participate in study abroad opportunities in Taiwan.

The United States has also forged an important bond with Taiwan in commerce. In 2017, trade in goods between the United States and Taiwan exceeded $68 billion, making Taiwan the United States' 11th largest goods trading partner. Just this past September, Taiwan sent an agricultural trade mission to the United States in pursuit of $300 million worth of soybeans purchases.

I ask my colleagues to join me in congratulating our friend, Taiwan, on this significant occasion.

CELEBRATING THE 100TH ANNIVERSARY OF GEORGE'S CONEY ISLAND IN WORCESTER, MASSACHUSETTS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. MCGOVERN. Mr. Speaker, I rise today to celebrate the 100th anniversary of George's Coney Island in Worcester, Massachusetts on Sunday, September 30, 2018.

Mr. Speaker, everyone from Central Massachusetts is familiar with George's Coney Island. Since its opening in 1927, the restaurant has become one of New England's most iconic eateries. I grew up enjoying their hot dogs, and still try to visit whenever I'm back home in Worcester.

George's Coney Island is an important piece of Worcester's history. George Tsagarelis opened Coney Island in 1927 after he bought an existing luncheonette. George ran it with his wife, Catherine, eventually passing ownership down to their children. The restaurant is now run by Kathryn Tsandikos, who is George's granddaughter.

As for the hot dogs—the restaurant's signature style is to smother them in chili and top them with mustard and onions. What many people don't realize is that this style was made popular in the United States by Greek immigrants like George, who migrated to the U.S. during the early 20th Century.

Because so many immigrants passed through New York's Ellis Island, they were familiar with Coney Island—this is how the Coney Island hot dog was born.

I'm especially grateful to George and Catherine for opening George's Coney Island nearly a century ago. The restaurant has been a staple for visitors and locals alike. The dark wooden booths that line the sides of the dining room are covered with decades of graffiti as customers etch their names and initials into the booths.

Mr. Speaker, on behalf of everyone that knows and loves George's Coney Island, I'd like to offer a sincere ''thank you'' to Kathryn and her grandparents for making George's Coney Island such a treasured landmark. For all of us in Central Massachusetts, their restaurant is a point of pride. I'm proud to represent such an iconic, beloved piece of Worcester.

HONORING THE 100TH ANNIVERSARY OF NEW GRAFTON BAPTIST CHURCH

HON. ROBERT C. ''BOBBY'' SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor the 100th anniversary of New Grafton Baptist Church in Newport News, Virginia.

New Grafton Baptist Church was established on November 10, 1915. It began as The Grafton Mission, named in honor of the Grafton Baptist Church in Grafton, Virginia. Reverend Silas Crowley, originally a member of Grafton Baptist Church, led his fledgling congregation in meetings at 1111 35th Street, Newport News, Virginia before they moved their services to Reverend Corsey's home in 1916. After years of fundraising and growing in membership, Reverend Corsey was finally able to purchase a lot at 3913 Roanoke Avenue, and from there they began to build their new church. Reverend Corsey oversaw the construction of their new church building in 1918, and the name was officially changed from The Grafton Mission to New Grafton Baptist Church.

Reverend Corsey served as New Grafton Baptist Church's pastor until his retirement in 1923. Following his departure from the church, he was succeeded by Reverend N. E. Jackson in 1924, Reverend Isaac Daniels in 1928, and Reverend R. H. Green, DD in 1933.

The New Grafton Baptist Church congregation continued to worship at their Roanoke Avenue location until 1963. Reverend W. M. Alston, DD, elected as pastor in 1937, oversaw the construction efforts and helped to ease the church's transition into their new building.

New Grafton Baptist Church expanded again in 1988 under the leadership of Reverend S. D. Sparrow, who had ambitious plans for how to grow the church and give back to the local community. A number of choirs and ministries were established under his leadership, as well as the New Grafton Baptist Church Governing Board.

Reverend Dr. Michael L. Sumler became the church's eighth pastor in 2000, and the church has continued to grow and expand since then. New Grafton Baptist Church now supports a variety of ministries and programs aimed at bolstering fellowship and strengthening the church's community, including a Virtuous Women's Ministry, Community LINK program, Boys and Girls Scouts programs, Youth Ministry, Pastoral Care Ministry, and more. Reverend Sumler also led the congregation as they renovated the church and built a new, larger sanctuary in 2006.

New Grafton Baptist Church enjoys a strong fellowship with Grafton Baptist Church—Dare Road and Grafton Baptist Church—Harris Grove, founded in 1777 and 1860 respectively. These three churches share a rich and deep common history, and their congregations regularly meet for joint picnics and worship services. Together they formed a Steering Committee, dedicated to celebrating their shared experiences as linked congregations that flourished in Virginia ''from slavery to the present.''

Over the last 100 years, New Grafton Baptist Church has been served by many dedicated men of faith—Rev. Silas Corsey, Rev. N. E. Jackson, Rev. Isaac Daniels, Rev. R. H. Green, DD, Rev. W. M. Alston, DD, Rev. D. M. Willis, Sr., Rev. S.D. Sparrow, Sr., and Rev. Dr. Michael Sumler.

Mr. Speaker, as New Grafton Baptist Church of Newport News, Virginia celebrates this historic milestone, its congregation can feel affirmed by 100 years of successful discipleship and service to both their community and to each other. I would like to congratulate Reverend Michael Sumler and all of the members of the church's congregation. I wish them

another 100 years full of growth and prosperity.

H.R. 6545, THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2018

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of the H.R. 6545, the Violence Against Women Act.

Today, more than ever, it is clear we as a nation must do more to protect our women and girls. The #MeToo movement has made it increasingly obvious that we are failing as a country to properly address and prevent sexual assault.

Sexual violence is particularly prevalent among women of color, who are often times victims to an oppressive combination of racism and sexism. Statistics show that by the age of 18, approximately 40 percent of black women report coercive sexual contact, and that Native American women are almost two times as likely to be assaulted than their white peers.

Today, I find it exceptionally important to stand as an ally to women, as Republicans attempt to push through a Supreme Court nominee who has been accused of sexual violence. I stand with my female colleagues and women across the country when I say—time's up. We must believe women and ensure our laws protect their safety and equality.

I support the Violence Against Women Act and I urge all of my colleagues to do the same.

RECOGNIZING THE NATIONAL DAY OF TAIWAN

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to recognize October 10, or Double Ten Day, the national day of Taiwan. Given the warm ties between the United States and Taiwan, I would like to take this opportunity to wish the people of Taiwan a very Happy Double Ten Day.

Over the years, Taiwan has proven its leadership on the global stage—despite its unique political status—through its commitment to democracy, its contributions to global health initiatives, international development, and humanitarian missions. Taiwan delivered critical aid and supplies following the 2010 earthquake in Haiti and the 2013 Typhoon Haiyan in the Philippines. During the 2014 Ebola outbreak in West Africa, Taiwan donated funds and protective gear so that doctors and other health workers could meet the unique challenges the disease posed at that time.

Taiwan is a key security and trading partner of our nation, and it is important that Congress and the administration redouble their support for Taiwan's standing and meaningful participation in international bodies. Taiwan consists of 23.5 million highly educated and highly skilled people who are experienced in dealing with the challenges faced by our global community. Indeed, a number of these professionals fall them within the purview of international organizations such as the WHO, ICAO, and INTERPOL. It is to the benefit of us all that experts from Taiwan can share their knowledge and experience with their colleagues in these international forums as they seek to address challenges including global pandemics, aviation safety and security, international crime, and terrorism.

Mr. Speaker, I ask that all of my colleagues join me in wishing the people of Taiwan all the best as they celebrate Double Ten Day.

HONORING SPC ROBERT A. WISE

HON. NEAL P. DUNN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. DUNN. Mr. Speaker, I rise today to honor a life that was lost too soon. Florida National Guard Specialist Robert Allen Wise of Tallahassee was killed in Baghdad when a roadside bomb detonated in November 2003. He was the First Florida National Guardsmen killed in action to be buried in Arlington National Cemetery.

Specialist Wise chose to selflessly serve our country at 17 years old. He was enrolled at Tallahassee Community College, when he answered the call to serve in Operation Iraqi Freedom. When his father asked him if he was sure he wanted to go, Wise told his father "I would rather face them there than here."

Specialist Wise was known to his family and friends for his contagious laugh, infectious smile, and unwavering sense of duty to his country.

Mr. Speaker, please join me in honoring Specialist Robert A. Wise and all of our fallen heroes who gave 'the last full measure of devotion' to this country to make Americans safe at home and abroad.

PERSONAL EXPLANATION

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Ms. LOFGREN. Mr. Speaker, I was unable to be present and voting for the following roll call votes due to a family wedding celebration. Had I been present, I would have voted: No. 399: YEA; No. 398: YEA; No. 397: NAY; No. 396: YEA; No. 395: YEA; and No. 394: YEA.

CONGRATULATING THE VILLAGE OF BRUSHTON ON ITS 200TH ANNIVERSARY

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 200th anniversary of the Village of Brushton.

The Village of Brushton was first settled in 1818 by a small group of pioneers. In 1835, a landowner named Henry N. Brush purchased several mills that had developed on the Little Salmon River, which he then named Brush's Mills. The community's economy became distinctly agricultural, linked to the rest of the North Country's developing industry through its location on the Rutland Railroad. Brush's son, Henry Corbin Brush, proceeded to build upon his father's legacy and further develop the industrial attributes of the community. In 1877, the village was officially named Brushton and has continued to prosper ever since.

Currently, the Village of Brushton is part of the Town of Moira in Franklin County. Although small in population, the people of Brushton are very proud of their village's rich heritage and tight-knit community.

On behalf of New York's 21st District, I want to congratulate the Village of Brushton on its 200th anniversary. I wish all its residents the best as they celebrate this important milestone.

PERSONAL EXPLANATION

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I missed two votes on September 25, 2018. Had I been present, I would have voted YEA on Roll Call No. 400, and YEA on Roll Call No. 401.

TAIWAN'S 107TH ANNIVERSARY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to commemorate the 107th anniversary of the founding of Taiwan, also known as the Republic of China.

As a member of the Congressional Taiwan Caucus, I long have been impressed with how this island of twenty-three million people punches above its weight and has become an economic powerhouse. It is home to Foxconn, one of the world's largest electronics manufacturers, as well as other large technology companies such as ASUS, Pegatron, and Quanta Computer. In fact, Taiwan is known as one of the Four Asian Tigers whose rapid economic expansion has served as models for other developing countries.

The United States and Taiwan also enjoy a strong albeit unofficial relationship which is maintained by the American Institute in Taiwan. According to the United States Trade Representative, Taiwan is the United States' tenth largest trading partner and the United States is Taiwan's third largest trading partner (after China and Hong Kong). U.S. goods and services trade with Taiwan totaled an estimated $84.7 billion in 2016.

My home state of Georgia also has a strong relationship with Taiwan. Last year, Georgia exported more than $400 million in goods to Taiwan including heterocyclic compounds, civilian aircraft engines and parts, poultry, data processors, cotton and kaolinic clays. There

are a number of Georgia companies spanning across multiple industries that have operations in Taiwan.

Our relationship, however, is much deeper than just trade. Two Georgia cities have sister city agreements with Taiwan—Atlanta (Taipei) and Columbus (Taichung). In addition, the wife and sisters-in-law of Sun Yat-sen, the founding father of the Republic of China, all attended Wesleyan College in Macon in the early 1900s.

The hard work, ingenuity, and tenacity of the people of Taiwan are to be commended on the 107th anniversary of the Republic of China. I look forward to many more years of continued cooperation and goodwill between our two nations in the years to come.

CHILDHOOD CANCER

HON. MICHAEL CLOUD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. CLOUD. Mr. Speaker, childhood cancer is a horrific illness plaguing not only our nation, but all nations of the world. In 2017, despite childhood cancer being the No. 1 cause of death by disease in the U.S., research funding specifically for childhood cancer was less than 4 percent of all national cancer funding. Earlier this year, Congress passed legislation that would provide more funding for research and development to combat childhood cancer. Yet more must be done in our communities. For this reason, I rise today to commend the actions of a family dedicated to raising awareness of childhood cancer, pushing for more involvement from the community, and highlighting the troubling effects this epidemic has on those diagnosed and their families. This is a family that has gone through the process of diagnosis, treatment, and—in this case—remission themselves.

Lt. Richard Jankovsky III, a DPS patrol officer and President of the Department of Public Safety Officers Association (DPSOA), has worked tirelessly to protect those on our highways and enforce the law. Yet his biggest challenge came when he experienced the effects of childhood cancer firsthand as his daughter Kaitlyn grappled with the disease for years.

Kaitlyn was diagnosed with leukemia in August of 2014 when she was only 13 years old. Kaitlyn underwent chemo, countless transfusions, and multiple surgeries, including a complete hip replacement, on her path to remission. Her last chemo treatment was on November 10, 2016. Now a senior at Woodsboro High School, Kaitlyn has challenged high schools across the state to wear gold ribbons this month, following Governor Greg Abbott's proclamation recognizing September as Childhood Cancer Awareness Month.

A major issue many children like Kaitlyn face is access to blood for treatments. Cancer patients often need to replenish the blood lost during treatments, such as chemotherapy or radiation, which requires blood from healthy donors. In fact, the South Texas Blood and Tissue Center reports there is less than a two-day supply on shelves, which is why the Jankovsky family has helped the DPSOA host blood drives for the past few years. They know the importance of having clean blood for treatments and have strived to bring their community together to help solve this problem.

The Jankovsky family has exhibited perseverance and selflessness, and it is an honor to recognize this extraordinary family and their commitment to raise awareness of childhood cancer.

HONORING CHIEF DANNY D. BOWMAN

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize a servant leader in my district who has made a tremendous difference in the lives of thousands in Forsyth County, Georgia. For over 50 years, Chief Danny D. Bowman has served as a Georgia firefighter displaying the values of selflessness, honor, and patriotism.

Chief Bowman is an Atlanta native and veteran of the United States Air Force. He began his career as a firefighter in Atlanta in 1968. After serving with the Atlanta Fire Department, he joined the Fulton County Fire Department in 1977. Bowman came to Forsyth County as a division chief in 2001 and began serving as the county's director of emergency management in 2002. He took the reins as Fire Chief in 2003. Forsyth County Commission Chairman Todd Levent credits Chief Bowman with ''making the local department what it is today.''

Chief Bowman will officially retire this October, and I want to thank him for his service to Forsyth County and the great state of Georgia. Chief Bowman's commitment to making Georgia safer spans over half a century, and I commend him for a career of sacrificial service to our region.

HONORING THE LIFE OF MR. FRANK EDWARD CHRISTIE

HON. NEAL P. DUNN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. DUNN. Mr. Speaker, I rise today to honor the life of Mr. Frank Edward Christie who passed away August 19, 2018, at the age of 96.

Frank Christie lived a life of service to the American people—from his time on the beaches of Okinawa and Leyte Gulf to his passion for education back home, and dedication to his church.

In 1943, Mr. Christie enlisted in the U.S. Army and would later be awarded two Purple Hearts and the Silver and Bronze stars for Valor in Action for his heroic actions as a medic during World War II.

During his 35–year education career, Mr. Christie left his imprint across the states of Georgia and Florida. He served as the Terrell County school superintendent in Dawson, GA and would go on to help start the Terrell County Recreational Program. Through his service to the school system, Mr. Christie was at the forefront of a peaceful and successful desegregation of the public schools during the mid-sixties.

On Sundays, you would find Mr. Christie and his wife singing in their church choir. For 26 years, Mr. Christie served as the Song Leader at his last church home in Alligator Point, Florida—Mission-By-The-Sea.

Frank Edward Christie will be missed by many. May his service to our country always be remembered and venerated and may he rest in peace.

HONORING CAPTAIN ANTHONY ERIC GHISLETTA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Captain Anthony Eric Ghisletta, upon his retirement from the Martinez Police Department after twenty-eight years of service.

Captain Ghisletta was born in the Bay Area and grew up in Martinez, California. With a commitment to public safety, he graduated from the police academy and the FBI National Academy. In 1990, Captain Ghisletta began his law enforcement career as a Police Trainee in the Martinez Police Department. Over the last twenty-eight years, he has served our community as a Police Officer, Detective, Sergeant, Commander, Interim Chief of Police and Captain. Captain Ghisletta has been a K9 Handler and his knowledge has been vital to the expansion of the Police Department's canine program. Additionally, he spent many years as a Hostage Negotiator on the Hostage Negotiations Team and has spearheaded many functions of the Team.

Captain Ghisletta's work has positively impacted the citizens in our community. His strong commitment, leadership and professionalism is deeply respected and supported by his peers and the City of Martinez. He has assisted countless residents throughout his tenure with the Police Department. Captain Ghisletta's file is full of letters and commendations from community members that he has helped over the years.

Captain Ghisletta is married to Sara and they have three children—Russell, Reid and Caroline. Captain Ghisletta has spent many hours coaching youth sports and mentoring youth in our community. His compassion and consistent engagement have made a positive impact on Martinez.

Mr. Speaker, Captain Ghisletta is an admirable leader who has dedicated his career to serving our community. Therefore, it is fitting and proper that we honor him here today.

HONORING JULIUS TERRY FOR HIS SERVICE IN THE WAR OF 1812

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Ms. STEFANIK. Mr. Speaker, I rise today in honor of U.S. Navy War of 1812 veteran Julius Terry.

Julius Terry was a free African-American who worked on a local farm near Sackets Harbor and belonged to Captain Elisha Camp's

volunteer artillery company. He bravely served on the gun crew defending Sackets Harbor at the First Battle of Sackets Harbor in July of 1812, and later served on the crew of the armed schooner, Julia, on the St. Lawrence River to protect schooners trapped at Ogdensburg. Julius is remembered today for having served with remarkable courage, especially as part of the 25 percent African-Americans who made up the U.S. Navy during the war.

On behalf of New York's 21st District, I am proud to honor Julius Terry for his bravery and commitment to his country during the War of 1812. His service provides an excellent example of the important role that African-Americans played in wars throughout our nation's history.

COMMEMORATING THE LIFE OF REP. LEONARD BOSWELL

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. PETERSON. Mr. Speaker, I rise to recognize my colleague and friend, Leonard Boswell.

Leonard and I served together as members of the Agriculture Committee throughout his time in Washington, and he served as Subcommittee Chair for Livestock and Foreign Agriculture. We worked together through good times and bad, and I always respected his upfront and straightforward approach to his work.

Leonard was about getting stuff done, which is what I liked so much about him. He was relentlessly bipartisan and always looking for a middle ground. He had a gruff exterior—and if you were on the wrong side of an issue, he'd let you know—but beneath it all was a person who understood and deeply cared not only about the issues, but even more about the people he represented. Leonard fought for those people as passionately as anyone I've ever worked with.

He is a man who answered the call to serve in every aspect of his life. After college, he was drafted into the Army where he earned an officer's commission and flew hundreds of missions as a helicopter pilot in Vietnam. When that service ended, he served his southern Iowa community in the state Senate for more than a decade. Always one to keep pushing, Leonard went on to serve Iowa's Third District for 16 years in Washington. He left in 2013, but at almost 79, he still wasn't done. Then-governor Terry Branstad appointed him to serve on the Iowa Transportation Commission. He also served on the commission for the Dwight D. Eisenhower Memorial, which will open next spring.

Leonard's was a life lived for others—for his wife Dody, for his family, for his community and state, and for farmers across this country. One of my fondest memories of Leonard was deer hunting with muzzleloaders in Centerville, Iowa in the rain. We missed the deer but had a great time and it was the beginning of a great friendship. There were so many things that made Leonard a great public servant, and there were many more that made Leonard and I friends, and I will miss dearly what he brought to this body.

TRIBUTE TO CLAUD AND MARY VIRGINIA JACOBS

HON. MICHAEL CLOUD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. CLOUD. Mr. Speaker, today I rise to join the Boy Scouts of America South Texas Council in commending Claud and Mary Virginia Jacobs, a married couple who have dedicated their lives to community service and charitable efforts. Throughout their 54 years of marriage, they have served as role models for countless members of the Victoria and Yoakum communities through their faith, work ethic, and dedication to serving their community.

Claud Jacobs is a partner at Lodestone Financial Services with an Associate's degree from Victoria College, a Bachelor's in Business Administration from the University of Texas at Austin, and a chartered life underwriter designation from the American College of Life Underwriters. Mr. Jacobs has been the recipient of numerous awards during his career, including the Paul Gustwick Community Service Award from the Yoakum Chamber of Commerce, the Distinguished Alumni Award from Victoria College, the University of Houston-Victoria's People Who Make A Difference Award, and Citizen of the Year from the Victoria Rotary Club.

Mary Virginia Jacobs holds a Bachelor's in Nursing from Incarnate Word College, a family nurse practitioner degree from the University of Texas Health Science Center at San Antonio, and a master's degree in nursing from the University of Texas at Austin. Mrs. Jacobs is the recipient of various awards, including the ''Who's Who of Nursing'' in 1990 and 1991, the Texas Nurses Association District 20 Distinguished Nurse Award, 2000's Volunteer of the Year award from the Hospice of South Texas, Volunteer of the Decade in 1999 from the Hospice of South Texas, and the University of Houston-Victoria's People Who Make A Difference Award in 2015, to name a few.

The couple has a mission statement of sorts that they use to inspire other members of the community to volunteer: ''Volunteer an hour a week in your school, church. Just an hour, you'd make a difference in somebody's life.'' It is an honor to recognize this extraordinary couple who have worked valiantly to make a difference in everyone's lives, one hour at a time.

HAPPY DOUBLE TEN DAY TO THE PEOPLE OF TAIWAN

HON. MIKE BISHOP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. BISHOP of Michigan. Mr. Speaker, on Wednesday, October 10, Taiwan will celebrate its 107th National Day—also known as Double Ten Day. I would like to take this opportunity to offer my best wishes to the people of Taiwan in advance of this occasion.

Taiwan is a friend, an ally, and an important economic and security partner of the United States. Trade ties between the U.S. and Taiwan have grown rapidly over the last 30 years and Taiwan is now our 11th largest trading partner. But U.S.-Taiwan relations are much broader than just trade. The Taiwan Relations Act (TRA) and the Six Assurances are the cornerstones of U.S.-Taiwan relations and are a key to sustaining peace and stability in the Asia-Pacific region.

I am pleased that the United States and Taiwan remain close allies, and I would like to again wish the people of Taiwan a Happy Double Ten Day.

NATIONAL RICE MONTH

HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. CRAWFORD. Mr. Speaker, as rice farmers in Arkansas' first district work tirelessly to harvest their rice crop, it is timely that September marks National Rice Month. National Rice Month is a time to recognize the important contributions of the 125,000 Americans who work in the U.S. rice industry.

In Arkansas, the rice industry is a major economic driver. In fact, Arkansas' first congressional district produces half of the rice consumed in the United States, making us the top rice producing district. Rice farmers contribute $2.3 billion to the state's economic output and support almost 15,000 jobs in the Natural State.

Rice isn't just good for the economy, it is also good for you. This nutrient-rich grain provides more than 15 vitamins and minerals and beneficial antioxidants. It is a good source of protein, fiber, and energy. Rice farmers take great pride in knowing they supply the United States and over 120 other countries with such a nutritious food.

While September marks National Rice Month, in Arkansas we see the value of the rice industry throughout the year. I urge my colleagues the next time they enjoy risotto, a rice crispy treat, or gumbo to think about the hardworking men and women in our rice industry who make that meal a reality.

One of those hardworking people is Carl Brothers, who recently retired from Riceland Foods after 53 years working for the company. It is timely that I take a moment during National Rice Month to recognize Mr. Brothers for his 53 years of work in the rice industry and wish him the best in his retirement. Mr. Brothers started at Riceland as a sortex operator and eventually became the vice president and chief operating officer. Mr. Brothers' career has led him to be an expert in trade expansion efforts and a valuable resource to our state and the U.S. rice industry. He has served in various rice leadership positions and been a trusted advisor to those of us in Washington for many years. While his retirement concludes his career at Riceland Foods, the legacy he leaves has positively affected the rice industry for many years to come.

I thank Mr. Carl Brothers for his service to the rice industry.

TRIBUTE TO THE WISCONSIN BLACK HISTORICAL SOCIETY/MUSEUM

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Ms. MOORE. Mr. Speaker, I rise to pay tribute to the renowned Wisconsin Black Historical Society/Museum. On November 3, 2018, the Wisconsin Black Historical Society/Museum will celebrate its 30th anniversary.

Much of the success of the Wisconsin Black Historical Society/Museum can be attributed to its founder and Director, Clayborn Benson III. He worked as a photojournalist for 39 years at WTMJ-TV News. When Benson was an adult student at the University of Wisconsin-Milwaukee in 1987, he produced a documentary, ''Black Communities,'' for a film class. The three-part film follows a grandfather as he shares stories with a young girl about black history in the United States, Wisconsin and Milwaukee. The project reignited Benson's love of history. In producing the documentary Benson discovered that the records and documents concerning the history and roots of African American people in Wisconsin were widely scattered and poorly preserved. Benson felt the stories had to be told.

The Wisconsin Black Historical Society/Museum, located on the corners of North 27 and West Center Streets, opened its doors and its heart to the community, city and state in 1987 and remains at this location. In 1988, the Museum became an affiliated member of The State Historical Society. The building, constructed in 1898, was the Engine No. 2 Fire Station. It was converted into the Center Street Library in 1928.

Mr. Benson founded the Society/Museum to instill cultural pride and self-worth based on the premise that a people who know their history will grow to love and appreciate themselves more. The mission of the Wisconsin Black Historical Society/Museum is to document and preserve the historical heritage of African descent in Wisconsin. The Museum exhibits, collects and disseminates materials depicting this heritage. The Society/Museum serves as a resource center for all people interested in Wisconsin's rich African American heritage and encourages and promotes family, community and cultural activities. He not only teaches at the museum, but also at schools. Further, he encourages people to write down their own stories, so they can be passed down for generations. Mr. Benson really loves history and states that history fits his spirit and understands this is what he was supposed to do in this lifetime.

The Wisconsin Black Historical Society/Museum is a true Wisconsin treasure. The Society/Museum through its many exhibits has shown despite the limitations often placed upon them, African Americans were pioneers, leaders and great contributors to the growth of this nation and to the settlement of Wisconsin. They were men and women who made enormous impacts, strived for freedom, and were leaders in our community.

Mr. Speaker, I am proud to say the Wisconsin Black Historical Society/Museum hails from the 4th Congressional District and I am pleased to give praise to Clayborn Benson III on their 30th anniversary. I wish them many more years of success.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Ms. ESHOO. Mr. Speaker, I was unable to be present during roll call vote number 400 and 401 on September 25, 2018, due to recent surgery. Had I been present, on roll call vote number 400, I would have voted ''yes,'' and on roll call vote number 401, I would have voted ''yes.''

IN RECOGNITION OF MR. JOHN H. JONES FOR HIS DEDICATED CAREER OF PUBLIC SERVICE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 26, 2018

Mr. CLEAVER. Mr. Speaker, I rise today to recognize and give thanks to a lifelong public servant and deeply valued member of my staff, Mr. John H. Jones. On Friday, September 28, 2018, John will bid his final farewell as my Chief of Staff to pursue opportunities presented through his years-long public service as a congressional staffer. Since his first day on the job in February of 2014, John has overseen operations in my legislative office in Washington, D.C., as well as my district offices in Kansas City, Independence, and Higginsville, Missouri. Over the past four and a half years, John has dedicated his time to serving the people of the Fifth Congressional District of Missouri with the utmost integrity and class. Now is my opportunity to give thanks on behalf of myself and the constituents he has so honorably served.

John was born and raised in northern New Jersey. Following his graduation from high school, John attended Clark Atlanta University, a historically black university, in Atlanta, Georgia. At CAU, John received a Bachelor of Arts in Criminal Justice, graduating with honors and Cum Laude. He then attained his Master of Arts in Diplomacy and International Relations as well as Master of Arts in Corporate and Public Communications at Seton Hall University's School of Diplomacy and International Relations. But John's pursuit of higher learning wasn't finished there. Just last year, while serving as my Chief of Staff, John earned his Master of Business Administration from the University of Minnesota's Carlson School of Management. If ever there was an example of education leading to success, look no further than John Jones.

Professionally, John's first post-grad opportunity came from the distinguished Congressional Black Caucus Foundation as a Legislative Fellow. After his year-long fellowship, John moved to Copenhagen, Denmark to work for the Organization for Security and Cooperation in Europe as an International Research Fellow. Following two years of working internationally, public service and home came calling.

In 2006, John began his steady climb up the ranks on Capitol Hill, beginning as a Senior Legislative Assistant for my good friend, Congressman AL GREEN. After a three-year stint focusing on homeland security and energy issues in the House of Representatives, John decided it was time for a move to the upper-chamber, landing a job in 2009 as Director of National Security Policy for current Minority Leader CHUCK SCHUMER of New York. For the next six years, John would focus on a legislative portfolio that included foreign affairs, national security, energy, and homeland security, while also serving as the lead Banking Committee staffer on issues pertaining to economic sanctions along with terrorism and financial intelligence—all the while managing a group of Legislative Aides, Legislative Correspondents, and a Military Fellow to achieve excellence on behalf of Senator SCHUMER.

Although his portfolio has contained a wide array of issue areas, John is one of a very limited number of people with policy expertise in the intersection between financial services and technology industries. That, along with his litany of accomplishments—both professionally and academically—left me no choice but to make him my Chief of Staff when an opening arose in 2014.

John's first year as my Chief of Staff was a busy one. Following the tragic death of Michael Brown in Ferguson, Missouri in August of 2014—in an effort to increase transparency of police tactics—I wrote a letter to President Obama, urging the President to secure funding for body cameras and community policing. On February 2, 2015, I announced, and am proud to say, that the President included $22.5 million of funding for body cameras in his FY2016 budget. Over the next four months, John played an integral role in helping me push H. Res. 295—sponsored by myself and Congressman AL GREEN—through the House of Representatives. This bill, highlighting a report by the U.S. Department of Justice entitled ''Police Officer Body-Worn Cameras,'' called for support of local law enforcement agencies' use of body-worn cameras, and I'm proud to say it was approved by the House on June 10, 2015.

That same year, I led an effort to close the digital divide within different neighborhoods of Kansas City. The digital divide, at its heart, is an issue that only perpetuates existing social and economic inequality. Again, John played a critical role in urging then-Secretary of the U.S. Department of Urban Housing and Development (HUD) Julian Castro to select Kansas City as one of the demonstration cities for their new ConnectHome digital inclusion program. Yet again, I am proud that Kansas City was chosen to participate and has reaped extensive rewards from its inclusion in the program.

As many of you are aware, I've dedicated much of my time in Congress to promoting social and economic equality while fighting for an end to discrimination on several fronts. In 2016, there were reports of discrimination against African Americans and other minorities who attempted to book rooms on the room-rental company ''Airbnb, Inc.'' John served as the staff-lead in my successful campaign to convince Airbnb to conduct a comprehensive review of discriminatory practices employed by some of its users. In a letter to the company, I urged Airbnb to conduct a review of the accusations, pinpoint how the issue was occurring and put an end to such practices. The CEO, Brian Chesky, responded by hiring former U.S. Attorney General Eric Holder to help conduct a thorough review of discrimination within the Airbnb platform. By January

2017, Airbnb had implemented non-discrimination policy changes that made great strides to ensure all consumers are treated equally when using Airbnb services.

Among other efforts to root out racism and discrimination, particularly in the wake of the Unite the Right white supremacist rally in Charlottesville, Virginia in 2017, which was organized on social media, I sent a letter to social media giants Twitter and Facebook, raising questions about diversity issues related to social media platforms. John assisted in leading the congressional effort to convince Facebook to implement standards to curb abusive and hateful on-line content. While there is still much work to be done in eliminating racism and discrimination on social media platforms, I'm happy to say that progress is being made.

I have also consistently supported and fought for the inclusion of minorities in positions of leadership. Last year, with John spearheading my initiative, we were able to persuade the Internet Association—a prominent technology group that represents the interests of some of Silicon Valley's largest companies—to announce a new Diversity and Inclusion Initiative and Director Position aimed at conducting inclusion efforts and confronting the potential challenges of artificial intelligence and algorithms in technology, including financial technology.

During my time in Washington, I have worked diligently to protect American consumers from fraudulent or discriminatory lending practices, and John has played a pivotal role in many of these efforts. Over the past year, John has worked tirelessly to help me provide a report on the lending practices of financial technology companies, otherwise known as FinTech companies. Thanks to his tireless research and outreach to numerous FinTech entities, I was able to release a detailed and revealing report on the small-business lending practices of the rapidly-expanding field of FinTech. Although there is more work to be done, this report was an important step in the right direction to ensuring these relatively new companies are promoting fair lending practices.

The last, but maybe most important, accomplishment I would like to note came in 2015 when I co-authored H.R. 3700, the Housing Opportunities Through Modernization Act. This legislation was a comprehensive housing bill that made long-needed changes to public housing and the Section 8 rental assistance programs, as well as programs within the Federal Housing Authority and Rural Housing Services. With John's help implementing a legislative strategy to manage the bill through the House, I am proud to say it passed with unanimous bipartisan support and was signed into law by President Obama. It was the largest public housing overhaul in three decades, and I could not be more appreciative of John's leadership in shepherding it through the House with unanimous support, something almost unheard of for a bill as extensive and impactful as H.R. 3700.

These are but a drop in the bucket of the various projects, events, and initiatives that John successfully managed while overseeing my congressional office. Since 2014, John has helped me manage everything from navigating legislation through the arduous process of becoming law to implementing communications strategies to investigating and addressing constituent concerns back home. As everyone in this chamber understands, a Member of Congress is only as good as the staff they surround themselves with. I can say, without a doubt in my mind, there is not a single member in this esteemed chamber that wouldn't be extremely fortunate to have John Jones running their office.

Having known John for years now, I can say he is a patriotic, intelligent, and compassionate individual. He's a loving father and as hard-working and caring as they come. As he leaves the halls of Congress for other opportunities, Mr. Speaker, please join me in recognizing John Jones for his dedication to public service and for all he has accomplished for our great nation. On behalf of the Fifth District of Missouri, thank you.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 27, 2018 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 28

9:30 a.m.
Committee on the Judiciary
Business meeting to consider S. 2785, to designate foreign persons who improperly interfere in United States elections as inadmissible aliens, S. 3178, to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and the nominations of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States, Jonathan A. Kobes, of South Dakota, to be United States Circuit Judge for the Eighth Circuit, John M. O'Connor, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma, Kenneth D. Bell, to be United States District Judge for the Western District of North Carolina, Stephanie A. Gallagher, to be United States District Judge for the District of Maryland, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, Carl J. Nichols, to be United States District Judge for the District of Columbia, and Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, each to be a United States District Judge for the Northern District of Illinois.
SD–226

OCTOBER 2

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine implementation of the Economic Growth, Regulatory Relief, and Consumer Protection Act.
SD–538
Committee on Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366
Committee on Foreign Relations
To hold hearings to examine Russia's role in Syria and the broader Middle East; to be immediately followed by a closed session in SVC–217.
SD–419

10:30 a.m.
Committee on Finance
To hold hearings to examine the nomination of Andrew M. Saul, of New York, to be Commissioner of Social Security for the term expiring January 19, 2019.
SD–215

2:30 p.m.
Committee on the Judiciary
Subcommittee on the Constitution
To hold hearings to examine threats to religious liberty around the world.
SD–226

OCTOBER 3

10 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine implementation of positive train control.
SR–253
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Steven Dillingham, of Virginia, to be Director of the Census, and Michael Kubayanda, of Ohio, to be a Commissioner of the Postal Regulatory Commission.
SD–342
Committee on the Judiciary
To hold hearings to examine big bank bankruptcy, focusing on 10 years after Lehman Brothers.
SD–226

2:15 p.m.
Committee on Environment and Public Works
Subcommittee on Superfund, Waste Management, and Regulatory Oversight
To hold an oversight hearing to examine the Environmental Protection Agency's implementation of sound and transparent science in regulation.
SD–406

2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security
To hold hearings to examine protecting United States amateur athletes, focusing on examining abuse prevention efforts across the Olympic movement.
SR–253
Committee on Health, Education, Labor, and Pensions
Subcommittee on Children and Families
To hold hearings to examine rare diseases, focusing on expediting treatments for patients.
SD–430

Committee on Indian Affairs
To hold an oversight hearing to examine Government Accountability Office reports relating to broadband internet availability on tribal lands.
SD–628

Committee on the Judiciary
Subcommittee on Antitrust, Competition Policy and Consumer Rights
To hold an oversight hearing to examine the enforcement of the antitrust laws.
SD–226

Committee on Small Business and Entrepreneurship
To hold hearings to examine expanding opportunities for small businesses through the tax code.
SR–428A

OCTOBER 4

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine combating money laundering and other forms of illicit finance, focusing on regulator and law enforcement perspectives on reform.
SD–538

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6313–S6349

Measures Introduced: Seventeen bills and three resolutions were introduced, as follows: S. 3501–3517, and S. Res. 653–655. **Pages S6341–42**

Measures Passed:

Release of Information regarding September 11th: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. Res. 610, urging the release of information regarding the September 11, 2001, terrorist attacks upon the United States, and the resolution was then agreed to. **Pages S6316–17**

Save Our Seas Act: Senate passed S. 3508, to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris. **Pages S6330–34**

Congressional Award Program Reauthorization Act: Senate passed S. 3509, to reauthorize the Congressional Award Act. **Page S6348**

DNA Analysis Backlog Elimination Act: Senate passed H.R. 4854, to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors. **Pages S6348–49**

National Retirement Security Week: Senate agreed to S. Res. 654, supporting the goals and ideals of National Retirement Security Week, including raising public awareness of the various tax-preferred retirement vehicles, increasing personal financial literacy, and engaging the people of the United States on the keys to success in achieving and maintaining retirement security throughout their lifetimes. **Page S6349**

Hispanic Heritage Month: Senate agreed to S. Res. 655, recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States. **Page S6349**

National Direct Support Professionals Recognition Week: Committee on the Judiciary was discharged from further consideration of S. Res. 625, designating the week beginning September 9, 2018, as "National Direct Support Professionals Recognition Week", and the resolution was then agreed to. **Page S6349**

Appointments:

Harry S Truman Scholarship Foundation Board of Trustees: The Chair, on behalf of the Vice President, pursuant to Public Law 93–642, reappointed the following Senator to be a member of the Board of Trustees of the Harry S Truman Scholarship Foundation: Senator Blunt. **Page S6348**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the Majority Leader, be authorized to sign duly enrolled bills or joint resolutions on Thursday, September 27, 2018. **Page S6349**

McMahon Nomination: Senate began consideration of the motion to proceed to consideration of the nomination of Robert H. McMahon, of Georgia, to be an Assistant Secretary of Defense. **Pages S6324–30**

Porter Nomination—Agreement: A unanimous-consent agreement was reached providing that following Leader remarks, on Thursday, September 27, 2018, Senate begin consideration of the nomination of Lisa Porter, of Virginia, to be a Deputy Under Secretary of Defense; that the time until 12:40 p.m. be equally divided in the usual form and that following the use or yielding back of time, Senate vote on confirmation of the nomination, with no motions in order and without intervening action or debate. **Page S6334**

Nomination Confirmed: Senate confirmed the following nomination:

By 51 yeas to 49 nays (Vote No. EX. 217), Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2019. **Pages S6313–16, S6317–24, S6349**

Messages from the House: **Pages S6338–39**

Measures Referred: **Pages S6339–40**

Measures Placed on the Calendar: **Pages S6340, S6349**

Record Votes: One record vote was taken today. (Total—217) Pages S6323–24

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:24 p.m., until 12 noon on Thursday, September 27, 2018. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6349.)

Committee Meetings

(Committees not listed did not meet)

CYBER OPERATIONAL READINESS

Committee on Armed Services: Subcommittee on Personnel concluded open and closed hearings with the Subcommittee on Cybersecurity to examine the cyber operational readiness of the Department of Defense, after receiving testimony from Essye B. Miller, Principal Deputy, Chief Information Officer, Lieutenant General Vincent R. Stewart, USMC, Deputy Commander, United States Cyber Command, Lieutenant General Stephen G. Fogarty, USA, Commander, United States Army Cyber Command, and Brigadier General Dennis A. Crall, USMC, Principal Deputy Cyber Advisor and Senior Military Advisor for Cyber Policy, all of the Department of Defense.

CONSUMER DATA PRIVACY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine safeguards for consumer data privacy, after receiving testimony from Leonard Cali, AT&T, and Rachel Welch, Charter Communications, both of Washington, D.C.; Andrew DeVore, Amazon.com, Inc., Seattle, Washington; Keith Enright, Google, and Damien Kieran, Twitter, Inc., both of San Francisco, California; and Bud Tribble, Apple, Cupertino, California.

GLOBAL SPACE RACE

Committee on Commerce, Science, and Transportation: Subcommittee on Space, Science, and Competiveness concluded a hearing to examine the global space race, focusing on ensuring the United States remains the leader in space, after receiving testimony from James F. Bridenstine, Administrator, National Aeronautics and Space Administration.

CLEANING UP THE OCEANS

Committee on Environment and Public Works: Committee concluded a hearing to examine cleaning up the oceans, focusing on reducing the impact of man-made trash on the environment, wildlife, and human health, after receiving testimony from Jonathan Baillie, National Geographic Society, and Cal Dooley, American Chemistry Council, both of Washington, D.C.; Bruce Karas, Coca-Cola Company North America, Atlanta, Georgia; and Kara Lavender Law, Sea Education Association, Cape Elizabeth, Maine.

IMPACT OF TARIFFS ON THE U.S. AUTO INDUSTRY

Committee on Finance: Committee concluded a hearing to examine the impact of tariffs on the United States automotive industry, after receiving testimony from H. David Britt, County of Spartanburg, Spartanburg, South Carolina; Steve Gates, Gates Auto Family, Richmond, Kentucky, on behalf of the American International Automobile Dealers Association; Michael Haughey, North American Stamping Group, Portland, Tennessee; Josh Nassar, United Auto Workers, Detroit, Michigan; and Rick Schostek, Honda North America, Inc., Marysville, Ohio.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 1862, to amend the Trafficking Victims Protection Act of 2000 to modify the criteria for determining whether countries are meeting the minimum standards for the elimination of human trafficking, with an amendment in the nature of a substitute;

H.R. 2200, to reauthorize the Trafficking Victims Protection Act of 2000, with an amendment in the nature of a substitute;

S. 2736, to develop a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region, with an amendment in the nature of a substitute;

S. 3233, to impose sanctions with respect to persons responsible for violence and human rights abuses in Nicaragua, with an amendment in the nature of a substitute;

H.R. 600, to promote Internet access in developing countries and update foreign policy toward the Internet, with an amendment in the nature of a substitute;

H.R. 1677, to halt the wholesale slaughter of the Syrian people, encourage a negotiated political settlement, and hold Syrian human rights abusers accountable for their crimes, with an amendment in the nature of a substitute;

S. 3257, to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, with an amendment in the nature of a substitute;

S. 3476, to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally;

S. Res. 435, expressing the sense of the Senate that the 85th anniversary of the Ukrainian Famine of 1932–1933, known as the Holodomor, should serve as a reminder of repressive Soviet policies against the people of Ukraine;

S. Res. 481, calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, with an amendment;

S. Res. 602, supporting the agreement between Prime Minister Tsipras of Greece and Prime Minister Zaev of Macedonia to resolve longstanding bilateral disputes, with amendments;

S. Res. 634, commemorating the 70th anniversary of the Berlin Airlift and honoring the veterans of Operation Vittles, with an amendment; and

The nominations of Francisco Luis Palmieri, of Connecticut, to be Ambassador to the Republic of Honduras, Department of State, and Senators Johnson and Merkley, both to be a Representative to the Seventy-third Session of the General Assembly of the United Nations.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Craig Lewis Cloud, of Florida, to be Ambassador to the Republic of Botswana, Michael Peter Pelletier, of Maine, to be Ambassador to the Republic of Madagascar, and to serve concurrently and without additional compensation as Ambassador to the Union of the Comoros, Dennis B. Hankins, of Minnesota, to be Ambassador to the Republic of Mali, Robert K. Scott, of Maryland, to be Ambassador to the Republic of Malawi, Simon Henshaw, of Massachusetts, to be Ambassador to the Republic of Guinea, Eric Williams Stromayer, of Virginia, to be Ambassador to the Togolese Republic, Lucy Tamlyn, of New York, to be Ambassador to the Central African Republic, and Dennis Walter Hearne, of Virginia, to be Ambassador to the Republic of Mozambique, all of the Department of State, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 3405, to reauthorize the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, with an amendment in the nature of a substitute;

S. 3137, to provide for reforming agencies of the Federal Government to improve efficiency and effectiveness, with an amendment;

S. 3208, to provide agencies with discretion in securing information technology and information systems, with an amendment in the nature of a substitute;

S. 3487, to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions, with an amendment;

S. 3050, to improve executive agency digital services, with an amendment in the nature of a substitute;

S. 3484, to modernize Federal grant reporting, with an amendment;

S. 278, to amend the Homeland Security Act of 2002 to provide for innovative research and development, with an amendment in the nature of a substitute;

S. 3085, to establish a Federal Acquisition Security Council and to provide executive agencies with authorities relating to mitigating supply chain risks in the procurement of information technology, with an amendment in the nature of a substitute;

S. 3437, to establish a Federal rotational cyber workforce program for the Federal cyber workforce, with an amendment in the nature of a substitute;

S. 3251, to require executive agencies to consider rental in any analysis for equipment acquisition;

S. 3309, to authorize cyber incident response teams at the Department of Homeland Security, with an amendment in the nature of a substitute;

S. 3191, to provide for the expeditious disclosure of records related to civil rights cold cases, with an amendment in the nature of a substitute;

S. 594, to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, with an amendment in the nature of a substitute;

S. 3209, to designate the facility of the United States Postal Service located at 413 Washington Avenue in Belleville, New Jersey, as the ''Private Henry Svehla Post Office Building'';

S. 3237, 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'';

S. 3414, 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'';

S. 3442, to designate the facility of the United States Postal Service located at 105 Duff Street in Macon, Missouri, as the ''Arla W. Harrell Post Office'';

H.R. 50, to provide for additional safeguards with respect to imposing Federal mandates; with an amendment;

H.R. 2196, to amend title 5, United States Code, to allow whistleblowers to disclose information to certain recipients;

H.R. 1132, to amend title 5, United States Code, to provide for a 2-year prohibition on employment in a career civil service position for any former political appointee, with an amendment in the nature of a substitute;

H.R. 6439, to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security the Biometric Identification Transnational Migration Alert Program, with an amendment;

H.R. 5206, to amend the Homeland Security Act of 2002 to establish the Office of Biometric Identity Management, with an amendment;

H.R. 606, to designate the facility of the United States Postal Service located at 1025 Nevin Avenue in Richmond, California, as the ''Harold D. McCraw, Sr., Post Office Building'';

H.R. 1209, to designate the facility of the United States Postal Service located at 901 N. Francisco Avenue, Mission, Texas, as the ''Mission Veterans Post Office Building'';

H.R. 2979, to designate the facility of the United States Postal Service located at 390 West 5th Street in San Bernardino, California, as the ''Jack H. Brown Post Office Building'';

H.R. 3230, to designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the ''Harmon Killebrew Post Office Building'';

H.R. 4407, to designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the ''Corporal Jeffery Allen Williams Post Office Building'';

H.R. 4890, to designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the ''Wayne K. Curry Post Office Building'';

H.R. 4913, to designate the facility of the United States Postal Service located at 816 East Salisbury Parkway in Salisbury, Maryland, as the ''Sgt. Maj. Wardell B. Turner Post Office Building'';

H.R. 4946, to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the ''Specialist Trevor A. Win'E Post Office'';

H.R. 4960, to designate the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the ''Spc. Sterling William Wyatt Post Office Building'';

H.R. 5349, to designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the ''Judge Russell B. Sugarmon Post Office Building'';

H.R. 5504, to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the ''Sergeant Dietrich Schmieman Post Office Building'';

H.R. 5737, to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the ''Captain Joshua E. Steele Post Office'';

H.R. 5784, to designate the facility of the United States Postal Service located at 2650 North Doctor Martin Luther King Jr. Drive in Milwaukee, Wisconsin, shall be known and designated as the ''Vel R. Phillips Post Office Building'';

H.R. 5868, to designate the facility of the United States Postal Service located at 530 Claremont Avenue in Ashland, Ohio, as the ''Bill Harris Post Office'';

H.R. 5935, to designate the facility of the United States Postal Service located at 1355 North Meridian Road in Harristown, Illinois, as the ''Logan S. Palmer Post Office'';

H.R. 6116, to designate the facility of the United States Postal Service located at 362 North Ross Street in Beaverton, Michigan, as the ''Colonel Alfred Asch Post Office''; and

The nomination of Peter Gaynor, of Rhode Island, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

TOXIC PFAS CHEMICAL CRISIS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Spending Oversight and Emergency Management concluded a hearing to examine the Federal role in the toxic PFAS chemical crisis, including the status of Department of Defense efforts to address drinking water contaminants used in firefighting foam, after receiving testimony from Peter C. Grevatt, Director, Office of Ground Water and Drinking Water, Environmental Protection Agency; Maureen Sullivan, Deputy Assistant Secretary of Defense (Environment); Linda S. Birnbaum, Director, National Institute of Environmental Health

Sciences and National Toxicology Program, National Institutes of Health, Department of Health and Human Services; Brian J. Lepore, Director, Defense Capabilities and Management, Government Accountability Office; Andrea Amico, Testing for Pease, Portsmouth, New Hampshire; Arnie Leriche, Wurtsmith Restoration Advisory Board, Oskada, Michigan; and Timothy Putnam, Tidewater Federal Fire Fighters, Washington, D.C., on behalf of the International Association of Fire Fighters.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 465, to provide for an independent outside audit of the Indian Health Service, with an amendment in the nature of a substitute;

S. 2154, to approve the Kickapoo Tribe Water Rights Settlement Agreement, with an amendment; and

S. 2599, to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe, with an amendment.

JUSTICE FOR NATIVE YOUTH

Committee on Indian Affairs: Committee concluded an oversight hearing to examine justice for Native youth, focusing on the Government Accountability Office report on ''Native American Youth Involvement in Justice Systems and Information on Grants to Help Address Juvenile Delinquency'', after receiving testimony from Gretta L. Goodwin, Director, Homeland Security and Justice, Government Accountability Office; Caren Harp, Administrator, Office of Juvenile Justice and Delinquency Prevention, Department of Justice; John Tahsuda, Principal Deputy Assistant Secretary of the Interior for Indian Affairs; Abby Abinanti, Yurok Tribal Court, Klamath, California; and Addie C. Rolnick, University of Nevada, Las Vegas William S. Boyd School of Law.

REGISTER OF COPYRIGHTS SELECTION AND ACCOUNTABILITY ACT

Committee on Rules and Administration: Committee concluded a hearing to examine S. 1010 and H.R. 1695, bills to amend title 17, United States Code, to provide additional responsibilities for the Register of Copyrights, after receiving testimony from Keith Kupferschmid, Copyright Alliance, and Jonathan Band, Georgetown University Law Center, both of Washington, D.C.

STATE OF THE VA

Committee on Veterans' Affairs: Committee concluded a hearing to examine the state of the Department of Veterans Affairs, focusing on a 60 day report, after receiving testimony from Robert Wilkie, Secretary of Veterans Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 6896–6925; and 10 resolutions, H.J. Res. 141; H. Con. Res. 138–140; and H. Res. 1082–1083, 1085–1088 were introduced.

Pages H9088–90

Additional Cosponsors: Pages H9091–92

Reports Filed: Reports were filed today as follows:

H. Res. 1018, requesting the President to transmit to the House of Representatives certain documents in the possession of the President relating to the determination to impose certain tariffs and to the strategy of the United States with respect to China (H. Rept. 115–979);

H.R. 4753, to amend the Federal Reserve Act to require the Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System to provide a written report, with an amendment (H. Rept. 115–980);

H.R. 6729, 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 (H. Rept. 115–981);

H.R. 6751, to increase transparency with respect to financial services benefitting state sponsors of terrorism, human rights abusers, and corrupt officials, and for other purposes, with an amendment (H. Rept. 115–982);

H.R. 6737, to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced

mortgage loans, and for other purposes (H. Rept. 115–983);

H.R. 5036, to establish an Independent Financial Technology Task Force, to provide rewards for information leading to convictions related to terrorist use of digital currencies, to establish a FinTech Leadership in Innovation Program to encourage the development of tools and programs to combat terrorist and illicit use of digital currencies, and for other purposes, with amendments (H. Rept. 115–984); and

H. Res. 1084, providing for consideration of the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes; providing for consideration of the bill (H.R. 6757) to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; providing for consideration of the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses; and providing for proceedings during the period from October 1, 2018, through November 12, 2018 (H. Rept. 115–985). **Pages H9081–82**

Speaker: Read a letter from the Speaker wherein he appointed Representative Norman to act as Speaker pro tempore for today. **Page H8889**

Recess: The House recessed at 10:45 a.m. and reconvened at 12 noon. **Page H8894**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Dr. Brad Jurkovich, First Bossier, Bossier City, Louisiana. **Page H8894**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H8894, H8905**

Recess: The House recessed at 1:09 p.m. and reconvened at 1:15 p.m. **Page H8902**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure. Consideration began Tuesday, September 25th.

FDR Historic Preservation Act: H.R. 5420, amended, to authorize the acquisition of land for addition to the Home of Franklin D. Roosevelt National Historic Site in the State of New York, by a ⅔ recorded vote of 394 ayes to 15 noes, Roll No. 404. **Pages H8904–05**

Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019: The House agreed to the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, by a yea-and-nay vote of 361 yeas to 61 nays, Roll No. 405. **Pages H9040–47, H9056–57**

H. Res. 1077, the rule providing for consideration of the conference report to accompany the bill (H.R. 6157) and providing for consideration of the resolution (H. Res. 1071) was agreed to by a recorded vote of 230 ayes to 188 noes, Roll No. 403, after the previous question was ordered by a yea-and-nay vote of 230 yeas to 188 nays, Roll No. 402. **Pages H8897–H8902, H8903–04**

Recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens: The House agreed to H. Res. 1071, recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens, by a yea-and-nay vote of 279 yeas to 72 nays with 69 answering "present", Roll No. 406. **Pages H9047–52, H9057–58**

H. Res. 1077, the rule providing for consideration of the conference report to accompany the bill (H.R. 6157) and providing for consideration of the resolution (H. Res. 1071) was agreed to by a recorded vote of 230 ayes to 188 noes, Roll No. 403, after the previous question was ordered by a yea-and-nay vote of 230 yeas to 188 nays, Roll No. 402. **Pages H8897–H8902, H8903–04**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for the concurrence by the House in the Senate amendment to H.R. 302, with an amendment: H. Res. 1082, providing for the concurrence by the House in the Senate amendment to H.R. 302, with an amendment, by a ⅔ recorded vote of 398 ayes to 23 noes, Roll No. 407; **Pages H8905–H9040, H9058**

Empowering Financial Institutions to Fight Human Trafficking Act of 2018: H.R. 6729, 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, by a ⅔ yea-and-nay vote of 297 yeas to 124 nays, Roll No. 408; **Pages H9052–56, H9059**

Financial Technology Protection Act: H.R. 5036, amended, to establish an Independent Financial Technology Task Force, to provide rewards for information leading to convictions related to terrorist use

of digital currencies, to establish a FinTech Leadership in Innovation Program to encourage the development of tools and programs to combat terrorist and illicit use of digital currencies; **Pages H9060–62**

Improving Strategies to Counter Weapons Proliferation Act: H.R. 6332, to require the Director of the Financial Crimes Enforcement Network to submit a report to Congress on the way in which data collected pursuant to title 31 is being used; **Page H9063**

Federal Reserve Supervision Testimony Clarification Act: H.R. 4753, amended, to amend the Federal Reserve Act to require the Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System to provide a written report; **Pages H9063–64**

Protect Affordable Mortgages for Veterans Act of 2018: H.R. 6737, amended, to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced mortgage loans; **Pages H9064–65**

Banking Transparency for Sanctioned Persons Act of 2018: H.R. 6751, amended, to increase transparency with respect to financial services benefitting state sponsors of terrorism, human rights abusers, and corrupt officials; **Page H9088**

9/11 Heroes Medal of Valor Act: H.R. 3834, to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor; **Pages H9067–68**

Anwar Sadat Centennial Celebration Act: H.R. 754, to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East; **Pages H9068–70**

IG Subpoena Authority Act: H.R. 4917, to amend the Inspector General Act of 1978 to provide testimonial subpoena authority; **Pages H9070–72**

Guidance Out Of Darkness Act: H.R. 4809, amended, to increase access to agency guidance documents; **Pages H9072–73**

Grant Reporting Efficiency and Agreements Transparency Act of 2018: H.R. 4887, amended, to modernize Federal grant reporting; **Pages H9074–76**

Correcting Miscalculations in Veterans' Pensions Act: H.R. 4431, amended, to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service; **Pages H9076–78**

Agreed to amend the title so as to read: ''To amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes.''. **Page H9078**

Border Patrol Agent Pay Reform Amendments Act of 2018: H.R. 5896, amended, to amend title 5, United States Code, to modify the authority for pay and work schedules of border patrol agents; **Pages H9078–80**

Requiring the United States Postal Service to establish new ZIP codes: H.R. 6846, to require the United States Postal Service to establish new ZIP codes; and **Pages H9080–81**

REAL ID Act Modification for Freely Associated States Act: H.R. 3398, to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act. **Pages H9065–67**

Directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 6157: The House agreed to take from the Speaker's table and agree to S. Con. Res. 47, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 6157. **Pages H9059–60**

Airport and Airway Extension Act of 2018: The House agreed to discharge from committee and pass H.R. 6897, to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund. **Page H9060**

Designating the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the ''M.S. 'Mitch' Mitchell Floodway'': The House agreed to discharge from committee and pass H.R. 3383, to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the ''M.S. 'Mitch' Mitchell Floodway''. **Page H9060**

Renaming a waterway in the State of New York as the ''Joseph Sanford Jr. Channel'': The House agreed to discharge from committee and pass S. 1668, to rename a waterway in the State of New York as the ''Joseph Sanford Jr. Channel''. **Page H9060**

Senate Referrals: S. 3139 was referred to the Committee on Transportation and Infrastructure. S. 3389 was referred to the Committee on Science, Space, and Technology. **Page H9087**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today and appears on page H8902.

Quorum Calls—Votes: Four yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H8903, H8903–04, H8904–05, H9057, H9057–58, H9058, and H9059. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:32:33 p.m.

Committee Meetings

THE IMPACT OF NATIONAL DEFENSE ON THE ECONOMY, DIPLOMACY, AND INTERNATIONAL ORDER

Committee on Armed Services: Full Committee held a hearing entitled ''The Impact of National Defense on the Economy, Diplomacy, and International Order''. Testimony was heard from public witnesses.

U.S. STRATEGY IN SYRIA

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing entitled ''U.S. Strategy in Syria''. Testimony was heard from Brigadier General Scott F. Benedict, Deputy Director, Politico-Military Affairs, Middle East, Joint Staff J–5; and Robert Story Karem, Assistant Secretary of Defense for International Security Affairs, Department of Defense.

EXAMINING FIRST AMENDMENT RIGHTS ON CAMPUS

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Examining First Amendment Rights on Campus''. Testimony was heard from public witnesses.

BUILT IN AMERICA: JOBS AND GROWTH IN THE MANUFACTURING SECTOR

Committee on Energy and Commerce: Subcommittee on Digital Commerce and Consumer Protection held a hearing entitled ''Built in America: Jobs and Growth in the Manufacturing Sector''. Testimony was heard from public witnesses.

SOLUTIONS TO STRENGTHEN U.S. PUBLIC SAFETY COMMUNICATIONS

Committee on Energy and Commerce: Subcommittee on Capital Markets, Securities, and Subcommittee on Communications and Technology held a hearing entitled ''Solutions to Strengthen U.S. Public Safety Communications''. Testimony was heard from James Curry, Communications Division Head, Hunterdon County, Department of Public Safety, New Jersey; Eddie L. Reyes, Director, Public Safety Communications, Prince William County, Virginia; and Paul Starks, Director, Public Information Office, Montgomery County Police Department, Maryland.

OVERSIGHT OF THE SEC'S DIVISION OF INVESTMENT MANAGEMENT

Committee on Financial Services: Subcommittee on Capital Markets, Securities, and Investment held a hearing entitled ''Oversight of the SEC's Division of Investment Management''. Testimony was heard from Dalia Blass, Director, Division of Investment Management, Securities and Exchange Commission.

ADMINISTRATION GOALS FOR MAJOR SANCTIONS PROGRAMS

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled ''Administration Goals for Major Sanctions Programs''. Testimony was heard from Marshall Billingslea, Assistant Secretary for Terrorist Financing, Department of the Treasury.

GENOCIDE AGAINST THE BURMESE ROHINGYA

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Genocide Against the Burmese Rohingya''. Testimony was heard from public witnesses.

COUNTERING IRANIAN PROXIES IN IRAQ

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled ''Countering Iranian Proxies in Iraq''. Testimony was heard from public witnesses.

CHINA'S REPRESSION AND INTERNMENT OF UYGHURS: U.S. POLICY RESPONSES

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific held a hearing entitled ''China's Repression and Internment of Uyghurs: U.S. Policy Responses''. Testimony was heard from public witnesses.

HIDDEN IN PLAIN SIGHT: UNDERSTANDING FEDERAL EFFORTS TO STOP HUMAN TRAFFICKING

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled ''Hidden in Plain Sight: Understanding Federal Efforts to Stop Human Trafficking''. Testimony was heard from John Hill, Assistant Secretary, Office of Partnership and Engagement, Department of Homeland Security; Steven Cagen, Special Agent in Charge, Denver Field Office, Homeland Security Investigations, Department of Homeland Security; John Gore, Acting Assistant Attorney General, Civil Rights Division, Department of Justice; and a public witness.

MISCELLANEOUS MEASURE

Committee on House Administration: Full Committee held a markup on Committee Resolution 115–21. Committee Resolution 115–21 was adopted, without amendment.

LEGISLATIVE MEASURE

Committee on The Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 3553, the ''Bankruptcy Administration Improvement Act of 2017''. Testimony was heard from Alan C. Stout, Judge, U.S. Bankruptcy Court, Western District of Kentucky, U.S. District Court; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on H.R. 4644, the ''Yellowstone Gateway Protection Act''; H.R. 5636, the ''Flatside Wilderness Enhancement Act''; H.R. 5706, the ''World War II Pacific Sites Establishment Act''; H.R. 5727, the ''Emery County Public Land Management Act of 2018''; H.R. 6064, to rename the Oyster Bay National Wildlife Refuge as the Congressman Lester Wolff National Wildlife Refuge; H.R. 6118, the ''American World War II Heritage City''; H.R. 6255, to amend title 18, United States Code, to establish measures to combat invasive lionfish, and for other purposes; H.R. 6666, to authorize the Secretary of the Interior to grant to States and local governments easements and rights-of-way over Federal land within Gateway National Recreation Area for construction, operation, and maintenance of projects for control and prevention of flooding and shoreline erosion; H.R. 6682, the ''Protection and Transparency for Adjacent Landowners Act''; and H.R. 6784, the ''Manage our Wolves Act''. H.R. 6784, H.R. 6666, H.R. 6118, H.R. 6064, H.R. 5706, H.R. 4644 were ordered reported, without amendment. H.R. 6682, H.R. 6255, H.R. 5727, H.R. 5636 were ordered reported, as amended.

LEGISLATIVE MEASURES

Committee on Natural Resources: Full Committee held a hearing on H.R. 6344, the ''LOCAL Act of 2018''; H.R. 6360, the ''PREDICTS Act of 2018''; H.R. 6346, the ''WHOLE Act of 2018''; H.R. 6354, the ''STORAGE Act of 2018''; H.R. 6345, the ''EMPOWERS Act of 2018''; H.R. 3608, the ''Endangered Species Transparency and Reasonableness Act''; H.R. 6364, the ''LAMP Act of 2018''; H.R. 6356, the ''LIST Act of 2018''; and H.R. 6355, the ''PETITION Act of 2018''. Testimony was heard from Gregg Renkes, Director, Office of Policy Analysis, Department of the Interior; David Sauter, County Commissioner, Klickitat County, Washington; and public witnesses.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM FRAUD

Committee on Oversight and Government Reform: Subcommittee on Intergovernmental Affairs; and Subcommittee on Healthcare, Benefits and Administrative Rules held a joint hearing entitled ''Supplemental Nutrition Assistance Program Fraud''. Testimony was heard from Ann Coffey, Assistant Inspector General Investigations, Office of Inspector General, Department of Agriculture; Thomas Roth, Director, Fraud Investigations Unit, Department Health Human Services, Maine; and public witnesses.

COUNTERING CHINA: ENSURING AMERICA REMAINS THE WORLD LEADER IN ADVANCED TECHNOLOGIES AND INNOVATION

Committee on Oversight and Government Reform: Subcommittee on Information Technology held a hearing entitled ''Countering China: Ensuring America Remains the World Leader in Advanced Technologies and Innovation''. Testimony was heard from public witnesses.

EXAMINING MISCONDUCT AND RETALIATION AT TSA

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Examining Misconduct and Retaliation at TSA''. Testimony was heard from David Pekoske, Administrator, Transportation Security Administration.

AMERICAN INNOVATION ACT OF 2018; FAMILY SAVINGS ACT OF 2018; PROTECTING FAMILY AND SMALL BUSINESS TAX CUTS ACT OF 2018

Committee on Rules: Full Committee held a hearing on H.R. 6756, the ''American Innovation Act of 2018''; H.R. 6757, the ''Family Savings Act of 2018''; and H.R. 6760, the ''Protecting Family and Small Business Tax Cuts Act of 2018''. The Committee granted, by record vote of 7–3, a rule providing for the consideration of H.R. 6756 under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part A of the Rules Committee report, shall be considered as

adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides for the consideration of H.R. 6757 under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part B of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. In section 3, the rule provides for the consideration of H.R. 6760 under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part C of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. The rule provides that the yeas and nays shall be considered as ordered on the question of passage and that clause 5(b) of rule 21 shall not apply to the bill or amendments thereto. In section 4, the rule provides that on any legislative day during the period from October 1, 2018, through November 12, 2018: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. In section 5, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4. In section 6, the rule provides that each day during the period addressed by section 4 of the resolution shall not constitute calendar days for the purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546). In section 7, the rule provides that each day during the period addressed by section 4 of the resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII (resolutions of inquiry). Finally, in section 8, the rule provides that each day during the period addressed by section 4 of the resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII (motions to instruct conferees). Testimony was heard from Chairman Brady of Texas, and Representatives Thompson of California, Graves of Louisiana, Rodney Davis of Illinois, King of Iowa, and Lance.

60 YEARS OF NASA LEADERSHIP IN HUMAN SPACE EXPLORATION: PAST, PRESENT, AND FUTURE

Committee on Science, Space, and Technology: Subcommittee on Space held a hearing entitled ''60 Years of NASA Leadership in Human Space Exploration: Past, Present, and Future''. Testimony was heard from the following National Aeronautics and Space Administration officials: William Gerstenmaier, Associate Administrator, Human Exploration and Operations Mission Directorate; Mark Geyer, Director, Johnson Space Center; Jody Singer, Director, Marshall Space Flight Center; and Robert Cabana, Director, John F. Kennedy Space Center.

TROUBLED SKIES: THE AVIATION WORKFORCE SHORTAGE'S IMPACT ON SMALL BUSINESSES

Committee on Small Business: Subcommittee on Contracting and Workforce held a hearing entitled ''Troubled Skies: The Aviation Workforce Shortage's Impact on Small Businesses''. Testimony was heard from public witnesses.

COAST GUARD MODERNIZATION AND RECAPITALIZATION: STATUS AND FUTURE

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''Coast Guard Modernization and Recapitalization: Status and Future''. Testimony was heard from Admiral Karl L. Schultz, Commandant, U.S. Coast Guard.

IRS TAXPAYER AUTHENTICATION: STRENGTHENING SECURITY WHILE ENSURING ACCESS

Committee on Ways and Means: Subcommittee on Oversight held a hearing entitled ''IRS Taxpayer Authentication: Strengthening Security While Ensuring Access''. Testimony was heard from Gina Garza, Chief Information Officer, Internal Revenue Service; Edward Killen, Chief Privacy Officer, Internal Revenue Service; James R. McTigue, Jr., Director, Tax Issues, Strategic Issues, Government Accountability Office; and Michael McKenney, Deputy Inspector General for Audit, Treasury Inspector General for Tax Administration.

Joint Meetings

RISE OF AMERICAN EARNINGS

Joint Economic Committee: Committee concluded a hearing to examine the rise of American earnings and living standards, after receiving testimony from Casey B. Mulligan, Council of Economic Advisers; Russ Roberts, Stanford University Hoover Institution, Stanford, California; and Stephen Moore, The Heritage Foundation, and Heather Boushey, Washington Center for Equitable Growth, both of Washington, D.C.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1035)*

H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019. Signed on September 21, 2018. (Public Law 115–244)

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 27, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Finance: to hold hearings to examine the nominations of Gordon Hartogensis, of Connecticut, to be Director of the Pension Benefit Guaranty Corporation, and Gail S. Ennis, of Maryland, to be Inspector General, Social Security Administration, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine the effect of regulatory policy on the economy and business growth, 10 a.m., SD–342.

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, 10 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Military Personnel, hearing entitled ''Update on Military Review Board Agencies'', 3:30 p.m., 2322 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Better Data and Better Outcomes: Reducing Maternal Mortality in the U.S.'', 10 a.m., 2123 Rayburn.

Subcommittee on Energy, hearing entitled ''DOE Modernization: The Office of Cybersecurity, Energy Security, and Emergency Response'', 10:15 a.m., 2322 Rayburn.

Subcommittee on Communications and Technology, hearing entitled ''State of the Media Marketplace'', 3 p.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''Oversight of the Federal Housing Finance Agency's role as conservator and regulator of the Government Sponsored Enterprises'', 10:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on H. Res. 931, expressing the sense of the House of Representatives that the 85th anniversary of the Ukrainian Famine of 1932–1933, known as the Holodomor, should serve as a reminder of repressive Soviet policies against the people of Ukraine; H. Res. 1055, to affirm strong United States-Liberia ties and support for democratic principles, and call for full implementation of the Truth and Reconciliation Commission recommendations, including the establishment of an Extraordinary Criminal Tribunal for Liberia; H.R. 6651, the ''PEPFAR Extension Act of 2018''; H. Res. 1006, condemning the deteriorating situation in Venezuela and the regional humanitarian crisis it has caused, affirming support for the legitimate National Assembly and the Supreme Court, and urging further regional action in support of democracy in Venezuela; H. Res. 1052, affirming United States-Australia cooperation on space research, exploration, and utilization; H.R. 1567, the ''United States-Mexico Economic Partnership Act''; H.R. 4591, the ''Preventing Iranian Destabilization of Iraq Act of 2017''; H.R. 5273, the ''Global Fragility and Violence Reduction Act of 2018''; H.R. 6018, the ''Trans-Sahara Counterterrorism Partnership Act of 2018''; and H.R. 6413, the ''STOP Organ Trafficking Act'', 10 a.m., 2172 Rayburn.

Subcommittee on the Middle East and North Africa, hearing entitled ''U.S. Policy Toward Syria: Part I'', 1:30 p.m., 2172 Rayburn.

Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled ''Europe and Eurasia: Ensuring Resources Match Objectives'', 2 p.m., 2200 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''China's War on Christianity and Other Religious Faiths'', 2 p.m., 2255 Rayburn.

Committee on Homeland Security, Subcommittee on Transportation and Protective Security, hearing entitled ''Insider Threats to Aviation Security: Airline and Airport Perspectives'', 10 a.m., HVC–210.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, hearing entitled ''Post-PASPA: An Examination of Sports Betting in America'', 10 a.m., 2141 Rayburn.

Subcommittee on the Constitution and Civil Justice, hearing entitled ''The State of Intellectual Freedom in America'', 11:30 a.m., 2237 Rayburn.

Subcommittee on Courts, Intellectual Property, and the Internet, hearing on H.R. 3945, the ''Copyright Alternative in Small-Claims Enforcement Act of 2017'', 2 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, markup on H. Res. 792, urging the Secretary of the Interior to recognize the historical significance of Roberto Clemente's place of death near Piñones in Loiza, Puerto Rico, by adding it to the National Register of Historic Places; H.R. 237, the ''Integrated Coastal and Ocean Observation System Act Amendments of 2017''; H.R. 3608,

the ''Endangered Species Transparency and Reasonableness Act''; H.R. 6108, the ''Preserving America's Battlefields Act''; H.R. 6345, the ''Ensuring Meaningful Petition Outreach While Enhancing Rights of States Act of 2018'' or ''EMPOWERS Act of 2018''; H.R. 6346, the ''Weigh Habitats Offsetting Locational Effects Act of 2018'' or ''WHOLE Act of 2018''; H.R. 6355, the ''Providing ESA Timing Improvements That Increase Opportunities for Nonlisting Act of 2018'' or ''PETITION Act of 2018''; H.R. 6365, the ''Treaty of Guadalupe-Hidalgo Land Claims Act of 2018''; H.R. 6434, to amend section 7 of Public Law 100–515 (16 U.S.C. 1244 note) to promote continued use of the James J. Howard Marine Sciences Laboratory at Gateway National Recreation Area by the National Oceanic and Atmospheric Administration; and S. 607, the ''Native American Business Incubators Program Act'', 10:15 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, markup on H.R. 5381, the ''GRATER Act of 2018''; H.R. 6787, the ''Reforming Government Act of 2018''; legislation on the Antideficiency Reform and Enforcement Act of 2018; legislation to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exemption through 2019, and for other purposes; legislation on the ''Federal CIO Authorization Act of 2018''; H.R. 6777, the ''Settlement Agreement Information Database Act of 2018''; H.R. 3154, the ''Inspector General Access Act of 2017''; H.R. 5759, the ''21st Century Integrated Digital Experience Act''; H.R. 1272, the ''Cold Case Record Collections Act of 2017''; H.R. 5791, to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the ''Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building''; H.R. 5792, to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the ''Deputy Sheriff Heath McDonald Gumm Post Office''; H.R. 6216, to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the ''Sergeant David Kinterknecht Post Office''; H.R. 6217, to designate the facility of the United States Postal Service located at 241 N 4th Street in Grand Junction, Colorado, as the ''Deputy Sheriff Derek Geer Post Office Building''; H.R. 6428, to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the ''Frank Leone Post Office''; H.R. 6513, to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the ''Judge James E. Horton, Jr. Post Office Building''; H.R. 6591, to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the ''Napoleon 'Nap' Ford Post Office Building''; H.R. 6621, to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City, Tennessee, as the ''Major Homer L. Pease Post Office''; H.R. 6628, to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the ''James Marshall 'Jimi' Hendrix Post Office Building''; and H.R. 6780, to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the ''Major Andreas O'Keeffe Post Office Building'', 10 a.m., 2154 Rayburn.

Subcommittee on Intergovernmental Affairs; and Subcommittee on Healthcare, Benefits and Administrative Rules, joint hearing entitled ''The Benefits of a Deregulatory Agenda: Examples from Pioneering Governments'', 2 p.m., 2247 Rayburn.

Subcommittee on the Interior, Energy, and Environment, hearing entitled ''Restoring Balance to Environmental Litigation'', 2 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Energy, hearing entitled ''Advancing Nuclear Energy: Powering the Future'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Economic Growth, Tax, and Capital Access, hearing entitled ''The Local Impact of Economic Growth'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, markup on General Services Administration Capital Investment and Leasing Program Resolutions; and H.R. 6622, to designate the Federal building located at 2110 First Street in Fort Myers, Florida, as the ''George W. Whitehurst Federal Building'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Full Committee, hearing entitled ''Veteran Suicide Prevention: Maximizing Effectiveness and Increasing Awareness'', 10:30 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Social Security, hearing entitled ''The State of Social Security's Information Technology'', 11 a.m., 2020 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine politically-motivated injustice, focusing on the extradition case of Judge Venckiene, 2 p.m., 2261, Rayburn Building.

Next Meeting of the **SENATE**

12 noon, Thursday, September 27

Senate Chamber

Program for Thursday: Senate will begin consideration of the nomination of Lisa Porter, of Virginia, to be a Deputy Under Secretary of Defense, and vote on confirmation of the nomination at 12:40 p.m.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Thursday, September 27

House Chamber

Program for Thursday: Consideration of H.R. 6757—Family Savings Act of 2018 (Subject to a Rule). Consideration of H.R. 6756—American Innovation Act of 2018 (Subject to a Rule). Begin consideration of H.R. 6760—Protecting Family and Small Business Tax Cuts Act of 2018 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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