House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. Poe of Texas).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 28, 2018.

I hereby appoint the Honorable Ted Poe to act as Speaker pro tempore on this day.

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

PRAYER

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

God of mercy, thank You for giving us another day. May the words of Ezekiel stir our hearts.

"The nations shall know that I am the Lord, says the Lord God, when in their sight I prove My holiness through you. . . . From all your idols, I will cleanse you. I will give you a new heart and place a new spirit within you, taking from your bodies your stoney hearts and giving you natural hearts."

Lord God of prophets and politicians, through the campaigns, surface out fiction and malicious thoughts so that Your people may be led to America’s common concerns and the truth upon which to build anew. Deepen convictions in all contestants that their hearts may be naturally transformed by the response of the people and Your holy inspirations.

We pray for civility in the weeks to come and peaceful resolve across our land, both now and forever.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. JENKINS of West Virginia 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

RELEASE OLEG SENTSOV

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

Mr. SHIMKUS. Mr. Speaker, in 2015, Russian authorities arrested Oleg Sentsov, Ukrainian filmmaker and human rights activist, for protesting the occupation of Crimea and sentenced him to 20 years in prison. On May 14 of this year, he began a hunger strike that has lasted over 130 days. Russia has unjustly imprisoned over 150 individuals. They suffer psychiatric confinement, closed trials, and harsh prison conditions. Russia also threatened to strip dissidents and members of religious minorities their parental rights.

Oleg is in prison north of the Arctic Circle. He receives IV treatments of saline, amino acids, and vitamins. His sister reported in September that he thinks he will die soon.

Mr. Speaker, I call upon Russian authorities to release Oleg Sentsov, and I call upon them to protect political free speech, religious liberty, and the sovereignty of international borders.

HONORING THE MEMORY OF THOSE WHO DIED AT THE ROUTE 91 HARVEST FESTIVAL

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

Ms. ROSEN. Mr. Speaker, I rise today to honor the memory of the 58 innocent souls who were taken on October 1.

No words can describe the devastation and heartbreak my community experienced that night. So many families in Las Vegas and across the Nation are still grieving from this unspeakable tragedy, and their lives will never be the same.

I am forever grateful to our first responders, medical professionals, hotel and security staff, and the kindness of strangers who helped the wounded to the hospital and stood in line for hours to donate blood.

We will never forget the selfless and heroic acts by men and women who risked it all and gave their lives for others that night.

As we continue to heal, what we have always known about our community remains true: We are Vegas strong; we are resilient; and even in our darkest hour, we come together united.

APPLAUDING HURRICANE FLORENCE RECOVERY EFFORTS

(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. As we continue to heal, what we have always known about our community remains true: We are Vegas strong; we are resilient; and even in our darkest hour, we come together united.
Mr. Speaker, I rise today in support of H.R. 6, which we are voting on here today. H.R. 6 includes my legislation, the Caring Recovery for Infants and Babies Act, known as the CRIB Act.

The most innocent victims of the opioid crisis are the precious newborn babies that were exposed to drugs during pregnancy. It simply breaks your heart.

Three years ago, I helped start Lilly’s Place in my hometown, a healthcare facility that has provided compassionate, loving healthcare to more than 5,000 newborn babies going through the ravages of withdrawal after birth. Passing the CRIB Act today will allow this one-of-a-kind program to be replicated around the country so every child gets the best possible chance for a healthy start in life.

Mr. Speaker, I encourage my fellow Members to vote “yes” on H.R. 6, the CRIB Act.

FAMILY REAUTHORIZATION BILL

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to applaud the House passage of the Family Reauthorization Act. I am delighted that the conference agreement includes provisions from my bill, the SafeGuarding America’s Skies Act. These provisions provide the Department of Homeland Security and Justice with the authority to use counterdrone technology to detect, monitor, and interdict drones that pose a threat to the safety and security of our country.

We must face the reality that drone technology is being exploited to advance crime and threaten our national security. Drones are used to smuggle illegal drugs across borders and contraband into prisons. On the other side of the globe, terrorist groups are using drones to attack U.S. forces and coalition partners.

Unfortunately, under current law, most Federal agencies are prohibited from engaging with drones due to various outdated laws. This legislation will provide our Federal law enforcement agencies with the tools necessary to protect U.S. citizens from criminal and nefarious acts. Our skies will be safer and our families will be safer.

Violence Against Women Act

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, the Department of Homeland Security announced a proposed rule change that would increase the number of immigrants considered a public charge.

This rule change is a dangerous departure from our current immigration policy. The administration is hurting immigrant families, including families that are U.S. citizens, by penalizing those who seek a green card or visa and use programs like SNAP, housing assistance, or Medicaid.

This rule has the potential to impact about 1.8 million Texas children whose parents may forego critical needs like food and health assistance for their families in fear that, if they use these programs, it will hinder their access to citizenship. This is another step by the Trump administration to restrict immigration into the country.

In Houston, we have a long history of immigrants and newcomers bringing innovation, entrepreneurship, and hard work. It is Houston what it is today. From the separation of our families at the southern border to punishing immigrant families for using programs they legally qualify for, I am deeply saddened by this administration’s constant disregard for the children and their families.

THE CRIB ACT

(Mr. JENKINS of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today in support of H.R. 6, which we are voting on here today. H.R. 6 includes my legislation, the Caring Recovery for Infants and Babies Act, known as the CRIB Act.

The most innocent victims of the opioid crisis are the precious newborn babies that were exposed to drugs during pregnancy. It simply breaks your heart.

Three years ago, I helped start Lilly’s Place in my hometown, a healthcare facility that has provided compassionate, loving healthcare to more than 5,000 newborn babies going through the ravages of withdrawal after birth. Passing the CRIB Act today will allow this one-of-a-kind program to be replicated around the country so every child gets the best possible chance for a healthy start in life.

Mr. Speaker, I encourage my fellow Members to vote “yes” on H.R. 6, the CRIB Act.

FLIGHT SECURITY BILL

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to applaud the House passage of the Flight Security Bill. I am delighted that the conference agreement includes provisions from my bill, the SafeGuarding America’s Skies Act. These provisions provide the Department of Homeland Security and Justice with the authority to use counterdrone technology to detect, monitor, and interdict drones that pose a threat to the safety and security of our country.

We must face the reality that drone technology is being exploited to advance crime and threaten our national security. Drones are used to smuggle illegal drugs across borders and contraband into prisons. On the other side of the globe, terrorist groups are using drones to attack U.S. forces and coalition partners.

Unfortunately, under current law, most Federal agencies are prohibited from engaging with drones due to various outdated laws. This legislation will provide our Federal law enforcement agencies with the tools necessary to protect U.S. citizens from criminal and nefarious acts. Our skies will be safer and our families will be safer.

VIOLENCE AGAINST WOMEN ACT

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to commend my colleagues on both sides of the aisle, as well as the many advocacy groups, health organizations, and constituents working with our offices, for ensuring the extension of the Violence Against Women Act, which authorizes the Department of Justice to provide protection for abused elderly and disabled women, helped to fight against sex trafficking, and addressed the rape kit backlog in many States.

Mr. Speaker, I look forward to working with my colleagues toward a long-term reauthorization of the Violence Against Women Act.

HEALTH EQUITY AND ACCESS FOR RETURNING TROOPS AND SERVICE MEMBERS ACT OF 2018

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce, the Committee on Ways and Means, and the Committee on Armed Services be discharged from further consideration of the bill (H.R. 6886) to amend title 10, United States Code, to modify the requirement for certain former members of the Armed Forces to enroll in Medicare Part B to be eligible for TRICARE for Life, and to amend title XVIII of the Social Security Act to provide for coverage of certain DNA specimen provenance assay tests under the Medicare program, 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 Texas?

There was no objection.

The text of the bill is as follows:

H.R. 6886
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 “Health Equity and Access for Returning Troops and Servicemembers Act of 2018” or the “HEARTS Act of 2018.”

SEC. 2. MODIFICATION OF REQUIREMENT FOR CERTAIN FORMER MEMBERS OF THE ARMED FORCES TO ENROLL IN MEDICARE PART B TO BE ELIGIBLE FOR TRICARE FOR LIFE.

(a) TRICARE ELIGIBILITY.

(1) IN GENERAL.—Subsection (d) of section 1086 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(A) The requirement in paragraph (2)(A) to enroll in a Medicare Part B medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) shall not apply to a person described in subparagraph (B) during any month in which such person is entitled to a benefit described in subparagraph (A) of section 226(b)(2) of the Social Security Act (42 U.S.C. 1395v(b)(2)) if such person has received the counseling and information under subparagraph (C).
“(B) A person described in this subparagraph is a person—

“(i) who is under 65 years of age;

“(ii) who is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act; and

“(iii) who is receiving benefits for 24 months as described in subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)); and

“(C) Each such entitlement, if enrolled, is no longer enrolled in TRICARE Standard, TRICARE Prime, TRICARE Extra, or TRICARE Select under chapter 55 of title 10, United States Code.

“(d) Deposit of Savings into Medicare Improvement Fund.—Section 1888(b)(1) of the Social Security Act (42 U.S.C. 1395jjj(b)(1)) is amended by striking “during and after fiscal year 2021,” and inserting “during and after fiscal year 2023.”

“(e) Application.—The amendments made by subsections (a) and (b) shall apply with respect to a person who, on or after October 1, 2024, is enrolled under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), as added by subsection (a).”.

(2) Conforming Amendment.—Paragraph (2)(A) of such section is amended by striking “is enrolled” and inserting “except as provided by paragraph (6), is enrolled”.

(3) Identification of Persons.—Section 1110a of such title is amended by adding at the end the following new subsection:

“(c) Certain Individuals Not Required To Enroll in Medicare Part B.—In carrying out subsection (a), the Secretary of Defense shall consult with the Secretary of Health and Human Services and the Commissioner of Social Security to—

“(i) identify persons described in subparagraph (A) of such section who are not enrolled in the supplementary medical insurance program under part B of title XVIII of the Social Security Act.

“(ii) with respect to a person who—

“(A) is retired from the Armed Forces;

“(B) are entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) by virtue of subsection (a) of such title; and

“(C) who is entitled to TRICARE Prime, TRICARE Extra, or TRICARE Select under chapter 55 of title 10, United States Code.

“(3) DNA Match Review.—

“(A) In General.—The Secretary shall review at least three claims under part B for prostate cancer DNA Specimen Provenance Assay tests to identify whether the DNA of the prostate biopsy specimens match the DNA of the individuals diagnosed with prostate cancer.

“(B) Posting on Internet Website.—Not later than July 1, 2023, the Secretary shall post on the Internet website of the Centers for Medicare & Medicaid Services the findings of the review conducted under subparagraph (A).

“SEC. 2. MODIFICATION OF REQUIREMENT FOR CERTAIN FORMER MEMBERS OF THE ARMED FORCES TO ENROLL IN MEDICARE PART B TO BE ELIGIBLE FOR TRICARE FOR LIFE.

“(a) TRICARE Eligibility.—

“(1) in general.—Subsection (d) of section 1066 of title 10, United States Code, is amended—

“(A) by striking the end of such subsection and inserting “except as provided by paragraph (6), is enrolled”.

“(B) by inserting before the semicolon at the end of such subsection—

“(i) the following: ‘‘(c) Certain Individuals Not Required To Enroll in Medicare Part B.—In carrying out subsection (a), the Secretary of Defense shall consult with the Secretary of Health and Human Services and the Commissioner of Social Security to—

“(i) identify persons described in subparagraph (A) of such section who are not enrolled in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.), as added by subsection (a).’’.

“(ii) the following: ‘‘(d) Deposit of Savings into Medicare Improvement Fund.—Section 1888(b)(1) of the Social Security Act (42 U.S.C. 1395jjj(b)(1)) is amended by striking “during and after fiscal year 2021,” and inserting “during and after fiscal year 2023.”’’.

“(C) by adding at the end the following new subsection:

“(1) PAYMENT FOR COVERED TESTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the amount for a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(jjj)) is increased, unless such test is furnished on or after January 1, 2020, and before January 1, 2025, and such test is ordered by the physician who furnished the previous biopsy that obtained the specimen tested.

“(B) Payment Amount and Related Requirements.—Section 1314 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(A) Prostate Cancer DNA Specimen Provenance Assay Test.—

“(1) PAYMENT FOR COVERED TESTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the amount for a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(jjj)) shall be $200. Such payment shall be paid for all of the specimens obtained from the biopsy furnished to an individual that were obtained from an individual, assesses the identity of the DNA in such specimens by comparing such DNA with the DNA that was separately taken from such individual at the time of the biopsy...

“(B) LIMITATION.—Payment for a DSPA test under paragraph (A) may only be made on an assignment-related basis.

“(C) Prohibition on Separate Payment.—No separate payment shall be made for obtaining the specimens taken from an individual at the time of a biopsy described in subparagraph (A).

“(2) HCPCS Code and Modifier Assignment.

“(A) IN GENERAL.—The Secretary shall assign one or more HCPCS codes to a prostate cancer DNA Specimen Provenance Assay test and may use a modifier to facilitate making payment under this section for such test.

“(B) Identification of DNA Match on Claim.—The Secretary shall require an indication on a claim for a prostate cancer DNA Specimen Provenance Assay test of whether the DNA of the prostate biopsy specimens match the DNA of the individuals diagnosed with prostate cancer.

“(C) DNA Match Review.—

“(A) IN GENERAL.—The Secretary shall review at least three claims under part B for prostate cancer DNA Specimen Provenance Assay tests to identify whether the DNA of the prostate biopsy specimens match the DNA of the individuals diagnosed with prostate cancer.

“(B) Posting on Internet Website.—Not later than July 1, 2023, the Secretary shall post on the Internet website of the Centers for Medicare & Medicaid Services the findings of the review conducted under subparagraph (A).”.

“AMENDMENT OFFERED BY MR. SAM JOHNSON OF TEXAS

Mr. SAM JOHNSON of Texas. Mr. Speaker, I have an amendment at the desk.

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

The Clerk read as follows:

Strike all after the enacting clause and insert the following:

“SEC. 1. SHORT TITLE.

This Act may be cited as the “Health Equity and Access for Returning Troops and Servicemembers Act of 2018” or the “HEARTS Act of 2018.”

“SEC. 2. MODIFICATION OF REQUIREMENT FOR CERTAIN FORMER MEMBERS OF THE ARMED FORCES TO ENROLL IN MEDICARE PART B TO BE ELIGIBLE FOR TRICARE FOR LIFE.

(a) TRICARE Eligibility.—

“(1) in general.—Subsection (d) of section 1066 of title 10, United States Code, is amended—

“(A) by striking the end of such subsection and inserting—

“(B) by inserting before the semicolon at the end of such subsection—

“(i) the following: ‘‘(c) Certain Individuals Not Required To Enroll in Medicare Part B.—In carrying out subsection (a), the Secretary of Defense shall consult with the Secretary of Health and Human Services and the Commissioner of Social Security to—

“(i) identify persons described in subparagraph (A) of such section who are not enrolled in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.), as added by subsection (a).’’.

“(ii) the following: ‘‘(d) Deposit of Savings into Medicare Improvement Fund.—Section 1888(b)(1) of the Social Security Act (42 U.S.C. 1395jjj(b)(1)) is amended by striking “during and after fiscal year 2021,” and inserting “during and after fiscal year 2023.”’’.

“(C) by adding at the end the following new subsection:

“(1) PAYMENT FOR COVERED TESTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the amount for a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(jjj)) shall be $200. Such payment shall be paid for all of the specimens obtained from the biopsy furnished to an individual that were obtained from an individual, assesses the identity of the DNA in such specimens by comparing such DNA with the DNA that was separately taken from such individual at the time of the biopsy...

“(B) LIMITATION.—Payment for a DSPA test under paragraph (A) may only be made on an assignment-related basis.

“(C) Prohibition on Separate Payment.—No separate payment shall be made for obtaining the specimens taken from an individual at the time of a biopsy described in subparagraph (A).

“(D) HCPCS Code and Modifier Assignment.

“(A) IN GENERAL.—The Secretary shall assign one or more HCPCS codes to a prostate cancer DNA Specimen Provenance Assay test and may use a modifier to facilitate making payment under this section for such test.

“(B) Identification of DNA Match on Claim.—The Secretary shall require an indication on a claim for a prostate cancer DNA Specimen Provenance Assay test of whether the DNA of the prostate biopsy specimens match the DNA of the individuals diagnosed with prostate cancer.

“(C) DNA Match Review.—

“(A) IN GENERAL.—The Secretary shall review at least three claims under part B for prostate cancer DNA Specimen Provenance Assay tests to identify whether the DNA of the prostate biopsy specimens match the DNA of the individuals diagnosed with prostate cancer.

“(B) Posting on Internet Website.—Not later than July 1, 2023, the Secretary shall post on the Internet website of the Centers for Medicare & Medicaid Services the findings of the review conducted under subparagraph (A).”.
“(d) DEPOSIT OF SAVINGS INTO MEDICARE.—The savings that would otherwise be deposited into the Medicare Trust Funds under section 1802(h) of the Social Security Act (42 U.S.C. 1395w(h)) shall be deposited into the Physician Fee Schedule Trust Fund established by subsection (b).”.

(b) NON-APPLICATION OF MEDICARE PART B LIMITATION.—Section 183(a)(1) of the Social Security Act (42 U.S.C. 1320c-5(a)(1)) is amended by striking “during and after fiscal year 2021, $0” and inserting “during and after fiscal year 2024, $5,000,000.”.

(c) COST-SHARING.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

(1) by striking “(and)” and inserting “(BB)”;

(2) by inserting “(BB) prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in subsection (j));” and

(3) by adding at the end the following new subparagraph:

“(BB) prostate cancer DNA Specimen Provenance Assay test.—The term ‘prostate cancer DNA Specimen Provenance Assay test’ (DSPA test) (as defined in subsection (j)) means a test that, after a determination of cancer in one or more prostate biopsy specimens obtained from an individual at the time of the biopsy, compares DNA from the individual to the DNA in such specimens by comparing such DNA with the DNA that was separately taken from such individual at the time of the biopsy.”.

The amendment was agreed to.

Mr. SAM JOHNSON of Texas (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and passed, and a motion to reconsider was laid on the table.

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent to dispense with the reading of the bill.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and passed, and a motion to reconsider was laid on the table.

Mr. SPEAKER pro tempore. Is there objection to the gentleman from Texas?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and passed, and a motion to reconsider was laid on the table.

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent to dispense with the reading of the bill.

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Mr. SPEAKER pro tempore. Is there objection to the gentleman from Texas?

There was no objection.

The amendment was agreed to.

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Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and passed, and a motion to reconsider was laid on the table.

Mr. SPEAKER pro tempore. Is there objection to the gentleman from Texas?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and passed, and a motion to reconsider was laid on the table.

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore. Is there objection to the gentleman from Texas?
Sec. 111. Deduction for qualified business income.

Sec. 101. Modification of rates.

Sec. 112. Limitation on losses for taxpayers other than corporations.

Subtitle C—Tax Benefits for Families and Individuals

Sec. 121. Increase in standard deduction.

**If taxable income is:**

- Not over $19,050
- Over $19,050 but not over $37,650
- Over $37,650 but not over $67,000
- Over $67,000 but not over $125,000
- Over $125,000 but not over $200,000
- Over $200,000 but not over $300,000
- Over $300,000 but not over $400,000
- Over $400,000 but not over $600,000
- Over $600,000

**If taxable income is:**

- Not over $13,600
- Over $13,600 but not over $51,800
- Over $51,800 but not over $82,500
- Over $82,500 but not over $157,500
- Over $157,500 but not over $200,000
- Over $200,000 but not over $300,000
- Over $300,000 but not over $500,000
- Over $500,000

**If taxable income is:**

- Not over $9,525
- Over $9,525 but not over $38,700
- Over $38,700 but not over $82,500
- Over $82,500 but not over $157,500
- Over $157,500 but not over $200,000
- Over $200,000 but not over $300,000
- Over $300,000 but not over $500,000
- Over $500,000

**If taxable income is:**

- Not over $2,550
- Over $2,550 but not over $9,150
- Over $9,150 but not over $12,300
- Over $12,300

**If inflation adjustments:**

- By striking “1993” in paragraph (1) and inserting “2018”.
- By amending paragraph (2)(A) to read as follows:

  “(A) by increasing the minimum and maximum dollar amounts for each bracket for which a tax is imposed under such table by the cost-of-living adjustment for such calendar year determined under this subsection for such calendar year by substituting ‘2017’ for ‘2016’ in paragraph (3)(A)(ii),”.

(c) UNMARRIED INDIVIDUALS OTHER THAN SURVIVING SPOUSES AND HEADS OF HOUSEHOLD.—Section 1(c) is amended by striking the table and inserting the following:

**If taxable income is:**

- Not over $5,090
- Over $5,090 but not over $12,380
- Over $12,380 but not over $18,900
- Over $18,900 but not over $30,700
- Over $30,700 but not over $51,800
- Over $51,800 but not over $82,500
- Over $82,500 but not over $157,500
- Over $157,500 but not over $200,000
- Over $200,000 but not over $300,000
- Over $300,000 but not over $500,000
- Over $500,000

(d) MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—Section 1(d) is amended by striking the table and inserting the following:

**If taxable income is:**

- Not over $2,550
- Over $2,550 but not over $9,150
- Over $9,150 but not over $12,300
- Over $12,300

(e) ESTATES AND TRUSTS.—Section 1(e) is amended by striking the table and inserting the following:

**If taxable income is:**

- Not over $1,075
- Over $1,075 but not over $2,550
- Over $2,550 but not over $5,090
- Over $5,090 but not over $12,380
- Over $12,380 but not over $18,900
- Over $18,900 but not over $30,700
- Over $30,700 but not over $51,800
- Over $51,800 but not over $82,500
- Over $82,500 but not over $157,500
- Over $157,500 but not over $200,000
- Over $200,000 but not over $300,000
- Over $300,000 but not over $500,000
- Over $500,000
"(B) SPECIAL RULE.—In the case of a table prescribed in lieu of the table contained in subsection (b), (c), or (d), subparagraph (A)”,

(4) by striking paragraph (8), and

(5) by striking “(except under subsection (a)”) and inserting “(except under subsection (a) and (i))”.

"(c) IN GENERAL.—In the case of any child to whom subsection (a) applies—

(A) MODIFICATIONS TO APPLICABLE RATE BRACKETS.—In determining the amount of tax imposed by this section for the taxable year on such child—

(i) the maximum zero rate amount shall not be more than the sum of—

(I) the earned taxable income of such child, plus

(II) the minimum taxable income for the 24-percent bracket in the table under subsection (e) (as adjusted under subsection (j)) for the taxable year,

(ii) the maximum zero rate amount shall not be more than the sum of—

(I) the earned taxable income of such child, plus

(II) the minimum taxable income for the 35-percent bracket in the table under subsection (e) (as adjusted under subsection (j)) for the taxable year,

(III) 1256(e)(3) are each amended by striking “section 461(k)(2)(E)”. 

(B) COORDINATION WITH CAPITAL GAINS RATES.—For purposes of applying section 1(h)—

(i) the maximum zero rate amount shall not be more than the sum of—

(I) the earned taxable income of such child, plus

(II) the amount in effect under subsection (h)(12)(D) for the taxable year.

(2) EARNED TAXABLE INCOME.—Section 1(g)(3) is amended to read as follows:

“(3) EARNED TAXABLE INCOME.—For purposes of this subsection, the term ‘earned taxable income’ means, with respect to any child for any taxable year, the taxable income of such child reduced (but not below zero) by the net unearned income of such child.

(2) FILING AMENDMENT.—So much of paragraph (5) of section 1(g) as precedes sub-subsection (A) thereof is amended to read as follows:

“(5) SPECIAL RULES FOR DETERMINING PARENT ELIGIBLE TO MAKE ELECTION.—For purposes of paragraph (7), the parent referred to in subparagraph (a) shall be treated as the parent of the child for purposes of this section.

(h) APPLICATION OF INCOME TAX BRACKETS TO CAPITAL GAINS BRACKETS.—Section 1(h) is amended—

(1) in paragraph (1)(B)(i), by striking “25 percent” and inserting “22 percent”,

(2) in paragraph (1)(C)(iii)(I), by striking “which would (without regard to this paragraph) be subject to a rate below 29.6 percent” and inserting “below the maximum 15-percent rate amount,” and

(3) by adding at the end the following new paragraphs:

“(12) MAXIMUM 15-PERCENT RATE AMOUNT DEFINED.—For purposes of this subsection, the maximum 15-percent rate amount shall be—

(A) in the case of a joint return or surviving spouse (as defined in section 2(b)), $479,000 (1/2 such amount in the case of a married individual filing a separate return),

(B) in the case of an individual who is the head of a household (as defined in section 2(b)), $452,000,

(C) in the case of any other individual (other than an estate or trust), $425,800, and

(D) in the case of an estate or trust, $12,700.

(13) DEPLOYED MILITARY PERSONNEL.—For purposes of—

(A) the earned taxable income of such child, plus

(B) the cost-of-living adjustment determined under subsection (f) for the calendar year in which the taxable year begins, determined by substituting ‘calender year 2017’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

Title II—Individuals

SEC. 111. DEDUCTION FOR QUALIFIED BUSINESS INCOME OF Pass-thru Entities

SEC. 111. DEDUCTION FOR QUALIFIED BUSINESS INCOME.

(a) IN GENERAL.—Section 199A is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 112. LIMITATION ON LOSSES FOR TAXPAYERS OTHER THAN CORPORATIONS.

(a) IN GENERAL.—Section 461 is amended—

(1) by amending subsection (I)(i) to read as follows:

“(I) LIMITATION.—In the case of a taxpayer other than a corporation, any excess business loss of the taxpayer for the taxable year shall not be allowed.”.

(2) by striking subsection (j) and redesignating subsections (k) and (l) (as amended) as subsections (j) and (l), respectively.

(b) CONFORMING AMENDMENTS.—

(1) Section 58(a)(2)(A) is amended by striking “(k)” and inserting “(k)”.

(2) Section 6013(c) is amended by striking “section 6013(c)”. 

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.
(c) QUALIFYING CHILD; QUALIFYING DEPENDENT.—For purposes of this section—

(1) QUALIFYING CHILD.—The term ‘qualifying child’ means any qualifying dependent of the taxpayer, except as provided in subparagraph (A).

(A) who is a qualifying child (as defined in section 7706(c)) of the taxpayer.

(B) who has attained age 17 at the close of the calendar year in which the taxable year of the taxpayer begins, and

(C) whose name and social security number are included on the taxpayer’s return of tax for the taxable year.

(2) QUALIFYING DEPENDENT.—The term ‘qualifying dependent’ means any dependent of the taxpayer (as defined in section 7706) without regard to all that follows ‘resident of the United States’ in section 7706(b)(3)(A) whose name and TIN are included on the taxpayer’s return for tax for the taxable year.

(3) SOCIAL SECURITY NUMBER DEFINED.—For purposes of this subsection, the term ‘social security number’ means—

(A) a citizen of the United States or pursuant to section 201(e) thereof.

(B) the dollar amount in effect under section 151(d) after the application of subparagraph (A) for such year, reduced by the aggregate amount of contributions allowable under subparagraph (A) for such taxpayer for such year.

(ii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitations of section 213, such excess shall be treated (in a manner consistent with the rules of subsection (d)(1)) as a charitable contribution to which clause (i) applies in each of the 5 succeeding years in order of time.

(b) COORDINATION WITH LIMITATIONS ON OTHER CONTRIBUTIONS.—

(1) COORDINATION WITH 36 PERCENT LIMITATION.—Section 170(b)(1)(B) is amended—

(A) in the matter preceding clause (i), by striking “(ii) without regard to subsection (a)(2),” and inserting “(ii) without regard to subsection (a)(2), and (B) by striking clause (ii) to read as follows:

(iii) the excess of—

(I) the sum of the 50 percent of the taxpayer’s contribution’s base for the taxable year, plus so much of the amount of charitable contributions allowable under subparagraph (G) as does not exceed 10 percent of such contributions, over

(II) the amount of charitable contributions allowable under subparagraphs (A) and (G) determined without regard to subparagraph (C), and

(C) in the matter following clause (ii), by striking “to which subparagraph (A) or (G) applies”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 124. INCREASED CONTRIBUTIONS TO ABLE ACCOUNTS.

(a) INCREASE IN LIMITATION FOR CONTRIBUTIONS FROM COMPENSATION OF INDIVIDUALS WITH DISABILITIES.—Section 529(b)(1)(B) is amended—

(A) by striking ‘‘before January 1, 2026’’.

(B) by amending clause (ii) to read as follows:

(iii) the excess of—

(I) the sum of the 50 percent of the taxpayer’s contribution’s base for the taxable year, plus so much of the amount of charitable contributions allowable under subparagraph (G) as does not exceed 10 percent of such contributions, over

(II) the amount of charitable contributions allowable under subparagraphs (A) and (G) determined without regard to subparagraph (C), and

(C) in the matter following clause (ii), by striking “to which subparagraph (A) or (G) applies”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2017.

SEC. 125. ROLLOVERS TO ABLE PROGRAMS FROM 529 PROGRAMS.

(a) IN GENERAL.—Section 529(c)(3)(C)(i)(II) is amended by striking ‘‘before January 1, 2026’’.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2017.

SEC. 126. TREATMENT OF CERTAIN INDIVIDUALS PERFORMING SERVICES IN THE SINAI PENINSULA OF EGYPT.

(a) IN GENERAL.—Section 112(c)(2) is amended—

(1) by striking “means any area” and inserting “means—

(A) any area, and

(2) by striking the period at the end and inserting “only if—

(B) the Sinai Peninsula of Egypt.’’.

(b) PERIOD OF TREATMENT.—Section 112(c)(3) is amended—

(1) by striking “only if performed” and inserting “only if—

(A) in the case of an area described in paragraph (2)(A), such service is performed, and

(B) by striking the period at the end and inserting “only if—

(B) in the case of an area described in paragraph (2)(B), such service is performed during any period with respect to which one or more members of the Armed Forces of the United States are entitled to special pay under section 310 of title 37, United States Code (relating to special pay; duty subject to hostile fire or imminent danger), for service performed in such area.’’.

(c) CONFORMING AMENDMENT.—The Tax Cuts and Jobs Act is amended by striking section 100103.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to services performed on or after the date of the enactment of this Act.

SEC. 127. EXTENSION OF REDUCTION IN THRESHOLD FOR MEDICAL EXPENSE DEDUCTION.

(a) IN GENERAL.—Section 213(a) is amended by inserting “(7.5 percent in the case of any taxable year beginning after December 31, 2015, and ending before January 1, 2021)” after “10 percent”.

(b) CONFORMING AMENDMENTS.—

(1) Section 26(b)(1) is amended by striking subparagraph (B) and redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively.

(2) Section 213 is amended by striking subsection (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2018.

Subtitle D—Education

SEC. 131. TREATMENT OF STUDENT LOANS DISCHARGED ON ACCOUNT OF DEATH OR DISABILITY.

(a) IN GENERAL.—Section 108(1)(5) is amended by striking “after December 31, 2017, and before January 1, 2026’’.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of indebtedness after December 31, 2018.

Subtitle E—Deductions and Exclusions

SEC. 141. REPEAL OF DEDUCTION FOR PERSONAL EXEMPTIONS.

(a) IN GENERAL.—Part V of subchapter B of chapter 1 is hereby repealed.

(b) DEFINITION OF DEPENDENT RETAINED.—Section 152, prior to the repeal made by subsection (a), is hereby redesignated as section 152 and moved to the end of chapter 79.

(c) APPLICATION TO TRUSTS AND ESTATES.—Section 642(b) is amended—

(1) in paragraph (1)(A)(i) by striking “(i)” and inserting “(i)”; (ii) by striking the reference to section 7703 and moving to the end of chapter 79.

(d) APPLICATION TO NONRESIDENT ALIENS.—Section 872(b) is amended by striking paragraph (3).

(e) MODIFICATION OF RETURN REQUIREMENT.—

(1) IN GENERAL.—Section 6012(a)(1) is amended to read as follows—

(i) Every individual who has gross income for the taxable year, except that a return shall not be required of—

(A) an individual who is not married (determined by applying section 7703) and who has gross income for the taxable year which does not exceed the standard deduction allowable to such individual for such taxable year under section 63, or

(B) an individual entitled to make a joint return,

(ii) the gross income of such individual, when combined with the gross income of such individual’s spouse, for the taxable year does not exceed the standard deduction which would be allowable to such individual and such individual’s spouse made a joint return,
“(ii) such individual’s spouse does not make a separate return, and

“(iii) neither such individual nor such individual’s spouse is an individual described in section 151(d)(4) (other than earned income) in excess of the amount in effect under section 63(c)(4)(A).”.

(2) BANKRUPTCY PROCEEDINGS.—Section 6012(b)(8) is amended by striking “the sum of the exemption amount plus the basic standard deduction under section 63(c)(2)(C)” and inserting “the standard deduction in effect under section 63(c)(4)”. 

(3) CONFORMING AMENDMENTS.—Section 6012 is amended by striking subsection (f).

(4) CONFORMING AMENDMENTS.—

(1) Section 1(e)(7), as amended by section 121, is amended—

(A) by striking “section 65(b)(2) or section 151(d)(4)” in subparagraph (A) and inserting “or section 65(b)(2)” and

(B) by striking “(other than with respect to section 151(c)(4)(A))” in subparagraph (B).

(2) Section 1(g)(5)(A) is amended by striking “section 152(e)” and inserting “section 7706(e)”.

(3) Section 2(a)(1)(B) is amended—

(A) by striking “section 152” and inserting “section 7706”, and

(B) by striking “with respect to whom the taxpayer is entitled to a deduction under section 151” and inserting “If an individual is allowed to another taxpayer”. 

(4) Section 2(b)(1)(A) is amended—

(i) by striking “section 152(c)” and inserting “section 7706(c)”, and

(ii) by striking “section 152(e)” and inserting “section 7706(e)”;

(5) Section 2(b)(1)(A)(iii) is amended by striking “if the taxpayer is entitled to a deduction under section 151” and adding “who is a dependent of another taxpayer”.

(6) Section 2(b)(1)(B) is amended by striking “the taxpayer included such person’s TIN on the return of tax for the taxable year”.

(7) Section 2(b)(1)(B) is amended—

(A) by striking “section 152(d)” in clause (i) and inserting “section 7706(d)(2)”, and

(B) by striking “section 152(d)” in clause (ii) and inserting “section 7706(d)(2)”.

(8) Section 2(b)(1)(C) is amended by striking “section 152(a)(1)” and inserting “section 7706(a)(1)”.

(9) Section 2(b)(1)(B) is amended by striking “section 152” and inserting “section 7706”.

(10) Section 2(e)(5)(A) is amended by striking “section 152(e)” and inserting “section 7706(e)”. 

(11) Section 2(e)(5) is amended by striking “section 152(e)(4)(A)” in the matter following subparagraph (B) and inserting “section 7706(e)(4)(A)”.

(12) Section 2(e)(6)(A) is amended to read as follows:

“(A) who is a dependent of either the taxpayer or the taxpayer’s spouse for the taxable year, or

“(B) who is a dependent of the taxpayer and the taxpayer’s spouse filed a joint return of tax for the taxable year,”.

(13) Section 2(e)(6)(B) is amended by striking “section 152(1)” and inserting “section 7706(1)”.

(14) Section 25A(f)(1)(A)(iii) is amended by striking “with respect to whom the taxpayer is allowed a deduction under section 151”.

(15) Section 25A(f)(1)(C) is amended by striking “If a deduction under section 151 with respect to an individual is allowed to another taxpayer” and inserting “If an individual is a dependent of another taxpayer”.

(16) Section 25B(c)(2)(A) is amended by striking “any individual with respect to whom a deduction under section 151 is allowed to another taxpayer” and inserting “any individual who is a dependent of another taxpayer”.

(17) Section 25B(b)(2)(B) is amended by striking “section 152(1)” and inserting “section 7706(1)”. 

(18) Section 32(c)(1)(A)(iv)(II) is amended by striking “a dependent for whom a deduction is allowable to” and inserting “a dependent of another taxpayer”.

(19) Section 32(c)(3) is amended—

(A) in subparagraph (A)—

(i) by striking “section 152(c)” and inserting “section 7706(c)”, and

(ii) by striking “section 152(e)” and inserting “section 7706(e)”,

(B) in subparagraph (B), by striking “unless the taxpayer is entitled to a deduction under section 151 for such taxable year with respect to each such individual (or would be so entitled but for section 152)” and inserting “if such individual is not treated as a dependent of such taxpayer for such taxable year by reason of section 7706(b)(2)(B) (determined without regard to section 7706(b)(3))”, and

(C) in subparagraph (C), by striking “section 152(1)(B)” and inserting “section 7706(1)(B)”;

(20) Section 35(d)(1)(B) is amended by striking “with respect to whom the taxpayer is entitled to a deduction under section 151” and adding “who is a dependent of another taxpayer”.

(21) Section 35(d)(2) is amended—

(A) by striking “section 152(e)” and inserting “section 7706(e)”.

(B) by striking “section 152(e)(4)”, and inserting “section 7706(e)(4)”,

(22) Section 36(b)(2)(A) is amended by striking “section 152” and inserting “section 7706”.

(23) Section 36(b)(3)(B) is amended by striking “section 152(d)” and inserting “section 7706(d)(2)”, and

(B) by striking “section 152(e)”, and inserting “section 7706(e)”,

(24) Section 36(b)(4)(A) is amended by striking “section 152(e)”, and inserting “section 7706(e)”;

(25) Section 36(b)(4)(A) is amended by striking “section 152(e)”, and inserting “section 7706(e)”;

(26) Section 36(b)(4)(B) is amended by striking “section 152(e)”, and inserting “section 7706(e)”;

(27) Section 36(b)(4)(C) is amended by striking “section 152(e)”, and inserting “section 7706(e)”; and

(28) Section 36(b)(4)(D) is amended—

(A) by striking “section 152(d)” and inserting “section 7706(d)(2)”, and

(B) by striking “section 152(1)” and inserting “section 7706(1)”. 

(29) Section 51(c)(1) is amended—

(A) by striking “section 152(d)” and inserting “section 7706(d)(2)”, and

(B) by striking “section 152(1)” and inserting “section 7706(1)”. 

(30) Section 56(b)(1)(D) is amended by striking the preceding provisions of this Act, and amending—

(A) by striking “section 7706(d)(2)” and inserting “section 7706(d)(2)”, and

(B) by striking “section 7706(1)” and inserting “section 7706(1)”. 

(31) Section 63(c)(4), as redesignated, is amended—

(A) by striking “with respect to whom a deduction under section 151 is allowable to” and inserting “who is a dependent of”, and

(B) by striking “CERTAIN” in the heading thereof.

(32) Section 63(d) is amended by adding “and” at the end of paragraph (1), by striking paragraph (2), and by redesignating paragraph (3) as paragraph (2).

(33) Section 63(i) is amended by striking all that precedes paragraph (3) and inserting the following:

“(b) ADDITIONAL STANDARD DEDUCTION FOR THE AGED AND BLIND.—

“(1) IN GENERAL.—For purposes of subsection (c)(1), the additional standard deduction shall be determined in the same manner as if such individual and such individual’s spouse filed a joint return.”

(34) Section 63(f)(3) is amended by striking paragraphs (1) and (2), and inserting “subparagraphs (A) and (B) of paragraph (1)”, and

(35) Section 72(t)(7)(H) is amended by striking “section 152” and inserting “section 7706”. 

(36) Section 72(t)(7)(H) is amended by striking “section 152” and inserting “section 7706”. 

(37) Section 72(t)(7)(H) is amended by striking “section 152” and inserting “section 7706”. 

(38) Section 105(b)(3)(A) is amended by striking “section 152(1)” and inserting “section 7706(1)”. 

(39) Section 105(b) is amended—

(A) by striking “as defined in section 152” and inserting “as defined in section 7706”, and

(B) by striking “section 152(f)(1)” and inserting “section 7706(f)(1)”. 

(40) Section 105(b)(1) is amended by striking “section 152” and inserting “section 7706”. 

(41) Section 125(d)(1) is amended by striking “section 152” and inserting “section 7706”. 

(42) Section 129(c)(1) is amended to read as follows:

“(i) who is a dependent of such employee or of such employee’s spouse, or

“(ii) who is a dependent of such employee or of such employee’s spouse.”

(43) Section 132(h)(2)(B) is amended—

(A) by striking “section 152(1)” and inserting “section 7706(1)”, and
"(B) by striking “section 152(e)” and inserting “section 7706(e)”.
(55) Section 220(b)(6) is amended by striking “with respect to whom a deduction under section 151 is allowable to” and inserting “who is a dependent of”.
(56) Section 223(d)(2)(A) is amended by striking “section 152” and inserting “section 7706”.
(57) Section 222(c)(3) is amended by striking “with respect to whom a deduction under section 151 is allowable to” and inserting “who is a dependent of”.
(58) Section 223(b)(6) is amended by striking “with respect to whom a deduction under section 151 is allowable to” and inserting “who is a dependent of”.
(59) Section 223(d)(2)(A) is amended by striking “section 152” and inserting “section 7706”.
(60) Section 401(h) is amended by striking “the basic standard deduction (as defined in section 642(b).'’.
(61) Section 402(l)(4)(D) is amended by striking “section 152(f)(2)’’.
(63) Section 401(h) is amended by striking “section 152(f)(1)(C)’’ and inserting “section 7706(f)(1)”.
(64) Section 402(l)(4)(D) is amended by striking “section 152(f)(2)’’.
(65) Section 409A(a)(2)(B)(ii)(I) is amended by striking “section 152(f)(1)(B)’’ and inserting “section 7706(f)(1)”.
(66) Section 220(d)(2)(A) is amended by striking “section 152” and inserting “section 7706”.
(67) Section 220(d)(2)(A) is amended by striking “section 152” and inserting “section 7706”.
(68) Section 500A(c)(4)(A) is amended by striking “section 152” and inserting “section 7706”.
(69) Section 529(e)(2)(B) is amended by striking “section 152” and inserting “section 7706”.
(70) Section 529(e)(2)(B) is amended by striking “section 152” and inserting “section 7706”.
(71) Section 901 is amended by striking “under section 151” and “(1) DEDUCTION FOR ESTATES AND TRUSTS.—For purposes of subsection (a), the taxable income of an estate or trust shall be computed without any deduction under section 642(b).’’.
(72) Section 921(b)(1) is amended to read as follows: “(1) any deduction from gross income, or’’. (73) Section 139D(c)(5) is amended by striking “section 152(e)” and inserting “section 7706(e)”.
(74) Section 139E(c)(2) is amended by striking “section 152(d)(2)” and inserting “section 7706(d)(2)”.
(75) Section 170(g)(1) is amended by striking “section 152” and inserting “section 7706”.
(76) Section 170(g)(3) is amended by striking “section 152(d)(2)” and inserting “section 7706(d)(2)”.
(77) Section 172(d) is amended by striking paragraph (3).
(78) Section 213(a) is amended by striking “section 152” and inserting “section 7706”.
(79) Section 213(d)(5) is amended by striking “section 152(e)” and inserting “section 7706(e)”.
(80) Section 213(d)(11) is amended by striking “section 152(d)(2)” in the matter following subparagraph (B) and inserting “section 7706(d)(2)”.
(81) Section 226(b)(6) is amended by striking “with respect to whom a deduction under section 151 is allowable to” and inserting “who is a dependent of”.
(82) Section 226(c)(9) is amended by striking “section 152” and inserting “section 7706”.
(83) Section 441(f)(2)(B)(iii) is amended by striking “BASIC DEDUCTION’’ and inserting “BASIC DEDUCTION’’.
(84) Section 6014(a) is amended by striking “section 152” and inserting “section 7706”.
(85) Section 6014(a) is amended by striking “section 152” and inserting “section 7706”.
(86) Section 6014(a) is amended by striking “section 152” and inserting “section 7706”.
(87) Section 6213(g)(2)(H) is amended by striking “The preceding sentence’’ and inserting the following: “The preceding sentence shall apply to taxable years beginning after December 31, 2017.”
(88) Section 7702B(b)(2)(C)(iii) is amended by striking “section 152(d)(2)” and inserting “section 7706(d)(2)”.
(89) Section 7703(a) is amended by striking “part V of chapter B of chapter 1” and “and paragraph (4)”.
(90) Section 7706(a), as redesignated by this section, is amended by striking “(b) the cost-of-living adjustment determined under section 1(c)(2)(A) for the calendar year in which such taxable year begins, determined by substituting ‘calendar year 2017’ for ‘calendar year 2016’ in clause (i)” and (91) Section 7706(d), as redesignated by this section, is amended by adding at the end the following new paragraph:
(92) Section 7706(d), as redesignated by this section, is amended by striking “the tax as determined under this subtitle’’ and inserting “(B) by striking paragraph (4).”.
(93) Section 7706(d) is amended by striking the item relating to “subpart C” and (94) Section 7706(e)(3), as redesignated by this section, is amended by inserting “as in effect before its repeal” after “section 151”. (95) Section 7706(e)(3), as redesignated by this section, is amended by striking clause (i) and designating clauses (ii), (iii), and (iv) as clauses (i), (ii), and (iii), respectively.
(96) The table of contents for subchapter B of chapter 1 is amended by striking the item relating to part V.
(97) The table of sections for chapter 79 is amended by adding at the end the following new item: “Sec. 7706. Dependent defined.”.
(98) The effective date of this section shall apply to taxable years beginning after December 31, 2017.

SEC. 142. LIMITATION ON DEDUCTION FOR STATE AND LOCAL, ETC. TAXES.
(a) IN GENERAL.—Section 642(c) is amended by striking all that precedes “The preceding sentence” and inserting the following: “(6) LIMITATION ON INDIVIDUAL DEDUCTIONS.—In the case of an individual—
(1) no deduction shall be allowed under this chapter for foreign real property taxes paid or accrued during the taxable year; and
(2) the aggregate amount of the deduction allowed under this chapter for taxes described in paragraphs (1), (2), and (3) of subsection (a) of this section shall be reduced by the amount of any foreign income tax prepaid on the income taxed under this chapter for which the levy occurs. In the case of a married individual filing a separate return,”.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.
SEC. 143. LIMITATION ON DEDUCTION FOR QUALIFIED RESIDENCE INTEREST.
(a) INTEREST ON HOME EQUITY INDEBTEDNESS.—Subsection (A) is amended by striking “during the taxable year on” and all that follows through “residence of the taxpayer,” and inserting “during the taxable year on acquisition indebtedness with respect to any qualified residence of the taxpayer.”
(b) LIMITATION ON ACQUISITION INDEBTEDNESS.—Section 163(h)(3)(B)(ii) is amended to read as follows:
(ii) LIMITATION.—The aggregate amount treated as acquisition indebtedness for any period shall not exceed the amount of the refinanced indebtedness resulting from such refinancing for purposes of this subparagraph as in effect on the date which is 30 years after the date of such 1st refinancing of such indebtedness (or if earlier, the date the original indebtedness or, if the principal of such refinanced indebtedness is not paid in full until after December 31, 2017, the date of such refinancing).''.
(c) TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE DECEMBER 15, 2017.—Section 163(h)(3)(C) is amended to read as follows:
(C) TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE DECEMBER 15, 2017.—
(I) IN GENERAL.—In the case of any pre-December 15, 1987, indebtedness, subparagraph (B)(ii) shall not apply and the aggregate amount of such indebtedness treated as acquisition indebtedness for any period shall not exceed the outstanding pre-October 13, 1987, indebtedness (as defined in subparagraph (D)) plus the aggregate outstanding pre-December 15, 1977, indebtedness (as defined in subparagraph (C)).''.
(ii) PRE-DECEMBER 15, 1977, INDEBTEDNESS.—For purposes of subparagraph (C):
(II) BINDING WRITTEN CONTRACT EXCLUSION.—In the case of a taxpayer who enters into a written binding contract before December 15, 2017, to close on the purchase of a principal residence before January 1, 2018, and who purchases such residence before April 1, 2018, the term ‘pre-December 15, 1977, indebtedness’ shall include indebtedness secured by such residence.
(III) REFINANCING INDEBTEDNESS.—In the case of any indebtedness incurred to refinance indebtedness, such refinanced indebtedness shall be treated for purposes of this subparagraph as incurred on the date that the original indebtedness was still outstanding except that the amount of the refinanced indebtedness resulting from such refinancing does not exceed the amount of the refinanced indebtedness.
(IV) LIMITATION ON PERIOD OF REFINANCING.—Subclause (I) shall not apply to any indebtedness after the expiration of the term of the original indebtedness or, if the principal of such original indebtedness is not amortized over its term, the expiration of the term of the 1st refinancing of such indebtedness (or if earlier, the date which is 30 years after the date of such 1st refinancing).”.
(d) COORDINATION WITH TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE OCTOBER 13, 1987.—Section 163(h)(3)(D) is amended—
(1) by striking clause (ii) and redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively;
(2) in clause (iii) as so redesignated—
(A) by striking “clause (ii)” in the matter preceding subclause (I) and inserting “clause (ii)”, and
(B) by striking “clause (iii)(I)” in subclauses (I) and (II) and inserting “clause (ii)”; and
(3) by striking “title”.
(e) WITH EXCLUSION OF INCOME FROM DISCHARGE OF INDEBTEDNESS.—Section 108(h)(2) is amended by striking “$1,000,000 ($300,000)” and inserting “$750,000 ($275,000)”.
(f) AMENDMENTS.—Section 163(h)(3)(E) is amended by striking subparagraph (F).
(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 144. MODIFICATION OF DEDUCTION FOR QUALIFIED RESIDENCE INVENTORY LOSSES.
(a) IN GENERAL.—Section 165(h)(5)(A) is amended by striking “in a taxable year beginning after December 31, 2017.”
(b) CONFORMING AMENDMENTS.—
(1) Section 1(f)(7)(A), as amended by section 121(b)(2), is amended by striking “or section 68(b)(2)”.
(2) Section 56(b)(1), as amended by the preceding provisions of this Act, is amended by striking subparagraph (A)(ii) and inserting “as determined under section 68(b)(3)”.
(3) Section 164(b)(5)(H)(ii)(III) is amended by striking “(as determined under section 68(b)(5))”.
(4) Section 164(b)(5)(H)(ii) is amended by adding at the end the following new paragraph:
“(iii) APPLICABLE AMOUNT DEFINED.—For purposes of clause (ii), the term ‘applicable amount’ means—
(A) 50% of $300,000 in the case of a joint return or a surviving spouse,
(B) 275,000 in the case of a head of household,
(C) 137,500 in the case of a married individual who is not married and who is not a surviving spouse or head of household, and
(D) 50% of the amount applicable under subparagraph (i) of the case of a married individual filing a separate return.”
For purposes of this paragraph, marital status shall be determined under section 7701. In the case of any taxable year beginning in calendar years beginning after 2017, each of the dollar amounts in this clause shall be increased by an amount equal to such dollar amount, multiplied by the inflation adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘2012’ for ‘2016’ in subparagraph (A)(ii) thereof.
If any amount after adjustment under the preceding sentence is not a multiple of $50, such amount shall be rounded to the nearest lowest multiple of $50.
(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 145. TERMINATION OF MISCELLANEOUS ITEMIZED DEDUCTIONS.
(a) IN GENERAL.—Section 67 is amended—
(1) by adding subsection (a) to read as follows:
“(a) IN GENERAL.—In the case of an individual, itemized deductions shall not be allowed.”;
(2) by striking subsection (g); and
(3) by moving the definition of ‘adjusted gross income’ to the end of this section.
(II) MOVEMENT OF DEFINITION OF ADJUSTED GROSS INCOME FOR ESTATES AND TRUSTS.—
(I) Section 67 is amended by striking subsection (b).
(II) Section 641 is amended by adding at the end the following new subsection:
“(d) COMPUTATION OF ADJUSTED GROSS INCOME.—For purposes of this title, the adjusted gross income of an estate or trust shall be computed in the same manner as in the case of an individual, except that—
(1) the deductions for costs which are paid or incurred in connection with the administration of the estate or trust and which would not have been incurred if the property were not held in such trust or estate, and
(2) the deductions allowable under sections 642(b), 651, and 661, shall be treated as allowable in arriving at adjusted gross income.”.
(b) CONFORMING AMENDMENTS.—
(1) Section 56(b)(1)(A) is amended to read as follows:
“(A) CERTAIN TAXES.—No deduction (other than a deduction allowable in computing adjusted gross income) for any taxes described in paragraph (1), (2), or (3) of section 164(a) or clause (ii) of section 164(b)(5)(A).”.
(2) Section 641(b)(1)(C), as amended by the preceding provisions of this Act, is amended by striking subparagraph (A)(ii) and inserting “(A)”.
(3) Section 641(c)(2)(E) is amended to read as follows:
“(E) Section 641(c) shall not apply.”.
(4) Section 1341(a)(2) is amended by striking “as defined in section 67(c)”.
(5) Section 6654(d)(1)(C) is amended by striking clause (iii).
(6) Section 7702(b) is amended in the heading, by striking “2-PERCENT FLOOR ON” and inserting “DENIAL OF”.
(7) The table of sections for part 1 of subchapter B of chapter 1 is amended by striking the item relating to section 7702 and inserting the following new item:
“Sec. 77. Denial of miscellaneous itemized deductions.”
(8) The table of sections for such part).
(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 146. REPEAL OF OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.
(a) IN GENERAL.—Part 1 of chapter B of chapter 1 is amended by striking section 68 (and the item relating to such section in the table of sections for such part).
(b) CONFORMING AMENDMENTS.—
(1) Section 1(f)(7)(A), as amended by sections 121(b)(2) and 168(b)(2), is amended by striking “or section 68(b)(2)”.
(2) Section 56(b)(1), as amended by the preceding provisions of this Act, is amended by striking subparagraph (A)(ii).
(1) by amending subsection (a) to read as follows: “(a) DEDUCTION ALLOWED.—There shall be al- lowed as a deduction moving expenses paid or incurred by a member of the Armed Forces of the United States on active duty who moves pursuant to a military order and incident to a permanent change of station,” (2) by striking subsections (c), (d), (f), and (g) and redesignating subsections (h), (i), (j), and (k) as subsections (c), (d), (f) and (g), respectively, and (3) by inserting after subsection (d), as so redesignated, the following new subsection: “(e) EXPENSES FURNISHED IN KIND.—Any mov- ing and storage expenses which are furnished in kind (or for which reimbursement or an allowance is provided, but only to the extent of the expenses paid or incurred)— “(1) to such member, his spouse, or his de- pendents, shall not be includible in gross in- come, and no reporting with respect to such ex- penses shall be required by the Secretary of De- fense or the Secretary of Transportation, as the case may be,” and “(2) to such member’s spouse and his depend- ents with regard to moving to a location other than the one to which such member moves (or from a location other than the one from which such member moves), this section shall apply only with respect to the moving expenses of his spouse and dependents as if his spouse com- menced work as an employee at a new principal place of work such as transportation.” (b) CONFORMING AMENDMENTS.— (1) Subsections (d)(3)(C) and (e) of section 23 are each amended by striking “section 217(h)(2)” and inserting “section 217(c)(3)” (2) Section 7872(f) is amended by striking paragraph (11), (3) Section 217 is amended in the heading by striking “MOVING EXPENSES” and inserting “CERTAIN MOVING EXPENSES OF MEMBERS OF ARMED FORCES”. (4) That table of sections for part VII of sub- chapter B of chapter 1 is amended by striking the item relating to section 217 and inserting the following new item: “Sec. 217. Certain moving expenses of members of Armed Forces.”. (c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017. SEC. 150. LIMITATION ON WAGERING LOSSES. (a) IN GENERAL.—Section 165(d) is amended by striking “in the case of taxable years beginning after December 31, 2017, and before January 1, 2026”. (b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017. Subtitle F.—Increase in Estate and Gift Tax Exemption SEC. 151. INCREASE IN ESTATE AND GIFT TAX EXEMPTION. (a) IN GENERAL.—Section 2010(c)(3) is amend- ed in subparagraph (A), by striking “$5,000,000” and inserting “$10,000,000”. (b) CONFORMING AMENDMENTS.— (1) Section 2003(a) is amended to read as follows: “(g) MODIFICATIONS TO GIFT TAX PAYABLE TO REFLECT DIFFERENT TAX RATES.—For purposes of applying subsection (b)(2) with respect to 1 or more gifts, the rates of tax under subsection (c) in effect at the decedent’s death shall, in lieu of the rates of tax in effect at the time of such gifts, be computed as follows: “(1) the tax imposed by chapter 12 with re- spect to such gifts, and “(2) the credit allowed against such tax under section 2505, including in computing— “(A) the applicable credit amount under sec- tion 2505(a)(1), and “(B) the sum of the amounts allowed as a credit for all preceding periods under section 2505(a)(2),”.” (2) Section 2010(c)(3) is amended by striking subparagraph (C), (c) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of dece- dents dying and gifts made after December 31, 2017. TITLE II.—INCREASED EXEMPTION FOR AL- TERNATIVE MINIMUM TAX MADE PERMA- NENT SEC. 201. INCREASED EXEMPTION FOR INDIVID- UALS. (a) IN GENERAL.—Section 55(d)(1) is amend- ed by— (1) by striking “$78,750” in subparagraph (A) and inserting “$109,400”, and (2) by striking “$50,600” in subparagraph (B) and inserting “$75,000” in subparagraph (B). (b) PHASE-OUT OF EXEMPTION AMOUNT.—Section 55(d)(2) is amended— (1) by striking “$150,000” in subparagraph (A) and inserting “$1,000,000”, and (2) by striking subparagraphs (B) and (C) and by inserting the following new subparagraphs: “(B) 50 percent of the dollar amount applica- ble under subparagraph (A) in the case of a tax- payer described in paragraph (1)(B) or (1)(C), and “(C) $75,000 in the case of a taxpayer de- scribed in paragraph (1)(D).” (c) INFLATION ADJUSTMENT.—Section 55(d)(3) is amended to read as follows: “(2) the credit allowed against such tax under section 55(e)(2)(A), calendar year 2017, and after such calendar year, the amount contained in paragraph (2)(C)).”. Any increased amount determined under this paragraph shall be rounded to the nearest mul- tiplee of $50 ($50 in the case of the dollar amount contained in paragraph (2)(C)).”. (d) CONFORMING AMENDMENT.—Section 55(d) is amended by striking paragraph (4). (e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017. TITLE III.—BUDGETARY EFFECTS SEC. 301. BUDGETARY EFFECTS. (a) INCREASED PAYGO SCORECARD.—The budg- etary effects of this Act 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) INCREASED PAYGO SCORECARD.—The budg- etary effects of this Act shall not be entered on either PAYGO scorecard maintained for pur- poses of section 406 of H. Con. Res. 71 (115th Congress). The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The gentleman from Texas (Mr. BRADY) and the gentleman from Massa- chusetts (Mr. Neal) each will control 30 minutes. The Chair recognizes the gentleman from Texas. Mr. Speaker. I ask unanimous consent that all Mem- bers may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6760, currently under consideration. The SPEAKER pro tempore. Is there objection to the request of the gentle- man from Texas? There was no objection. Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may con- sider. Mr. Speaker, for far too long, hard- working American taxpayers watched as an entitled Federal Government took a bigger and bigger slice from their family’s budget. But that changed last year. With the Tax Cuts and Jobs Act, we choose you, the hard-working taxpayers of this country. With our new Tax Code, we were de- determined to let you keep more of what you earn. And, while these hard-working families, boy, have the results been incredible. Eight months later, we have seen an economic turnaround with more jobs, bigger paychecks, and historic Main Street optimism. We have gone from asking, Where are the jobs? to asking, “Where are the workers?” One Main Street small-business owner recently told me that thanks to the new Tax Code, they are hiring more, giving bonuses, buying more equipment, and, as he said, they are set to have their best year ever. This has meant real change for real people, with nearly 1.7 million new jobs created just since January, and pay- checks rising at their fastest rate in 9 years. While this economic turnaround for America has come as a shock to oppo- nents of the new Tax Code here in Washington, it is no surprise to mil- lion of hardworking families and small businesses across America who were overtaxed and overregulated far too long. Thanks to our new pro-growth Tax Code, there is new hope and a new opti- mistic in America that wasn’t here be- fore. To call it a sudden change from the sluggish Obama-era economy would be an understatement. For a decade, it was like America’s economy was going through a 25-mile-per-hour zone. Now that the high taxes and the un- competitive regulations of our Demo- cratic friends are gone, we are on an open highway again. It is critical that we keep this strong momentum going, especially for Americans who were hit hardest by the Great Recession. That is what this bill before us today is all about. By making the new code permanent for our families and small businesses, the Protecting Family and Small Business Tax Cuts Act will keep America’s economy booming and mid- dle class families growing again. In fact, the nonpartisan Tax Founda- tion estimates that this bill will add 1.5 million new jobs and increase Amer- ica’s economy over 2 percent. That is on top, as I said, of the 1.7 million new jobs we have already seen created since President Trump signed the new Tax Code into law.
We don’t want to go back to the bad old days of higher taxes, with Washington taking more of what our single moms, our hardworking parents, and our Main Street-owned business owners have worked so hard to earn. We don’t want to go back to the bad old days when Main Street wasn’t hiring, people were going overseas, and our economic growth was puttering along.

So given the choice between keeping taxes high and allowing families to keep more of their money, Republicans chose, and continue to choose, the taxes high and allowing families to grow along their new path. When Main Street wasn’t hiring, jobs were going overseas, and our economic growth was puttering along.

I thank Representative RODNEY DAVIS for introducing this bill, and Representative MARK MEADOWS and Representative MARK WALKER, along with all of our Republican Ways and Means members, for being the original cosponsors and leaders of this bill.

In closing, empowering families to run their own lives is at the heart of the American Dream. It is the key to America’s economic success, and it is the reason that 8 months after tax reform became law, Americans are more hopeful about their future and the American Dream.

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

Mr. NEAL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in opposition to the Republican tax sham.

It has been 8 months since the Republican tax bill, their massive, unpaid-for tax cut without a single Democratic vote. At that time, Democrats and independent experts warned that their so-called tax reform plan that wasn’t paid for and that was so heavily skewed to the wealthy and big corporations would harm our economy and damage important programs like Medicare and Social Security.

Now we are beginning to see what many of us feared coming true. Health insurance rates in State after State are announcing higher premiums for next year, while health coverage for those living with preexisting conditions happens to be on the chopping block.

To make matters worse, the Medicare trustees have cut 3 years off the life of the Medicare trust fund because of the Republican tax bill.

Think of it: This vote this morning will add $631 billion to the national debt, $2.3 trillion that they have already embraced with the recklessness of their tax package.

But instead of backing away from this mistake, they are doubling down this morning. Their second round of tax cuts for the wealthy will further compound rather than fix Medicare and Social Security, depriving seniors of the benefits that they have earned.

Today’s bill will, once again, demonstrate that they are hardly the party of fiscal rectitude or conservatism. The original tax bill, as I noted a moment ago, adds $2.3 trillion to the debt.

So that people understand, this is all borrowed money that will go to corporations and high-income earners, who undoubtedly will receive the bulk of these benefits in the tax cut.

Now, Republicans want to give the most well-off and well-connected Americans even more tax cuts with their new proposal, again, emphasizing the following: the largest tax cut of all, based upon borrowed money.

The Republicans are doubling down on this tax law’s attack and, once again, harming the American middle class. The most obviously nothing in here that comes to the aid of the middle class, because they give it to them on one hand and take it away on the other.

This proposal would make permanent the $10,000 cap on the State and local tax deduction for individuals, even while corporations will face no limits on their SALT deductions. This, at the same time, we should recognize, eliminates many tax incentives and pretty important incentives for middle class families to get ahead.

So, once again, this package, like the one before it, is being rushed through with no hearings, with no witnesses, and with no input from stakeholders. A rushed and lopsided process resulted in the disaster that we voted on just weeks ago. In fact, my staff has identified more than 100 problems with this proposal, and we are happy to share those with any who are interested.

This provision that we are voting on today is reckless, and it is a cut for the wealthy that leaves behind hard-working families.

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

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Illinois (Mr. DAVIS), the leader and the original sponsor of this bill.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in strong support of my bill, H.R. 6760, the Protecting Family and Small Business Tax Cuts Act of 2018.

Mr. Speaker, I thank Chairman BRADY, the entire Ways and Means Committee, and the Ways and Means staff for their hard work in getting tax reform 2.0 to the House floor.

Last December, this Congress passed the Tax Cuts and Jobs Act. That legislation was the first major tax reform in more than 31 years. It made our promise to bring tax relief to middle class families across the country.

In fact, in my district in central Illinois, the average family of four making the median income of $78,500 will see a tax cut of roughly $2,200 this year. That is certainly not crumbs, Mr. Speaker.

Since passage of tax reform, we have seen historic growth in our economy. It currently sits at 3.9 percent unemploy-

ment, with approximately 6.6 million open jobs and a GDP last quarter of 4.2 percent. With companies raising wages and increasing benefits, it is no wonder 90 percent of workers are seeing bigger paychecks, thanks to last year’s tax cuts.

Unfortunately, last year, the constraints of the budget reconciliation process in the Senate forced us to sunset many of the provisions found within that act. H.R. 6760 simply makes those sunsetting provisions permanent.

These provisions include the expanded child tax credit, which we increased from $1,000 to $2,000; the new double standard deduction; and the improved tax brackets, which have lowered rates for all taxpayers.

As the economy continues to reach new heights, H.R. 6760 represents our continued commitment to the millions of hardworking middle class Americans who have benefited from the tax cuts enacted last year.

Mr. Speaker, I urge my colleagues to support middle class families by voting for this bill.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMPSON), a very valued member of the Ways and Means Committee.

Mr. THOMPSON of California. Mr. Speaker, I rise in opposition to this bill.

This bill represents a gross disregard for the responsibilities entrusted to us by our constituents. We are the stewards of Medicare, a critical support for nearly every American at some point in their lives. This bill will trigger hundreds of millions of dollars in across-the-board cuts to that important program.

We are responsible for the Federal Tax Code, a charge that requires us to consider tax proposals fully and fairly. Yet, we will vote on this unpaid-for tax bill developed behind closed doors without the benefit of a single hearing. Most important, we are the custodians of the Federal budget.

With passage of this bill, Republicans will have added more than $3 trillion to our national debt in less than a year. This is a handout for the rich at the expense of our children and our grandchildren. It is an excuse for the major-

ity party to ransack Medicare and Social Security. It is dangerous, and it is reckless. We should vote “no” on this bill.

Mr. BRADY of Texas. Mr. Speaker, I am very proud to yield 3 minutes to the gentleman from North Carolina (Mr. BRADLEY), one of the three original leaders of this bill.

Mr. BRADLEY of Texas. Mr. Speaker, the Tax Cuts and Jobs Act has transformed the economy, delivering economic growth in the form of more jobs, bigger pay-

checks, increased investment, and historically high small business optim-

ism.

Today, I rise in support as an original cosponsor of H.R. 6760, the Protecting Family and Small Business Tax Cuts Act of 2018.

I thank Chairman BRADY for his tireless work over the last year and a half to make this legislation possible, continuing to build on the success of the
Tax Cuts and Jobs Act by locking in those tax cuts for individuals, families, and small businesses. Today’s bill makes permanent the transformational tax reforms included in the legislation we enacted last December.

Mr. Speaker, locking in those important reforms provides certainty and enhances growth. In fact, according to the Tax Foundation’s analysis, making these reforms permanent will create 1.5 million new jobs, increase wages by nearly $9,000, raise the GDP by 0.5 percent, and increase the overall GDP by 2.2 percent.

Those are facts.

Locking in these important reforms reduces burdensome complexity. Because of this legislation, the vast majority of individuals and families will choose the enhanced standard deduction and will no longer need to do the recordkeeping required for itemizing deductions.

The alternative minimum tax, which requires individuals and families to calculate their tax twice each year and pay the higher amount, will be eliminated for close to 96 percent of those who have had to pay in 2017. A recent Tax Foundation study shows that a reduction in time spent on tax compliance that is expected to come from the simplification in the Tax Cuts and Jobs Act will, indeed, translate into savings of $3.1 billion to $5.4 billion for individuals and families.

Locking in these important reforms will fuel the small businesses that fuel the American economy.

The Tax Cuts and Jobs Act delivered lower tax rates in a new 20 percent deduction for pass-through businesses. Today’s bill locks in those benefits.

Mr. Speaker, now is the time to keep our economy booming and protect the small businesses to make future investments and family businesses to know they can keep more of their paychecks as well as plan for the future.

Mr. Speaker, I urge strong support for this bill.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. SMITH), who is one of our key members on the Ways and Means Committee from rural communities on this tax reform bill.

Mr. SMITH of Nebraska. Mr. Speaker, I thank the chairman for his time and certainly his leadership on this issue.

Mr. Speaker, I rise today in support of this bill to make permanent the tax cuts for families and small businesses we passed last year through the Tax Cuts and Jobs Act. I am particularly pleased this bill also makes permanent the grain glitz fix we enacted last spring.

This important provision ensures producers and buyers across agriculture could benefit from tax reform as intended. This bill also continues the treatment of property taxes on agricultural land and property as a fully deductible business expense, which is vital to ag producers in Nebraska’s Third Congressional District as well as across the country.

The initial version of tax reform we moved out of the Ways and Means Committee and passed in this House last year provided permanent tax relief, and our families, farmers, ranchers, and small businesses deserve the certainty of knowing their taxes will not increase. I am disappointed we could not get this permanence through the Senate. However, I am pleased we have another opportunity to do so.

This year, our economy is booming with economic growth continuing above 3 percent, and the certainty of permanence will allow our small businesses to make future investments and families to know they can keep more of their paychecks as well as plan for the future.

Mr. Speaker, I urge strong support for this bill.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DANNY K. DAVIS), who is a very valuable member of the Ways and Means Committee and the voice of Chicago.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong opposition to another tax giveaway to the wealthiest in this country who need it the least.

The Republicans’ tax cut already has damaged the health of the Medicare trust fund. This bill is more of the same.

After decades of wage stagnation, when over 41 million laborers earn less than $12 an hour, when almost none of their employers offer health insurance, when more than one-quarter of American workers struggle to cover housing costs, this Republican bill helps millionaires giving an average tax cut of over $39,000 to the top 1 percent.

The Republican plan permanently takes away critical personal exemptions from millions of families with children which we need to help. We need to help hardworking, middle-class citizens. We don’t need to give $39,000 tax breaks to the wealthy.

Mr. BRADY of Texas. Mr. Speaker, I rise today in support of this bill to make permanent the tax cuts for families and small businesses we passed last year through the Tax Cuts and Jobs Act. I am particularly pleased this bill also makes permanent the grain glitz fix we enacted last spring.

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Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN), who is a longtime and valuable member of the Ways and Means Committee.

Mr. LEVIN. Mr. Speaker, I ask so-called fiscal conservatives: Why add to the deficit $3 trillion? I guess it is consistency. If you dig a hole, dig it deeper.

Oh, it is for workers.

Workers? One-half of the top percent get 50 percent of the benefit. It won’t pass the Senate.

So why do it?

They thought it would be politically helpful. Now, it is turning out, it won’t be. It won’t be immigration. This is a desperate move. It is desperately wrong.

Mr. Speaker, I urge we vote “no.”
The three bills that we have before us this week, coupled with the tax cut version that passed last year, will add over $5 trillion to our national debt at a time when 70 million baby boomers are fully invested in Social Security and Medicare, giving them the excuse later on to back out and say they have to cut Social Security and Medicare because we don’t have revenue anymore.

If we are entrusted with the majority next year, we will do tax reform the right way. We will simplify it, we will make it more competitive, we will certainly make it fair, and we will do it fiscally responsibly by shutting down extraneous loopholes in the Code to pay for it. We will do it with hearings and with the proper feedback which was lacking here.

For all these reasons, Mr. Speaker, we should reject this bill and do tax reform the right way.

Mr. BRADY of Texas. Mr. Speaker, I am proud to claim 10 minutes to the gentlewoman from South Dakota (Mrs. NOEM), who is a key member of the Ways and Means Committee.

Mrs. NOEM. Mr. Speaker, I just want to clarify something that I have talked about the Senate.

I firmly disagree with my colleague on the other side of the aisle who just talked about Social Security and Medicare. In fact, the economic statistics that have recently come back have talked about how the Medicare trust fund is actually doing better since we did this historic tax cut bill because more people are working. They are earning more money. They are paying into those programs, and those programs are more secure into the future because we did historic tax reform.

Mr. Speaker, today I rise in support of the Protecting Family and Small Business Tax Cuts Act—a key component of tax reform 2.0. I strongly support this bill, because I worked on it for many years, but also because of the stories I hear across South Dakota every day.

I had, several months ago, a single mom of two kids come up to me. She is a bank teller. She told me that because of tax reform that her check is $80 bigger every 2 weeks. That meant that her 10-year-old son could get new basketball shoes this year instead of going out and trying to find some that were used from another student who had outgrown them.

I also had another woman from Platte, South Dakota, contact my office and tell me that because of tax reform that her check is $80 bigger every 2 weeks. That meant that her 10-year-old son could get new basketball shoes this year instead of going out and trying to find some that were used from another student who had outgrown them.

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What have you done? That means the average taxing household—New Jersey, listen up—now has to pay income tax on an additional $14,000 worth of income.

We may have 12 Democrats by the end of the night.

If they are a middle-class family being taxed at 24 percent, that is an extra $3,400 they have to come up with at tax time.

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

Mr. NEAL. Mr. Speaker, I yield the gentleman from New Jersey an additional 1 minute.

Mr. PASCRELL. Mr. Speaker, for hundreds of thousands of New Jersey families, that is a mortgage payment; that is a tuition bill; that is money for unexpected medical bills. Instead, it is going to be moving to pay more bills in Montana and South Dakota.

I offered an amendment to restore the full SALT. So every Member who voted for it today is voting today to voting to make the SALT caps forever and to impose a permanent tax on middle-class families. It is mind-boggling that a Member would want to hammer his constituents like that.

I ask my colleagues: How could you vote to punish your middle-class constituents to give even more money to the 1 percent?

What is even more fascinating, a number of people on the other side. Mr. Speaker, I wonder if they are voting for this thing today. They get less than 1 percent of the donations from folks like you and me. So that is why they are tuned in to corporate America.

Mr. BRADY of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, today’s sorry’s sequel is as phony as the original Republican tax sham. It comes from a White House that is deserted, where the head of the administration for whom truth is a stranger, clocked in, by one analysis, at 7 1/2 lies, on the average, per day. But even for such an administration, this bill is based on a true whopper.

We may have 12 Democrats by the end of the night.

Vote “no” on this reckless tax cut.

Ms. SEWELL of Alabama. Mr. Speaker, less than a year after the first disastrous tax bill, here we are voting on another bill that will double down on this betrayal and put hardworking families who are working every day to make ends meet even further into debt.

As my constituents remember, the first disastrous tax bill cost us $2.3 trillion. Those working to reach the middle class will see less investment in their communities; will see their Social Security, Medicare, and Medicaid shrink; and will see the costs of healthcare insurance rise.

It is unconscionable that Republicans are trying to pass another batch of tax cuts that will add another $650 billion to the $2.3 trillion they have already sent through the Tax Code. This will end up costing us $5 trillion over the next 10 years.

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Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from...
Arizona (Mr. SCHWEIKERT), a key leader and member of the Ways and Means Committee.

Mr. SCHWEIKERT. Mr. Speaker, before comments, this was my first term on the Ways and Means Committee. I will be both on the Democratic side and the Republican side, is a group of very special Members, having been on other committees, even in moments like this, where we see the world very differently. Everyone is freaky smart, incredibly respectful, and I think the, what goes on in the back where we actually get along, it's a very special committee. But the fact of the matter is we sort of see the world very differently.

Have you ever had that moment where you were walking up to the podium and you were going to read something? I was going to originally read the comments from a number of Members, particularly on the other side, who were incredibly critical of the fact that the tax cut passed and now they are complaining that we are extending them. We do have this sort of body where we race to whatever the current argument is. But that would actually be a little hard to do, right? Do such nice things about everyone. So let's actually have a couple of comments on the reality of what we see in the math.

Do you remember when the tax bill passed, the math was that we needed a 0.4 percent increase in GDP over 10 years and the tax reform paid for itself? How are we doing so far?

We have had, now, multiple revisions upward. Something is working out there in our society when you see more jobs than workers; when you see, in my community, the populations that have had a really rough decade with the growth recession of the last decade, they have jobs. There are good things happening.

You would think there would be almost this joy on both the left and the right when you see job training in our Arizona prisons. We actually brought one of the three-time convicted felons to testify in the Ways and Means Committee. It is so hard for this body to actually give a little and say: Look at the great societal things that are happening right now.

Also, we have the backup on the math. If we do not have substantial economic growth this decade and next, we cannot keep our societal promises. I would like to argue, when we get beyond this, we have the conversation of: What does tax reform do for future economic expansion? Again, yes, we are going to have to talk about a lot of difficult things to keep that economic expansion, but the baseline math—and I know we are only 8, 9 months into the data—it's working. Could we at least have a little sound of joy for what is working?

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the highly effective Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his extraordinary leadership in representing the House Democrats as the ranking member on the Ways and Means Committee. He brings to that position the values shared by the American people: fairness, transparency, and openness in what goes on here in Congress, and doing so in a way that is accountable to the American people. So I thank him for his leadership.

SADLY, I CAME TO THE FLOOR AGAIN TO TALK AGAINST, YET AGAIN, ANOTHER REPUBLICAN TAX SCAM. THE GENTLEMAN WHO JUST SPOKE TALKED ABOUT HOW WE SHOULD BE FILLED WITH JOY—FILLED WITH JOY.

WELL, IF WE ARE TALKING ABOUT EMOTION, LET US TALK ABOUT ST. AUGUSTINE. ST. AUGUSTINE, 17 CENTURIES AGO—17 CENTURIES AGO, 1,700 YEARS AGO—SAID: "A STATE WHICH PERSEVERES IN JUSTICE IS JUST A BUNCH OF THIEVES."

Pope Benedict, who quoted Augustine, said: "The State must inevitably face the question of how justice can be achieved here and now." Benedict cautioned against the vain illusion of certain ethical blindness caused by the dazzling effect of power and special interest. That is what they talked about.

This is about justice, justice for our country in terms of economic justice, justice for our society in terms of everyone participating in the prosperity of America and not, yet again, the warmed-over stew of trickle-down economics. If you give 83 percent of the benefits to the top 1 percent—glory, alleluia—it may trickle down on you. If it does not, so be it. That is what the former speaker said: So be it.

Let me quote some of the Republicans, enforcing what I said earlier. Who are these tax scams for?

Congressman Chris Collins said: "My donors are basically saying, 'Let me get it done or don't ever call me again.'"

Senator Lindsey Graham said the financial contributions will stop if this—and I say—if this tax scam fails.

Here we are again. Here we are again at a time, on this last day of the session, as this body prepares to pack its bags and return home for the next 6 weeks, the GOP’s priorities have been laid bare, as we waste our final moments debating a new version of the Republican scam, with no accountability, no transparency, and no fairness for the American people.

The first GOP tax scam for the rich added $2 trillion to the national debt, when you talk about the tax cut plus the interest on the debt, sticking our children with a bill for massive tax breaks for Big Pharma, big banks, big corporations, making it more profitable for them to ship jobs overseas, and the wealthier 1 percent.

People across America have raised their voices to condemn the Republicans’ plan to spend trillions on tax cuts for the wealthy. What is so sad about it is, in their first tax scam, they decided that they would set up a thing where the individual mandate was repealed and, therefore, the benefit of preexisting condition no longer barring you from having access to health insurance. And their first tax scam was an assault on the preexisting condition benefit in the Affordable Care Act.

Not only that—that was not good enough for them—the President went further in his budget and said: We have imposed on the debt. Not only did we have to pay for it, because, contrary to the illusion that our Republicans like to present, these tax breaks do not ever pay for themselves. Don’t take it from me. Those who have worked even with Jack Kemp have said: Anybody who tells you that these tax breaks pay for themselves is telling you something that is not true, is nonsense, is BS, except he said that at a time when the top 1 percent were getting 83 percent of the benefits.

So here they are. Now they have to pay for it. Where are they going to get the money? They have just given 83 percent of the benefits to the top 1 percent, a big tax break for corporations, evolving them to ship jobs overseas, and who is going to pay for it?

Well, in the President’s budget, to make up for the $2 billion plus, they cut $500 billion from Medicare; $1.4 trillion from Medicaid, legislation that is not just about poor children but middle-income seniors, a benefit for middle-income seniors; $214 billion from food stamps, a benefit needed by our seniors, by our veterans, by our poor children in America. All of this is to pay for tax cuts for the rich.

So here we are again. Imagine what the Republicans will try to do after adding trillions more to the deficit. Their intentions are clear. The President’s adviser—his title is now—Larry Kudlow, his top economic chief, said: If Republicans control Congress, they will immediately move to cut the larger entitlements, probably next year.

In budget after budget, Republicans have made their plan perfectly clear: Add trillions to the deficit with their GOP tax scams for the rich, and then use those deficits to justify slashing Medicare, Medicaid, and, actually, disability benefits for people on Social Security.

Added $2 trillion to the debt with their first tax scam, putting forward a budget that would, again, claw millions of dollars from seniors and hard-working Americans, and now they want to do it again.

Well, don’t take it from me. AARP wrote a letter to Congress yesterday to warn against the grievous damage that would be done by the second phase of Republicans’ deficit-exploiting tax scam.

They wrote: "We have grave concerns about H.R. 6760. AARP is troubled by the further negative effect this bill will have on the Nation’s ability to fund critical priorities.”

They then said: “The Joint Committee on Taxation estimates that
H.R. 6760 will reduce Federal revenue by approximately $631 billion over the 10-year budget window. This is in addition to the $1.5 trillion reduction in revenue over the 10-year budget window resulting from last year’s Tax Cuts and Jobs Act.

Revenue, revenue that can be used for investment. Think of what we could have done with those resources to build the infrastructure of America, a small piece of it to address the pension crisis in America, the recognition that investment in education are the best investments we can make, because nothing brings more to the Treasury than investments in education. Instead, we have this.

The AARP goes on to say: “Additional increases of this magnitude in the deficit will inevitably lead to calls for greater spending cuts, which are likely to include cuts to Medicare, Medicaid, and other important programs serving older Americans.”

The letter concludes: “AARP cannot support H.R. 6760.”

Again, here we are. They give this big tax break. They say people are going to get raises and bonuses.

Some got bonuses. That is good. If you worked there for a long time and the rest, you got a bonus. But it didn’t add to your base salary, which would have been the important increase for people to make.

One estimate by Goldman Sachs was that there would be following the former tax bill, $1 trillion in buybacks. In other words, corporations buying back their stock—not investing in their workforce, not recognizing that their success depends on the productivity of the workforce and that any increase in productivity should also include an increase in the wages of the workers, but, instead, an increase in the compensation for the CEO.

It is shameful.

To conclude on that point, there is a better way to do this. There could have been, instead of as they did with the first tax scam and now this one—the first one in the dark of night and in the speed of light, putting forth a bill that they almost didn’t even know what they were voting for. That did a grave injustice to our Nation for what it deprives us of by giving these tax breaks at the high end.

There is a way to do it. Mr. NEAL has suggested it over and over again. Let’s see what we can do here. Ronald Reagan, Tip O’Neill, 1986, almost a year of hearings and transparency and openness where the public could see and people could understand what it meant to them in their lives.

Instead, they just go into those rooms, and say: How can we, how can we, how can we milk the public? How can we exploit the taxpayer by adding to the wealth of the wealthiest 1 percent in our country?

It is shameful.

As St. Augustine said, unless a government is formed to promote justice, it is just a bunch of thieves.

We are robbing from our children’s future with this national debt. We are robbing from the participation in the full benefits of our prosperity, of our workers, in our country. We are robbing our Nation’s ability to be itself, to make America go again. In doing so, again, to have people have financial stability in their lives, so that they can be entrepreneurial, so that they can take risk, so that they can invest in their children’s future.

It is not only about the individual taxpayer or person in our country; it is good for our country, because it makes us competitive in the world with our values and with our economy.

Mr. Speaker, I urge a ‘no’ vote.

Mr. BRADY of Texas. Mr. Speaker, I note that the average middle class family in the 12th District of California will see a tax cut of $5,506 each year.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP), a key member of the Ways and Means Committee.

Mr. WENSTRUP. Mr. Speaker, I find it interesting that I keep hearing that the tax reform was for the rich. The only phone calls I got complaining about our tax reform were from the rich.

I had one gentleman call me and actually say: For those of us with three or four homes, this is going to kill us. Are you kidding me? And you keep saying this is a tax break for the rich. They are the only ones complaining to me.

As a former small-business owner, I can tell you how difficult it is to plan for the future. When you sit down to look at your company’s finances, you may be worried about paying your employees’ salaries or making the rent on time.

So many in this body, historically, have never run a business, yet they have historically done a very good job of running some businesses into the ground. The last thing any business owner wants to do is: I wonder what the Federal Government is going to do to my taxes 5, 10, 15 years from now.

Constant uncertainty does not work for the American people. High taxes don’t work for the American people. People want to keep their money.

The House of Representatives is prepared to remedy these concerns for many years to come. The Protecting Family and Small Business Tax Cuts Act that is on the floor today as part of tax reform 2.0 would make lower tax rates for all income levels permanent.

Critically, this bill permanently extends a major deduction for pass-through millions of businesses that make up most of the small businesses in the U.S. This is significant peace of mind for the barbershop in town, for your neighbor’s lawn care business, for the garage-to-Main Street startups, and for the millions of business dreams that, for now, are still dreams.

Mr. Speaker, we now have one of the most competitive tax codes on the globe. Let’s make certain that we keep it that way.

Mr. NEAL. Mr. Speaker, might I inquire of the distinguished chairman how many more speakers that he has.

Mr. BRADY of Texas. Mr. Speaker, I have one.

Mr. NEAL. Mr. Speaker, I am prepared to close when the chairman deems it appropriate, and I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. MEADOWS), one of the three original lead sponsors of this tax bill.

Mr. MEADOWS. Mr. Speaker, I rise today in support of the pro-growth, pro-family, and pro-small business reforms in tax reform 2.0 led by my good friend Chairman BRADY.

I want to say a special shout-out to him but also to the Ways and Means staff. Let me just tell you, a lot of times we talk about for things that are done, but it is the staff that has done not only a yeoman’s job but an outstanding job in doing this. And a real shout-out to Representative Rod Nay, who is the bill’s sponsor, who believes that it is a good thing to give more of the taxpayers’ money back to them.

You have heard arguments on the floor today, Mr. Speaker, all about revenue and about what this needs to do. But the revenue that we are talking about is actually the hardworking wages of men and women on Main Street. It is their money.

I have been around this place too long, I can tell you, I would rather trust a mom and dad on Main Street to spend their money more wisely than any spenders here in Washington, D.C. It is time that we give it back.

Since we signed the last tax bill, the largest in American history, the economy has been booming. Unemployment is at a 50-year low.

New job openings are setting a record pace. We are increasing wages. Consumer confidence, Mr. Speaker, is at its highest level in decades. And while these strong numbers continue to roll in, Congress needs to act to make sure that we are more resolved than ever to make those tax cuts permanent.

You know, we talk about a vibrant economy—4.2 GDP growth. According to some sources, it is now at 4.4. When was the last time we had that kind of growth in economic growth, it means increased wages, it means job security, and that is what we need to make sure that we put back on the docket today.

I ask my colleagues to vote for that. Vote for the men and women on Main Street.

Yes, they may call this tax reform 2.0, but what I call this is actually make sure that we are responsible in Washington, D.C., to give the money back to its rightful owner, who is we, the people.

Now, this indeed makes the tax cuts for individuals permanent, but it also...
gives a whole lot of options for families saving for education and those baby savings accounts. It encourages small business development.

It is time, Mr. Speaker, that we act on behalf of those who are doing all the hard work here in America, those small businesses and men and women on Main Street who deserve a break from Washington, D.C.

I thank Chairman BRADY and RODNEY Davis, saying now, I also look forward to working with them to deliver these tax cuts and make sure they are permanent.

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

Mr. Speaker, I am still trying to sort through the commentary of one of the previous speakers who said that he took a call from somebody who said: I have three or four homes, and I am not getting enough in this bill.

That is the point of this. He doesn't need any tax relief. That is the very example that we have been highlighting throughout this morning.

Three or four homes and they are complaining. Didn't say they didn't get enough? That is a remarkable comment for somebody to pass on in this Chamber.

This bill was bad on policy and it was bad on procedure. Not one hearing on this legislation. Not one witness. So every mainstream economist who has spoken about the debt—and this, Earlier today, we heard our respected Economic Committee that shows the Congressional Budget Office said the Medicare trust fund solvency improved after tax reform. The tax reform strengthened the major funding source for the Medicare trust fund. Americans leaving disability for jobs due to a stronger economy will improve Medicare solvency, and the number of uninsured Americans fell—fell—after tax reform in the individual mandate.

And the final point, let's talk about deficits and deficits. Mr. Speaker. This is a pleasant surprise to hear our Demo- 
crats suddenly concerned. They weren't, under President Obama, when they doubled the national debt. They added $2 trillion in just 1 year.

I am not going to talk about sailors who drink. I will just say this. Demo- 
crats were concerned, didn’t care about deficits when they were spending your money; but now that you are spending your money, all of a sudden, every-thing is changed.

The truth of the matter is: Who do you trust, Washington to spend your money, or you and your family?

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

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward Members of the Senate. All time for debate has expired.

Pursuant to House Resolution 1084, the previous question is ordered on the bill, as amended. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LARSON of Connecticut. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LARSON of Connecticut. Mr. Speaker, I am in its current form.

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

The Clerk reads as follows:

Mr. Larson of Connecticut moves to recommit the bill H.R. 6760 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following new title:

TITLE III—EFFECTIVE DATE

SEC. 300. SHORT TITLE.

This title may be cited as the “Protect Medicare and Social Security Trust Funds Act of 2018”.

Mr. Speaker, I don't know where the three or four homes. But at the same time, and, simultaneously, they leave behind the hardworking average men and women of this country.

I urge our colleagues to oppose this legislation, and I yield back the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, may I ask how much time I have left.

The SPEAKER pro tempe (Mr. WEHR of Texas). The gentleman from Texas has 4 minutes remaining.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may con- 
sume.

Mr. Speaker, I would note that the average middle class family in my good friend Mr. NEAL’s district back home in Massachusetts will see a tax cut of nearly $2,000 each year.

So let's fact-check a couple of these claims today. Let's fact-check a few things, starting with my friend Mr. NEAL's point about Dr. Wenstrup's call.

That gentleman wasn’t complaining he didn't get enough tax cuts. He said his taxes would go up significantly. And he is correct, because under the Tax Cuts and Jobs Act, this relief goes to middle-class families and low-income families working their way up.

In fact, after the Tax Cuts and Jobs Act, millionaires of America who used to shoulder 19 percent of the tax burden now will shoulder 20 percent of the tax burden. They will carry more because this tax reform was designed for middle-class families.

Earlier today, we heard our respected Democratic leader say many things, including that the GOP tax cuts provide at least $1.3 trillion in tax breaks to corporations. FactCheck.org says that claim is misleading.

In fact, of the $1.5 trillion, over $1 trillion is for individual taxpayers.

Leader PELOSI said $6 million middle-class families will see a tax increase. The Washington Post gave her 2 Pinocchios, saying that is flat wrong, false. The Washington Post also gave her 2 Pinocchios, said that is flat wrong, false.

A California assemblyman says GOP tax cuts are nothing more than a middle-class tax increase. PolitiFact just gave that Democratic lawmaker a pants on fire rating, saying most every U.S. taxpayer can expect some kind of tax cut according to just about every analysis.

A lawmaker from Wisconsin, Demo- 
crat: Never let the GOP tell you again what your tax cuts are for her constituents for a number of years.

And, of course, dozens of Democrats continue to state 83 percent of all tax breaks go to the top 1 percent. FactCheck.org—not today, because it cites projections for 2027. In fact, the only way that will be true is if you vote “no” today. If you vote “yes,” these middle-class tax cuts are permanent.

We have heard, today, scare tactics about the impact to Social Security and Medicare.

Let me cite the Joint Economic Committee that shows the Congressional Budget Office said the Medicare trust fund solvency improved after tax reform. The tax reform strengthened the major funding source for the Medicare trust fund.

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I would like to hope that our colleagues would at least listen to President Trump, President Trump, who said: We’re not going to hurt the people who are paying into Social Security their whole life, and then, all of a sudden they’re supposed to get less! But people are smart. When you calm the rhetoric and the anger and the outrage, what we know is this: The Congressional Budget Office—it isn’t Republican or Democrat—it found the Medicare Trust Fund solvency got better after tax reform.

In fact, tax reform strengthened the major funding source for the Medicare Trust Fund and now, because we have more people, especially those disabled, going back to work, getting a job that they are hoped would be an improving Medicare solvency. So that great big scare tactic just got fact-checked.

In fact, already this year, the Federal Government is receiving $105 billion more, Mr. Speaker, in payroll taxes and individual taxes, and those payroll taxes are what are the foundation of Social Security and Medicare.

The truth of the matter is, as we look at this bill, both parties claim to be champions of hardworking taxpayers. Well, let’s see what we do.

So, under this bill, a single mom, working her way out of poverty, permanently will see $1,700 more in her paycheck each year. Democrats who vote “no” will steal that money back from that single mom.

Middle-class family of two, two teachers in my district, with two kids, under this bill, permanently will see a tax cut of $2636. A “no” vote steals that money back from that family.

That Main Street business, when moms and pops working all hours, all weekends, all year, under this bill, permanently they will see a tax cut of $3,000.
every year, and they can write off on their taxes that new computer, that new equipment, that new improvement to their store. A “no” vote hammers America’s Main Street businesses.

Young parents, struggling to raise kids, where every dollar matters, this bill makes it clear that treatment of the child tax credit is permanent, and millions more Americans, middle-class families, will get help raising their precious children. A “no” vote is to deny American seniors, American families’ ability to write off those taxes.

Now we know, thanks to ObamaCare, high out-of-pocket costs is now the pre-existing condition. This bill makes sure that we stand on the side of those seniors, whether they are battling cancer or some other menaces.

At the end of the day, some would say, look, we need to raise the SALT cap, let me just say this: That SALT cap is a $10 tax cut for the middle class and a $136,000 tax cut for millionaires. In other words, Democrats who vote “no” on these just want more tax cuts for the rich.

And the fact of the matter is, States are seeing a $20 billion windfall. State governments and Governors, all they need do, don’t pocket that money for their budget, pass it on to hard working taxpayers.

At the end of the day, revenues are up. Payroll taxes are up. Social Security and Medicare are strengthened.

So at the end of the day, who do you trust? Who do you trust with your hard-earned money? Is it Washington, so they can take it and spend it on their special interests? Is it you? Is it your family? Is it your American Dream?

This bill is about making sure that we choose the American people. We choose you, the middle-class families. We choose you, Main Street America, to better use your money as Washington does.

As we conclude, Mr. Speaker, I would like to thank our tax team, led by Barbara Angus, our Chief Tax Counsel, Aharon Friedman, Randy Gartin, Aaron Junge, Loren Ponds, John Sandell, Donald Schneider, Victoria Glover, John Schoenecker, and Quinton Brady, for doing a remarkable job for us and for the American people.

I urge a “yes” on protecting tax cuts for individuals, middle-class families, and small businesses.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LARSEN of Connecticut. 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 motions to suspend the rules on which a recorded vote or the yeas and nays are ordered. To be considered to under clause 6 of rule XX.

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

SUBSTANCE USE-DISORDER PREVENTION THAT PROMOTES OPIOID RECOVERY AND TREATMENT FOR PATIENTS AND COMMUNITIES ACT

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1099) providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. Res. 1099

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. 6, 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 “Substance Use–Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act” or the “SUPPORT for Patients and Communities Act”.

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

TITLE I—MEDICAID PROVISIONS TO ADDRESS THE OPIOID CRISIS

Sec. 1001. At-risk youth Medicaid protection.

Sec. 1002. Health insurance for foster youth.

Sec. 1003. Demonstration project to increase Medicaid coverage for those with opioid use disorder.

Sec. 1004. Medicaid drug review and utilization.

Sec. 1005. Guidance to improve care for infants with neonatal abstinence syndrome and their mothers.

Sec. 1006. Medicaid health homes for substance-use disorder.

Sec. 1007. Caring recovery for infants and babies.

Sec. 1008. Peer support enhancement and evaluation.

Sec. 1009. Medicaid substance use disorder treatment via telehealth.

Sec. 1010. Enhancing patient access to non-opioid treatment options.

Sec. 1011. Assessing barriers to opioid use disorder treatment.

Sec. 1012. Help for moms and babies.

Sec. 1013. Securing flexibility to treat substance use disorders.

Sec. 1014. MACPAC study and report on MAT utilization controls under State Medicaid programs.

Sec. 1015. Opioid addiction treatment programs enhancement.

Sec. 1016. Better data sharing to combat the opioid crisis.

Sec. 1017. Reporting on innovative State initiatives and strategies to provide housing-related services and supports to individuals struggling with substance use disorders under Medicaid.

Sec. 1018. Technical assistance and support for innovative State strategies to provide housing-related supports under Medicaid.

TITLE II—MEDIACA PROVISIONS TO ADDRESS THE OPIOID CRISIS

Sec. 2001. Expanding the use of telehealth services for the treatment of opioid use disorder and other substance use disorders.


Sec. 2003. Every prescription conveyed securely.


Sec. 2005. Medicare coverage of certain services furnished by opioid treatment programs.

Sec. 2006. Encouraging appropriate prescribing under Medicare for victims of opioid overdoses.

Sec. 2007. Automatic escalation to external review under a Medicare part D drug management program for at-risk beneficiaries.

Sec. 2008. Suspension of payments by Medicare prescription drug plans and MA–PD plans pending investigations of credible allegations of fraud by pharmacies.

TITLE III—FDA AND CONTROLLED SUBSTANCE PROVISIONS

Subtitle A—FDA Provisions

CHAPTER 1—IN GENERAL

Sec. 3001. Clarifying FDA regulation of non-opioid use disorder.

Sec. 3002. Evidence-based opioid analgesic prescribing guidelines and report.

CHAPTER 2—STOP COUNTERFEIT DRUGS BY REGULATING AND ENHANCING ENFORCEMENT

Sec. 3011. Short title.

Sec. 3012. Notification, nondistribution, and recall of controlled substances.

Sec. 3013. Single source of imported illegal drugs.

Sec. 3014. Strengthening FDA and CBP coordination and capacity.

CHAPTER 3—STOP ILLEGAL DRUG IMPORTATION
CHAPTER 4—SECURING OPIOIDS AND UNUSED NARCOTICS WITH DELIBERATE DISPOSAL AND PACKAGING

Sec. 3031. Short title.
Sec. 3032. Safety-enhancing packaging and disposal features.

CHAPTER 5—POSTAPPROVAL STUDY REQUIREMENTS

Sec. 3041. Clarifying FDA postmarket authority.

Subtitle B—Controlled Substance Provisions

CHAPTER 1—MORE FLEXIBILITY WITH RESPECT TO MEDICATION-ASSISTED TREATMENT FOR OPIOID USE DISORDERS

Sec. 3201. Allowing for more flexibility with respect to medication-assisted treatment for opioid use disorders.
Sec. 3202. Medication-assisted treatment for recovery from substance use disorder.
Sec. 3203. Grants to enhance access to substance use disorder treatment.
Sec. 3204. Delivery of a controlled substance by a pharmacy to be administered by injection or implantation.

CHAPTER 2—EMPOWERING PHARMACISTS IN THE FIGHT AGAINST OPIOID ABUSE

Sec. 3211. Short title.
Sec. 3212. Programs and materials for training on certain circumstances under which a pharmacist may decline to fill a prescription.

CHAPTER 3—SAFE DISPOSAL OF UNUSED MEDICATION

Sec. 3221. Short title.
Sec. 3222. Disposal of controlled substances of a hospice patient by employees of a qualified hospice program.
Sec. 3223. GAO study and report on hospice safe drug management.

CHAPTER 4—SPECIAL REGISTRATION FOR TELEMEDICINE CLARIFICATION

Sec. 3231. Short title.
Sec. 3232. Requirements relating to a special registration for telemedicine.

CHAPTER 5—SYNTHETIC ABUSE AND LABELING OF TOXIC SUBSTANCES

Sec. 3241. Controlled substance analogues.

CHAPTER 6—ACCESS TO INCREASED DRUG DISPOSAL

Sec. 3251. Short title.
Sec. 3252. Definitions.
Sec. 3253. Authority to make grants.
Sec. 3254. Application.
Sec. 3255. Use of grant funds.
Sec. 3256. Eligibility for grant.
Sec. 3257. Duration of grant.
Sec. 3258. Accountability and oversight.
Sec. 3259. Duration of program.
Sec. 3260. Authorization of appropriations.

CHAPTER 7—USING DATA TO PREVENT OPIOID DIVERSION

Sec. 3271. Short title.
Sec. 3272. Purpose.
Sec. 3273. Amendments.
Sec. 3274. Report.

CHAPTER 8—OPIOID QUOTA REFORM

Sec. 3281. Short title.
Sec. 3282. Strengthening considerations for DEA opioid quotas.

CHAPTER 9—PREVENTING DRUG DIVERSION

Sec. 3291. Short title.
Sec. 3292. Improvements to prevent drug diversion.

TITLE IV—OFFSETS

Sec. 4001. Promoting value in Medicaid managed care.
Sec. 4002. Requiring reporting by group health plans of prescription drug coverage information for purposes of identifying primary payer situations under the Medicare program.
Sec. 4003. Additional religious exemption from health coverage responsibility requirement.
Sec. 4004. Modernizing the reporting of biological and biosimilar products.

TITLE V—OTHER MEDICARE PROVISIONS

Subtitle A—Mandatory Reporting With Respect to Adult Behavioral Health Measures
Sec. 5001. Mandatory reporting with respect to adult behavioral health measures.

Subtitle B—Medicaid IMD Additional Info
Sec. 5011. Short title.
Sec. 5012. MACPAC exploratory study and report on institutions for mental disease requirements and practices under Medicaid.

Subtitle C—CHIP Mental Health and Substance Use Disorder Parity
Sec. 5021. Short title.
Sec. 5022. Ensuring access to mental health and substance use disorder services for children and pregnant women under the Children’s Health Insurance Program.

Subtitle D—Medicaid Reentry
Sec. 5031. Short title.
Sec. 5032. Promoting State innovations to transitions integration to the community for certain individuals.

Subtitle E—Medicaid Partnership
Sec. 5041. Short title.
Sec. 5042. Medicaid providers are required to note experiences in record systems to help in-need patients.

Subtitle F—IMD CARE Act
Sec. 5051. Short title.
Sec. 5052. State option to provide Medicaid coverage for certain individuals with substance use disorders who are patients in certain institutions for mental diseases.

Subtitle G—Medicaid Improvement Fund
Sec. 5061. Medicaid Improvement Fund.

TITLE VI—OTHER MEDICARE PROVISIONS

Subtitle A—Testing of Incentive Payments for Behavioral Health Providers for Adoption and Use of Certified Electronic Health Record Technology
Sec. 6001. Testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

Subtitle B—Abuse Deterrent Access
Sec. 6011. Short title.
Sec. 6012. Study on abuse-deterrent opioid formulations to access barriers under Medicare.

Subtitle C—Medicare Opioid Safety Education
Sec. 6021. Medicare opioid safety education.

Subtitle D—Opioid Addiction Action Plan
Sec. 6031. Short title.
Sec. 6032. Action plan on recommendations for changes under Medicare and Medicaid to prevent opioids addictions and enhance access to medication-assisted treatment.

Subtitle E—Advancing High Quality Treatment for Opioid Use Disorders in Medicare
Sec. 6041. Short title.
Sec. 6042. Opioid use disorder treatment demonstration program.

Subtitle F—Responsible Education Achieves Care and Healthy Outcomes for Users’ Treatment
Sec. 6051. Short title.

Subtitle G—Preventing Addiction for Susceptible Seniors
Sec. 6061. Short title.
Sec. 6062. Electronic prior authorization for covered part D drugs.
Sec. 6063. Program integrity transparency measures under Medicare parts C and D.
Sec. 6064. Expanding eligibility for medication therapy management programs under part D.
Sec. 6065. Commit to opioid medical prescriber accountability and safety for requirements and practices under Medicaid.

Subtitre H—Expanding Oversight of Opioid Prescribing and Payment
Sec. 6071. Short title.
Sec. 6072. Medicare Payment Advisory Commission report on opioid payment, adverse incentives, and data under the Medicare program.
Sec. 6073. No additional funding authorized.

Subtitle I—Dr. Todd Graham Pain Management, Treatment, and Recovery
Sec. 6081. Short title.
Sec. 6082. Review and adjustment of payments under the Medicare outpatient prospective payment system to avoid financial incentives to use opioids instead of non-opioid alternative treatments.
Sec. 6083. Expanding access under the Medicare program to addiction treatment in Federally qualified health centers and rural health clinics.
Sec. 6084. Studying the availability of supplemental benefits designed to treat or prevent substance use disorders under Medicare Advantage plans.
Sec. 6085. Clinical psychologist services models under the Center for Medicare and Medicaid Innovation; GAO study and report.

Subtitle J—Combating Opioid Abuse for Care in Hospitals
Sec. 6091. Short title.
Sec. 6092. Developing guidance on pain management and opioid use disorder prevention for hospitals receiving payment under part A of the Medicare program.
Sec. 6093. Requiring the review of quality measures relating to opioids and opioid use disorder treatments furnished under the medicare program and other federal health care programs.
Sec. 6094. Technical expert panel on reducing surgical setting opioid use; Data collection on perioperative opioid use.
Sec. 6095. Requiring the posting and periodic update of opioid prescribing guidance for Medicare beneficiaries.

Subtitle K—Providing Reliable Options for Patients and Educational Resources
Sec. 6101. Short title.
Sec. 6102. Requiring Medicare Advantage plans and part D prescription drug plans to include information on risks associated with opioids and coverage of non-pharmaceutical therapies and nonopioid medications or devices used to treat pain.
Subtitle I—Fighting the Opioid Epidemic
With Sunshine
Sec. 6103. Requiring Medicare Advantage plans and prescription drug plans to provide information on the safe disposal of prescription drugs.
Sec. 6104. Revising measures used under the Hospital Consumer Assessment of Healthcare Providers and Systems survey relating to pain management.

Subtitle J—Alternatives to Opioids in the Emergency Department
Sec. 7091. Emergency department alternatives to opioids demonstration program.

Subtitle K—Treatment, Education, and Community Help To Combat Addiction
Sec. 7102. Youth prevention and recovery.
Sec. 7103. Information From National Mental Health and Substance Use Policy Laboratory.
Sec. 7111. Information from National Mental Health and Substance Use Policy Laboratory.

Subtitle L—Comprehensive Opioid Recovery Centers
Sec. 7121. Comprehensive opioid recovery centers.

Subtitle M—Comprehensive Opioid Recovery Centers
Sec. 7121. Comprehensive opioid recovery centers.

Subtitle N—Trauma-Informed Care
Sec. 7131. CDC surveillance and data collection for child, youth, and adult substance use disorder information.
Sec. 7132. Task force to develop best practices for trauma-informed identification, referral, and support.
Sec. 7134. Grants to improve trauma support services and mental health care for children and youth in educational settings.
Sec. 7135. Recognizing early childhood trauma related to substance abuse.

Subtitle O—Eliminating Opioid Related Infectious Diseases
Sec. 7141. Reauthorization and expansion of program of surveillance and education regarding infections associated with illicit drug use and other risk factors.

Subtitle P—Peer Support Communities of Recovery
Sec. 7151. Building communities of recovery.
Sec. 7152. Peer support technical assistance center.
Sec. 7153. Creating Opportunities That Necessitate New and Enhanced Connections That Improve Opioid Navigation Strategies
Sec. 7161. Preventing overdoses of controlled substances.
Sec. 7162. Prescription drug monitoring program.

Subtitle Q—Recovery
Sec. 7171. Review of substance use disorder treatment providers receiving federal funding.
Sec. 7172. Review of evidence regarding parity in mental health and substance use disorder benefits.
Sec. 7181. CAREER Act.

Subtitle R—Recovery From Opioid Use Programs
Sec. 7191. Building communities of recovery.
Sec. 7192. Peer support technical assistance center.

Subtitle S—Other Health Provisions
Sec. 7201. State response to the opioid abuse crisis.
Sec. 7202. Report on investigations regarding parity in mental health and substance use disorder benefits.
Sec. 7203. CAREER Act.

Subtitle T—MISCELLANEOUS
Subtitle A—Synthetics Trafficking and Overdose Prevention
Sec. 8001. Short title.
Sec. 8002. Customs fees.
Sec. 8003. Mandatory advance electronic information for postal shipments.
Sec. 8004. International postal agreements.
Sec. 8005. Cost recoupment.
Sec. 8006. Development of technology to detect illicit narcotics.
Sec. 8007. Civil penalties for postal shipments.
Sec. 8008. Report on violations of arrival, reporting, entry, and clearance requirements and falsity or lack of manifest.
Sec. 8009. Effective date; regulations.

Subtitle B—Opioid Addiction Recovery Fraud Prevention
Sec. 8011. Short title.

Subtitle C—Addressing Economic and Workforce Impacts of the Opioid Crisis
Sec. 8021. Short title.

Subtitle D—Peer Support Counseling Program for Women Veterans
Sec. 8031. Peer support counseling program for women veterans.

Subtitle E—Treating Barriers to Prosperity
Sec. 8041. Short title.

Subtitle F—Mitigation Initiative
Sec. 8051. Short title.

Subtitle G—Human Services
Sec. 8061. Supporting family-focused residential services.
Sec. 8062. Improving recovery and reunifying families.

Subtitle H—Reauthorizing and Extending Grants for Recovery From Opioid Use Programs
Sec. 8071. Short title.

Subtitle I—Fighting Opioid Abuse in Transportation
Sec. 8081. Short title.
Sec. 8082. Alcohol and controlled substance testing of mechanical employees.

Subtitle J—Eliminating Kickbacks in Recovery
Sec. 8091. Short title.

Subtitle K—Substance Abuse Prevention
Sec. 8101. Short title.
Sec. 8102. Alcohol and controlled substance testing in transportation.

Subtitle L—Fighting the Opioid Epidemic
Subtitle M—Comprehensive Opioid Recovery Centers
Sec. 1002. HEALTH INSURANCE FOR FORMER FOSTER YOUTH

(a) COVERAGE CONTINUITY FOR FORMER FOSTER CARE CHILDREN UP TO AGE 26.—


(A) in item (bb), by striking "are not described in or enrolled under" and inserting "are not described in and are not enrolled under";

(B) in item (cc), by striking "responsibility of the State" and inserting "responsibility of a State"; and

(C) in item (dd), by striking "the State plan under this title or under a waiver of such a State plan has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

(b) GUIDANCE.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue guidance to States, with respect to Medicaid programs of such States—

(1) on best practices for—

(A) removing barriers and ensuring streamlined, timely access to care for former foster youth up to age 26; and

(B) conducting outreach and raising awareness among such youth regarding Medicaid coverage options for such youth; and

(2) which shall include examples of States that have successfully extended Medicaid coverage to former foster youth up to age 26.

SEC. 1003. DEMONSTRATION PROJECT TO INCREASE SUBSTANCE USE PROVIDER CAPACITY UNDER THE MEDICAID PROGRAM.

Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end of the section the following new subsection:

(2) E FFECTIVE DATE.—The amendments made by paragraph (1) shall take effect 180 days after the date of the enactment of this Act.
(iii) are qualified under applicable State law to provide substance use disorder treatment or recovery services.

(D) Improved reimbursement for and expansion of the provision of education, training, and technical assistance, the number or treatment capacity of providers participating under the State plan (or waiver) during the period of the demonstration project.

(I) Activities that, taking into account the results of the assessment described in clause (i), support the development of State infrastructure to, with respect to the provision of substance use disorder treatment or recovery services under the State plan (or a waiver of such plan), recruit prospective providers and provide training and technical assistance to such providers.

(D) Funding.—For purposes of subparagraph (A), there is appropriated, out of any funds in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended.

(I) POST-PLANNING STATES.

(A) IN GENERAL.—The Secretary shall, with respect to the remaining 36-month period of the demonstration project conducted under paragraph (1), select no more than 5 States in accordance with paragraph (B) for purposes of carrying out the activities described in paragraph (2) and receiving payments in accordance with paragraph (5).

(B) SELECTION.—In selecting States for purposes of this paragraph, the Secretary shall—

(1) select States that received a planning grant under paragraph (3).

(ii) select States that submit to the Secretary an application in accordance with the requirements in subparagraph (C), taking into consideration the quality of each such application;

(iii) select States in a manner that ensures geographic diversity; and

(iv) give preference to States with a prevalence of substance use disorder treatment or recovery services furnished by providers participating under the State plan (or waiver) of 1/4 of such sums during such period.

(II) A review of reimbursement methodologies and other policies related to substance use disorder treatment or recovery services furnished by providers participating under the State plan (or waiver)

(III) The development of a plan, taking into account the results of the initial assessment described in paragraph (2) and the results of the assessment described in clause (i), that will result in the delivery of substance use disorder treatment or recovery services in the State.

(IV) Evidence-based peer recovery services.

(V) The expected financial impact of the demonstration project under this subsection on the State.

(VI) A description of the funding sources available to the State to provide substance use disorder treatment or recovery services in the State.

(B) QUALIFIED SUMS DEFINED.—For purposes of subparagraph (A), the term ‘qualified sums’ means, with respect to a State, the amount equal to the amount expended during such quarter by the State during such quarter attributable to substance use disorder treatment or recovery services furnished by providers participating under the State plan (or a waiver of such plan) exceed 1/4 of such sums expended by the State during fiscal year 2018 attributable to substance use disorder treatment or recovery services.

(C) NON-DUPLICATION OF PAYMENT.—In the case that payment is made under subparagraph (A) with respect to expenditures for substance use disorder treatment or recovery services furnished by providers participating under the State plan (or a waiver of such plan), payment may not be made under subsection (a) with respect to expenditures for the same services so furnished.

(6) REPORTS.—A State receiving payments under paragraph (5) shall, for the period of the demonstration project under this subsection, submit to the Secretary a quarterly report that contains information and data for purposes of substance use disorder treatment or recovery services for which payment is made.
to the State under this subsection, on the following:

"(i) The specific activities with respect to which payment under this subsection was provided,

"(ii) The number of providers that delivered substance use disorder treatment or recovery services in the State under the demonstration project compared to the estimated number of providers that would have otherwise delivered such services in the absence of such demonstration project,

"(iii) The number of individuals enrolled under the State plan (or a waiver of such plan) who received substance use disorder treatment services under the demonstration project compared to the estimated number of such individuals who would have otherwise received such services in the absence of such demonstration project,

"(iv) Other matters as determined by the Secretary.

(b) CMS reports.

"(1) Initial report.—Not later than October 1, 2020, the Administrator of the Centers for Medicare & Medicaid Services shall, in consultation with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, submit to Congress an initial report—

"(I) the States awarded planning grants under paragraph (3);

"(II) the criteria used in such selection; and

"(III) the activities carried out by such States under such planning grants.

"(2) Interim report.—Not later than October 1, 2022, the Administrator of the Centers for Medicare & Medicaid Services shall, in consultation with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, submit to Congress an interim report—

"(I) on activities carried out under the demonstration project under this subsection;

"(II) on the extent to which States selected under paragraph (4) have achieved the stated goals submitted in their applications under subparagraph (C) of such paragraph;

"(III) with a description of the strengths and limitations of such demonstration project; and

"(IV) with a plan for the sustainability of such project.

"(3) Final report.—Not later than October 1, 2023, the Administrator of the Centers for Medicare & Medicaid Services shall, in consultation with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, submit to Congress a final report—

"(I) providing updates on the matters reported in the interim report under clause (1);

"(II) including a description of any changes made with respect to the demonstration project under this subsection after the submission of such interim report; and

"(III) evaluating such demonstration project.

(c) AHRQ report.—Not later than 3 years after the date of the enactment of this subsection, the Director of the Agency for Healthcare Research and Quality, in consultation with the Administrator of the Centers for Medicare & Medicaid Services, shall submit to Congress a summary on the experiences of States awarded planning grants under subparagraph (C) and States selected under paragraph (4).

"(7) Data sharing and best practices.—During the period of the demonstration project or in consultation, the Secretary shall, in collaboration with States selected under paragraph (4), facilitate data sharing and the development of best practices between such States and States that were not so selected.

(b) CMS funding.—There is appropriated, out of any funds in the Treasury, such sums as may be necessary to support the State demonstration projects provided for under this section, and such sums as may be necessary to support the States selected under paragraph (4), have achieved the stated requirements under such subparagraph; and

"(B) Other matters as determined by the Secretary.
"(ii) The individual is an individual with a substance use disorder.

"(III) The individual has not previously received health home services under any other provision of health care.

"(IV) The individual is an eligible individual under subsection (a) (29) of section 1902 of the Social Security Act (42 U.S.C. 1396(a) (29)), subject to subparagraph (B) of subsection (a) (29)."

"(B) EXCEPTION FOR STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) that the Secretary of Health and Human Services determines requires State legislation in order for the respective plan to meet any requirement imposed by the amendments made by this subsection, the Secretary shall not be required to consider whether the State law has a contract under section 1903(m) or under section 1905(l)(3)."

"(E) EFFECTIVE DATE.—Section (a) shall apply to a State with an SUD-focused State plan amendment under this section and that is not an SUD-focused State plan amendment that is approved under this section, including for purposes of application of this paragraph.

"(2) REQUIREMENTS.—In the case of a State with a SUD-focused State plan amendment for which the application of the Federal medical assistance percentage has been extended under subparagraph (A) of this section, including for purposes of application of this paragraph.

"(ii) The quality of health care provided to such individuals, with a focus on outcomes relevant to the recovery of each such individual.

"(iii) The access of such individuals to health care.

"(iii) The total expenditures of such individuals for health care.

For purposes of this subparagraph, the Secretary shall apply all applicable laws for determining quality, access, and expenditures.

"(C) BEST PRACTICES.—Not later than October 1, 2020, the Secretary shall, in consultation with States, the Centers for Medicare & Medicaid Services, and national organizations of providers of medication-assisted treatment, medication-assisted treatment for persons with substance use disorders, and SUD-focused State plans, including for purposes of application of this paragraph.

"(1) The Secretary shall provide technical assistance to SUD-focused State plans to implement best practices identified by the Secretary may conclude that additional technical assistance is needed to implement best practices identified by the Secretary.

"(2) The Secretary shall also take into account the views of the States, national organizations of providers of medication-assisted treatment, and national organizations of SUD-focused State plans.

"(D) DEFINITIONS.—For purposes of this paragraph:

"(i) SUD-ELIGIBLE INDIVIDUALS.—The term 'SUD-eligible individual' means, with respect to a State, an individual who satisfies all of the following:

"(A) The individual is an eligible individual under subsection (a) (29) of section 1902 of the Social Security Act (42 U.S.C. 1396a (29)).

"(B) The individual is an eligible individual under subsection (a) (29) of section 1902 of the Social Security Act (42 U.S.C. 1396a (29)).

"(C) The individual is an eligible individual under subsection (a) (29) of section 1902 of the Social Security Act (42 U.S.C. 1396a (29))."
title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of a legislature that shall immediately follow the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, the regular session shall be considered to be a separate regular session of the State legislature.

SEC. 1007. CAREING RECOVERY FOR INFANTS AND BABIES.

(a) STATE PLAN AMENDMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a), as amended by sections 1001 and 1004, is further amended—

(1) in paragraph (84)(C), by striking ‘‘and’’ after the semicolon;

(2) in paragraph (85), by striking the period at the end and inserting ‘‘and’’;

and (3) by inserting after paragraph (85), the following new paragraph:

‘‘(86) provide, at the option of the State, for making medical assistance available on an inpatient or outpatient basis at a residential pediatric recovery center as defined in subsection (pp) to infants with neonatal abstinence syndrome.

(b) RESIDENTIAL PEDIATRIC RECOVERY CENTER DEFINED.—Section 1902 of such Act (42 U.S.C. 1396a(a)(86)), as amended by sections 1001 and 1004, is further amended by adding at the end the following new subsection:

‘‘(pp) RESIDENTIAL PEDIATRIC RECOVERY CENTER.—‘‘(1) IN GENERAL.—For purposes of section 1902(a)(86), the term ‘‘residential pediatric recovery center’’ means a center or facility that furnishes items and services for which medical assistance is available under the State plan to infants with the diagnosis of neonatal abstinence syndrome without any other significant medical risk factors.

‘‘(2) COUNSELING AND SERVICES.—A residential pediatric recovery center may offer counseling and other services to mothers (and other appropriate family members and caregivers) of infants receiving treatment at such centers if such services are otherwise covered under the State plan under this title or under a waiver of such plan. Such other services may include the following:

(A) Counseling or referrals for services.

(B) Services to encourage caregiver-infant bonding.

(C) Training on caring for such infants.

‘‘(2) EFFECTIVE DATE.—The amendments made by this subsection apply on the date of enactment of this Act.

SEC. 1008. PEER SUPPORT ENHANCEMENT AND EVALUATION.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall report to the Committee on Energy and Commerce of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Health, Education, Labor and Pensions of the Senate a report on the provision of peer support services under the Medicaid program.

(b) CONTENT OF REPORT.—

(1) IN GENERAL.—The report required under subsection (a) shall include the following information:

(A) Information on State coverage of peer support services under Medicaid, including—

(i) the mechanisms through which States may provide such coverage, including through existing statutory authority or through State regulations; and

(ii) the populations to which States have provided such coverage;

(iii) the payment models, including any alternative payment models, used by States to pay providers of such services; and

(iv) where available, information on Federal and State funding under Medicaid for peer support services.

(B) Information on selected State experiences in providing medical assistance for peer support services to children under Medicaid plans and whether States measure the effects of providing such assistance with respect to—

(i) improving access to behavioral health services;

(ii) improving early detection, and preventing worsening, of behavioral health disorders;

(iii) reducing chronic and comorbid conditions; and

(iv) reducing overall health costs.

(C) RECOMMENDATIONS.—The report required under subsection (a) shall include recommendations, including recommendations for such legislative and administrative actions related to improving services, including peer support services, and access to peer support services under Medicaid as the Comptroller General of the United States determines appropriate.

SEC. 1009. MEDICAID SUBSTANCE USE DISORDER TREATMENT VIA T ELEHEALTH.

(a) DEFINITIONS.—In this section:

(1) COMPTROLLER GENERAL.—The term ‘‘Comptroller General’’ means the Comptroller General of the United States.

(2) SCHOOL-BASED HEALTH CENTER.—The term ‘‘school-based health center’’ has the meaning given that term in section 1321 of the Social Security Act (42 U.S.C. 254j(c)(9)).

(3) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Health and Human Services.

(b) UNDERSERVED AREA.—The term ‘‘underserved area’’ means a health professional shortage area (as defined in section 338(a)(1)(A) of the Public Health Service Act (42 U.S.C. 254e(a)(1)(A))) and a medically underserved area (according to a designation under section 330(b)(3)(A) of the Public Health Service Act (42 U.S.C. 254b(b)(3)(A))).

(c) GUIDANCE TO STATES REGARDING FEDERAL REIMBURSEMENT FOR FURNISHING SERVICES AND TREATMENT FOR SUBSTANCE USE DISORDERS VIA TELEHEALTH, INCLUDING IN SCHOOL-BASED HEALTH CENTERS.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Comptroller General of the United States, shall issue guidance to States on the provision of services and treatment for substance use disorders via telehealth.

(d) REPORT ON REDUCING BARRIERS TO SERVICES DELIVERED VIA TELEHEALTH AND REMOTE PATIENT MONITORING FOR PE D I ATRIC POPULATIONS UNDER MEDICAID.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Comptroller General of the United States, shall issue a report to the Committee on Finance of the Senate and the Committee on Energy and Commerce of the House of Representatives identifying best practices and potential solutions for reducing barriers to using services delivered via telehealth to furnish services and treatment for substance use disorders among pediatric populations under Medicaid. The report shall include—

(A) analyses of the best practices, barriers, and potential solutions for using services delivered via telehealth to furnish services and treatment for children with substance use disorders, including opioid use disorder; and

(B) Identification and analysis of the differences, if any, in furnishing services and treatment for children with substance use disorders services delivered via telehealth and using services delivered in person, such as, and to the extent feasible, with respect to—

(i) utilization rates;

(ii) costs;

(iii) avoidable inpatient admissions and re-admissions;

(iv) quality of care; and

(v) patient, family, and provider satisfaction.

(2) PUBLICATION.—The Secretary shall publish the report required under paragraph (1) on the public Internet site of the Department of Health and Human Services.

SEC. 1010. ENHANCING PATIENT ACCESS TO NON- OPIOID TREATMENT OPTIONS.

(a) IN GENERAL.—Not later than January 1, 2019, the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue a final guidance document, or any final or more final guidance documents, to States regarding the provision of medication-assisted treatment, counseling, medication management, and medication adherence with prescribed medication regimens, using telehealth for patients managed in a managed care entity, through managed care entities, through administrative claims for disease management activities, and under Delivery System Reform Incentive Payment (‘‘DSRIP’’) programs.

(b) STATE OPTIONS FOR FEDERAL REIMBURSEMENT.—States shall have the option to receive reimbursement for providing services that meet the requirements for providing services that meet the requirements for reimbursement under Medicaid for the treatment of opioid use disorders for individuals enrolled in Medicaid in a school-based health center using services delivered via telehealth.

(c) EVALUATION.—The Secretary shall submit to Congress an evaluation of the Centers for Medicaid & Medicare Services, including an evaluation of the extent to which States have developed evidence-based guidelines and criteria to determine Medicaid eligibility for such services, and an estimate of the number of individuals who would be eligible for treatment under Medicaid if such guidelines were in place.
of such a plan, for non-opioid treatment and management of pain, including, but not limited to, evidence-based, non-opioid pharmacological therapies and non-pharmacological therapies.

SEC. 1011. ASSESSING BARRIERS TO OPIOID USE DISORDER TREATMENT.

(a) STUDY.—(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the ‘‘Comptroller General’’) shall conduct a study of the barriers to providing medication used in the treatment of substance use disorders under Medicaid distribution models such as the ‘‘buy-and-bill’’ model and opioid antagonist programs to improve or reduce such barriers. The study shall include analyses of each of the following models of distribution of substance use disorder treatment medications, particularly buprenorphine, naltrexone, and buprenorphine-naloxone combinations:

(A) The purchasing, storage, and administration of substance use disorder treatment medications by providers.

(B) The dispensing of substance use disorder treatment medications by pharmacists.

(C) The ordering, prescribing, and obtaining of substance use disorder treatment medications on demand from specialty pharmacists by providers.

(b) REQUIREMENTS.—For each model of distribution specified in paragraph (1), the Comptroller General shall evaluate how each model affects, or could be improved by, selected State Medicaid programs to reduce the barriers related to the provision of substance use disorder treatment by examining what is known about the effects of the model of distribution on—

(A) Medicaid beneficiaries’ access to substance use disorder treatment medications;

(B) the extent to which the model affects the relationship between each distribution model for medication-assisted treatment; and

(C) provider willingness to provide or pre-prescribe substance use disorder treatment medications.

(c) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a). The report shall include recommendations for such utilization and administrative action as the Comptroller General determines appropriate.

SEC. 1012. HELP FOR MOMS AND BABIES.

(a) PLAN.—Section 1905(c) of the Social Security Act (42 U.S.C. 1396d(c)), as amended by section 1006, is further amended by adding at the end the following new paragraph:

“(5) Payment shall be made under this title for services for capitation payments described in section 1866(e) of title 42, Code of Federal Regulations (or any successor regulation).”.

(b) R EPORT.—Not later than 1 year after the date of the enactment of this Act, the Medicaid and CHIP Payment and Access Commission shall conduct a study and analysis of utilization control policies applied to medication-assisted treatment for substance use disorders under State Medicaid programs, including policies and procedures applied both in fee-for-service Medicaid and in risk-based managed care Medicaid, which—

(A) include an inventory of such utilization control policies and related protocols for ensuring access to medically necessary treatment;

(B) determine whether managed care utilization control policies and procedures for medication-assisted treatment for substance use disorders for such purposes for such utilization control policies are consistent with section 422 of the Social Security Act (42 U.S.C. 1395w-2(b)(1));

(C) identify policies that—

(i) limit Medicaid beneficiaries’ access to medication-assisted treatment for a substance use disorder by limiting the quantity of medication-assisted treatment prescriptions or the number of refills for such prescriptions available to the individual as part of a prior authorization process or similar utilization protocols; and

(ii) apply without evaluating individual instances of fraud, waste, or abuse.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Medicaid and CHIP Payment and Access Commission shall make publicly available a report containing the results of the study conducted under subsection (b), which shall—

(A) The number and percentage of individuals enrolled in the State Medicaid plan or waiver for each major type of service under subparagraph (B) within each major setting type, such as outpatient, inpatient, and home-based and community-based settings.

(b) The number of services provided under the State Medicaid plan or waiver for each major type of service under subparagraph (B).

(c) An inventory of each utilization control policy that is included in any plan or waiver for each major type of service under subparagraph (B), including the number and percentage of individuals enrolled in the State Medicaid plan or waiver for each major type of service for each utilization control policy.

SEC. 1015. OPIOID ADDICTION TREATMENT PROGRAM ENHANCEMENT.

(a) T-MSIS SUBSTANCE USE DISORDER DATA BOOK.—

(1) IN GENERAL.—Not later than the date of the enactment of this Act, the Secretary of Health and Human Services shall issue an updated version of the report required under paragraph (1) not later than January 1 of each calendar year through 2024.

(2) USE OF T-MSIS DATA.—The report required under paragraph (1) and updates required under paragraph (1) shall—

(A) use data and definitions from the Transformed Medicaid Statistical Information System (‘‘T-MSIS’’) data set that is no more than 12 months old on the date that the report or update is published; and

(B) be issued as appropriate, including a description with respect to each State of the quality and completeness of the data and caveats describing the limitations of the data reported to the Secretary by the States that is sufficient to communicate the appropriate uses for the information.
In General.—The Secretary shall publish the records notice for the data specified in paragraph (2) for the Transformed Medicaid Statistical Information System, in accordance with section 552a(e) of title 5, United States Code. The notice shall outline policies that protect the security and privacy of the data that, at a minimum, meet the security and privacy policies of SORN 09–70–0541 for the Medicaid Statistical Information System.

Required Data.—The data covered by the system of records notice required under paragraph (1) shall be sufficient for researchers and States to analyze the prevalence of substance use disorders in the Medicaid beneficiary population and the treatment of substance use disorders under Medicaid across all States (including the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa), forms of treatment, and treatment settings.

Initiation of Data-Sharing Activities.—Not later than January 1, 2019, the Secretary shall initiate the data-sharing activities outlined in the notice required under paragraph (1).

SEC. 1016. BETTER DATA SHARING TO COMBAT THE OPIOID CRISIS

In General.—Section 1903(m) of the Social Security Act (42 U.S.C. 1396m(b)), as amended by section 1013, is further amended by adding at the end the following new paragraph:

"(8)(A) The State agency administering the State plan under this title may have reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State, to the extent that the State agency is permitted to access such databases under State law.

(B) Such State agency may facilitate reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State, to the same extent that the State agency is permitted under State law to access such databases, for—

(i) any provider enrolled under the State plan to provide services to Medicaid beneficiaries;

(ii) any managed care entity (as defined under section 1922(a)(1)(B)) that has a contract with the State under this subsection or under section 1905(c)(3).

(C) Such State agency may share information in such databases, to the same extent that the State agency is permitted under State law to share information in such databases, with—

(i) any provider enrolled under the State plan to provide services to Medicaid beneficiaries;

(ii) any managed care entity (as defined under section 1922(a)(1)(B)) that has a contract with the State under this subsection or under section 1905(c)(3).

(b) Security and Privacy.—All applicable State and Federal security and privacy protections and laws shall apply to any State agency, individual, or entity accessing 1 or more prescription drug monitoring program databases or obtaining information in such databases in accordance with section 1903(m)(b) of the Social Security Act (as added by this section).
Of paragraph (2).

section (ww)(4)).''.

subsection (b)(1) and under this paragraph (B) from the requirement under subparagraph (A).''.

Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395s(e)(2)) is amended—

(a) COVERAGE.—Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)) is amended—

(b) ANNUAL WELLNESS VISIT.—Section 1861(hhh)(2) of the Social Security Act (42 U.S.C. 1395hh(2)) is amended—

(c) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) or (b) shall be construed to prohibit separate payment for structured assessment and interventional services for substance abuse furnished to an individual on the same day as an initial preventive physical examination or an annual wellness visit.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to examinations and visits furnished on or after January 1, 2020.

SEC. 2003. EVERY PRESCRIPTION CONVEYED SECURELY. (a) In General.—Section 1860D–4(e) of the Social Security Act (42 U.S.C. 1395w–104(e)) is amended by adding at the end the following:

(7) REQUIREMENT OF E-PRESCRIBING FOR CONTROLLED SUBSTANCES.—

(A) IN GENERAL.—Subject to subparagraph (B), a prescription for a covered part D drug under a prescription drug plan (or under an MA–PD plan) for a schedule II, III, IV, or V controlled substance shall be transmitted by a health care practitioner electronically in accordance with an electronic prescription drug program that meets the requirements of paragraph (2).

(B) EXCEPTION FOR CERTAIN CIRCUMSTANCES.—The Secretary shall, through rulemaking, specify circumstances and processes by which the Secretary may waive the requirement under subparagraph (A), with respect to a covered part D drug, including in the case of—

(1) a prescription issued when the practitioner and dispensing pharmacy are the same entity.

(2) a prescription issued that cannot be transmitted electronically under the most recently implemented version of the National Council for Prescription Drug Programs SCRIPT Standard;

(3) a prescription issued by a practitioner who received a waiver or a renewal thereof for a period of time as determined by the Secretary, not to exceed one year, from the requirement to use electronic prescribing due to demonstrated economic hardship, technological innovations that are not reasonably within the control of the practitioner, or other exceptional circumstance demonstrated by the practitioner;

(4) a prescription issued by a practitioner under circumstances in which, notwithstanding the practitioner's ability to submit a prescription electronically as required by the Secretary, it is reasonable to determine that it would be impractical for the individual involved to obtain substances prescribed by electronic prescription in a timely manner, and such delay would adversely impact the individual's medical condition involved;

(5) a prescription issued by a practitioner prescribing a drug under a research protocol;

(6) an evaluation of the individual's severity of pain and current treatment plan;

(C) DISPENSING.—(i) Nothing in this paragraph shall be construed as affecting the ability of a pharmacist or pharmacy to dispense covered part D drugs from otherwise valid written, oral, or fax prescriptions that are consistent with laws and regulations.

(ii) Nothing in this paragraph shall be construed as affecting the ability of an individual who is being prescribed a covered part D drug to designate a particular pharmacy to dispense the covered part D drug to the extent consistent with the requirements under subsection (b) and under this paragraph.

(D) ENFORCEMENT.—The Secretary shall, through rulemaking, specify appropriate penalties for non-compliance with the requirement under subparagraph (A).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to coverage of drugs prescribed on or after January 1, 2021.

(c) UPDATE OF BIOMETRIC COMPONENT OF MULTIFACTOR AUTHENTICATION.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall update the requirements for the biometric component of multifactor authentication with respect to electronic prescriptions of controlled substances.

SEC. 2004. REQUIRED PRESCRIPTION DRUG PLAN SPONSORS UNDER MEDIicare TO ESTABLISH DRUG MANAGEMENT PROGRAMS FOR AT-RISK BENEFICIARIES.

Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)) is amended—

(1) in paragraph (1), by striking after subparagraph (E) the following new subparagraph:

(7) REQUIREMENT OF E-PRESCRIBING FOR CONTROLLED SUBSTANCES (as defined in paragraph (4)),'' after ''upon review of any current opioid prescriptions''; and

(2) in subparagraph (G), by inserting at the end ''and'';

(3) in subparagraph (H), by striking ''paragraph (2),''; and

(4) in subparagraph (I), by adding at the end the following new subparagraph:

(G) Screening for potential substance use disorders, and

(H) the furnishing of a review of any current opioid prescriptions (as defined in subsection (JJ)).

(i)nothing in this paragraph shall be construed as affecting the ability of a pharmacist or pharmacy to dispense covered part D drugs from otherwise valid written, oral, or fax prescriptions that are consistent with laws and regulations.

(ii)nothing in this paragraph shall be construed as affecting the ability of an individual who is being prescribed a covered part D drug to designate a particular pharmacy to dispense the covered part D drug to the extent consistent with the requirements under subsection (b) and under this paragraph.

(D) ENFORCEMENT.—The Secretary shall, through rulemaking, specify appropriate penalties for non-compliance with the requirement under subparagraph (A).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to coverage of drugs prescribed on or after January 1, 2021.

(c) UPDATE OF BIOMETRIC COMPONENT OF MULTIFACTOR AUTHENTICATION.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall update the requirements for the biometric component of multifactor authentication with respect to electronic prescriptions of controlled substances.

(D) meets such additional conditions as the Secretary may find necessary to ensure—

(i) the health and safety of individuals being furnished services under such program; and

(ii) the effective and efficient furnishing of such services.

(c) PAYMENT.—(1) IN GENERAL.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—
II IDENTIFICATION AND NOTICE.—For purposes of this clause, the Secretary shall—

(a) identify part D eligible individuals with a history of opioid-related overdose (as defined in subsection (b)); and

(b) notify the PDP sponsor of the prescription drug plan in which such an individual is enrolled of such identification.

SEC. 2007. AUTOMATIC ESCALATION TO EXTERNAL REVIEW UNDER A MEDICARE PART D DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.

(a) IN GENERAL.—Section 1860D–4(c)(5)(C) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)(C)) is amended—

(1) in subsection (B), in each of clauses (ii)(I)(i), (ii)(IV)(i), by striking “and the option of an automatic escalation to external review” and inserting “, including notice that if the Secretary considers that a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution”; and

(2) in subparagraph (E), by striking “and the option” and all that follows and inserting “, including notice that if the Secretary considers that a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution.”

II) IDENTIFICATION AND NOTICE.—For purposes of this clause, the Secretary shall—

(a) identify part D eligible individuals with a history of opioid-related overdose (as defined in subsection (b)); and

(b) notify the PDP sponsor of the prescription drug plan in which such an individual is enrolled of such identification.

SEC. 2007. AUTOMATIC ESCALATION TO EXTERNAL REVIEW UNDER A MEDICARE PART D DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.

(a) IN GENERAL.—Section 1860D–4(c)(5)(C) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)(C)) is amended—

(1) in subsection (B), in each of clauses (ii)(I)(i), (ii)(IV)(i), by striking “and the option of an automatic escalation to external review” and inserting “, including notice that if the Secretary considers that a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution”; and

(2) in subparagraph (E), by striking “and the option” and all that follows and inserting “, including notice that if the Secretary considers that a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution.”

II) IDENTIFICATION AND NOTICE.—For purposes of this clause, the Secretary shall—

(a) identify part D eligible individuals with a history of opioid-related overdose (as defined in subsection (b)); and

(b) notify the PDP sponsor of the prescription drug plan in which such an individual is enrolled of such identification.

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(a) identify part D eligible individuals with a history of opioid-related overdose (as defined in subsection (b)); and

(b) notify the PDP sponsor of the prescription drug plan in which such an individual is enrolled of such identification.
and evaluations of efficacy will be applied across and within review divisions, taking into consideration the etiology of the underlying disease, and the manner in which sponsors may use surrogates, intermediate endpoints, and real world evidence;

(3) the manner in which the Food and Drug Administration will assess evidence to support the opioid-sparing hypothesis, the labeling of non-addictive medical products intended to treat acute or chronic pain, including—

(A) alternative data collection methodologies, including the use of novel clinical trial designs (consistent with section 502(i) of the 21st Century Cures Act (Public Law 114–255)), and real world evidence (consistent with section 505F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355));

(B) ethical considerations of exposing subjects to controlled substances in clinical trials to develop opioid-sparing data and considerations on data collection methods that reduce harm, which may include the reduction of opioid use as a clinical benefit;

(C) including primary, secondary, and surrogate endpoints, to evaluate the reduction of opioid use;

(D) best practices for communication between the agency on the development of data collection methods, including the initiation of data collection; and

(E) the appropriate format in which to submit such recommendations to the Secretary; and

(4) the circumstances under which the Food and Drug Administration considers misuse and abuse of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) in making the risk benefit assessment under paragraphs (2) and (4) of subsection (d) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and in finding that a drug is unsafe under paragraph (1) or (2) of subsection (e) of such section.

(c) Definitions.—In this section—

(1) the term ‘‘medical product’’ means a drug (as defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1))), biological product (as defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i))), or device (as defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)));

and

(2) the term ‘‘opioid-sparing’’ means reducing, replacing, or avoiding the use of opioids or other controlled substances intended to treat acute or chronic pain.

SEC. 3002. EVIDENCE-BASED OPIOID ANALGESIC PRESCRIBING GUIDELINES AND REPORT.

(a) Guidelines.—The Commissioner of Food and Drugs shall develop evidence-based opioid analgesic prescribing guidelines for the indication-specific treatment of acute pain only for the relevant therapeutic areas where such do not exist.

(b) Public Input.—In developing the guidelines under subsection (a), the Commissioner of Food and Drugs shall—

(1) consult with stakeholders, which may include conducting a public meeting of medical professional societies (including any State-based societies), health care providers, State and Federal health agencies (including pain medicine specialty societies, patient groups, pharmacists, academic or medical research entities, and other entities with experience in health care, as appropriate); and

(2) collaborate with the Director of the Centers for Disease Control and Prevention, as appropriate, and with relevant Federal and State agencies with relevant expertise as appropriate; and

(3) provide for a notice and comment period consistent with section 701(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371(h)) for the submission of comments by the public;

(c) Report.—Not later than 1 year after the date of enactment of this Act, or, if earlier, at the time the guidelines under subsection (a) are finalized, the Commissioner of Food and Drugs shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and post on the public website of the Food and Drug Administration, a report on how the Food and Drug Administration will utilize the guidelines under subsection (a) to protect the public health and a description of the public health need with respect to each indication-specific treatment guideline.

(d) Updates.—The Commissioner of Food and Drugs shall periodically—

(1) update the guidelines under subsection (a), informed by public input described in subsection (b); and

(2) submit to the committees specified in subsection (a) a post on the public website of the Food and Drug Administration an updated report under such subsection.

(e) Statement of Guideline and Recommendations.—The Commissioner of Food and Drugs shall ensure that opioid analgesic prescribing guidelines and other recommendations under this section are accompanied by a clear statement that such guidelines or recommendations, as applicable—

(1) are intended to help inform clinical decision making by prescribers and patients; and

(2) are not intended to be used for the purposes of precluding, delaying, or denying coverage for, or access to, a prescription issued for a legitimate medical purpose by an individual practitioner acting in the usual course of professional practice.

CHAPTER 2—STOP COUNTERFEIT DRUGS BY REGULATING AND ENHANCING ENFORCEMENT NOW

SEC. 3011. SHORT TITLE.

This chapter may be cited as the ‘‘Stop Counterfeit Drugs by Regulating and Enhancing Enforcement Now Act’’ or the ‘‘SCREEN Act’’.

SEC. 3012. NOTIFICATION, NONDISTRIBUTION, AND RECALL OF CONTROLLED SUBSTANCES.

(a) Prohibitions.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

‘‘(e)(ee) The failure to comply with any order issued under section 569D.‘‘

(b) Notification, Nondistribution, and Recall of Controlled Substances.—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb et seq.) is amended by adding at the end the following:

‘‘SEC. 569D. NOTIFICATION, NONDISTRIBUTION, AND RECALL OF CONTROLLED SUBSTANCES.

(1) ORDER TO CEASE DISTRIBUTION AND RECALL.—

(‘‘(1) IN GENERAL.—If the Secretary determines there is a reasonable probability that a controlled substance would cause serious adverse health consequences or death, the Secretary may, after providing the appropriate person with an opportunity to consult with the agency, issue an order requiring manufacturers, importers, distributors, or pharmacists, who distribute such controlled substance to immediately cease distribution of such substance.‘‘

(‘‘(2) HEARING.—An order under paragraph (1) shall provide the person subject to the order with an opportunity for an informal hearing, to be held not later than 10 days after the date of issuance of the order, on whether adequate evidence exists to justify the effectiveness of the controls required by this paragraph (and, if any such controls are required by such amended order pursuant to subparagraph (3).‘‘

(‘‘(3) ORDER RE Refusal.—After an order is issued pursuant to this paragraph (1) and (2), the Secretary shall, except as provided in paragraph (4),—

(A) vacate the order, if the Secretary determines that inadequate grounds exist to support the actions required by the order;

(B) continue the order ceasing distribution of the controlled substance until a date specified in such order; and

(C) amend the order to require a recall of the controlled substance, including any requirements to notify appropriate persons, a timetable for the recall to occur, and a schedule for updates to be provided to the Secretary regarding such recall.

(‘‘(4) RISK ASSESSMENT.—If the Secretary determines that the risk of recalling a controlled substance presents a greater health risk than the health risk of not recalling such controlled substance from use, an amended order under paragraph (3) shall not include either a recall order for, or an order to cease distribution of, such controlled substance, as applicable.

(‘‘(5) ACTION FOLLOWING ORDER.—Any person who is subject to an order pursuant to subparagraph (B) or (C) of paragraph (3) shall immediately cease distribution of or recall, as applicable, the controlled substance and provide notification as required by such order.

(‘‘(D) NOTICE TO PERSONS AFFECTED.—If the Secretary determines necessary, the Secretary may require the person subject to an order pursuant to paragraph (1) or an amended order pursuant to paragraph (B) or (C) of paragraph (3) to provide either a notice of a recall order for, or an order to cease distribution of, such controlled substance, as applicable, under this section to appropriate persons, including persons who manufacture, distribute, import, or offer for sale such product that is the subject of an order and to the Secretary. In providing such notice, the Secretary may use the assistance of health professionals who prescribed or dispensed such controlled substances.

(‘‘(E) NONDELEGATION.—An order described in subsection (a)(3) shall be ordered by the Secretary or an official designated by the Secretary. An official may not be so designated under subsection (a)(3) unless the official is the Director of the Center for Drug Evaluation and Research or an official senior to such Director.

(‘‘(F) SAVINGS CLAUSE.—Nothing contained in this section shall be construed as limiting—

(‘‘(1) the authority of the Secretary to issue any order to cease distribution of, or order a recall, any drug under any other provision of this Act or the Public Health Service Act; or

(‘‘(2) the ability of the Secretary to request any person to perform a voluntary activity related to any drug subject to this Act or the Public Health Service Act.’’

(c) Controlled Substances Subject to Refusal.—The third sentence of section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(a)(3)) is amended by inserting ‘‘, or is a controlled substance subject to an order under section 569D’’ before ‘‘, or’’, or ‘‘(4)’’.

(d) Effective Date.—Sections 301(eee) and 569D of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(eee) and 331(dd)) (as added by amendment (4)) and (b), shall be effective beginning on the date of enactment of this Act.’’
SEC. 3013. SINGLE SOURCE PATTERN OF IMPORTED ILLEGAL DRUGS.

Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 335a), as amended by section 3012, is further amended by adding at the end the following:

"(c) SINGLE SOURCE PATTERN OF IMPORTED ILLEGAL DRUGS.—If the Secretary determines that a person subject to debarment as a result of engaging in a pattern of importing or offering for import controlled substances or drugs in violation of section 301(cc) (21 U.S.C. 335a(cc)), and such pattern is identified by the Secretary as being offered for import from the same manufacturer, distributor, or importer, the Secretary may by order determine that all drugs being offered for import from such person as adulterated or misbranded, unless such person can overcome the Secretary’s determination."

SEC. 3014. STRENGTHENING FDA AND CBP COORDINATION AND CAPACITY.

(a) In General.—In carrying out this section as the “Secretary”), acting through the Commissioner of Food and Drugs, shall coordinate with the Secretary of Homeland Security to carry out activities related to customs and border protection in and response to illegal controlled substances and drug imports, including (A) equipment and other applicable technology, (B) by inserting “or a drug” after “food”; (C) in paragraph (3), by striking (ii) "(ii) adulterated or misbranded drugs that are"

(b) FDA IMPORT FACILITIES AND INTEROPERABILITY CAPACITY.—

(1) In General.—In carrying out this section, the Secretary shall, in collaboration with the Secretary of Homeland Security, and the Postmaster General of the United States Postal Service, provide that import facilities in which the Food and Drug Administration operates or carries out activities related to drug imports within the international mail facilities include—

(A) facility upgrades and improved capacity in order to increase and improve inspection and detection capabilities, which may include the Secretary determines appropriate—

(i) improvements to facilities, such as upgrades or renovations, and support for the maintenance of import facilities and sites to improve coordination between Federal agencies;

(ii) improvements in equipment and information technologies to identify unapproved, counterfeit, or other unlawful controlled substances for destruction;

(iii) the construction of, or upgrades to, laboratory facilities for purposes of detection and testing of imported goods;

(iv) upgrades to the security of import facilities;

(v) innovative technology and equipment to facilitate improved and near-real-time information sharing between the Food and Drug Administration, the Department of Homeland Security, and the United States Postal Service; and

(B) innovative technology, including controlled substance detection and testing equipment and other applicable technology, in order to collaborate with the U.S. Customs and Border Protection to share near-real-time information, including information about test results, as appropriate.

(2) IN GENERAL.—For purposes of this section, an article that is being imported or offered for import into the United States may be treated by the Secretary as a drug if the article—

(A) accompanied by an electronic import entry for such article submitted using an authorized electronic data interchange system and

(ii) designated in such a system as an ingredient that presents significant public health concern and is, or contains—

"(D) a person from importing or offering for import into the United States a drug.

(B) in paragraph (3)—

(i) in the heading, by inserting “or drug” after “food”; (ii) in subparagraph (A), by striking “; or” and inserting a semicolon;

(iii) in subparagraph (B), by striking the period inserted at the end and inserting a semicolon;

(iv) by adding at the end the following:

“(C) the person has been convicted of a felony for conduct relating to the importation into the United States of any drug or controlled substance (as defined in section 102 of the Controlled Substances Act); and

(D) the person has failed to meet any pattern of importing or offering for import—

(i) controlled substances that are prohibited from importation under section 507(b) of the Tariff Act of 1930 (19 U.S.C. 1401(m)); or

(ii) adulterated or misbranded drugs that are"

(i) not designated in an authorized electronic data interchange system as a product that is regulated by the Secretary; or

(ii) knowingly or intentionally falsely designated in an authorized electronic data interchange system as a product that is regulated by the Secretary; and

(C) by adding at the end the following:

“(E) in paragraph (3), the term ‘pattern of importing or offering for import’ means importing or offering for import a drug in violation of clause (1) or (2) of paragraph (3) of subsection (B) in an amount, frequency, or dosage that is inconsistent with personal or household use by the importer.

(d) CERTAIN ILlicit ARTICLES.—Section 801 (of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(a)), as amended, is further amended by adding at the end the following—

“(1) by inserting ‘, or’ after the words ‘control,’ and ‘adulterated or misbranded’; and

(2) by striking ‘(2)’ and substituting ‘(1)’ for the second paragraph of clause (2) of section 801 (of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(a)), as amended, is further amended by adding at the end the following—

“(1) IN GENERAL.—For purposes of this section, an article that is being imported or offered for import into the United States may be treated by the Secretary as a drug if the article—

(A) accompanied by an electronic import entry for such article submitted using an authorized electronic data interchange system and

(ii) designated in such a system as an ingredient that presents significant public health concern and is, or contains—

"(D) a person from importing or offering for import into the United States a drug.

(B) in paragraph (3)—

(i) in the heading, by inserting “or drug” after “food”; (ii) in subparagraph (A), by striking “; or” and inserting a semicolon;
CHAPTER 4—SECURING OPIOIDS AND UNCONCEDEO

SEC. 3032. SAFETY-ENHANCING PACKAGING AND DISPOSAL SYSTEMS.

(a) DELIVERABLE DISPOSAL AND PACKAGING ELEMENTS.—Section 505–1(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1(e)) is amended—

(1) in paragraph (1)—

(B) by redesigning subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

(B) shall permit packaging systems and safe disposal packaging or safe disposal systems that are different from those required for the applicable listed drug under subsection (B); and

(2) in clause (i) of subparagraph (B), by inserting before the period at the end—

1. a description of the effectiveness of such recommendations at preventing the diversion of legally prescribed controlled substances; and

2. a description of the efficacy of such recommendations at preventing the diversion of legally prescribed controlled substances.

(b) SAFETY INFORMATION.—Clause (iii) of section 303(g)(2)(G) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–l(2)(G)) is amended—

(1) by striking subparagraph (C); and

(2) by redesigning subparagraph (B) as subparagraph (C); and

(c) GUIDANCE.—Not less than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall set forth guidance on the circumstances under which the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient.
of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)) is amended—
(1) in subclause (I), by striking “or” at the end; and
(2) in amending subclause (II) to read as follows:
“(II) a qualifying other practitioner, as defined in clause (iv), who is a nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, or certified nurse midwife.”;
“(d) Definition of Qualifying Other Practitioner.—Section 303(g)(2)(G)(iv) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(iv)) is amended by striking “nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, certified nurse midwife, or physician assistant.”;
(e) Technical Amendment.—Section 102(24) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(ii)) who are treating, in the case of physicians, more than 100 patients, and in the case of qualified practitioners, more than 30 patients. Such report shall include recommendations on future applicable patient number levels and limits. In preparing such report, the Secretary shall study, with respect to opioid use disorder treatment—
(1) the average frequency with which qualifying practitioners see their patients;
(2) the average frequency with which patients receive counseling, including the rates by which such counseling is provided by a qualifying practitioner directly, or by referral;
(3) the frequency of toxicology testing, including the frequency with which random toxicology testing is administered;
(4) the average monthly patient caseload for each type of qualifying practitioner;
(5) the treatment retention rates for patients;
(6) overdose and mortality rates; and
(7) any available information regarding the diversion of drugs by patients receiving such treatment from such a qualifying practitioner.

SEC. 2902. MEDICATION-ASSISTED TREATMENT FOR RECOVERY FROM SUBSTANCE USE DISORDER.
(a) Waivers for Maintenance Treatment or Detoxification.—Section 309(g)(2)(G) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(ii)) is amended by adding at the end the following:
“(IV) a physician graduated in good standing from an accredited school of allopathic medicine or osteopathic medicine in the United States during the 5-year period immediately preceding the date on which the physician submits to the Secretary a written notification under subparagraph (B) and successfully completed a comprehensive allopathic or osteopathic medicine curriculum or accredited medical residency training—
“(aa) included not less than 8 hours of training on treating and managing opioid-dependent patients; and
“(bb) included, at a minimum—
“(AA) the training described in items (aa) through (gg) of subparagraph (IV); and
“(BB) training with respect to any other best practice the Secretary determines should be included in the curriculum, which may include training on pain management, including assessment and appropriate use of opioid and non-opioid alternatives.”;
(b) Prescription.—The Secretary of Health and Human Services shall consider ways to ensure that an adequate number of qualified practitioners, as defined in clause (iv), and the Controlled Substances Act (21 U.S.C. 823(g)(2)), who have a specialty in pediatrics or the treatment of children or adolescents, are granted a waiver under such section 309(g)(2) to treat children and adolescents with substance use disorders.

SEC. 2903. GRANTS TO ENHANCE ACCESS TO SUBSTANCE USE DISORDER TREATMENT.
(a) In General.—The Secretary of Health and Human Services shall establish a grant program under which the Secretary may make grants to accredited schools of allopathic medicine or osteopathic medicine and teaching hospitals located in the United States to support the development of curricula that meet the requirements under subclause (VIII) of section 309(g)(2)(G)(ii) of the Controlled Substances Act, as added by section 3320(a) of this Act.
(b) Authorization of Appropriations.—There are authorized to be appropriated, for grants under subsection (a), $4,000,000 for each of fiscal years 2019 through 2023.

SEC. 2904. DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO BE ADMINISTERED BY INJECTION OR IMPLANTATION.
(a) In General.—The Controlled Substances Act is amended by inserting after section 309 (21 U.S.C. 829) the following:
“DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO BE ADMINISTERED BY INJECTION OR IMPLANTATION.

SEC. 309A. (a) In General.—Notwithstanding section 102(10), a pharmacy may deliver a controlled substance to a practitioner in accordance with a prescription that meets the requirements and the regulations issued by the Attorney General under this title, for the purpose of administering the controlled substance by the practitioner if—
“(1) the controlled substance is delivered by the pharmacy to the prescribing practitioner or the practitioner administering the controlled substance, as applicable, at the location listed on the practitioner’s certificate of registration issued under this title;
“(2) the controlled substance is to be administered by the practitioner, as applicable, or detoxification treatment under section 309(g)(2) and—
“(A) the practitioner who issued the prescription is a qualifying practitioner authorized under, and acting within the scope of that section; and
“(B) the controlled substance is to be administered by the practitioner, as applicable, or detoxification treatment under section 309(g)(2) and—
“(1) the prescription is not issued to supply any practitioner with a stock of controlled substances for the purpose of general dispensing to patients;
“(2) except as provided in subsection (b), the controlled substance is to be administered only to the patient to whom the prescription is issued not later than 14 days after the date of receipt of the controlled substance by the practitioner; and
“(3) notwithstanding any exceptions under section 309, the prescribing practitioner, and the practitioner administering the controlled substance, as applicable, maintain complete and accurate records of all controlled substances delivered, received, administered, or otherwise disposed of under this section, including the persons to whom controlled substances are delivered, the amounts delivered, and the date of receipt of the controlled substance by the practitioner.
(b) Modification of Number of Days Before Which Controlled Substance Shall Be Administered.—
“(1) Initial 2-Year Period.—During the 2-year period beginning on the date of enactment of this Act, the Attorney General, in coordination with the Secretary, may reduce the number of days described in subsection (a)(5) if the Attorney General determines that such reduction would reduce overdose and mortality rates; and
“(2) Modifications After Submission of Report.—After the date which the report described in section 3320(b) of the SUPPORT for Patients and Communities Act is submitted, the Attorney General, in coordination with the Secretary, may modify the number of days described in subsection (a)(5).
(c) Minimum Number of Days.—Any modification under this subsection shall be for a period of not less than 7 days.

(b) Study and Report.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report on access to and potential diversion of controlled substances administered by injection or implantation.

(c) Technical and Conforming Amendments.—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the item relating to section 309 the following:
“Sec. 309A. Delivery of a controlled substance by a pharmacy to an administering practitioner.”;

CHAPTER 2—EMPowering PHARMACISTS IN THE FIGHT AGAINST OPIOID ABUSE
SEC. 3211. SHORT TITLE.
This chapter may be cited as the “Empowering Pharmacists in the Fight Against Opioid Abuse Act”.
SEC. 3212. PROGRAMS AND MATERIALS FOR TRAINING ON CERTAIN CIRCUMSTANCES UNDER WHICH A PHARMACIST MAY DECLINE TO FILL A PRESCRIPTION.
(a) In General.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the Secretary of the Drug Enforcement Administration, Commissioner of Food and Drugs, Director of the Centers for Disease Control and Prevention, and the Attorney General, in consultation with the Secretary of Health and Substance Use, shall develop and disseminate, as appropriate, materials for pharmacists, health care providers, and patients on—
(1) circumstances under which a pharmacist may, consistent with section 309 of the Controlled Substances Act (21 U.S.C. 829) and regulations thereunder, decline to fill a prescription for a
controlled substance because the pharmacist suspects the prescription is fraudulent, forged, or of doubtful, questionable, or suspicious origin; and
(2) other Federal requirements pertaining to declining to fill a prescription under such circumstances, including the partial fill of prescriptions for certain controlled substances.

(b) MATERIALS INCLUDED.—In developing materials under subsection (a), the Secretary of Health and Human Services shall include information for—
(1) pharmacists on how to decline to fill a prescription and actions to take after declining to fill a prescription; and
(2) other Federal agencies or programs and the public on a pharmacist’s ability to decline to fill prescriptions in certain circumstances and a description of those circumstances (as described in the materials developed under subsection (a)(1)).

(c) STAKEHOLDER INPUT.—In developing the programs and materials required under subsection (a), the Secretary of Health and Human Services shall seek input from relevant national, State, and local associations, boards of pharmacy, medical societies, licensing boards, health care practitioners, and patients, including individuals with chronic pain.

CHAPTER 3—SAFE DISPOSAL OF UNUSED MEDICATION

SEC. 3221. SHORT TITLE. This chapter may be cited as the “Safe Disposal of Unused Medication Act”.

SEC. 3222. DISPOSAL OF CONTROLLED SUBSTANCES OF A HOSPICE PATIENT BY EMPLOYEES OF A QUALIFIED HOSPICE PROGRAM.

(a) IN GENERAL.—Section (g) of section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following:

“(5)(A) In the case of a person receiving hospice care, an employee of a qualified hospice program, acting within the scope of employment, may, without being registered under this section, any controlled substance that was lawfully dispensed to the person receiving hospice care, for the purpose of disposal of the controlled substances—

“(i) the controlled substance is a controlled substance because the plan of hospice care includes information for—

“(II) at the time following the disposal of the controlled substances—

“(aa) documents in the patient’s clinical record the type of controlled substance, dosage, route of administration, and quantity so disposed; and

“(bb) the time, date, and manner in which that disposal occurred.”.

(b) GUIDANCE.—The Attorney General may issue guidance for qualified hospice programs (as defined in paragraph (5) of section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)), as added by subsection (a)) to assist the programs in satisfying the requirements under such paragraph (5).”.

SEC. 3223. GAO STUDY AND REPORT ON HOSPICE SAFE DRUG MANAGEMENT.

(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study on the requirements applicable to, and challenges of, hospice programs with regard to the management and disposal of controlled substances in hospice care or hospice programs.

(2) CONTENTS.—In conducting the study under paragraph (1), the Comptroller General shall include—

(A) an overview of any challenges encountered by selected hospice programs regarding the disposal of controlled substances, such as opioids, in a home setting, including any key changes in policies, procedures, or best practices for the disposal of controlled substances over time; and

(B) a description of Federal requirements, including requirements under the Medicare program, for hospice programs regarding the disposal of controlled substances in a home setting, and oversight of compliance with those requirements.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under subsection (a), together with recommendations, if any, for such legislation and administrative action as the Comptroller General determines appropriate.

CHAPTER 4—SPECIAL REGISTRATION FOR TELEMEDICINE CLARIFICATION

SEC. 3231. SHORT TITLE. This chapter may be cited as the “Special Registration for Telemedicine Clarification Act of 2018”.

SEC. 3232. REGULATIONS RELATING TO A SPECIAL REGISTRATION FOR TELEMEDICINE.

Section 313(h)(2) of the Controlled Substances Act (21 U.S.C. 831(h)(2)) is amended to read as follows:

“(2) REGULATIONS.—Not later than 1 year after the date of enactment of the SUPPORT for Patients and Communities Act, in consultation with the Secretary, the Attorney General shall promulgate final regulations specifying—

“(A) the limited circumstances in which a special registration under this subsection may be issued; and

“(B) the procedure for obtaining a special registration under this subsection.”.

CHAPTER 5—SYNTHETIC ABUSE AND LABELING OF TOXIC SUBSTANCES

SEC. 3241. CONTROLLED SUBSTANCE ANALOGUES.

Section 303 of the Controlled Substances Act (21 U.S.C. 813) is amended—

(1) by striking “A controlled” and inserting “(a) In general.—A controlled”; and

(2) by adding at the end the following:

“(b) DETERMINATION.—In determining whether a controlled substance was intended for human consumption under subsection (a), the following factors may be considered, along with any other relevant factors—

“(i) The marketing, advertising, and labeling of the substance.

“(ii) The known efficacy or usefulness of the substance for the marketed, advertised, or labeled purpose.

“(iii) The difference between the price at which the substance is sold and the price at which the substance was intended to be or advertised as is normally sold.

“(iv) The diversion of the substance from legitimate channels and the clandestine importation, manufacture, or distribution of the substance.

“(v) Whether the defendant knew or should have known the substance was intended to be consumed by injection, inhalation, ingestion, or any other immediate means.

“(vi) Any controlled substance analogue that is manufactured, formulated, sold, distributed, or marketed with the intent to avoid the provisions of existing drug laws.

“(vii) LIMITATION.—For purposes of this section, evidence that a substance was not marketed, advertised, or labeled for human consumption, by itself, shall not be sufficient to establish that the substance was not intended for human consumption.

CHAPTER 6—ACCESS TO INCREASED DRUG DISPOSAL

SEC. 3251. SHORT TITLE. This chapter may be cited as the “Access to Increased Drug Disposal Act of 2018”.

SEC. 3252. DEFINITIONS.

In this chapter—

(1) the term “Attorney General” means the Attorney General, acting through the Assistant Attorney General for the Office of Justice Programs;

(2) the term “authorized collector” means a narcotic treatment program, a hospital or retail pharmacy, or a reverse distributor, that is authorized as a collector under section 1317.40 of title 21, Code of Federal Regulations, or any successor; and

(3) the term “cover grant” means an award under section 3003; and

(4) the term “eligible collector” means a person who is eligible to be an authorized collector.

SEC. 3253. AUTHORITY TO MAKE GRANTS.

The Attorney General shall award grants to States to enable the States to increase the participation of eligible collectors as authorized collectors.
SEC. 3254. APPLICATION.
A State desiring a covered grant shall submit to the Attorney General an application that, at a minimum—
(1) identifies the single State agency that oversees pharmaceutical care and will be responsible for complying with the requirements of the grant;
(2) in paragraph 1 to increase participation rates of eligible collectors as authorized collectors; and
(3) describes how the State will select eligible collectors to be served under the grant.

SEC. 3255. USE OF GRANT FUNDS.
A State that receives a covered grant, and any subrecipient of the grant, may use the grant funds to support the distribution of information through the Automated Reports and Consolidated Orders System, or any subsequent automated system developed by the Drug Enforcement Administration to monitor selected controlled substances.

SEC. 3256. ELIGIBILITY FOR GRANT.
The Attorney General shall award a covered grant to 5 States, not less than 3 of which shall be States in the lowest quartile of States based on the participation rate of eligible collectors as authorized collectors, as determined by the Attorney General.

SEC. 3257. DURATION OF GRANTS.
The Attorney General shall determine the period of years for which a covered grant is made to a State.

SEC. 3258. ACCOUNTABILITY AND OVERSIGHT.
A State that receives a covered grant shall submit to the Attorney General a report, at such time and in such manner as the Attorney General may reasonably require, that—
(1) lists the ultimate recipients of the grant amounts;
(2) describes the activities undertaken by the State using the grant amounts; and
(3) contains performance measures relating to the effectiveness of the grant, including changes in the participation rate of eligible collectors as authorized collectors.

SEC. 3259. DURATION OF PROGRAM.
The Attorney General may award covered grants for each of the first 5 fiscal years beginning after the date of enactment of this Act.

SEC. 3260. AUTHORIZATION OF APPROPRIATIONS.
There is authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this chapter.

CHAPTER 7—USING DATA TO PREVENT OPIOID DIVERSION

SEC. 3271. SHORT TITLE.
This chapter may be cited as the “Using Data To Prevent Opioid Diversion Act of 2018”.

SEC. 3272. PURPOSE.
(a) IN GENERAL.—The purpose of this chapter is to provide drug manufacturers and distributors with access to anonymized information through the Automated Reports and Consolidated Orders System to help drug manufacturers and distributors identify suspicious reports, and stop suspicious orders of opioids and reduce diversion rates.

(b) RULE OF CONSTRUCTION.—Nothing in this chapter should be construed to absolve a drug manufacturer, drug distributor, or other Drug Enforcement Administration registrant from the responsibility of the manufacturer, distributor, or other registrant to—
(1) identify, stop, and report suspicious orders; or
(2) maintain effective controls against diversion in accordance with section 305(b) of the Controlled Substances Act (21 U.S.C. 823) or any successor law or associated regulation.

SEC. 3273. AMENDMENTS.
(a) IN SUBSECTION (A) OF SECTIONS 307 AND 308 OF THE CONTROLLED SUBSTANCES ACT (21 U.S.C. 827) IS AMENDED—
(1) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively;
(2) by inserting after subsection (e) the following:

“(d) The Attorney General shall, not less frequently than quarterly, make the following information available to the Attorney General in accordance with section 307(f),”;

(b) in subsection (c), by striking subparagraph (B) and inserting the following:

“(B) Except as provided in clause (i), in the case of a violation described in clause (i) committed by a registered manufacturer or distributor of opioids related to the reporting of suspicious orders for opioids, failing to maintain effective controls against diversion of opioids, or failing to review the most recent information made available by the Attorney General in accordance with section 307(f), the criminal fine under title 18, United States Code, shall not exceed $10,000.

(c) in subsection (g), by striking “manufacturing’’ and inserting “or distributor’’;

(d) in subparagraph (A), by inserting “or” after “manufacturing’’; and

(e) in paragraph (1), by striking “or” and inserting “and”;

(f) in paragraph (2), by striking “or” and inserting “and”;

(g) by inserting “or distributor’’ after “manufacturing’’;

(h) by inserting “or distributor’’ after “manufacturing’’;

(i) by inserting “or distributor’’ after “manufacturing’’;

(j) by inserting “or distributor’’ after “manufacturing’’;

SEC. 3274. REPORT.
Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report that provides information about how the Attorney General is using data in the Automation of Reports and Consolidated Orders System to identify and stop suspicious activity, including—
(1) whether the Attorney General is using data to support the identification and reporting of suspicious orders for opioids, failing to maintain effective controls against diversion of opioids, or failing to review the most recent information made available by the Attorney General in accordance with section 307(f), the criminal fine under title 18, United States Code, shall not exceed $10,000.

SEC. 3277. SHORT TITLE.
This chapter may be cited as the “Opioid Quota Reform Act”.

SEC. 3282. STRENGTHENING CONSIDERATIONS FOR DEA OPIOID QUOTAS.
(a) IN GENERAL.—Section 306 of the Controlled Substances Act (21 U.S.C. 826) is amended—
(1) in subsection (a)—
(A) by inserting “(1)” after “(a)”;
(B) in the second sentence, by striking “production’’ and inserting “manufacturing’’;

(c) by adding at the end the following:

“(2) The Attorney General may, if the Attorney General determines it will assist in avoiding the overproduction, shortages, or diversion of a controlled substance, establish an aggregate or individual production quota under this subsection, or a procurement quota established by the Attorney General by regulation, in terms of pharmaceutical dosage forms prepared from or containing controlled substances.”.

(b) in subsection (b), in the first sentence, by striking “production’’ and inserting “manufacturing’’;

(c) by striking “October” and inserting “December’’;

(d) by adding at the end the following:
CHAPTER 9—PREVENTING DRUG DIVERSION

SEC. 2291. SHORT TITLE.
This chapter may be cited as the “Preventing Drug Diversion Act of 2018.”

SEC. 2292. IMPROVEMENTS TO PREVENT DRUG DIVERSION.

(a) DEFINITION.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended as follows:

(7) The term ‘suspicious order’ may include, but is not limited to—

(A) an order of a controlled substance of unusual size;

(B) an order of a controlled substance deviating substantially from a normal pattern; and

(C) orders of controlled substances of unusual frequency.”;

(b) SUSPICIOUS ORDERS.—Part C of the Controlled Substances Act (21 U.S.C. 821 et seq.) is amended by adding at the end the following:

SEC. 312. SUSPICIOUS ORDERS.

(1) REPORTING.—Each registrant shall—

(1) design and operate a system to identify suspicious orders for the registrant;

(2) ensure that the system designed and operated under paragraph (1) by the registrant complies with applicable Federal and State privacy laws; and

(3) upon discovering a suspicious order or series of orders, notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

(2) SATISFACTION OF REPORTING REQUIREMENTS.—If a registrant reports a suspicious order to the central database established under paragraph (1), the registrant shall be considered to have complied with the requirement under subsection (a)(3) to notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

(c) SHARING INFORMATION WITH THE STATES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Attorney General shall establish a centralized database for collecting reports of suspicious orders.

(2) SATISFACTION OF REPORTING REQUIREMENTS.—If a registrant reports a suspicious order to the centralized database established under paragraph (1), the registrant shall be considered to have complied with the requirement under subsection (a)(3) to notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

(3) ADDITIONAL REPORTS.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report providing, for the previous year—

(A) the number of reports of suspicious orders;

(B) a summary of actions taken in response to reports, in the aggregate, of suspicious orders; and

(C) a description of the information shared with States based on reports of suspicious orders.

(4) ONE-TIME GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Administrator of the Drug Enforcement Administration, shall submit to Congress a report on the reporting of suspicious orders, which shall include an evaluation of the utility of real-time reporting of potential suspicious orders of opioids on a national level using computerized algorithms, including the extent to which such algorithms—

(A) would help ensure that potentially suspicious orders are more accurately captured, identified, and reported in real time to suppliers before orders are filled;

(B) may produce false positives of suspicious order reports that could result in market disruptions for legitimate orders of opioids; and

(C) would reduce the overall length of an investigation that prevents the diversion of suspicious orders of opioids.

TITLE IV—OFFSETS

SEC. 4001. PROMOTING VALUE IN MEDICAID MANAGED CARE.

Section 1905(k) of the Social Security Act (42 U.S.C. 1396b(m)), as amended by sections 101 and 104, is further amended by adding at the end the following new paragraph:

“(9)(A) With respect to expenditures described in subparagraph (B) that are incurred by a State for any fiscal year after fiscal year 2020 (and before fiscal year 2024), in determining the proportionate share to which the United States is equitably entitled under subsection (d)(3), the Secretary shall substitute the Federal medical assistance percentage that applies for such fiscal year to the State under section 1905(y) after regard to any adjustments to such percentage applicable under such section or any other provision of law for the percentage that applies before such section 1905(y).

(B) Expenditures described in subparagraph (A) are expenditures incurred by a State for payment for...
medical assistance provided to individuals described in subclause (VIII) of section 1902(a)(10)(A)(i) by a managed care entity, or other specified entity (as defined in subparagraph (C) to the extent such subparagraph is treated as remits because the State—

(i) has satisfied the requirement of section 438.8 of title 42, Code of Federal Regulations (or any successor regulation), by electing—

(I) in the case of a State described in subparagraph (B), to a minimum medical loss ratio (as defined in subparagraph (D)(ii)) that is at least 85 percent but not greater than the minimum medical loss ratio (as so defined) that such State applied as of May 31, 2018; or

(ii) recovered all or a portion of the expenditures as a result of the entity’s failure to meet such ratio.

(ii) Purposes of subparagraph (B), a State described in this subparagraph is a State that as of May 31, 2018, applied a minimum medical loss ratio (as calculated under subsection (d) of section 438.8 of title 42, Code of Federal Regulations (as in effect on June 1, 2018)) for payment for services provided by entities described in subparagraph (B) under the State plan under this title (or a waiver of such subparagraph under the State plan under this title (or a waiver of the plan) that is equal to or greater than 85 percent.

(D) in the paragraph (7), as redesignated and amended by section 11211, by striking “or an agreement between 2 or more biosimilar biological product applicants regarding a time period referred to in section 351(k)(4) of the Public Health Service Act as it applies to the biosimilar biological product applications with which the agreement is concerned” and inserting “an agreement between 2 or more biosimilar biological product applicants regarding a time period referred to in section 351(k)(6) of the Public Health Service Act as it applies to the biosimilar biological product, or an agreement between 2 or more biosimilar biological product applicants regarding the manufacture, marketing, or sale of a biosimilar biological product.”

(iii) in subparagraph (C), by inserting “were entered into within 30 days of,” after “condition for.”

TITLE V—OTHER MEDICAID PROVISIONS

Subtitle A—Mandatory Reporting With Respect to Adult Behavioral Health Measures

Section 11309 of the Social Security Act (42 U.S.C. 1320b–9b) is amended—

(1) by striking “Not later than January 1, 2013” and inserting “Not later than January 1, 2015”; and

(2) by adding at the end the following:

“(B) MANDATORY REPORTING WITH RESPECT TO BEHAVIORAL HEALTH MEASURES.—Beginning with the State report required under subsection (d)(1) for 2024, the Secretary shall require States to use all behavioral health measures included in the core set of adult health quality measures and any updates or changes to such measures published in the standardized format for reporting information and procedures developed under subparagraph (a) regarding the quality of behavioral health care for Medicaid eligible adults.”; and

(B) in paragraph (5), by adding at the end the following:

“(C) BEHAVIORAL HEALTH MEASURES.—Beginning with the State report required under subsection (d)(1) for 2024, the Secretary shall require States to use all behavioral health measures included in the core set of adult health quality measures maintained under this paragraph (and any updates or changes to such measures) shall include behavioral health measures.”;

and

(2) in subsection (c)(2)—

(A) by striking “the ‘such plan’” and inserting “such plan”;

and

(I) in subparagraph (C)(i), by striking “brand name” and inserting “listed”; and

(II) by amending clause (ii) of subparagraph (C) to read as follows:

“(A) by amending paragraph (c) of title 42, Code of Federal Regulations (or any successor regulation), by inserting—

(i) in the paragraph (1), by striking “‘a biosimilar biological product applicant’ after “APPLICANT’”;

(ii) in paragraph (1)(A), by striking “the biosimilar biological product application” and inserting “a biosimilar biological product application”;

(iii) in paragraph (1)(B), by striking “the biosimilar biological product application that references the same reference product” and inserting “the biosimilar biological product application”;

and

(II) by striking “or an agreement between 2 or more biosimilar biological product applicants regarding a time period referred to in section 351(k)(4) of the Public Health Service Act as it applies to the biosimilar biological product applications with which the agreement is concerned” and inserting “an agreement between 2 or more biosimilar biological product applicants regarding a time period referred to in section 351(k)(6) of the Public Health Service Act as it applies to the biosimilar biological product, or an agreement between 2 or more biosimilar biological product applicants regarding the manufacture, marketing, or sale of a biosimilar biological product.”;

and

(C) in subsection (c)(2), by inserting “were entered into within 30 days of,” after “condition for.”

Subtitle B of title XI of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173) is amended—

(1) in section 1111, as amended by section 3(1) of the Patient Right to Know Drug Prices Act—

(A) in the paragraph (3) inserted by such section 3(1), by striking “application” and inserting “a biosimilar biological product application”;

(B) in the paragraph (4) inserted by such section 3(1), by inserting “application” before “under section 351(k) of the Public Health Service Act”;

(C) in the paragraph (5) inserted by such section 3(1), by striking “biological product” and inserting “biological product”;

and

(2) in subsection (c)(2), by inserting “were entered into within 30 days of,” after “condition for.”

Subtitle C—Enforcement Requirements

Subtitle D—Special Rules

Subtitle E—Implementation

Subtitle F—Conferences and Hearings

Subtitle G—Prohibitions

Subtitle H—Appropriations

Subtitle I—Reporting

Subtitle J—Emergency Preparedness

Authorization of Appropriations.
(B) by striking “subsection (a)(5)” and inserting “subsection (b)(5) and, beginning with the report for 2024, all behavioral health measures included in the core set of adult health measures maintained under such subsection (b)(5) and any updates or changes to such measures (as required under subsection (b)(5))”.

Subtitle B—Medicaid IMD Additional Info

SEC. 5012. MEDICAID LABORATORY STUDY AND REPORT ON INSTITUTIONS FOR MENTAL DISEASES REQUIREMENTS AND PRACTICES UNDER MEDICAID.

(a) IN GENERAL.—Not later than January 1, 2020, the Medicaid and CHIP Payment and Access Commission shall conduct an exploratory study, using data from a representative sample of States, and submit to Congress a report on at least the following information, with respect to the population of individuals enrolled under State plans under the Medicaid program under title XIX of such Act (42 U.S.C. 1396) (or waivers of such plans) who are patients in institutions for mental diseases and for which payment is made through fee-for-service or managed care arrangements under such State plans (or waivers):

(1) A description of such institutions for mental diseases in each such State, including a minimum—

(A) the number of such institutions in the State;

(B) the facility type of such institutions in the State; and

(C) any coverage limitations under each such State plan (or waiver) on scope, duration, or frequency of such services.

(2) With respect to each such institution for mental diseases in each such State, a description of—

(a) such services provided at such institution;

(b) the process, including any timeframe, used by such institution to clinically assess and reassess such individuals; and

(c) any process used by such institution, including any care continuum of relevant services or facilities provided or used in such process;

(3) a description of—

(A) any Federal waiver that each such State has for such institutions and the Federal statutory authority for such waiver; and

(B) any other Medicaid funding sources used by each such State for funding such institutions, such as supplemental payments.

(4) A summary of State requirements (such as quality standards, clinical standards, and facility standards) that such institutions must meet to receive payment under such State plans (or waivers) and how each such State determines if such requirements have been met.

(5) A summary of State standards (such as quality standards, clinical standards, and facility standards) that such institutions must meet to receive payment under such State plans (or waivers) and how each such State determines if such standards have been met.

(6) A summary of State requirements (such as quality standards, clinical standards, and facility standards) that such institutions must meet to receive payment under such State plans (or waivers) and how each such State determines if such requirements have been met.

(b) REQUIRED TO REPORT ON INSTITUTIONS FOR MENTAL DISEASES.—The term “representative sample of States” means a non-probability sample in which at least two States are selected based on the knowledge and professional judgment of the selector.

(2) STATE.—The term “State” means each of the 50 States, the District of Columbia, and any commonwealth or territory of the United States.

(3) INSTITUTION FOR MENTAL DISEASES.—The term “institutions for mental diseases” has the meaning given such term in section 435.1010 of title 42, Code of Federal Regulations, or any successor regulation.

Subtitle C—CHIP Mental Health and Substance Use Disorder Parity

SEC. 5021. SHORT TITLE.

This subtitle may be cited as the “CHIP Mental Health and Substance Use Disorder Parity Act”.

SEC. 5022. ENSURING ACCESS TO MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES FOR CHILDREN AND ADOLESCENTS UNDER THE CHILDREN’S HEALTH INSURANCE PROGRAM.

(a) IN GENERAL.—Section 2103(c)(1) of the Social Security Act (42 U.S.C. 1397cc(c)(1)) is amended by adding at the end the following new subparagraph:

“(E) Mental health and substance use disorder services (as defined in paragraph (5)).”,

(b) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—

(1) IN GENERAL.—Section 2103(c) of the Social Security Act (42 U.S.C. 1397cc(c)) is amended—

(A) by redesigning paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (8), and (9), respectively; and

(B) by inserting after paragraph (4) the following new paragraph (5):

“(5) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Regardless of the type of coverage elected by a State under subsection (a), the coverage provided under such coverage for targeted low-income children and, in the case that the State elects to provide pregnancy-related assistance under such coverage pursuant to section 2112, such pregnancy-related assistance for targeted low-income pregnant women (as defined in section 2112(d)) shall—

(A) cover mental health services (including behavioral health treatment) necessary to prevent, diagnose, and treat a broad range of mental health symptoms and disorders, including substance use disorders; and

(B) be delivered in a culturally and linguistically appropriate manner.”.

(2) CONFORMING AMENDMENT.—Subsection (c)(6) of section 2112 of the Social Security Act (42 U.S.C. 1397ff(c)(6)) (as redesignated by section 2112(b)(5)(A)(i)) is amended—

(A) in paragraph (6), by striking “substance abuse” each place it appears and inserting “substance use”; and

(B) in paragraph (7), by striking “substance abuse” and inserting “substance use”.

Subtitle D—Medicaid Reentry

SEC. 5031. SHORT TITLE.

This subtitle may be cited as the “Medicaid Reentry Act”.

SEC. 5032. PROMOTING STATE INNOVATIONS TO EASE TRANSITIONS INTEGRATION TO THE COMMUNITY FOR CERTAIN INDIVIDUALS.

(a) STAKEHOLDER GROUP DEVELOPMENT OF BEST PRACTICES; STATE MEDICAID PROGRAM INNOVATIONS.—

(1) STAKEHOLDER GROUP BEST PRACTICES.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall convene a stakeholder group of representatives of managed care organizations, Medicaid beneficiaries, health care providers, the National Conference of Medicaid Directors, and other relevant representatives from local, State, and Federal jail and prison systems to develop best practices (and submit to the Secretary a report on such best practices) for States—

(A) to ease the health-care-related transition of an individual who is an inmate of a prison or jail to the community, including best practices for ensuring continuity of health insurance coverage or coverage under the State Medicaid plan under title XI of the Social Security Act, as applicable, and relevant social services; and
SEC. 5042. MEDICAID PROVIDERS ARE REQUIRED TO NOTE EXPERIENCES IN RECORD SYSTEMS TO HELP IN-NEED PATIENTS.

(a) REQUIREMENTS UNDER THE MEDICAID PROGRAM RELATING TO QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAMS AND PRESCRIBING CERTAIN CONTROLLED SUBSTANCES.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1943 the following new section:

"SEC. 1943. REQUIREMENTS RELATING TO QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAMS AND PRESCRIBING CERTAIN CONTROLLED SUBSTANCES.

"(a) IN GENERAL.—Subject to subsection (d), beginning October 1, 2021, a State—

"(1) shall require each covered provider to conduct such a check—

"(A) before prescribing a controlled substance to such an individual, with such timely, manner, and form as specified by the State, the prescription drug history of a covered individual being treated by the covered provider through a prescription drug monitoring program described in subsection (b) before prescribing to such individual a controlled substance; and

"(B) in circumstances where the provider is not able to conduct such a check despite a good faith effort by such provider—

"(A) shall require the provider to document such good faith effort, including the reasons why the provider was not able to conduct the check; and

"(B) may not provide the service to the individual unless the provider, upon request, such documentation to the State.

"(b) QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAM DESCRIBED.—A qualified prescription drug monitoring program described in this subsection is, with respect to a State, a prescription drug monitoring program described by the Secretary who, at a minimum, satisfies each of the following criteria:

"(1) The program facilitates access by a covered individual, in as close to real-time as possible—

"(A) Information regarding the prescription drug history of a covered individual with respect to controlled substances.

"(B) The number and type of controlled substances prescribed to and filled for the covered individual during at least the most recent 12-month period.

"(C) The name, location, and contact information of the enrollee selected by the State, such as a national provider identifier issued by the National Plan and Provider Enumeration System of the Centers for Medicare & Medicaid Services (including the pharmacy), the medical director or pharmacy director of any entity that has a contract with the State Medicaid program that allows the medical director and pharmacy director of such program (and any designee of such a director) to access the information described in paragraph (1) in accordance with applicable State and Federal law, and a data-sharing agreement with the State Medicaid program that allows the electronic system the covered provider uses to prescribe controlled substances.

"(D) An accounting of any data or privacy breach of a qualified prescription drug monitoring program described in subsection (b), the number of covered individuals impacted by each such breach, and a description of the steps the State has taken to address such an impact, including, to the extent required by applicable Federal and State laws and regulations, any efforts made to alert any such impacted individual and law enforcement of the breach.

"(e) REPORTS.—

"(1) each report including the following information with respect to a State transition, with respect to enrollment for medical assistance under such program, the date of the enactment of this Act, the number of covered individuals participating in such program during such period; and

"(2) the program facilitates the integration of information described in paragraph (1) into the workflow of a covered provider, which may include the electronic system the covered provider uses to prescribe controlled substances.

"A qualified prescription drug monitoring program described in this subsection, with respect to a State, may have in place, in accordance with applicable State and Federal law, a data-sharing agreement with the State Medicaid program that allows the medical director and pharmacy director of such program (and any designee of such a director) to access the information described in paragraph (1) in accordance with applicable State and Federal law, and a data-sharing agreement with the State Medicaid program that allows the electronic system the covered provider uses to prescribe controlled substances.

"A qualified prescription drug monitoring program described in this subsection, with respect to a State, may have in place, in accordance with applicable State and Federal law, a data-sharing agreement with the State Medicaid program that allows the medical director and pharmacy director of such program (and any designee of such a director) to access the information described in paragraph (1) in accordance with applicable State and Federal law, and a data-sharing agreement with the State Medicaid program that allows the electronic system the covered provider uses to prescribe controlled substances.

"(f) AGGREGATE TRENDS WITH RESPECT TO PRESCRIBING CONTROLLED SUBSTANCES.—

"(1) The number and type of controlled substances prescribed, including the dates of such prescriptions, the supplies authorized (including the duration of such supplies), and the period of validity of such prescriptions, in different populations (such as individuals who are elderly, individuals with disabilities, and individuals who are enrolled under both this title and title XVIII).
apply to such State under section 1903(a) for such quarter, with respect to expenditures by the State for activities under the State plan (or a waiver of such plan) to design, develop, implement, and operate a prescription drug monitoring program (and to make connections to such program) that satisfies the criteria described in paragraphs (1) and (2) of subsection (a)(2) of such section and equal to 100 percent.

(2) CONDITION.—The condition described in this paragraph, with respect to a State, is that the State (in this paragraph referred to as the "State") has in place agreements with all States that are contiguous to such administering State that, when combined, provide all such contiguous States to access, through the prescription drug monitoring program, the information that is described in subsection (f) with respect to individuals of such administering State and that covered providers in such administering State are able to access through such program.

(g) RULE OF CONSTRUCTION.—Nothing in this section prevents a State from requiring pharmacists to check the prescription drug history of covered individuals through a qualified prescription drug monitoring program before dispensing controlled substances to such individuals.

(h) In this section:

(1) CONTROlLED SUBSTANCE.—The term ‘controlled substance’ means a drug that is included in schedule II of the Controlled Substances Act and, at the option of the State involved, a drug included in schedule III or IV of such section.

(2) COVERED INDIVIDUAL.—The term ‘covered individual’ means, with respect to a State, an individual who is enrolled in the State plan (or under a waiver of such plan). Such term does not include an individual who—

(A) is receiving—

(i) hospice or palliative care; or

(ii) treatment for cancer;

(B) is a resident of a long-term care facility, of a facility described in section 1905(d), or of another facility for which frequently abused drugs are dispensed for residents through a contract with a single pharmacy; or

(C) the State elects to treat as exempted from such term.

(3) PROVIDER.—

(A) IN GENERAL.—The term ‘covered provider’ means, subject to subparagraph (B), with respect to a State, a health care provider (including an entity of the State plan (or waiver of the State plan) and licensed, registered, or otherwise permitted by the State to prescribe a controlled substance (or the designee of such provider).

(B) EXCEPTIONS.—

(i) in general.—Beginning October 1, 2021, for purposes of this section, such term does not include a health care provider determined by the Secretary to be exempt from application of this section under clause (ii).

(ii) EXCEPTIONS PROVISION.—Not later than October 1, 2020, the Secretary, after consultation with the National Association of Medicaid Directors, shall issue guidance on best practices on the use of prescription drug monitoring programs required of prescribers and on protecting the privacy of Medicaid beneficiary information maintained in and accessed through prescription drug monitoring programs.

(c) DEVELOPMENT OF MODEL STATE PRACTICES.—

(1) IN GENERAL.—Not later than October 1, 2020, the Secretary of Health and Human Services shall develop and publish model practices to assist State Medicaid program operations in identifying and implementing strategies to utilize data-sharing agreements described in the matter following paragraph (2) of section 194(b) of the Social Security Act, as added by subsection (a), for the following purposes:

(A) Monitoring and preventing fraud, waste, and abuse.

(B) Improving health care for individuals enrolled in a State plan under title XIX of such Act (or under a waiver of such plan) who—

(i) transition in and out of coverage under such title;

(ii) may have sources of health care coverage in addition to coverage under such title; or

(iii) pay for prescription drugs with cash.

(C) Any other purposes specified by the Secretary.

(2) ELEMENTS OF MODEL PRACTICES.—The model practices described in paragraph (1) shall include strategies for assisting States in allowing the medical director or pharmacy director (or designees of such a director) of managed care organizations or pharmaceutical benefit managers to access information with respect to all covered individuals served by such managed care organizations or pharmacy benefit managers to access to a single data set, in an electronic format; and

(B) shall include any appropriate beneficiary protection and privacy guidelines.

(3) CONSULTATION.—In developing model practices under this subsection, the Secretary shall consult with the National Association of Medicaid Directors, managed care entities (as defined in section 1932(a)(1)(B) of the Social Security Act) with contracts with States pursuant to section 1903(m) of such Act, pharmaceutical benefit managers, physicians and other health care providers, beneficiary advocates, and individuals with expertise in health information technology related to prescription drug monitoring programs and electronic health records.

(d) REPORT BY COMPTROLLER GENERAL.—Not later than November 1, 2021, the Comptroller General of the United States shall issue a report examining the operation of prescription drug monitoring programs administered by States, including data security and access standards used by such programs.

Subtitle F—IMD CARE Act

SEC. 5051. SHORT TITLE.

This title may be cited as the "Individuals in Medicaid & Medicare (IMD) Act that is Appropriate, Responsible and in its Execution Act" or the "IMD CARE Act".

SEC. 5052. STATE OPTION TO PROVIDE MEDICAID COVERAGE TO CERTAIN INDIVIDUALS WITH SUBSTANCE USE DISORDERS WHO ARE PATIENTS IN CERTAIN INSTITUTIONS FOR MENTAL DISEASES.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), as amended by preceding sections of this Act, is amended by inserting in the section (b)(1) of covered individuals of such section prevents a State from requiring schedule III or IV of such section.

(b) IN GENERAL.—With respect to calendar quarters beginning during the period beginning October 1, 2019, and ending September 30, 2023, a State may under a State plan amendment, to provide medical assistance for items and services furnished to an eligible individual who is a patient in an eligible institution for mental diseases shall be treated as medical assistance for which payment is made under such title XIX(a) but only to the extent that such services are furnished for not more than a period of 30 days (whether or not consecutive) during such 12-month period.

(c) MAINTENANCE OF EFFORT.—

(A) IN GENERAL.—As a condition for a State receiving payments under section 1903 for medical assistance furnished in accordance with this subsection, the State shall (during the period in which it so furnished medical assistance through a State plan amendment under this section) maintain on an annual basis a level of funding expended by the State (and political subdivisions thereof) other than under this title from non-Federal funds for—

(i) items and services furnished to eligible individuals who are patients in eligible institutions for mental diseases that is not less than the level of such funding under such items and services for the most recently ended fiscal year as of the date of enactment of this subsection or, if higher, for the most recently ended fiscal year as of the date the State submits a State plan amendment to the Secretary to provide such medical assistance in accordance with this subsection; and

(iv) items and services described in subparagraph (B) furnished to eligible individuals in outpatient and community-based settings that is not less than the level of such funding under such items and services for the most recently ended fiscal year as of the date of enactment of this subsection or, if higher, for the most recently ended fiscal year as of the date the State submits a State plan amendment to the Secretary to provide such medical assistance in accordance with this subsection.

(b) SERVICES DESCRIBED.—For purposes of this title, the term "services" means services described in subparagraph (A)(ii), services described in this paragraph as follows:

(i) Outpatient and community-based substance use disorder treatment services and recovery services.

(ii) Evidence-based recovery and support services.

(iii) Clinically-directed therapeutic treatments to facilitate relapse prevention, and emotional coping strategies.

(iv) Outpatient medication-assisted treatment, related therapies, and pharmacology.

(v) Counseling and support services.

(vi) Outpatient withdrawal management and related treatment designed to alleviate acute emotional, behavioral, cognitive, or biologic distress occurring in accordance with an individual's use of alcohol and other drugs.

(vii) Routine monitoring of medication adherence.

(viii) Other outpatient and community-based services for the treatment of substance use disorders.
use disorders, as designated by the Secretary.

"(C) STATE REPORTING REQUIREMENT.—
"(1) IN GENERAL.—Prior to approval of a State plan amendment under this section, as a condition for a State receiving payments under section 1903(a) for medical assistance provided in accordance with this subsection, the Secretary shall report to the Secretary, at such time and in such manner as the Secretary deems appropriate, such information as the Secretary deems necessary to verify a State’s compliance with subparagraph (A).

"(2) ENSURING A CONTINUUM OF SERVICES.—
"(A) IN GENERAL.—As a condition for a State receiving payments under section 1903(a) for medical assistance provided in accordance with this section, the State shall carry out each of the requirements described in subparagraphs (B) through (D).

"(B) PRIOR TO APPROVAL OF A STATE PLAN AMENDMENT UNDER THIS SUBSECTION.—The Secretary shall notify the Secretary of Health and Human Services that an eligible individual receive appropriate guidance and clinical screening prior to being furnished with items and services in an eligible institution for mental diseases in accordance with the requirements of this subsection.

"(C) OUTPATIENT SERVICES; INPATIENT AND RESIDENTIAL SERVICES.—
"(i) OUTPATIENT SERVICES.—The State shall, at a minimum, provide medical assistance for items and services that would otherwise be covered under the State plan, consistent with each of the following outpatient levels of care:

"(I) Early intervention for individuals who, for a known reason, are at risk of developing substance-related problems and for individuals for whom there is not yet sufficient information to document a diagnosable substance use disorder.

"(II) Outpatient services for less than 9 hours per week for adults, and for less than 6 hours per week for adolescents who could otherwise be covered under the State plan, consistent with each of the following outpatient levels of care:

"(a) Clinically managed, low-intensity residential services that provide adults and adolescents with 24-hour living support and structure for persons with chronic pain and 5 hours of clinical service per week per individual.

"(b) Clinically managed, population-specific, intensive residential services that provide adults with 24-hour care with trained counselors to stabilize multidimensional imminent danger along with less intense milieu and counseling for those with co-occurring or other impairments unable to use full active milieu or therapeutic community.

"(c) Clinically managed, medium-intensity residential services for adolescents, and clinically managed, high-intensity residential services for adults, that provide 24-hour nurse, mental health, and medication services to stabilize multidimensional imminent danger and prepare for outpatient treatment.

"(d) Clinically monitored, high-intensity inpatient services for adolescents and medically monitored, intensive inpatient services withdrawal management for adults, that provide 24-hour nursing care, make physicians available, and monitore dimensions 1, 2, or 3, and provide counseling services 16 hours per day.

"(E) MEDICAL MANAGEMENT.—
"(I) Medical management, intensive inpatient services for adolescents and adults that provide 24-hour nursing care and daily physician care for severe, unstable problems in dimensions 1, 2, or 3.

"(D) TRANSITION OF CARE.—In order to ensure an appropriate transition for an eligible individual from receiving care in an eligible institution for mental diseases to receiving care at a lower level of clinical intensity within the continuum of care (including out-patient services), the State shall ensure that:

"(i) a placement in such eligible institution for mental diseases would allow for an eligible individual’s successful transition to the community without factors as proximity to an individual’s support network (such as family members, employment, and counseling and other services near an individual’s residence).

"(ii) all eligible institutions for mental diseases that furnish items and services to individuals for which medical assistance is provided under the State plan—

"(A) are able to provide care at such lower level of clinical intensity; or

"(B) have an established relationship with another facility or provider that is able to provide care at such lower level of clinical intensity and accepts patients receiving medical assistance under this title under which the eligible institution for mental diseases may arrange for individuals to receive care such from such other facility or provider.

"(5) APPLICATION TO MANAGED CARE.—
"(A) IN GENERAL.—As a condition for a State receiving payments under section 1903(a) for medical assistance provided in accordance with this subsection, the State shall report to the Secretary, at such time and in such manner as the Secretary deems appropriate, such information as the Secretary deems necessary to verify a State’s compliance with subparagraph (A).

"(2) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed as encouraging a State to place an individual in an inpatient or a residential care setting where a home or community-based care setting would be more appropriate for the individual, or as preventing a State from conducting or pursuing a demonstration project under section 1115 of the Social Security Act to improve the quality of, substance use disorder treatment for eligible populations.

Subtitle G—Medicaid Improvement Fund

SEC. 5061. MEDICAID IMPROVEMENT FUND.

(a) In General.—The Deterrent Access Act of 2018 (42 U.S.C. 1396w–1(b)(1)) is amended by striking “30” and inserting “$31,000,000.”

TITLE VI—OTHER MEDICARE PROVISIONS

Subtitle A—Testing of Incentive Payments for Behavioral Health Providers for Adoption and Use of Certified Electronic Health Record Technology

SEC. 6001. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.

Section 11531(a)(b)(2)(B) of the Social Security Act (42 U.S.C. 13151(a)(b)(2)(B)) is amended by adding at the end the following new clause:

“(A) Providing, for the adoption and use of certified EHR technology (as defined in section 1861(aa)(5)) to improve the quality and coordination of care through the electronic documentation and exchange of health information, incentive payments to behavioral health providers (such as psychiatric hospitals (as defined in section 1861(i)), community mental health centers (as defined in section 1861((f)(3)(B)), hospitals that participate in a State plan under title XIX or a waiver of such plan, treatment facilities that participate in such a State plan or such a waiver, mental health or substance use disorder providers that participate in such a State plan or such a waiver, and other mental health or substance use disorder providers that participate in such a State plan or such a waiver, clinical psychologists (as defined in section 1861(a)(5)) with respect to the provision of psychiatric services, and clinical social workers (as defined in section 1861(b)(1)).

Subtitle B—Abuse Deterrent Access

SEC. 6011. SHORT TITLE.

This subtitle may be cited as the “Abuse Deterrent Access Act of 2018.”

SEC. 6012. ABUSE DETERRENT OPIOID FORMULATIONS ACCESS BARRIERS UNDER MEDICARE.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall conduct a study and submit to Congress a report on—

(1) the adequacy of access to abuse-deterrent opioid formulations for individuals with chronic pain enrolled in an MA–PD plan
under part C of title XVIII of the Social Security Act or a prescription drug plan under part D of such title of such Act, taking into account any barriers preventing such individuals from accessing such formulations under such MA–PD or part D plans, such as cost-sharing tiers, fail-first requirements, the price of such formulations, and prior authorization requirements; and

(2) the effectiveness of abuse-deterrent opioid formulations in preventing opioid abuse or misuse, the impact of the use of abuse-deterrent opioid formulations on the use or abuse of other prescription or illicit opioids (including changes in deaths from such opioids); and other public health consequences of abuse-deterrent opioid formulations, such as an increase in rates of human immunodeficiency virus.

(b) DEFINITION OF ABUSE-DETERRENT OPIOD FORMULATION.—In this section, the term “abuse-deterrent opioid formulation” means an opioid that is a prodrug or that has certain abuse-deterrent properties, such as physical or chemical barriers, agonist or antagonist combinations, aversion properties, delivery system mechanisms, or other features designed to prevent abuse of such opioid.

Subtitle C—Medicare Safety Education

SEC. 6021. MEDICARE OPIOID SAFETY EDUCATION

(a) IN GENERAL.—Section 1804 of the Social Security Act (42 U.S.C. 1395b–2) is amended by adding at the end the following new subsection:

"(d) The notice provided under subsection (a) shall include—

"(1) references to educational resources regarding opioid and pain management;

"(2) a description of categories of alternative, non-opioid pain management treatments covered under this title; and

"(3) a suggestion for the beneficiary to talk to a physician regarding opioid use and pain management.

"(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to notices distributed prior to each Medicare open enrollment period beginning after January 1, 2019.

Subtitle D—Opioid Addiction Action Plan

SEC. 6031. SHORT TITLE

This subtitle may be cited as the “Opioid Addiction Action Plan Act”.

SEC. 6032. ACTION PLAN ON RECOMMENDATIONS FOR CHANGES UNDER MEDICARE AND MEDICAID TO PREVENT OPIOIDS ADDICTIONS AND ENHANCE ACCESS TO MEDICATION-ASSISTED TREATMENT.

(a) IN GENERAL.—Not later than January 1, 2020, the Secretary of Health and Human Services (in this section referred to as the ‘Secretary’), in collaboration with the Pain Management Best Practices Inter-Agency Task Force convened under section 101(b) of the Opioid Addiction and Pain Management Act of 2016 (Public Law 114–198), shall develop an action plan as described in subsection (b).

(b) ACTION PLAN COMPONENTS.—The action plan shall include a review by the Secretary of Medicare and Medicaid payment and coverage policies that may be viewed as potential obstacles to an effective response to the opioid crisis, and recommendations, as determined appropriate by the Secretary, on the following:

(1) A review of payment and coverage policies under the Medicare program under title XVIII of the Social Security Act and the Medicaid program under title XIX of such Act, including such policies regarding payment under such programs of all medication-assisted treatment approved by the Food and Drug Administration related to the treatment of opioid use disorder and other therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse, including in such review payment under the Medicare prospective payment system for inpatient hospital services under section 1886(d) of such Act (42 U.S.C. 1395ww(d)), and the Medicare prospective payment system for hospital outpatient department services under section 1833(t) of such Act (42 U.S.C. 13951(c)), to determine whether those payment policies resulted in incentives or disincentives that have contributed to the opioid crisis.

(2) Recommendations for payment and service delivery models to be tested as appropriate by the Center for Medicaid and Medicare Innovation and other federally authorized demonstration projects, including value-based models, that may encourage the use of appropriate medication-assisted treatment approved by the Food and Drug Administration for the treatment of opioid use disorder and other therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse.

(3) Recommendations for data collection that could facilitate research and policy making regarding prevention of opioid use disorder as well as data that would aid the Secretary in making coverage and payment decisions under the Medicare and Medicaid programs related to the access to appropriate opioid dependence treatments.

(4) A review, and Medicaid beneficiaries’ access to the full range of medication-assisted treatment approved by the Food and Drug Administration for the treatment of opioid use disorder and other therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse, including access of beneficiaries residing in rural or medically underserved communities.

(5) A review of payment and coverage policies under the Medicare program and the Medicaid program related to medical devices that are non-opioid based treatments approved by the Food and Drug Administration for the management of acute pain and chronic pain, for monitoring substance use withdrawal and preventing overdoses of controlled substances, and for treating substance use disorder, including barriers to patient access.

(c) STAKEHOLDER MEETINGS.—

(1) IN GENERAL.—Beginning not later than 3 months after the date of the enactment of this section, the Secretary shall convene a public stakeholder meeting to solicit public comment on the components of the action plan described in subsection (b).

(2) PARTICIPANTS.—Participants of meetings described in paragraph (1) shall include representatives from the Food and Drug Administration and National Institutes of Health, biopharmaceutical industry representatives, medical researchers, health care providers, the medical device industry, the Medicare program, the Medicaid program, and patient advocates.

(d) REQUEST FOR INFORMATION.—Not later than 3 months after the date of the enactment of this section, the Secretary shall issue a request for information seeking public feedback regarding ways in which the Centers for Medicare & Medicaid Services can hold providers accountable through the development of and application of the action plan.

(e) REPORT TO CONGRESS.—Not later than June 1, 2020, the Secretary shall submit to Congress, and make public, a report that includes—

(1) summary of the results of the Secretary’s review and any recommendations under the action plan;

(2) the Secretary’s plans next steps with respect to the action plan; and

(3) an evaluation of price trends for drugs used to reverse opioid overdose (such as naloxone), including any recommendations on ways to lower such prices for consumers.

(f) DEFINITION OF MEDICATION-ASSISTED TREATMENT.—In this section, the term “medication-assisted treatment” includes opioid treatment programs, behavioral therapy, and medications to treat substance abuse disorder.

Subtitle E—Advancing High Quality Treatment for Opioid Use Disorders in Medicare

SEC. 6041. SHORT TITLE

This subtitle may be cited as the “Advancing High Quality Treatment for Opioid Use Disorders in Medicare Act”.

SEC. 6042. OPIOID USE DISORDER TREATMENT DEMONSTRATION PROGRAM.

Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended by inserting after section 1866F (42 U.S.C. 1395c–8) the following new section:

"SEC. 1866F. OPIOID USE DISORDER TREATMENT DEMONSTRATION PROGRAM.

"(a) IMPLEMENTATION OF 4-YEAR DEMONSTRATION PROGRAM.

"(1) IN GENERAL.—Not later than January 1, 2021, the Secretary shall implement a 4-year demonstration program under this title (in this section referred to as the ‘Program’) to increase access of applicable beneficiaries to opioid use disorder treatment services, improve physical and mental health outcomes for such beneficiaries, and to the extent possible, reduce expenditures under this title. Under the Program, the Secretary shall make payments under subsection (e) to participating entities (as defined in subsection (c)(1)(A)) for furnishing opioid use disorder treatment services delivered through opioid use disorder care teams, or arranging for such services to be furnished, to applicable beneficiaries participating in the Program.

"(2) OPIOID USE DISORDER TREATMENT SERVICES.—For purposes of this section, the term ‘opioid use disorder treatment services’—

"(i) means, with respect to an applicable beneficiary, services that are furnished for the treatment of opioid use disorders and the use of drugs authorized under section 565 of the Federal Food, Drug, and Cosmetic Act for the treatment of opioid use disorders in an outpatient setting; and

"(ii) includes—

"(A) medication-assisted treatment;

"(B) treatment planning;

"(C) psychiatric, psychological, or counseling services (or any combination of such services), as appropriate;

"(D) social support services, as appropriate; and

"(E) care management and care coordination services, including coordination with other providers of services and suppliers not on an opioid use disorder care team.

"(3) AUTHORIZATION.—The Secretary shall—

"(i) develop standards for participation in the Program;

"(ii) design the Program in such a manner as to allow for the evaluation of the extent to which the Program accomplishes the following purposes:

"(A) reduces hospitalizations and emergency department visits;

"(B) increases use of medication-assisted treatment for opioid use disorders;

"(C) improves health outcomes of individuals with opioid use disorders, including by reducing the incidence of infectious diseases (such as hepatitis C and HIV);

"(D) does not increase the total spending on items and services under this title.

"(iv) reduce deaths from opioid overdose.

"(E) reduces the utilization of inpatient residential treatment.

"(2) REPORT TO CONGRESS.—Not later than January 1, 2023, the Secretary shall submit to Congress, and make public, a report that includes—

"(i) an assessment of the extent to which the Program accomplished the purposes described in paragraph (3)(C) through the evaluation of the results of the Program; and

"(ii) any recommendations to Congress for improving the quality of care for opioid use disorder in Medicare.

"(3) FUNDING.—Nothing in this subsection shall affect any of the funds that would otherwise be available to carry out this section.

"(b) ELIGIBILITY.—In order to participate in the Program, an entity must—

"(1) be a hospital, a health care provider of services, or a supplier of services in a state that has submitted an application under section 1866F(c)(3)(A) and the Secretary has determined that the state approved the application;

"(2) have experience and expertise in providing evidence-based treatment services for opioid use disorder; and

"(3) meet any other criteria determined by the Secretary.

"(c) APPLICATION.—By May 1, 2022, each state shall submit to the Secretary an application for participation in the Program.

"(d) APPLICATION REVIEW.—Not later than 3 months after the date of the enactment of this section, the Secretary shall—

"(1) review each application submitted under subsection (c); and

"(2) make a determination on each application.

"(e) IMPLEMENTATION.—The Secretary shall—

"(1) in consultation with the Centers for Medicare & Medicaid Services, develop and implement the Program; and

"(2) provide for oversight and evaluation of the Program.
(2) Consultation.—In designing the Program, including the criteria under subsection (e)(2)(A), the Secretary shall, not later than 3 months after the date of the enactment of this Act, consult with specialists in the field of addiction, clinicians in the primary care community, and beneficiary groups.

(c) Participants: Opioid Use Disorder Care Teams.—

(1) Participants. In this section, the term ‘participant’ means an entity—

(i) that is otherwise enrolled under this title and that is—

(I) a physician (as defined in section 1861(r)(1));

(II) a group practice comprised of at least one physician described in subclause (I);

(III) a hospital described in section 1861(mm)(10); or

(IV) a federally qualified health center (as defined in section 1861(aa)(4));

(V) a rural health clinic (as defined in section 1861(aa)(4));

(VI) a community mental health center (as defined in section 1861(f)(3)(B));

(VII) a clinic certified as a qualified medical facility under section 223 of the Patient Protection and Affordable Care Act of 2010; or

(VIII) a Federally Qualified Health Center (as defined in section 1861(aa)(4)).

(2) Opioid Use Disorder Care Teams.—

(A) In general.—The Secretary shall establish a schedule of per applicable beneficiary payments under this title for opioid use disorder treatment services with such methodology for payment under the Program; and

(B) Payment amounts.—In carrying out subparagraph (A), the Secretary shall ensure that no duplicate payments under this paragraph are made with respect to an applicable beneficiary.

(B) CRITERIA.—

(1) APPLICABLE BENEFICIARY DEFINED.—In this section, the term ‘applicable beneficiary’ means an individual who—

(A) is entitled to, or enrolled for, benefits under part B; or

(B) is not enrolled in a Medicare Advantage plan under part C.

(2) APPROPRIATE QUALITY OF CARE.—In determining the extent to which each of the purposes described in subsection (b) has been achieved under the Program, the Secretary shall ensure that no duplicate payments under this title for opioid use disorder treatment services are made with respect to an applicable beneficiary.

(C) NO DUPLICATE PAYMENT.—The Secretary shall establish a performance-based incentive payment, which shall be paid to the Medicare beneﬁciary who receives more intensive treatment services from a participant and for whom those services are appropriate based on clinical guidelines for opioid use disorder care.

(D) MONITORING AND EVALUATION.—In determining the extent to which each of the purposes described in subsection (b) has been achieved under the Program, the Secretary may—

(1) consult with stakeholders, including clinicians in the primary care community and in the field of addiction medicine; and

(2) consider existing clinical guidelines for the treatment of opioid use disorders.

(E) MULTIPLIER SET.—In determining the extent to which each of the purposes described in subsection (b) has been achieved under the Program, the Secretary may—

(1) determine the incentive payment for each applicable beneficiary who receives additional or more intensive treatment services from a participant and for whom those services are appropriate based on clinical guidelines for opioid use disorder care; and

(2) take into account whether a participant’s opioid use disorder care team refers applicable beneficiaries to other suppliers or providers for any opioid use disorder treatment services.

(h) FUNDING.—

(1) IN GENERAL.—Under the Program, the Secretary shall establish a performance-based incentive payment, which shall be paid to the Medicare beneﬁciary who receives more intensive treatment services from a participant and for whom those services are appropriate based on clinical guidelines for opioid use disorder care.

(2) INCENTIVE PAYMENTS.—

(A) IN GENERAL.—Under the Program, the Secretary shall establish a performance-based incentive payment, which shall be paid to the Medicare beneﬁciary who receives more intensive treatment services from a participant and for whom those services are appropriate based on clinical guidelines for opioid use disorder care.

(B) PAYMENT AMOUNTS.—In carrying out subparagraph (A), the Secretary shall—

(i) consult with stakeholders, including clinicians in the primary care community and in the field of addiction medicine; and

(ii) consider existing clinical guidelines for the treatment of opioid use disorders.

(C) NO DUPLICATE PAYMENT.—The Secretary shall ensure that no duplicate payments under this paragraph are made with respect to an applicable beneficiary.

(D) CRITERIA.—

(i) IN GENERAL.—Criteria described in subparagraph (A) may include consideration of the following:

(I) Patient engagement and retention in treatment.

(II) Evidence-based medication-assisted treatment.

(III) Other criteria established by the Secretary.

(E) REQUIRED CONSULTATION AND CONSIDERATION.—In determining criteria described in subparagraph (A), the Secretary shall—

(i) consult with stakeholders, including clinicians in the primary care community and in the field of addiction medicine; and

(ii) consider existing clinical guidelines for the treatment of opioid use disorders.

(F) NO DUPLICATE PAYMENT.—The Secretary shall ensure that no duplicate payments under this paragraph are made with respect to an applicable beneficiary.

(G) EVALUATION.—

(1) IN GENERAL.—The Secretary shall conduct an intermediate and final evaluation of the program. Each such evaluation shall determine the extent to which each of the purposes described in subsection (b) have been achieved under the Program.

(2) REPORTS.—The Secretary shall submit to Congress—

(A) a report with respect to the intermediate and final evaluation under this paragraph not later than 3 years after the date of the implementation of the Program; and

(B) a report with respect to the final evaluation under paragraph (1) not later than 6 years after such date.

(F) FUNDING.—
purposes described in subsection (b).

(2) CARE MANAGEMENT FEES AND INCENTIVES.—For purposes of making payments under subsection (e), $10,000,000 shall be available from the Federal Supplementary Medical Insurance Trust Fund under section 1841 for each of fiscal years 2021 through 2024.

(3) AVAILABILITY.—Amounts transferred under this subsection for a fiscal year shall be available until expended.

(1) WAIVERS.—The Secretary may waive any provision of this title as may be necessary to carry out the Program under this section.

Subtitle F—Responsible Education Achieves Treatment

SEC. 6061. SHORT TITLE.

This subtitle may be cited as the "Preventing Addiction for Susceptible Seniors Act of 2018" or the "PASS Act of 2018".

SEC. 6062. ELECTRONIC PRIOR AUTHORIZATION FOR COVERED PART D DRUGS.

Section 1861(d)(4)(C)(ii) of the Social Security Act (42 U.S.C. 1395w–104(c)(4)) is amended by adding at the end the following new subparagraph:

"(E) ELECTRONIC PRIOR AUTHORIZATION.—

(ii) In general.—Not later than January 1, 2021, the program shall provide for the secure electronic transmission of—

(I) a prior authorization request from the prescribing health professional for coverage for a covered part D drug prescribed for a part D eligible individual enrolled in a part D plan (as defined in section 1861(s)–23(a)(5)) to the PDP sponsor or Medicare Advantage organization offering such plan; and

(II) a response, in accordance with this subparagraph, from such PDP sponsor or Medicare Advantage organization, respectively, to such request.

(iii) ELECTRONIC TRANSMISSION.—

(A) Required uses of portal.—For purposes of this subparagraph, a facsimile, a proprietary payer technology, or any other provision of law, for purposes of this subparagraph, the Secretary shall, through rulemaking, specify what constitutes substantiated or suspicious activities of fraud, waste, or abuse of a provider of services (including a prescriber) or supplier, if such provider (including a prescriber) or supplier has been subject to an administrative action under this title, including for not satisfying conditions of participation.

(B) Exclusions.—For purposes of this subparagraph, a facsimile, a proprietary payer technology, or any other provision of law, for purposes of this subparagraph, the Secretary shall, through rulemaking, specify what constitutes substantiated or suspicious activities of fraud, waste, or abuse of a provider of services (including a prescriber) or supplier, if such provider (including a prescriber) or supplier has been subject to an administrative action under this title, including for not satisfying conditions of participation.

(C) Rulemaking.—For purposes of this paragraph, the Secretary shall, through rulemaking, specify what constitutes substantiated or suspicious activities of fraud, waste, or abuse of a provider of services (including a prescriber) or supplier, if such provider (including a prescriber) or supplier has been subject to an administrative action under this title, including for not satisfying conditions of participation.

(D) HIPPAA COMPLIANT INFORMATION ONLY.—For purposes of this subsection, communications are permitted under the Federal regulations (concerning the privacy of individually identifiable health information) pursuant to section 264(h)(4) of the Health Insurance Portability and Accountability Act of 1996.

(2) QUARTERLY REPORTS.—Beginning not later than 2 years after the date of enactment of this subsection, the Secretary shall make available to MA plans under this part and prescription drug plans under part D in a timely manner (but no less frequently than quarterly) and using information submitted to an entity described in paragraph (1) through the portal (or other successor technology) described in such paragraph or pursuant to section 1883, information on fraud, waste, and abuse related to the use of prescription drug plans under part D.

(E) Definitions.—In this section:

(I) MA plan.—The term "MA plan" means—

(1) an entity described in paragraph (1) of title 1 of the Social Security Act (42 U.S.C. 1395w–27(a)(1)) that has been designated as an MA organization and that has been certified by the Secretary under subparagraph (A)(i) during the previous 12-month period;

(2) prescription drug plans under part D in a timely manner (but no less frequently than quarterly) and using information submitted to an entity described in paragraph (1) through the portal (or other successor technology) described in such paragraph or pursuant to section 1883, information on fraud, waste, and abuse related to the use of prescription drug plans under part D.

(F) Report.—The report required under paragraph (1) shall—

(1) provide data on how many outlier prescribers of opioids about best practices for prescribing opioids;

(2) to educate and provide outreach to

outlier prescribers of opioids about non-

pain management therapies; and

(3) to reduce the amount of opioid prescribing by outlier prescribers of opioids.

(2) GRANTS AUTHORIZED.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall, through the Centers for Medicare & Medicaid Services, award grants, contracts, or cooperative agreements to eligible entities for the purposes described in subsection (b).

(b) USE OF FUNDS.—Grants, contracts, and cooperative agreements awarded under subsection (a) shall be used to support eligible entities through technical assistance—

(1) to educate and provide outreach to

prescribers of opioids about best practices for prescribing opioids;

(2) to educate and provide outreach to

prescribers of opioids about non-

pain management therapies; and

(3) to reduce the amount of opioid prescribing by prescribers of opioids.

(c) APPLICATION.—Each eligible entity seeking to receive a grant, contract, or cooperative agreement under this section shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require.

(d) GEOGRAPHIC DISTRIBUTION.—In awarding grants, contracts, and cooperative agreements under this section, the Secretary shall prioritize establishing technical assistance resources in each State.

SEC. 6063. PROGRAM INTEGRITY TRANSPARENCY MEASURES UNDER MEDICARE PART D.

(a) IN GENERAL.—Section 1859 of the Social Security Act (42 U.S.C. 1395w–20) is amended by adding at the end the following new section:

"(2) QUARTERLY REPORTS.—Beginning not later than 2 years after the date of enactment of this subsection, the Secretary shall make available to MA plans under this part and prescription drug plans under part D in a timely manner (but no less frequently than quarterly) and using information submitted to an entity described in paragraph (1) through the portal (or other successor technology) described in such paragraph or pursuant to section 1883, information on fraud, waste, and abuse related to the use of prescription drug plans under part D.

(3) PROOF OF INCOME.—For purposes of this subsection, the Secretary shall, through rulemaking, specify what constitutes substantiated or suspicious activities of fraud, waste, or abuse of a provider of services (including a prescriber) or supplier, if such provider (including a prescriber) or supplier has been subject to an administrative action under this title, including for not satisfying conditions of participation.

(4) ELECTRONIC TRANSMISSION.—For purposes of this subparagraph, a facsimile, a proprietary payer technology, or any other provision of law, for purposes of this subparagraph, the Secretary shall, through rulemaking, specify what constitutes substantiated or suspicious activities of fraud, waste, or abuse of a provider of services (including a prescriber) or supplier, if such provider (including a prescriber) or supplier has been subject to an administrative action under this title, including for not satisfying conditions of participation.

(5) الموجودة في كل الصفحات وفقاً للنص الأصلي، بناءً على الروابط النصية، يمكن قراءتها بشكل طبيعي.
“(A) include administrative actions, pertinent information related to opioid overprescribing, and other data determined appropriate by the Secretary in consultation with stakeholders.

“(B) be anonymized information submitted by plans without identifying the source of such information.

“(C) by the Secretary.—Nothing in this subsection shall preclude or otherwise affect referrals to the Inspector General of the Department of Health and Human Services or other appropriate entity.

(b) CONTRACT REQUIREMENT TO COMMUNICATE PLAN CORRECTIVE ACTIONS AGAINST OPIOIDS OVER-PRESCRIBERS.—

“(A) in general.—Beginning with plan years beginning on or after January 1, 2021, a contract under this section with an MA organization shall require the organization to submit to the Secretary, through the process established under subparagraph (B), information on the investigations, credible evidence of suspicious activities of a provider of services (including a prescriber) or supplier related to fraud, and other actions taken by such a plan related to inappropriate prescribing of opioids.

“(B) process.—Not later than January 1, 2021, the Secretary shall, in consultation with stakeholders, establish a process under which MA plans and prescription drug plans shall submit to the Secretary information described in subparagraph (A).

“(C) reference under part D to program integrity transparency measures.—Section 1866D–4 of the Social Security Act (42 U.S.C. 1395w–104) is amended by adding at the end the following new paragraph:

“(m) program integrity transparency measures.—For program integrity transparency measures applied with respect to prescription drug plan and MA plans, see section 1859(i).''

(II) IDENTIFICATION OF OUTLIER PRESCRIBERS OF OPIOIDS.—

“(I) in general.—The Secretary shall, subject to subclause (III), using the valid prescriber National Provider Identifiers included pursuant to subparagraph (A) on claims for covered Part D drugs for part D eligible individuals, enroll the prescription drug plans under this part or MA–PD plans under part C and based on the thresholds established under subclause (II), identify prescribers that are outlier prescribers for a period of time specified by the Secretary.

“(II) ESTABLISHMENT OF THRESHOLDS.—For purposes of this subparagraph (I) and subject to subclause (III), the Secretary shall, after consultation with stakeholders, establish thresholds, based on prescriber specialty and geographic area, as appropriate, for whether a prescriber in a specialty and geographic area is an outlier prescriber of opioids as compared to other prescribers of opioids within such specialty and area.

“(III) EXCLUSIONS.—The following shall not be included in the analysis for identifying outlier prescribers of opioids under this clause:

“(aa) Claims for covered part D drugs for part D eligible individuals who are receiving hospice care under this title.

“(bb) Claims for covered part D drugs for part D eligible individuals who are receiving oncology services under title XVIII.

“(cc) Prescribers who are the subject of an investigation by the Centers for Medicare & Medicaid Services or the Inspector General of the Department of Health and Human Services.

“(dd) Prescribers who are determined, after consultation with stakeholders, to be inappropriate by the Secretary, as appropriate.

“(III) CONTENTS OF NOTIFICATION.—The Secretary shall include the following information in the notifications provided under clause (I):

“(I) information on how such prescriber compares to other prescribers within the same specialty and geographic area.

“(II) Information provided prescribing guidelines, based on input from stakeholders, that may include the Centers for Disease Control and Prevention guidelines for prescribing opioids for chronic pain and guidelines developed by physician organizations.

“(III) Other information determined appropriate by the Secretary.

“(IV) MODIFICATIONS AND EXPANSIONS.—

“(I) FREQUENCY.—Beginning 5 years after the date of the enactment of this section, the Secretary may change the frequency described in clause (I) based on stakeholder input and changes in opioid prescribing utilization and trends.

“(II) EXPANSION TO OTHER PRESCRIPTIONS.—The Secretary may expand notifications under this subparagraph to include identifications and notifications with respect to concurrent prescriptions of covered Part D drugs used in combination with opioids that are considered to have adverse side effects when so used in such combination, as determined by the Secretary.

“(IV) ADDITIONAL REQUIREMENTS FOR PERSISTENT OUTLIER PRESCRIBERS.—In the case of a prescriber who the Secretary determines is persistently identified under clause (ii) as an outlier prescriber of opioids, the following shall apply:

“(I) such prescriber may be required to enroll in the program under this title under section 1866f(j) if such prescriber is not otherwise required to enroll, but only after other adverse incentives provided under section 1886(e) or (f) or 1886(h), or such provision of education funded through section 6052 of the SUPPORT for Patients and Communities Act, for a period determined by the Secretary to correct the prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids.

“(II) Not less frequently than annually (and in a form and manner determined appropriate by the Secretary), the Secretary, consistent with clause (iv)(I), shall communicate information on such prescribers to sponsors of a prescription drug plan and Medicare Advantage organizations offering an MA–PD plan.

“(VI) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary shall make aggregate information under this subparagraph available at the Centers for Medicare & Medicaid Services. Such information shall be in a form and manner determined appropriate by the Secretary and shall identify the specific prescriber. In carrying out this clause, the Secretary shall consult with interested stakeholders.

“(VII) opioids defined.—For purposes of this subparagraph, the term ‘opioids’ has such meaning as specified by the Secretary.

“(VIII) OTHER ACTIVITIES.—Nothing in this subparagraph shall preclude the Secretary from conducting activities that provide prescribers with information as to how they compare to other prescribers that are in addition to the activities under this subparagraph for identifying prescribers whose activities were being conducted as of the date of the enactment of this subparagraph.''

SEC. 6066. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this subtitle and the amendments made by this subtitle. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

Subtitle II—Expanding Oversight of Opioid Prescribing and Payment

SEC. 6071. SHORT TITLE.

This subtitle may be cited as the ‘‘Expanding Oversight of Opioid Prescribing and Payment Act of 2018’’.

SEC. 6072. MEDICARE PAYMENT ADVISORY COMMITTEE REPORT ON OPIOID PAYMENT, ADVERSE INCENTIVES, AND DATA UNDER THE MEDICARE PROGRAM.

Not later than March 15, 2019, the Medicare Payment Advisory Commission shall submit to Congress a report on, with respect to the Medicare program under title XVIII of the Social Security Act, the following:

(1) A description of how the Medicare program pays for pain management treatments (both opioid and non-opioid pain management alternatives) in both inpatient and outpatient hospital settings.

(2) The identification of incentives under the hospital inpatient prospective payment system under section 1886 of the Social Security Act (42 U.S.C. 1395ww) and incentives under the hospital outpatient prospective payment system under section 1886 of such Act (42 U.S.C. 1395l(t)) for prescribing opioids and incentives under each such system for prescribing non-opioid treatments, and recommendations as the Commission deems appropriate for addressing any of such incentives that are adverse incentives.

SEC. 6073. MEDICARE ADVANTAGE ORGANIZATION REPORT ON OPIOID PAYMENT, ADVERSE INCENTIVES, AND DATA UNDER THE MEDICARE PROGRAM.

Not later than March 15, 2019, the Medicare Payment Advisory Commission shall submit to Congress a report on, with respect to the Medicare program under title XVIII of the Social Security Act, the following:

(1) A description of how the Medicare program pays for pain management treatments (both opioid and non-opioid pain management alternatives) in both inpatient and outpatient hospital settings.

(2) The identification of incentives under the Medicare Advantage program under section 1881 of the Social Security Act (42 U.S.C. 1395ww) and incentives under the Medicare Advantage program under section 1881 of such Act (42 U.S.C. 1395l(t)) for prescribing opioids and incentives under each such system for prescribing non-opioid treatments, and recommendations as the Commission deems appropriate for addressing any of such incentives that are adverse incentives.
(3) A description of how opioid use is tracked and monitored through Medicare claims data and other mechanisms and the identification of any areas in which further data and evidence gaps exist that may be preventing improving data and understanding of opioid use.

SEC. 6073. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this section or the amendments made by this section.

Subsection for covered OPD services (or paragraphs, if applicable). The Secretary may be carried out using amounts otherwise authorized to be appropriated.

Subsection (a) OUTPATIENT PROSPECTIVE PAYMENT SYSTEM.—Section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)) is amended by adding at the end the following new paragraph:

(22) REVIEW AND REVISIONS OF PAYMENTS FOR NON-OPIOID ALTERNATIVE TREATMENTS.—

(A) IN GENERAL.—With respect to payments under this subsection for covered OPD services (or groups of services), including covered OPD services assigned to a comprehensive ambulatory payment classification, the Secretary—

(i) shall, as soon as practicable, conduct a review (part of which may include a request for information) of payments for opioids and evidence-based non-opioid alternatives for pain management (including drugs and devices, nerve blocks, surgical injections, and neuromodulation) with a goal of ensuring that there are financial incentives to use opioids instead of non-opioid alternatives;

(ii) may, as the Secretary determines appropriate, conduct subsequent reviews of such payments; and

(iii) shall consider the extent to which revisions under this subsection to such payments (such as the creation of additional payment classifications or separately separately those procedures that utilize opioids and non-opioid alternatives for pain management) would reduce payment incentives for the use of opioids as compared to non-opioid alternatives for pain management.

(B) PRIORITY.—In conducting the review under clause (i) of subparagraph (A) and considering the requirements described in such paragraph, the Secretary shall focus on covered OPD services (or groups of services) assigned to a comprehensive ambulatory payment classification that primarily include surgical services, and other services determined by the Secretary which generally involve treatment for pain management.

(C) REVISIONS.—If the Secretary identifies revisions to payments pursuant to subparagraph (A) or (B), the Secretary shall, as determined appropriate by the Secretary, making such revisions for purposes of receiving a waiver described in subparagraph (B) of paragraph (2), revise the payment for services under this subparagraph (A) in the manner and to the extent determined by the Secretary.

(2) APPLICATION.—In order to receive a payment described in subparagraph (A), a Federally qualified health center shall submit an application for such a payment at such time, in such manner, and containing such information as specified by the Secretary. A Federally qualified health center services (as defined in section 1861(aa)(3)) are furnished for purposes of receiving a waiver described in subparagraph (B) of paragraph (2). Such an application may be made only one time with respect to each such physician or practitioner.

(3) REQUIREMENTS.—For purposes of paragraph (2), the requirements described in such paragraph, with respect to a physician or practitioner, are the following:

(A) The physician or practitioner is employed or working under contract with a rural health clinic described in paragraph (1) that submits an application under paragraph (2).

(B) The physician or practitioner first receives a waiver under section 30(g) of the Controlled Substances Act on or after January 1, 2019.

(4) FUNDING.—For purposes of making payments under this subsection, there are appropriated, out of amounts in the Treasury not otherwise appropriated, $2,000,000, which shall remain available until expended.

SEC. 6083. STUDYING THE AVAILABILITY OF SUPPLEMENTAL BENEFITS DESIGNED TO TREAT OR PREVENT SUBSTANCE USE DISORDERS UNDER MEDICARE ADVANTAGE PLANS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the ‘‘Secretary’’) shall submit to Congress a report on the availability of supplemental health care benefits (described in section 1855(b)(4)) of the Social Security Act (42 U.S.C. 1395w-22(a)(3)(A)) designed to treat or prevent substance use disorders under Medicare Advantage plans offered under part C of title XVIII of such Act. Such report shall include the analysis described in subsection (c) and any differences in the availability of such benefits under specialized MA plans for special needs individuals (as defined in section 1855(b)(6) of such Act) and other such Medicare Advantage plans.

(b) CONSULTATION.—The Secretary shall develop the report described in subsection (a) in consultation with relevant stakeholders, including:

(1) individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act;

(2) entities who advocate on behalf of such individuals;

(3) Medicare Advantage organizations;

(4) pharmacy benefit managers; and

(5) entities or organizations (as such terms are defined in section 1881 of such Act (42 U.S.C. 1395w-26)).
(c) CONTENTS.—The report described in subsection (a) shall include an analysis on the following:

(1) The extent to which plans described in such title to include items and services not cov-

cerved under such title that may be used for-

(2) Challenges associated with such plans offering supplemental health care benefits relating to coverage of—

(A) medication-assisted treatments for opioid use, substance use disorder counseling, and support services for other forms of substance use disorder treatments (whether furnished in an inpatient or outpatient setting); and

(B) non-opioid alternatives for the treatment of pain.

(3) The impact, if any, of increasing the app-

(4) Potential ways to improve upon such coverage to encourage such plans to offer additional supplemental health care benefits relating to such coverage.

(5) Sections (a) shall include an analysis on the following:

(a) CMIs for section 1315(a)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)), as amended by section 6001, is further amended by adding at the end the following new clause:

"(xxvi) Supporting ways to familiarize indi-

(b) The Comptroller General of the United States shall conduct a study, and submit to Congress a report, on mental and behavioral health services under the Medicare program described in subsection (e).

(2) An evaluation of the following:

(A) Evidence-based treatments and tech-

(B) Evidence-based treatments and tech-

(C) Evidence-based treatments and tech-

(E) Items and services furnished to bene-

(f) The Medicare program.

(3) An assessment of all guidance published to the prescribing of opioids. Such assess-

(4) The options described in subsection (d).

(d) OPTIONS.—The options described in this subsection are, with respect to individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act, legislative and administrative options for accomplishing the following:

(1) Improving coverage of and payment for pain management therapies without the use of opioids, including interventional pain therapies, and options to augment opioid therapy with other clinical and complemen-

(2) Improving coverage of and payment for mental health services and other substance use disorder treatments, including behavioral health services to minimize the risk of substance use disorder, including in a hospital setting.

(3) Improving and disseminating treatment strategies for beneficiaries with psychiatric disorders, substance use disorders, or who are at risk of suicide, and treatment strategies to address health disparities related to opioid use and opioid abuse treatment.

(4) Improving and disseminating treatment strategies for beneficiaries with comorbidities who require a consultation or comanagement of pain with one or more specialists in pain management, mental health, or addiction treatment, including in a hospital setting.

(5) Educating providers on risks of co-

(6) Ensuring appropriate case management for beneficiaries who transition between inpatient and outpatient hospital settings, or between opioid therapy to non-opioid therapy, that may include the use of care transition plans.

(7) Expanding outreach activities designed to educate providers of services and suppliers under the Medicare program and individuals entitled to benefits under part A or under part B of such title on alternative, non-

(8) Creating a beneficiary education tool on alternatives to opioids for chronic pain management.

(e) IMPACT ANALYSIS.—The impact analysis described in this subsection consists of an analysis of any potential effects imple-

(1) on expenditures under the Medicare pro-

(2) on preventing or reducing opioid addic-

Subtitle J—Combating Opioid Abuse for Care in Hospitals

SEC. 6091. SHORT TITLE.

This subtitle may be cited as the “Combating Opioid Abuse for Care in Hospitals Act of 2018” or the “COACH Act of 2018”.

H9203

September 28, 2018

CONGRESSIONAL RECORD — HOUSE
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SEC. 6093. REQUIRING THE REVIEW OF QUALITY MEASURES RELATING TO OPIOIDS AND OPIDIO USE DISORDER TREATMENTS FURNISHED UNDER THE DUTIES AND OTHER FEDERAL HEALTH CARE PROGRAMS.

Section 1890A of the Social Security Act (42 U.S.C. 1395aa–1) is amended by adding at the end the following new subsection:

"(g) TECHNICAL EXPERT PANEL REVIEW OF OPIOID AND OPIOID USE DISORDER QUALITY MEASURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection and ending on December 31, 2023, the Secretary shall prioritize the endorsement of such measures described in subsection (b)(2) of section 1886(o) in connection with endorsement of such measures described in subsection (b)(2) of section 1886(o). The Secretary may use the entity with a contract under section 1890(a) to prioritize the endorsement of such measures described in subsection (b)(2) of section 1886(o). The Secretary may use the entity with a contract under section 1890(a) to prioritize the endorsement of such measures described in subsection (b)(2) of section 1886(o).

(2) REVIEW AND ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall convene a technical expert panel, to identify gaps in areas of quality measures relating to opioids and opioid use disorders, including care, prevention, diagnosis, health outcomes, and treatment furnished to individuals with opioid use disorders. The Secretary may use the entity with a contract under section 1890(a) and amend such contract as necessary to provide for the establishment of such technical expert panel.

(3) PRIORITIZATION OF MEASURE ENDORSEMENT.—The Secretary, in consultation with relevant stakeholders, including—

(A) medical professional organizations; (B) providers and suppliers of services; (C) patients and their family members; (D) such hospita; and (E) other entities determined by the Secretary.

(4) OTHER INFORMATION.—The technical expert panel shall—

(A) review quality measures relating to opioids and opioid use disorders, including care, prevention, diagnosis, health outcomes, and treatment furnished to individuals with opioid use disorders; and(B) make recommendations to the Secretary on quality measures relating to opioids and opioid use disorders, including care, prevention, diagnosis, health outcomes, and treatment furnished to individuals with opioid use disorders. The Secretary may use the entity with a contract under section 1890(a) and amend such contract as necessary to provide for the establishment of such technical expert panel.

(5) PRIORITIZATION OF MEASURE ENDORSEMENT.—The Secretary shall prioritize the endorsement of measures relating to opioids and opioid use disorders by the entity with a contract under subsection (a) of section 1890 in connection with endorsement of measures described in subsection (b)(2) of section 1886(o). The Secretary shall make recommendations to the Secretary as appropriate to the Merit-Based Incentive Payment System under section 184B(q), measures recommended under paragraph (2)(C), and other such measures identified by the Secretary.

SEC. 6094. TECHNICAL EXPERT PANEL ON REDUCING SURGICAL SETTING OPIOID USE: DATA COLLECTION ON PERIOPERATIVE OPIOID USE.

(a) TECHNICAL EXPERT PANEL ON REDUCING SURGICAL SETTING OPIOID USE.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall convene a technical expert panel, including medical and surgical specialty societies and hospital organizations, to provide recommendations on reducing opioid use in the inpatient and outpatient surgical settings and on best practices for pain management, including with respect to the following:

(A) Approaches that limit patient exposure to opioids during the perioperative period, including pre-surgical and post-surgical interventions, and that identify such patients at risk of opioid use disorder pre-operation.

(B) Development of a clinical algorithm to identify and treat at-risk, opiate-tolerant patients in the perioperative period, including a review of payment to ensure payment under the Merit-Based Incentive Payment System under title XVIII of the Social Security Act accounts for time spent on shared decision making.

(C) Education on the safe use, storage, and disposal of opioids.

(D) Prevention of opioid misuse and abuse after discharge.

(E) Development of a clinical algorithm to identify and treat at-risk, opiate-tolerant patients in the perioperative period, including a review of payment to ensure payment under the Merit-Based Incentive Payment System under title XVIII of the Social Security Act accounts for time spent on shared decision making.

(b) DATA COLLECTION ON PERIOPERATIVE OPIOID USE.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that contains the following:

(1) A description of how the agency will use the diagnosis-related group codes identified by the Secretary as having the highest volume of surgeries.
(2) With respect to each of such diagnosis-related group codes so identified, a determination by the Secretary of the data that is both available and reported on opioid use following such surgeries, such as with respect to—

(A) surgical volumes, practices, and opioid prescribing patterns;

(B) opioid consumption, including—

(i) quantity and duration of opioid prescription at discharge; and

(ii) quantity consumed and number of refills;

(C) regional anesthesia and analgesia practices, including pre-surgical and post-surgical injections;

(D) naloxone reversal;

(E) post-operative respiratory failure;

(F) information about storage and disposal; and

(G) such other information as the Secretary may specify.

(3) Recommendations for improving data collection on perioperative opioid use, including an analysis to identify and reduce barriers to collecting, reporting, and analyzing data described in paragraph (2), including barriers related to technological availability.

SEC. 6095. REQUIRING THE POSTING AND PERIODIC UPDATE OF OPIOID PRESCRIPTION GUIDANCE FOR MEDI-CARE BENEFICIARIES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall post on the public website of the Centers for Medicare & Medicaid Services all guidance published by the Department of Health and Human Services on or after January 1, 2016, relating to the prescribing of opioids and applicable to opioid prescriptions for individuals entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or enrolled under part B of such title of such Act of

planning and care coordination; and

(iii) quality of nonpharmacological therapies, devices, and nonopioid medications;

(iiia) in the case of an MA–PD plan under part C, under such plan; and

(iiib) in the case of a prescription drug plan, under such plan and under parts A and B.; and

(iii) by adding at the end the following new subparagraph:

“(c) TARGETED PROVISION OF INFORMATION.—A PDP sponsor of a prescription drug plan may make available information described in subparagraph (B)(vi) to each enrollee under the plan, disclose such information through mail or electronic communications, and authorize enrollees under such plan, such as enrollees who have been prescribed an opioid in the previous 2-year period.”

SEC. 6103. REQUIRING MEDICARE ADVANTAGE PLANS AND PRESCRIPTION DRUG PLANS TO INCLUDE INFORMATION ON THE SAFE DISPOSAL OF PRESCRIPTION DRUGS.

(a) MEDICARE ADVANTAGE.—Section 1852 of the Social Security Act (42 U.S.C. 1395w–22) is amended by adding at the end the following new subsection:

“(b) UPDATE OF GUIDANCE.—

(1) PERIODIC UPDATE.—The Secretary shall, in consultation with the entities specified in paragraph (2), periodically (as determined appropriate by the Secretary) update guidance described in subsection (a) and revise the posting of such guidance on the website described in such subsection.

(2) CONSULTATION.—The entities specified in this paragraph are the following:

(A) Medical professional organizations.

(B) Providers and suppliers of services (as such terms are defined in section 1861 of the Social Security Act (42 U.S.C. 1395x)).

(C) Health care consumers or groups representing such consumers.

(D) Other entities determined appropriate by the Secretary.

Subtitle K—Providing Reliable Options for Patients and Educational Resources

SEC. 6101. SHORT TITLE.

This subtitle may be cited as the “Providing Reliable Options for Patients and Educational Resources Act of 2018” or the “PROPER Act of 2018.”

SEC. 6102. REQUIRING MEDICARE ADVANTAGE PLANS AND PART D PRESCRIPTION DRUG PLANS TO INCLUDE INFORMATION ASSOCIATED WITH OPIOIDS AND COVERAGE OF NONPHARMACOLOGICAL THERAPIES AND NONOPSIOD MEDICATIONS OR DEVICES USED TO TREAT PAIN.

Section 1860D–(a)(1) of the Social Security Act (42 U.S.C. 1395w–101(1)) is amended—

(1) in subparagraph (A), by inserting “subject to subparagraph (C),” before “including”;

(2) in subparagraph (B), by adding at the end the following new clause:

“(vi) recommendation for improving data collection on perioperative opioid use, including an analysis to identify and reduce barriers to collecting, reporting, and analyzing data described in paragraph (2), including barriers related to technological availability.”

(3) recommendations for improving data collection on perioperative opioid use, including an analysis to identify and reduce barriers to collecting, reporting, and analyzing data described in paragraph (2), including barriers related to technological availability.

(iii) perioperative days of therapy;

(iv) post-operative days of therapy;

(v) quantity consumed and number of refills;

(vi) perioperative pain management;

(vii) intervention and after intervention;

(viii) perioperative pain management; and

(ix) perioperative days of therapy.

(ii) the posting of such guidance on the website described in subsection (a) and revise the posting of such guidance on the website described in such subsection.

(b) P REScription DRUG PLANS.—Section 1852(n)(2), including information on drug use; and

(ii) the risks associated with prolonged opioid use; and

(iii) coverage of nonpharmacological therapies, devices, and nonopioid medications.

(3) Recommendations for improving data collection on perioperative opioid use, including an analysis to identify and reduce barriers to collecting, reporting, and analyzing data described in paragraph (2), including barriers related to technological availability.

(b) UPDATE OF GUIDANCE.—

(1) PERIODIC UPDATE.—The Secretary shall, in consultation with the entities specified in paragraph (2), periodically (as determined appropriate by the Secretary) update guidance described in subparagraph (B)(vi) to each enrollee under the plan, disclose such information through mail or electronic communications, and authorize enrollees under such plan, such as enrollees who have been prescribed an opioid in the previous 2-year period.”

SEC. 6104. REVISING MEASURES USED UNDER THE HOSPITAL CONSUMER ASSESSMENT, RECORDS AND SYSTEMS SURVEY RELATING TO PAIN MANAGEMENT.

(a) Restriction on Use of Pain Questions in HCAHPS.—Section 1886(b)(3)(B)(vii) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(B)(vii)) is amended by adding at the end the following new clause:

“(C) The Secretary shall not include on the Hospital Compare internet website any measures based on the questions appearing on the Hospital Consumer Assessment, Records and Systems Survey in 2018 or 2019 about communication by hospital staff with an individual about such individual’s pain.”

(b) Restriction on Use of 2018 and 2019 Pain Questions in the Hospital Value-Based Purchasing Program.—Section 1886(o)(2)(B) of the Social Security Act (42 U.S.C. 1395ww(o)(2)(B)) is amended by adding at the end the following new clause:

“(bb) The Secretary shall not include on the Hospital Compare internet website any measures based on the questions appearing on the Hospital Consumer Assessment, Records and Systems Survey in 2018 or 2019 about communication by hospital staff with an individual about such individual’s pain.”

Subtitle L—Fighting the Opioid Epidemic With Sunshine

SEC. 6111. FIGHTING THE OPIOID EPIDEMIC WITH SUNSHINE.

(a) inclusion of information regarding payments to additional practitioners.—

(1) In general.—Section 1128G(e)(6) of the Social Security Act (42 U.S.C. 1320a–7h(e)(6)) is amended—

(A) in subparagraph (A), by adding at the end the following new clause:

“(ii) a practitioner who is furnished an in-home health risk assessment on or after January 1, 2022.

(1) the in-home health risk assessment on or after January 1, 2022.

(2) the safe disposal of prescription drugs that are controlled substances that meets the criteria established under section 1128G(e)(6), including information on drug use; and

(iv) by adding at the end the following new clause:

“(ii) requires information on in-home disposal.

(2) provision of information to the enrollee on the safe disposal of prescription drugs that are controlled substances that meets the criteria established under section 1128G(e)(2), including information on drug use; and

(3) by inserting “subject to subparagraph (C),” before “includ-
INFORMATION MADE PUBLICLY AVAILABLE.—

striking "$12,000,000 for each of fiscal years

working with prison and jail populations and

services agencies, agencies and organizations

sectors' includes substance use disorder

section or the amendments made by this sec-

licit drugs.'';

trained on safety around fentanyl,

members of other key community sectors

nisms for referral to appropriate treatment,

mechanisms for referral to appropriate

sure to such drugs and respond appropriately

community sectors on safety around fentanyl,

sponders and members of other key commu-

Act (42 U.S.C. 290ee–1) is amended—

SEC. 7002. FIRST RESPONDER TRAINING.

(a) IN GENERAL.—Not later than 6 months

years 2019 through 2023.

health effects of new psychoactive sub-

stances, including synthetic drugs, used by

adolescents and young adults.

(b) PSYCHOACTIVE SUBSTANCE DE-

FINED.—For purposes of subsection (a), the term "new psychoactive substance" means a controlled substance analogue (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)).

SEC. 7002. FIRST RESPONDER TRAINING.

Subsection B—Pilot Program for Public Health
Laboratories To Detect Fentanyl and Other Synthetic Opioids

Subsection C—Indexing Narcotics, Fentanyl, and
Opioids

Subtitle A—Awareness and Training

SEC. 7001. REPORT ON EFFECTS ON PUBLIC
HEALTH OF SYNTHETIC DRUG USE.

(a) IN GENERAL.—In General, not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Surgeon General of the Public Health Service, shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pension of the Senate a report on the health effects of new psychoactive substances, including synthetic drugs, used by adolescents and young adults.

(b) PSYCHOACTIVE SUBSTANCE DE-

FINED.—For purposes of subsection (a), the term "new psychoactive substance" means a controlled substance analogue (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)).

SEC. 7002. FIRST RESPONDER TRAINING.

Section 506 of the Public Health Service Act (42 U.S.C. 290e–4) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking "and" at the end; and

(B) in paragraph (3), by striking the period and inserting "; and"; and

(C) by adding at the end following:—

"(4) train and provide resources for first re-

sponders and members of other key community

sectors on safety around fentanyl,

carfentanil, and other dangerous licit and il-

licit drugs to protect themselves from expo-

sure to such drugs and respond appropriately

when exposure occurs."; and

(2) in subsection (d), by striking "and"

mechanisms for referral to appropriate treat-

ment, and safe disposal of fentanyl, carfentanil,

and other dangerous licit and illicit drugs";

(3) in subsection (f)—

(A) in paragraph (3), by striking "and" at the end;

(B) in paragraph (4), by striking the period and inserting "; and"; and

(C) by adding at the end following:

"(5) the number of first responders and members of other key community sectors trained on safety around fentanyl, carfentanil, and other dangerous licit and il-

licit drugs;"

(4) by redesignating subsection (g) as sub-

section (h); and

(5) by inserting after subsection (f) the fol-

lowing:

"(g) OTHER KEY COMMUNITY SECTORS.—In this section, the term ‘other key community sectors’ includes substance use disorder treat-

ment, and providers, emergency medical services agencies, agencies and organizations working with prison and jail populations and

offender reentry programs, health care pro-

viders, intervention groups, pharmacies, community health centers, tribal health fa-

cilities, and mental health providers."; and

(6) in subsection (h), as so redesignated, by striking "and" at the end of each of fiscal years 2017 through 2021 and inserting "$36,000,000 for each of fiscal years 2019 through 2023."
(G) The Commissioner of Social Security.
(H) The Assistant Secretary for Mental Health and Substance Use.
(I) The Director of National Drug Control Policy.
(J) Representatives of other Federal agencies that support or conduct activities or programs related to substance use disorders, as designated by the Secretary.
(2) NON-FEDERAL MEMBERS.—The Committee shall include a minimum of 15 non-Federal members appointed by the Secretary:
(A) at least two such members shall be an individual who has received treatment for a diagnosed substance use disorder;
(B) at least two such members shall be a State or local government official, including by expanding access to prevention, treatment, and recovery services;
(C) at least one such member shall be a public safety officer with extensive experience in working with racial and ethnic minority populations;
(D) at least two such members shall be a provider of services at a State, local, or tribal government facility;
(E) at least one such member shall be a substance use disorder treatment professional who has research or clinical experience, including by expanding access to prevention, treatment, and recovery services; and
(F) at least two such members shall be representatives of other Federal agencies that support or conduct activities or programs related to substance use disorders.

(c) TERMS.—
(1) the number of individuals in sustained recovery;
(2) the prevalence of opioid use disorders;
(3) the number of individuals living in rural and non-urban areas; and
(4) the number of individuals in sustained recovery.

(d) EXTENSION OF PERIOD.—If the Secretary determines that the national milestones described in subsection (a) will not be achieved with respect to any indicator or metric established under subsection (b)(2) within 5 years of the date of enactment of this Act, the Secretary may extend the timeline for meeting such goal with respect to that indicator or metric. The Secretary shall include any such extension in the national milestones under this section.

SEC. 7024. STUDY ON PRESCRIBING LIMITS.
Not later than 2 years after the date of enactment of this Act, the Secretary shall make available on the Internet website of the Department of Health and Human Services, and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, an update on the progress, including expected progress in the subsequent year, in achieving the goals described in the national milestones under this section. Such update shall include the progress made in the first year or since the previous report, as applicable, in meeting each indicator or metric established under the national milestones.
opioids or prescribers of treatments for opioid use disorder, including any impact on patient access to treatment, and whether any such burden is mitigated by any factors such as electronic prescribing or telemedicine; and
(3) the impact of such limits on diversion or misuse of any controlled substance in schedule II, III, or IV of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

Subtitle D—Ensuring Access to Quality Sober Living

SEC. 7031. NATIONAL RECOVERY HOUSING BEST PRACTICES.

Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.) is amended by adding at the end the following new section:

"SEC. 550. NATIONAL RECOVERY HOUSING BEST PRACTICES.

"(a) BEST PRACTICES FOR OPERATING RECOVERY HOUSING.—

"(1) IN GENERAL.—The Secretary, in consultation with the individuals and entities specified in paragraph (2), shall identify or facilitate the development of best practices, which may include model laws for implementing suggested minimum standards, for operating recovery housing.

"(2) In carrying out the activities described in paragraph (1), the Secretary shall consult with, as appropriate—

"(A) relevant divisions of the Department of Health and Human Services, including the Substance Abuse and Mental Health Services Administration, the Office of Inspector General, the Indian Health Service, and the Centers for Medicare & Medicaid Services;

"(B) the Secretary of Housing and Urban Development;

"(C) state or local architects, commissioners, or applicable State health departments, tribal health departments, State Medicaid programs, and State insurance agencies;

"(D) representatives of health insurance issuers;

"(E) national accrediting entities and reputable providers of, and analysts of, recovery housing services, including Indian tribes, tribal organizations, and tribally designated housing entities that provide recovery housing services, as applicable;

"(F) individuals with a history of substance use disorder; and

"(G) other stakeholders identified by the Secretary.

"(b) IDENTIFICATION OF FRAUDULENT RECOVERY HOUSING OPERATORS.—

"(1) IN GENERAL.—The Secretary, in consultation with the individuals and entities described in paragraph (2), shall identify or facilitate the development of common indicators that could be used to identify potentially fraudulent recovery housing operators.

"(2) In carrying out the activities described in paragraph (1), the Secretary shall consult with, as appropriate, the individuals and entities specified in subsection (a) and the Attorney General of the United States.

"(3) REQUIREMENTS.—In carrying out the activities described in subsection (a) and the common indicators identified or developed under subsection (b) to—

"(1) State agencies, which may include the provision of technical assistance to State agencies and individuals or entities to adopt or implement such best practices;

"(2) Indian tribes, tribal organizations, and tribally designated housing entities;

"(3) the Attorney General of the United States;

"(4) the Secretary of Labor;

"(5) the Secretary of Housing and Urban Development;

"(6) State and local law enforcement agencies;

"(7) health insurance issuers; and

"(8) recovery housing entities; and

"(g) other public.

"(d) REQUIREMENTS.—In carrying out the activities described in subsections (a) and (b), the Secretary, in consultation with appropriate individuals and entities described in subsections (a)(2) and (b)(2), shall consider how recovery housing operators can support recovery and prevent relapse, recidivism, or overdose (including overdose death), including by improving access and adherence to treatment, including medication-assisted treatment.

"(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide the Secretary with the authority to require States to adhere to minimum standards in the State oversight of recovery housing.

"(f) DEFINITIONS.—In this section:

"(1) The term 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

"(2) The terms 'tribally designated housing entity' have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

"(3) The term 'tribally designated housing entity' has the meaning given that term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 410).

"(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $3,000,000 for the period of fiscal years 2019 through 2021.

Subtitle E—Promoting Cutting Edge Research

SEC. 7041. UNIQUE RESEARCH INITIATIVES.

Section 402(n)(1) of the Public Health Service Act (42 U.S.C. 290dd(n)(1)) is amended—

(1) in subparagraph (A), by striking 'or';

(2) in subparagraph (B), by striking the period and inserting ';' or'; and

(3) by adding at the end the following:

"(C) high risk research that fosters scientific creativity and increases fundamental biological understanding leading to the prevention, diagnosis, or treatment of diseases and disorders or research urgently required to respond to a public health threat.''

SEC. 7042. PAIN RESEARCH.

Section 4 of the Public Health Service Act (42 U.S.C. 284q) is amended—

(1) in paragraph (5)—

"(A) in subparagraph (A), by striking "and treatment of pain and disorders associated with pain" and inserting "treatment, and management of pain and diseases and disorders associated with pain, including information on best practices for the utilization of non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration";

(B) in subparagraph (B), by striking "on the symptoms and causes of pain," and inserting the following:

"(i) the symptoms and causes of pain, including the identification of relevant biomarkers and screening models and the epidemiology of acute and chronic pain, including with respect to non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration;

(ii) the diagnosis, prevention, treatment, and management of acute and chronic pain, including with respect to non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration; and

(iii) risk factors for, and early warning signs of, substance use disorders in populations with acute and chronic pain; and"

(C) by striking subparagraphs (C) through (E) and inserting the following:

"(C) make recommendations to the Director of NIH

"(i) to ensure that the activities of the National Institutes of Health and other Federal agencies are free of unnecessary duplication of efforts;

(ii) on how best to disseminate information on pain care and epidemiological data related to acute and chronic pain; and

(iii) how to expand the exchanges between public entities and private entities to expand collaborative, cross-cutting research.

(2) by redesigning paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

"(6) REPORT.—The Secretary shall ensure that recommendations and actions taken by the Director with respect to the topics discussed in the meetings described in paragraph (4) are included in appropriate reports to Congress.''

Subtitle F—Jessie's Law

SEC. 7051. INCLUSION OF OPIOID ADDICTION HISTORY IN PATIENT RECORDS.

"(a) BEST PRACTICES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary"), in consultation with appropriate stakeholders, including with respect to the topics described in paragraph (4), shall develop the best practices described in paragraph (4) to facilitate the development of best practices regarding—

(A) the circumstances under which information that a patient has provided to a health care provider regarding such patient’s history of opioid use disorder should, only at the patient’s request, be prominently displayed in the medical records (including electronic health records) of such patient; and

(B) what constitutes the patient’s request for the purpose described in subparagraph (A).

(2) by redesigning paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

"(7) REPORT.—The Secretary shall ensure that recommendations and actions taken by the Director with respect to the topics discussed in the meetings described in paragraph (4) are included in appropriate reports to Congress.''

"(b) REQUIREMENTS.—In identifying or facilitating the development of best practices under paragraph (1) to health care providers and State agencies,

(1) the potential for addiction relapse or overdose, including overdose death, when opioid medications are prescribed to a patient recovering from opioid use disorder;

(2) the benefits of displaying information about a patient’s opioid use disorder history
in a manner similar to other potentially lethal medical conditions, including drug allergies and contraindications.

(3) The importance of prominently displaying a patient health record for substance use disorder when a physician or medical professional is prescribing medication, including methods for avoiding alert fatigue in providers.

(4) The importance of a variety of appropriate medical professionals, including physicians, nurses, and pharmacists, having access to the patient’s health record, which includes comprehensive information on allergies and contraindications.

(5) The importance of protecting patient privacy, including the requirements related to consent for disclosure of substance use disorder information under all applicable laws and regulations.

(6) All applicable Federal and State laws and regulations.

SEC. 7052. COMMUNICATION WITH FAMILIES REGARDING SUBSTANCE USE DISORDER.

(a) PROMOTING AWARENESS OF AUTHORIZED DISCLOSURES DURING EMERGENCIES.—The Secretary of Health and Human Services shall establish model programs and materials for training health care providers regarding permitted disclosures under Federal health care privacy law during emergencies, including the communication of protected health information to families, caregivers, and health care providers.

(b) USE OF MATERIAL.—For the purposes of carrying out paragraph (a), the Secretary of Health and Human Services may use materials produced under section 7053 of this Act or section 11014 of the 21st Century Cures Act (42 U.S.C. 13214).

SEC. 7053. DEVELOPMENT AND DISSEMINATION OF MODEL TRAINING PROGRAMS AND MATERIALS FOR SUBSTANCE USE DISORDER PATIENT RECORDS.

(a) INITIAL PROGRAMS AND MATERIALS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall establish and disseminate model programs and materials for training health care providers, including physicians, nurses, pharmacists, and other health care providers, on the following:

(1) the importance of prominently disclosing, consistent with the standards and regulations governing the privacy and security of substance use disorder patient records, the history of substance use and treatment in the patient’s electronic health record

(2) the importance of appropriately disclosing, in a manner similar to other conditions, the patient’s history of substance use disorder and treatment

(3) the importance of prominently disclosing, consistent with the standards and regulations governing the privacy and security of substance use disorder patient records, the patient’s history of substance use disorder and treatment

(b) RAQURMENTS.—The model programs and materials described in paragraph (a) shall address:

(1) the importance of appropriately disclosing, in a manner similar to other conditions, the patient’s history of substance use disorder and treatment

(2) the importance of prominently disclosing, consistent with the standards and regulations governing the privacy and security of substance use disorder patient records, the patient’s history of substance use disorder and treatment

(3) the importance of prominently disclosing, consistent with the standards and regulations governing the privacy and security of substance use disorder patient records, the patient’s history of substance use disorder and treatment

SEC. 7054. REPORT ON ADDRESSING MATERNAL AND INFANT HEALTH IN THE OPIOID CRISIS.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Centers for Disease Control and Prevention, the National Institutes of Health, the Indian Health Service, and the Substance Abuse and Mental Health Services Administration, shall develop and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes:

(1) information on opioid, non-opioid, and non-pharmacologic pain management practices during pregnancy and after pregnancy;

(2) recommendations for increasing public awareness and education about substance use disorders, including opioid use disorders, during and after pregnancy, including available treatment resources in urban and rural areas;

(3) recommendations to prevent, identify, and reduce substance use disorders, including opioid use disorders, and improve care for pregnant women with substance use disorders and their infants; and

(4) an identification of areas in need of further research and care for acute and chronic pain management during and after pregnancy.

(b) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for purposes of carrying out subsection (a).

SEC. 7057. REPORT ON THE EFFICACY OF TREATMENTS FOR ADDICTION AND THE INCIDENCE AND PREVALENCE OF SUBSTANCE USE DISORDER.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Centers for Disease Control and Prevention, shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, and make available to the public on the Internet website of the Department of Health and Human Services, a report regarding the incidence and prevalence of substance use disorders among adults, including parental substance use disorders and their impact on child health outcomes associated with such activities.

(b) REQUIREMENTS.—The report required by subsection (a) shall include:

(1) an update on the implementation of the recommendations in the strategy, including information regarding the agencies involved in the implementation; and

(2) information on additional funding or authority the Secretary requires, if any, to implement the strategy, including information on additional funding or authority the Secretary requires, if any, to implement the strategy, including information on additional funding or authority the Secretary requires, if any, to implement the strategy, including information on additional funding or authority the Secretary requires, if any, to implement the strategy.
geographic location, and family history, and other relevant information, to inform such analysis;’’;

(B) in paragraph (2), (i) by replacing the requirement of ‘‘prevention and long-term outcomes associated with;’’ and

(ii) by striking ‘‘illegal drug use and inserting ‘‘other substance abuse and misuse;’’ and

(C) in paragraph (3), by striking ‘‘and cessation programs;’’ and inserting ‘‘treatment, and cessation programs;’’;

(D) in paragraph (4), by striking ‘‘illegal drug use;’’ and inserting ‘‘other substance abuse and misuse;’’ and

(E) by adding at the end the following:

‘‘(5) The report on the analysis of the data described in paragraph (1), including analysis of—

(A) long-term outcomes of children affected by neonatal abstinence syndrome;’’;

‘‘(B) health outcomes associated with prenatal smoking, alcohol, and substance abuse and misuse; and

(C) relevant studies, evaluations, or information the Secretary determines to be appropriate.’’;

(2) in subsection (b), by inserting ‘‘tribal entities, state, and local governments;’’;

(3) by redesignating subsection (c) as subsection (d);

(4) by inserting after subsection (b) the following:

‘‘(c) COORDINATING ACTIVITIES.—To carry out this section, the Secretary may—’’;

‘‘(1) provide technical and consultative assistance to entities receiving grants under subsection (b);’’

‘‘(2) ensure a pathway for data sharing between States, tribal entities, and the Centers for Disease Control and Prevention;’’;

‘‘(3) ensure data collection under this section is consistent with applicable State, Federal, and Tribal privacy laws; and

‘‘(4) establish a National Coordinator for Health Information Technology, as appropriate, to assist States and Tribes in implementing systems that use standards recognized by such National Coordinator, as such recognized standards are available, in order to facilitate interoperability between such systems and health information technology, including certifying health information technology.’’; and

(5) in subsection (d), as so redesignated, by striking ‘‘2000’’ through ‘‘2005’’ and inserting ‘‘2019 through 2023’’.

SEC. 7065. PLANS OF SAFE CARE.

(a) In General.—Section 105(a)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5156(a)(1)) is amended by adding at the end the following:

‘‘(7) GRANTS TO STATES TO IMPROVE AND COORDINATE THEIR RESPONSE TO ENSURE THE SAFETY, PERMANENCY, AND WELL-BEING OF INFANTS AFFECTED BY SUBSTANCE USE.—’’;

‘‘(A) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to States for the purpose of assisting child welfare agencies, social services agencies, substance use disorder treatment agencies, hospitals with labor and delivery units, medical staff, public health and mental health agencies, and maternal and child health agencies to facilitate collaboration in developing, updating, implementing, and monitoring plans of safe care described in section 106(b)(2)(B)(i)(I). Section 112(a)(2) shall not apply to the program authorized under this paragraph.

(B) DISTRIBUTION OF FUNDS.—Of the amounts made available to carry out subparagraph (A), the Secretary shall reserve

(I) no more than 3 percent for the purposes described in section 106(b)(2)(B)(ii); and

(II) up to 3 percent for grants to Indian Tribes and tribal organizations to address the needs of infants born with, and identified as being affected by, substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder, which to the extent practicable, shall be consistent with the uses of funds described under subparagraph (D).

‘‘(1) ALLOCATION OF GRANTS AND TREASURY.—The Secretary shall allot the amount made available to carry out subparagraph (A) that remains after application of clause (i) and paragraph (2) for such fiscal year among the States, in an amount equal to the sum of—

(1) $300,000; and

(2) a proportion that bears the same relationship to any funds made available to carry out subparagraph (A) that remains after application of clause (i) and paragraph (2) for such fiscal year, as the number of live births in the State in the previous calendar year bears to the number of live births in all States in such year.

‘‘(ii) RATABLE REDUCTION.—If the amount made available to carry out subparagraph (A) is insufficient to satisfy the requirements of clause (i), the Secretary shall ratable reduce each allotment to a State.

‘‘(C) A USE OF FUNDS.—A State desiring a grant under this paragraph shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

‘‘(i) a description of—

(1) the impact of substance use disorder in such State, including with respect to substance or class of substances with the highest incidence of abuse in the previous year in such State, including—

(I) the prevalence of substance use disorder in such State;

(II) the aggregate rate of births in the State of infants affected by substance abuse or withdrawal symptoms or a fetal alcohol spectrum disorder (as determined by hospitals, insurance claims, claims submitted to the State Medicaid program, or other records), if available and to the extent practicable; and

(III) the number of infants identified, for whom a plan of safe care was developed, including identification of needed treatment, and other services and programs to ensure the well-being of young children and their families affected by substance use disorder, such as programs carried out under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) and comprehensive early childhood development services and programs such as Head Start programs;

(ii) a description of how the State plans to use funds for activities described in subparagraph (D) for the purpose of ensuring State compliance with requirements under clauses (i) and (iii) of section 106(b)(2)(B); and

(iii) an assurance that the State will comply with requirements to refer a child identified as substance-exposed to early intervention services as required pursuant to a grant under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.).

‘‘(D) USES OF FUNDS.—Funds awarded under this paragraph may be used for the following activities, which may be carried out by the State directly, or through grants or subgrants, contracts, or cooperative agreements:

‘‘(i) improving State and local systems with respect to the development and implementation of plans of safe care, which—

(I) shall include parent and caregiver engagement, as required under section 106(b)(2)(B)(iii)(I), regarding available treatment and service options, which may include resources for pregnant, perinatal, and postnatal women; and

(II) may include activities such as—

(aa) developing policies, procedures, or protocols for the administration or development of evidence-based and validated screening tools for infants who may be affected by substance abuse or withdrawal symptoms or a fetal alcohol spectrum disorder and pregnant, perinatal, and postnatal women; and

(bb) improving assessments used to determine the needs of the infant and family;

(cc) improving ongoing case management services;

(dd) improving access to treatment services, which may be prior to the pregnant woman’s delivery date; and

(ee) keeping families safely together when it is in the best interest of the child.

‘‘(ii) developing policies, procedures, or protocols in consultation and coordination with health professionals, public and private health facilities, and substance use disorder treatment agencies to ensure that—

(I) technical assistance is provided to child protective services is made in a timely manner, as required under section 106(b)(2)(B)(ii); and

(II) a plan of safe care is in place, in accordance with section 106(b)(2)(B)(iii), before the infant is discharged from the birth or health care facility; and

‘‘(E) A USE OF FUNDS.—A State desiring a grant under this paragraph shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

‘‘(i) a description of how the State plans to use funds for activities described in subparagraph (D) for the purpose of ensuring State compliance with requirements under clauses (i) and (iii) of section 106(b)(2)(B); and

(ii) an assurance that the State will comply with requirements to refer a child identified as substance-exposed to early intervention services as required pursuant to a grant under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) and comprehensive early childhood development services and programs such as Head Start programs;

‘‘(iii) a description of how the State plans to use funds for activities described in subparagraph (D) for the purpose of ensuring State compliance with requirements under clauses (i) and (iii) of section 106(b)(2)(B); and

(iv) an assurance that the State will comply with requirements to refer a child identified as substance-exposed to early intervention services as required pursuant to a grant under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) and comprehensive early childhood development services and programs such as Head Start programs;
“(III) such health and related agency professionals are trained on how to follow such protocols and are aware of the supports that may be provided under a plan of safe care.

“(iii) such health and related agency professionals and health system leaders, child welfare workers, substance use disorder treatment agencies, and other related professionals such as home visiting services and law enforcement in relevant topics including—

“(I) State mandatory reporting laws established under section 106(b)(2)(B)(i) and the referral process requirements for notification to child protective services when child abuse or neglect reporting is not mandated;

“(II) the number of experienced removal associated with parental substance use; and

“(III) the number who experienced removal and subsequently are reunified with parents, and the length of time between such removal and reunification;

“(IV) the number who are referred to community providers without a child protection case;

“(V) the number who receive services while in the care of their birth parents;

“(VI) the number who receive post-reunification services within 1 year after a reunification has occurred; and

“(VII) the number who experienced a return to out-of-home care within 1 year after reunification.

“(b) SECRETARY’S REPORT TO CONGRESS.—The Secretary shall submit an annual report to the Committee on Health, Education, Labor, and Finance of the Senate Appropriations of the Senate and the Committee on Education and the Workforce and the Committee on Appropriations of the House of Representatives that includes the information described in subparagraph (E) and recommendations or observations on the challenges, successes, and lessons derived from implementation of the grant program.

“(c) ASSISTING STATES’ IMPLEMENTATION.—The Secretary shall use the amount reserved under subparagraph (B)(i)(I) to provide written guidance and technical assistance to support States in complying with and implementing this paragraph, which shall include—

“(I) technical assistance, including programs of in-depth technical assistance, to additional States, territories, and Indian Tribes and tribal organizations in accordance with the substance-exposed infant initiative developed by the National Center on Substance Abuse and Child Welfare;

“(II) guidance on the requirements of this Act with respect to infants born with and identified as being affected by substance use or withdrawal symptoms or fetal alcohol spectrum disorder, as described in clauses (i) and (ii) of section 106(b)(2)(B), including—

“(i) enhancing States’ understanding of requirements and flexibilities under the law, including by clarifying key terms;

“(ii) addressing identified challenges with developing, implementing, and monitoring plans of safe care, including those reported under subparagraph (C)(iii); and

“(III) disseminating best practices on implementation of plans of safe care, on such topics as differential response, collaboration and coordination, and identification and delivery of services for different populations, while recognizing needs of different populations and varying community approaches across States; and

“(IV) helping States improve the long-term safety and well-being of young children and their families;

“(V) supporting State efforts to develop information technology systems to manage plans of safe care; and

“(VI) preparing the Secretary’s report to Congress described in subparagraph (F).

“(d) SUNSET.—The authority under this paragraph shall sunset on September 30, 2023.

“(e) REPEAL.—The Abandoned Infants Assistance Act of 1988 (42 U.S.C. 517aa et seq.) is repealed.

“SEC. 7071. LOAN REPAYMENT PROGRAM FOR SUBSTANCE USE DISORDER TREATMENT WORKFORCE.

“(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall carry out a program under which—

“(1) the Secretary enters into agreements with individuals to make payments in accordance with subsection (b) on the principal of and interest on any eligible loan; and

“(2) the individuals each agree to the requirements of service in substance use disorder treatment employment, as described in subsection (d).

“(b) PAYMENTS.—For each year of obligated service by an individual pursuant to an agreement under subsection (a), the Secretary shall make a payment to such individual as follows:

“(1) for each year of obligated service by an individual pursuant to an agreement under subsection (a), 1/3 of the principal and interest on each eligible loan of the individual which is outstanding on the date the individual began service pursuant to the agreement; and

“(2) for completion of the sixth and final year of such service, the remainder of such payment and interest.

“(c) ELIGIBLE LOANS.—The loans eligible for repayment under this section are each of the following:

“(1) Any loan for education or training for a substance use disorder treatment employment.

“(2) Any loan under part E of title VIII (relating to nursing student loans).

“(3) any federal Perkins Loan, Federal Direct PLUS Loan, Federal Direct Unsubsidized Stafford Loan, or Federal Direct Consolidation Loan (as such terms are used in section 455 of the Higher Education Act of 1965).


“(5) Any other Federal loan as determined appropriate by the Secretary.

“(d) REQUIREMENTS OF SERVICE.—Any individual receiving payments under this program as required by an agreement under subsection (a) shall agree to an annual commitment to full-time employment, with no more than 1 year passing between any 2 years of covered employment, in substance use disorder treatment employment in the United States in—

“(1) a Mental Health Professional Shortage Area, as designated under section 332; or

“(2) a county (or a municipality, if not contained within any county) where the mean drug overdose death rate per 100,000 people over the past 3 years for which official data is available from the State, is higher than the most recent available national average overdose death rate per 100,000 people, as reported by the Centers for Disease Control and Prevention.
“(e) INELIGIBILITY FOR DOUBLE BENEFITS.—No borrower may, for the same service, receive a reduction of loan obligations or a loan repayment under both—

(1) this section—

(2) any Federally supported loan forgiveness program, including under section 333B, 333I, or 866 of this Act, or section 428J, 428L, 455(m), or 460 of the Higher Education Act of 1965.

(1) BREACH.

(2) LIQUIDATED DAMAGES FORMULA.—The Secretary may establish a liquidated damages formula to be used in the event of a breach of an agreement entered into under subsection (a).

(2) LIMITATION.—The failure by an individual to complete the full period of service obligated pursuant to such an agreement, taken in isolation, shall not constitute a breach of the agreement, so long as the individual completed in good faith the years of service for which payments were made to the individual.

(g) ADDITIONAL CRITERIA.—The Secretary—

(1) may establish such criteria and rules to carry out this section as the Secretary determines are needed and in addition to the criteria and rules specified in this section; and

(2) shall give notice to the committees specified in subsection (h) of any criteria and rules so established.

(h) APPROPRIATIONS.—Not later than 5 years after the date of enactment of this section, and every other year thereafter, the Secretary shall prepare and submit to the Committees on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on—

(1) the number and location of borrowers who have qualified for loan repayments under this section; and

(2) the impact of this section on the availability of substance use disorder treatment employees nationally and in shortage areas and counties described in subsection (d).

(1) IN GENERAL.—Any service described in subsection (a) that a participant provides may count towards such obligated service required under the Scholarship Program or the Loan Repayment Program, subject to any limitation imposed under paragraph (2).

(2) LIMITATION.—The Secretary may impose a limitation on the number of hours of service described in subsection (a) that a participant may credit towards completing obligated service requirements, provided that the limitation allows a member to credit service described in subsection (a) for not less than 50 percent of the total hours required to complete such obligated service requirements.

(c) RULE OF CONSTRUCTION.—The authorization of funds referred to in this section shall be notwithstanding any other provision of this subpart or part II.

SEC. 7073. PROGRAMS FOR HEALTH CARE WORKERS.

(a) PROGRAM FOR EDUCATION AND TRAINING IN CARE FOR DRUG OVERDOSE PATIENTS.—Section 759 of the Public Health Service Act (42 U.S.C. 294l) is amended by striking paragraph (1) and inserting—

(1) emergency treatment of known or suspected overdose; and

(b) MENTAL AND BEHAVIORAL HEALTH EDUCATION AND TRAINING PROGRAM.—Section 756 of the Public Health Service Act (42 U.S.C. 294e–1) is amended—

(1) in subsection (a), by striking “, trauma,” after “focus on child and adolescent mental health;” and

(2) in subsection (b), by inserting “treatment of an overdose;” before “treatment of an overdose;”

(3) in subsection (d), by inserting “, including treatment of an overdose;” after “drug overdose treatment,”

(4) in subsection (e), by striking “2010 through 2012” and inserting “2019 through 2023.”

Subtitle I—Preventing Overdoses While in Emergency Rooms

SEC. 7081. PROGRAM TO SUPPORT COORDINATION AND CARE FOR DRUG OVERDOSE PATIENTS.

(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible entities to support implementation of voluntary programs for care and treatment of individuals after a drug overdose, as appropriate, through referrals, of individuals after a drug overdose; and

(2) the use of recovery coaches, as appropriate, to encourage individuals who experience non-fatal overdose to seek treatment for substance use disorder and to support coordination and continuation of care; and

(3) coordination and continuation of care, including, as appropriate, through referrals, of individuals after a drug overdose; and

SEC. 7072. CLARIFICATION REGARDING SERVICE IN SCHOOLS AND OTHER COMMUNITY-BASED SETTING.

Subpart II of part D title III of the Public Health Service Act (42 U.S.C. 254 et seq.) is amended by adding at the end the following:

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Section 7091. Emergency Department Alternative to Opioids Demonstration Program

(a) Demonstration Grant Programs.—

(1) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall carry out a demonstration program to award grants to hospitals and emergency departments, including freestanding emergency departments, to develop, implement, enhance, or continue alternative opioids for pain management in such settings.

(2) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1), a hospital or emergency department shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(b) GEOGRAPHIC DISTRIBUTION OF GRANTS.—In awarding grants under this section, the Secretary shall seek to ensure geographical distribution among grant recipients.

(4) USE OF FUNDS.—Grants under paragraph (1) shall be used to—

(A) target treatment approaches for painful conditions frequently treated in such settings;

(B) train providers and other hospital personnel on protocols or best practices related to the use and prescription of opioids and alternatives to opioids to optimize management in the emergency department; and

(C) develop or continue strategies to provide alternatives to opioids, as appropriate.

(2) REPORT BY SECRETARY.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes an evaluation of the effectiveness of the program carried out under this section with respect to long term health outcomes of the population of individuals who have experienced a drug overdose, the percentage of patients referred to treatment by grantees, and the frequency and number of patients who experienced relapse, were readmitted for treatment, or experienced another overdose, as applicable.

(e) PRIVACY.—The requirements of this section, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2019 through 2023.

Subtitle J—Alternatives to Opioids in the Emergency Department
(1) utilizing information from recipients of a grant under subsection (a) or (b) that have successfully implemented alternatives to opioids programs;
(2) administering or facilitating the development of best practices on the use of alternatives to opioids, which may include pain-management strategies that involve non-addictive medication and alternative pain management protocols and treatments, and technologies or techniques to identify patients at risk for opioid use disorders;
(3) identifying or facilitating the development of best practices on the use of alternatives to opioids that target common painful conditions and include certain patient populations—such as geriatric patients, pregnant women, and children; and
(4) disseminating information on the use of alternatives to opioids to providers in acute care settings, which may include emergency departments, outpatient clinics, critical access hospitals, Federally qualified health centers, Indian Health Service health facilities, and tribal hospitals.

(c) REPORT TO THE CONGRESS.—Each recipient of a grant under this section shall submit to the Congress (during the period of such grant and in such manner as the Secretary may prescribe) an annual report on the progress of the program funded through the grant. These reports shall include, in accordance with all applicable State and Federal privacy laws:
(i) a description of and specific information about the opioid alternative pain management programs, including the demographic characteristics of patients who were treated with an alternative pain management protocol, implemented in hospitals, emergency departments, and other acute care settings;
(ii) data on the opioid alternative pain management strategies used, including the number of opioid prescriptions written—
(A) during a baseline period before the program funded through the grant;
(B) at various stages of the program; and
(C) on patients who were eventually prescribed opioids after alternative pain management protocols and treatments were utilized; and
(iii) any other information the Secretary determines appropriate.

(6) REGIONAL CONGRESS.—Not later than 1 year after completion of the demonstration program under this section, the Secretary shall submit to the Congress on the results of the demonstration program and include in the report—
(1) the number of applications received and the number funded;
(2) a summary of the reports described in subsection (e), including data that allows for comparison of programs; and
(3) recommendations for broader implementation of pain management strategies that encourage the use of alternatives to opioids in hospitals, emergency departments, and other acute care settings.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $4,000,000 for each of fiscal years 2019 through 2023.

(9) Subtitle K—Treatment, Education, and Community Help To Combat Addiction

SEC. 701. ESTABLISHMENT OF REGIONAL CENTERS OF EXCELLENCE IN SUBSTANCE USE DISORDER EDUCATION.

(a) Regional Centers of Excellence in Substance Use Disorder Education.

(1) IN GENERAL.—The Secretary, in consultation with appropriate agencies, shall award cooperative agreements to eligible entities for the designation of such entities as Regional Centers of Excellence in Substance Use Disorder Education for purposes of improving health professional training resources with respect to substance use disorder prevention, treatment, and recovery.

(b) ELIGIBILITY.—To be eligible to receive a cooperative agreement under subsection (a), an entity shall:
(1) be an accredited entity that offers education to students in various health professions, which may include—
(A) a teacher; or
(B) a medical school;
(2) (C) a certified behavioral health clinic; or
(D) any other health professions school, school of public health, or Cooperative Extension Program at institutions of higher education, as defined in section 101 of the Higher Education Act of 1965, engaged in the prevention, treatment, or recovery of substance use disorders;
(3) demonstrate community engagement and partnerships with community stakeholders, including entities that train health professionals, mental health counselors, social workers, peer recovery specialists, substance use treatment programs, community health centers, law enforcement, certified behavioral health clinics, research institutions, and law enforcement; and
(4) submit to the Secretary an application containing such information at such time and in such manner, as the Secretary may require.

(c) ACTIVITIES.—An entity receiving an award under this section shall develop, evaluate, and distribute evidence-based resources regarding the prevention and treatment of, and recovery from, substance use disorders; such resources may include information on—
(1) the neurology and pathology of substance use disorders;
(2) advanced training in the treatment of substance use disorders;
(3) techniques and best practices to support recovery from substance use disorders; and
(4) strategies for the prevention and treatment of, and recovery from, substance use disorders across patient populations; and
(5) any other topic areas that are relevant to the objectives of the demonstration project.

(d) GEOGRAPHIC DISTRIBUTION.—In awarding cooperative agreements under subsection (a), the Secretary shall take into account regional differences among eligible entities and shall make an effort to ensure geographic distribution.

(e) EVALUATION.—The Secretary shall evaluate each project carried out by an entity receiving an award under this section and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

(f) FUNDING.—There is authorized to be appropriated to carry out this section, $4,000,000 for each of fiscal years 2019 through 2023.

SEC. 702. YOUTH PREVENTION AND RECOVERY INITIATIVE.

(a) Substance Abuse Treatment Services for Children, Adolescents, and Young Adults.

(1) IN GENERAL.—Section 514 of the Public Health Service Act (42 U.S.C. 290bb–7) is amended—
(1) in the section heading, by striking “CHILDREN AND ADOLESCENTS” and inserting “CHILDREN, ADOLESCENTS, AND YOUNG ADULTS”; and
(2) in subsection (a)(2), by striking “Advice and counseling to children” and inserting “Advice and counseling to children, adolescents, and young adults”.

(b) Recovery Education Programs.—The Secretary shall establish a resource center to provide technical support to recipients of grants under this section (c)

(c) YOUTH PREVENTION AND RECOVERY INITIATIVE.

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Education and other heads of agencies, including the Assistant Secretary for Mental Health and Substance Use and Services Administration, as appropriate, shall establish a resource center to provide technical support to recipients of grants under subsection (c)

(2) Definitions.—In this subsection:
(A) ELIGIBLE ENTITY.—The term “eligible entity” means—
(i) a local educational agency that is seeking to establish or expand substance use prevention or recovery support services at one or more high schools;
(ii) a State educational agency;
(iii) an institution of higher education (or consortia of such institutions), which may include a recovery program at an institution of higher education;
(iv) a local board or one-stop operator;
(v) a nonprofit organization with appropriate expertise in providing services or programs for children, adolescents, or young adults, excluding a school;
(vi) a State, political subdivision of a State, Indian tribe, or tribal organization; or
(vii) a high school or dormitory serving high school students that receives funding from the Bureau of Indian Education.

(B) FOSTER CARE.—The term “FOSTER CARE” has the meaning given such term in title 42, Code of Federal Regulations (or any successor regulations).

(C) HIGH SCHOOL.—The term “HIGH SCHOOL” has the meaning given in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(D) HOMELESS YOUTH.—The term “HOMELESS YOUTH” has the meaning given in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(E) INDIAN TRIBE.—The term “INDIAN TRIBE” has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(F) INSTITUTION OF HIGHER EDUCATION.—The term “INSTITUTION OF HIGHER EDUCATION” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) and includes a “postsecondary vocational institution” as defined in section 102(c) of such Act (20 U.S.C. 1002).

(G) LOCAL EDUCATIONAL AGENCY.—The term “LOCAL EDUCATIONAL AGENCY” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(H) LOCAL BOARD.—The term “LOCAL BOARD” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).
(ii) that includes peer-to-peer support delivered by individuals with lived experience in recovery, and communal activities to build recovery skills and supportive social networks;

(K) STATE EDUCATIONAL AGENCY.—The term "State educational agency" has the meaning given such term in section 1111 of the Elementary and Secondary Education Act (20 U.S.C. 7801).

(3) BEST PRACTICES.—The Secretary, in consultation with the Secretary of Education, shall—

(A) identify or facilitate the development of evidence-based best practices for prevention of substance misuse and abuse by children, adolescents, and young adults, including for specific populations such as youth in foster care, homeless youth, out-of-school youth, and youth at risk of or have experienced trafficking that address—

(i) primary prevention;

(ii) appropriate recovery support services;

(iii) appropriate use of medication-assisted treatment for such individuals, if applicable, and ways of overcoming barriers to the use of medication-assisted treatment in such populations; and

(iv) efficient and effective communication, which may include the use of social media, to maximize outreach efforts;

(B) disseminate such best practices to State educational agencies, local educational agencies, schools and dormitories funded by the Bureau of Indian Education, institutions of higher education, recovery programs at institutions of higher education, local boards, one-stop operators, family and youth homeless providers, and nonprofit organizations, as appropriate;

(C) conduct a rigorous evaluation of each grant funded under this subsection, particularly with respect to (i) indicators described in paragraph (7)(B); and

(D) provide technical assistance for grantees under this subsection.

(4) GRANTS AUTHORIZED.—The Secretary, in consultation with the Secretary of Education, shall award 3-year grants, on a competitive basis, to eligible entities to enable such entities, in coordination with Indian tribes, if applicable, and State agencies responsible for carrying out substance use disorder prevention and treatment programs, to carry out programs and provide services in accordance with the following:

(A) prevention of substance misuse and abuse by children, adolescents, and young adults, which may include primary prevention;

(B) recovery support services for children, adolescents, and young adults, which may include prevention; job training, linkages to community-based services, family support groups, peer mentoring, and recovery coaching;

(C) treatment or referrals for treatment of substance use disorders, which may include the use of medication-assisted treatment, as appropriate;

(D) SPECIAL CONSIDERATION.—In awarding grants under this subsection, the Secretary shall give special consideration to the unique needs of tribal, urban, suburban, and rural populations.

(5) APPLICATION.—To be eligible for a grant under this subsection, an entity shall submit to the Secretary an application at such time, and in such manner, as the Secretary may require. Such report shall include—

(A) a description of how the eligible entity used grant funds, in accordance with this subsection, including the number of children, adolescents, and young adults reached through programming; and

(B) a description, including relevant data, of how the grant program has made an impact on the intended outcomes described in paragraph (6)(B), including—

(i) indicators of student success, which, if the eligible entity is an educational institution, shall include student well-being and academic achievement;

(ii) substance use disorders amongst children, adolescents, and young adults served by the grant during the grant period; and

(iii) other indicators, as the Secretary determines appropriate.

(6) REPORT TO CONGRESS.—The Secretary shall, not later than October 1, 2022, submit to the Committees on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on Education and the Workforce of the House of Representatives a report summarizing the effectiveness of the grant program under this subsection, based on the information submitted in reports required under paragraph (7).

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this subsection for each of fiscal years 2019 through 2023.

Subtitle L—Information From National Mental Health and Substance Use Policy Laboratory

SEC. 7111. INFORMATION FROM NATIONAL MENTAL HEALTH AND SUBSTANCE USE POLICY LABORATORY.

Section 501A(b) of the Public Health Service Act (42 U.S.C. 290aa-5(b) is amended—

(A) in paragraph (5) by inserting "and"; and

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

"(6) issue and periodically update information for entities applying for grants or cooperative agreements; and

"(7) ensure that substance use disorder and mental health programs and activities are available to those in recovery, including by providing technical assistance."
may include carrying out such activities through technology-enabled collaborative learning and capacity building models described in subsection (f);

(2) provides in-kind and recovery services.

Each center shall—

(A) Ensure that intake, evaluations, and periodic patient assessments meet the individual needs of patients, including by reviewing patient placement in treatment settings to support meaningful recovery;

(B) Provide the full continuum of treatment services, including—

(i) all drugs and devices approved or cleared under section 552(k) of the Public Health Services Act and all biological products licensed under section 351 of this Act to treat substance use disorders or reverse overdoses, pursuant to Federal and State laws;

(ii) medically supervised withdrawal management, that includes patient evaluation, stabilization, and readiness for and entry into treatment;

(iii) counseling provided by a program counselor or other certified professional who is licensed and qualified by education, training, or experience to assess the psychological and sociological background of patients, to contribute to the appropriate treatment plan for the patient, and to monitor patient progress;

(iv) treatment, as appropriate, for patients with co-occurring substance use and mental disorders;

(v) testing, as appropriate, for infections commonly associated with illicit drug use;

(vi) residential rehabilitation, and outpatient and intensive outpatient programs;

(vii) recovery housing;

(viii) community-based and peer recovery support services;

(ix) job training, job placement assistance, and continuing education assistance to support reintegration into the workforce; and

(x) other best practices to provide the full continuum of treatment and services, as determined by the Secretary.

(C) Ensure that all programs covered by the Center include medication-assisted treatment, as appropriate, and do not exclude individuals receiving medication-assisted treatment.

(D) Periodically conduct patient assessments to support sustained and clinically significant recovery, as defined by the Assistant Secretary for Mental Health and Substance Use.

(E) Provide onsite access to medication, as appropriate, and tocolgy services; for purposes of carrying out this section.

(F) Operate a secure, confidential, and interoperable electronic health information system.

(G) Offer family support services such as child care, family counseling, and parenting interventions to help stabilize families impacted by substance use disorder, as appropriate.

(2) Outreach.—Each center shall carry out outreach activities regarding the services offered through the Centers, which may include—

(A) training and supervising outreach staff, as appropriate, to work with State and local health departments, health care providers, the Indian Health Service, State and local public health agencies, schools funded by the Indian Bureau of Education, institutions of higher education, State and local workforce development boards, State and local community action agencies, public safety officials, first responders, Indian Tribes, child welfare agencies, as appropriate, and other community partners and the public, including patients, to identify and respond to community needs;

(B) ensuring that the entities described in subparagraph (A) are aware of the services of the Center; and

(C) disseminating and making publicly available all data through the internet, evidence-based resources that educate professionals and the public on opioid use disorder and other substance use disorders, including co-occurring substance use and mental disorders.

(3) DATA REPORTING AND PROGRAM OVERSIGHT.—With respect to a grant awarded under subsection (a), within 90 days after the end of the first year of the grant period, and annually thereafter for the duration of any renewal period for such grant, the entity shall submit data, as appropriate, to the Secretary regarding—

(I) the programs and activities funded by the grant;

(II) health outcomes of the population of individuals with a substance use disorder who received services from the Center, that are evaluated by an independent program evaluator through the use of outcomes measures, as determined by the Secretary;

(III) the retention rate of program participants;

(IV) any other information that the Secretary may require for the purpose of ensuring that the activities with which the funds are used comply with the requirements of the grant, including providing the full continuum of services described in subsection (g)(1)(B).

(4) Privacy.—The data collected under this section, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.

(5) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated $10,000,000 for fiscal years 2019 through 2023 for purposes of carrying out this section.

(6) REPORTS TO CONGRESS.—

(1) PRELIMINARY REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a preliminary report that analyzes data submitted under section 552(h) of the Public Health Service Act, as added by subsection (a).

(2) FINAL REPORT.—Not more than 2 years after submitting the preliminary report required under paragraph (1), the Secretary of Health and Human Services shall submit to Congress a final report that includes—

(A) an evaluation of the effectiveness of the comprehensive services provided by the Centers established or operated pursuant to section 552(h) of the Public Health Service Act, as added by subsection (a), with respect to health outcomes of the population of individuals with substance use disorder who receive services from the Center, which shall include an evaluation of the effectiveness of services for treatment and recovery support and to reduce relapse, recidivism, and overdose; and

(B) recommendations, as appropriate, regarding ways to improve Federal programs related to substance use disorders, which may include dissemination of best practices for the treatment of substance use disorders to health care professionals.

Subtitle N—Trauma-Informed Care

SEC. 7131. CDC SURVEILLANCE AND DATA COLLECTION FOR CHILD, YOUTH, AND ADULT TRAUMA

(a) DATA COLLECTION.—The Director of the Centers for Disease Control and Prevention (referred to in this section as the ‘‘Director’’) may, in cooperation with the States, collect and report data on adverse childhood experiences through the Behavioral Risk Factor Surveillance System, the Youth Risk Behavior Surveillance System, and other relevant public health surveys or questionnaires.

(b) TIMING.—The collection of data under subsection (a) may occur biennially.

(c) DATA FROM RURAL AREAS.—The Director shall encourage each State that participates in collecting and reporting data under subsection (a) to collect and report data from rural areas within such State, in order to generate a statistically reliable representation of such areas.

(d) DATA FROM TRIBAL AREAS.—The Director may, in cooperation with Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) and pursuant to a written request from an Indian Tribe, provide technical assistance to develop and administer surveys and report data on adverse childhood experiences through the Behavioral Risk Factor Surveillance System, the Youth Risk Behavior Surveillance System, or another relevant public health survey or questionnaire.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $2,000,000 for each of fiscal years 2019 through 2023.
(U) the Office for Civil Rights of the Department of Education.

(V) The Office of Special Education and Rehabilitative Services of the Department of Education.

(W) The Bureau of Indian Affairs of the Department of the Interior.

(X) The Veterans Health Administration of the Department of Veterans Affairs.

(Y) The Office of Special Needs Assistance Programs of the Department of Housing and Urban Development.


(BB) The Indian Education of the Department of the Interior.

(CC) Such other Federal agencies as the Secretaries determine to be appropriate.

(2) DUTIES.—The heads of Federal departments and agencies shall appoint the corresponding members of the task force not later than 60 days after the date of enactment of this Act.

(3) CHAIRPERSON.—The task force shall be chaired by the Assistant Secretary for Mental Health and Substance Use, or the Assistant Secretary for Children’s Bureau.

(c) TASK FORCE DUTIES.—The task force shall—

(1) solicit input from stakeholders, including families, service providers, educators, mental health professionals, researchers, experts in infant, child, and youth trauma, child welfare professionals, and the public, in order to inform the activities under paragraph (2) and identify, evaluate, make recommendations, and update such recommendations not less than annually, to the general public, the Secretary of Education, the Secretary of Labor, the Department of Housing and Urban Development, the Department of Veterans Affairs, the Department of Health and Human Services, the Secretaries, and Congress regarding—

(A) a set of evidence-based, evidence-informed, and promising best practices with respect to—

(i) prevention strategies for individuals at risk of experiencing or being exposed to trauma, including trauma as a result of ex post facto substance use;

(ii) the identification of infants, children and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma;

(iii) the expeditious referral to and implementation of trauma-informed practices and supports that prevent and mitigate the effects of trauma, which may include whole-family and multi-generational approaches; and

(iv) community-based or multi-generational practices that support children and their families;

(B) a national strategy on how the task force and member agencies will collaborate, prioritize, and implement a coordinated approach, which may include—

(i) data sharing;

(ii) providing support to infants, children, and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma;

(iii) identifying options for coordinating existing grants that support infants, children, and youth, and their families as appropriate, who have experienced or are at risk of experiencing, exposure to substance use or other adverse effects of trauma related to substance use; and

(iv) other ways to improve coordination, planning, and communication within and across agencies, offices, and programs, to better serve children and families impacted by substance use disorders; and

(C) existing Federal authorities at the Department of Education, Department of Health and Human Services, Department of Justice, Department of Labor, Department of Health and Human Services, and appropriate Federal grant agencies, and specific Federal grant programs to disseminate best practices on, provide training in, or deliver services through, trauma-informed practices, and disseminate such information—

(i) in writing to relevant program offices at such agencies to encourage grant applicants in writing grant proposals that are appropriate, for trauma-informed practices; and

(ii) to the general public through the Internet website of the Department of Education;

(d) BEST PRACTICES.—In identifying, evaluating, and recommending the set of best practices under subsection (c), the task force shall—

(1) include guidelines for providing professional development and education for front-line services providers, including school personnel, early childhood education program providers, providers from child- and youth-serving organizations, housing and homeless providers, primary and behavioral health care providers, and social services providers, juvenile and family court personnel, health care providers, individuals who are mandated reporters of child abuse or neglect, trained non-clinical providers (including peer mentors and clergy), and first responders,

(A) understanding and identifying early signs and risk factors of trauma in infants, children, and youth, and their families as appropriate, including through screening processes and services;

(B) providing practices to prevent and mitigate the impact of trauma, including by fostering safe and stable environments and relationships;

(C) developing and implementing policies, procedures, or systems that—

(i) are designed to quickly refer infants, children, youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma to the appropriate trauma-informed screening and support and age-appropriate treatment, and to ensure such infants, children, youth, and family members receive such support;

(ii) utilize and develop partnerships with early childhood education programs, local social services organizations, such as organizations serving youth, and clinical mental health service providers with expertise in providing support services and age-appropriate trauma-informed and evidence-based treatment aimed at preventing or mitigating trauma;

(iii) educate children and youth to—

(I) understand and identify the signs, effects, or symptoms of trauma; and

(ii) build skills and coping skills to mitigate the effects of experiencing trauma;

(iv) promote and support multi-generational practices that assist parents, caregivers, other family members, and caregivers in accessing resources related to, and developing environments conducive to, the prevention and mitigation of trauma; and

(v) collect and utilize data from screenings, referrals, or the provision of services and supports to evaluate outcomes and improve processes for trauma-informed services, at an age and culturally sensitive, linguistically appropriate, and specific to age ranges and sex, as applicable;

(D) recommend best practices that are designed to avoid or mitigate separation loss or criminal penalties for parents or guardians in connection with infants, children, and youth who have experienced or are at risk of experiencing trauma, including—

(1) recommend opportunities for local- and State-level partnerships that—

(A) are designed to quickly identify and refer children and families, as appropriate, who have experienced or are at risk of experiencing exposure to trauma, including related to substance use;

(B) utilize and develop partnerships with early childhood education programs, local social services organizations, and health care providers aimed at preventing the effects of trauma, including related to substance use;

(C) offer community-based prevention activities including educating families and children on the effects of exposure to trauma, such as trauma related to substance use, and how to build resilience and coping skills to overcome the effects of trauma;

(D) in accordance with Federal privacy protections, utilize non-personally-identifiable data from screenings, referrals, or the provision of services and supports to evaluate and improve processes addressing exposure to trauma, including related to substance use; and

(E) are designed to prevent separation and support reunification of families if in the best interest of the child.

(e) OPERATING PLAN.—Not later than 120 days after the date of enactment of this Act, the task force shall hold the first meeting. Not later than 2 years after such date of enactment, the task force shall submit to the Secretary of Education, Secretary of Health and Human Services, Secretary of Labor, Secretary of the Interior, the Attorney General, the Congress a operating plan for carrying out the activities of the task force described in subsection (c)(2). Such operating plan shall include—

(1) a list of specific activities that the task force plans to carry out for purposes of carrying out duties described in subsection (c)(2), which may include public engagement;

(2) a budget for carrying out such activities;

(3) a list of members of the task force and other individuals who are not members of the task force that may be consulted to carry out such activities;

(4) an explanation of Federal agency involvement and coordination needed to carry out such activities, including any statutory or regulatory barriers to such coordination;

(5) a budget for carrying out such activities;

(6) a proposed timeline for implementing recommendations and efforts identified in subsection (c); and

(7) other information that the task force determines appropriate as related to its duties.

(f) FINAL REPORT.—Not later than 3 years after the date of the first meeting of the task force, the task force shall submit to the general public, Secretary of Education, Secretary of Health and Human Services, Secretary of Labor, Secretary of the Interior, the Attorney General, other relevant cabinet Secretaries, the Committee on Energy and Commerce and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and Congress, a final report containing all of the findings and recommendations required under this section, and shall make such report available online in an accessible format.

(g) ADDITIONAL REPORTS.—In addition to the final report under subsection (f), the task force shall submit—

(1) a report to Congress identifying any recommendations identified under subsection (c) that require additional legislative authority to implement; and

(2) a report to the Government describing the opportunities for local- and State-level partnerships, professional development, or best
practices recommended under subsection (d)(3).

(b) DEFINITIONS.—In this section—

(1) the term ‘‘early childhood education program’’ means a program designed to serve children from birth to age five;

(2) the term ‘‘Governor’’ means the chief executive officer of a State; and

(3) the term ‘‘State’’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and the Commonwealth of the Northern Mariana Islands;

(SUNSET.—The task force shall sunset on the date that is 60 days after the submission of the final report under subsection (f), but not later than September 30, 2023.

SEC. 7133. NATIONAL CHILD TRAUMATIC STRESS INITIATIVE.

Section 582(j) of the Public Health Service Act (42 U.S.C. 290hh–1(j)) (relating to grants to address the problems of persons who experience violence-related stress) is amended by striking ‘‘$46,887,000 for each of fiscal years 2018 through 2022’’ and inserting ‘‘$52,887,000 for each of fiscal years 2019 through 2023’’.

SEC. 7134. GRANTS TO IMPROVE TRAUMA SUPPOR T SERVICES AND MENTAL HEALTH SYSTEMS E NDED FOR CHILDREN AND YOUTH IN EDUCATIONAL SETT INGS.

(a) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Secretary, in coordination with the Assistant Secretary for Mental Health and Substance Use, is authorized to award grants to or enter into contracts or cooperative agreements with State educational agencies, local educational agencies, Indian Tribes (as defined in section 4 of the Indian Self-Determination and Educational Assistance Act) or their tribal educational agencies, a school operated by the Bureau of Indian Education, a Regional Corporation, the Commonwealth of Hawaii, or any organization, for the purpose of increasing student access to evidence-based trauma support services and mental health care by developing innovative initiatives, activities, or programs to link local school systems with local trauma-informed support and mental health systems, including those under the Indian Health Service.

(b) DURATION.—With respect to a grant, contract, or cooperative agreement awarded or entered into under this section, the period during which payments under such grant, contract or agreement are made to the recipient may not exceed 4 years.

(c) ELIGIBILITY.—An entity that receives a grant, contract, or cooperative agreement under this section shall use amounts made available under this section to provide trauma interventions that may include training and assistance to help schools, districts, and, as applicable, the families of students participating in services under this section.

(d) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity described in subsection (a), to include such entities described in this paragraph in the evidence-based trauma initiatives, activities, and programs identified by the Secretary, shall ensure that grants, contracts, and cooperative agreements awarded under this section shall be used only to provide trauma support and integrate existing school-based services and mental health systems established under this section in order to provide, develop, or improve prevention, screening, referral, and treatment services to young children and their families.

(e) USE OF FUNDS.—An entity that receives a grant, contract, or cooperative agreement under this section shall use funds made available under such agreement, including how such program will support students participating in services under this section in order to provide, develop, or improve evidence-based trauma support services, in mental health care for young children who have experienced trauma and their families.

(f) PROVIDE TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to school systems and mental health agencies.

(g) PREVENTIVE USE.—The term ‘‘evidence-based trauma initiative’’ means an activity or intervention, as defined in section 4 of the Indian Self-Determination and Educational Assistance Act (20 U.S.C. 7517).

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to prohibit an entity involved with a program carried out under this section from reporting a crime that is committed by a student to appropriate authorities; or

(2) to prevent Federal, State, and tribal law enforcement and judicial authorities from preventing their investigation or prosecution with regard to the application of Federal, tribal, and State law to crimes committed by a student.

(i) SUPPLEMENT, NOT SUPPLANT.—Any services provided through programs carried out under this section shall supplement, and not supplant, existing mental health services, including any special education and related services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(j) CONSULTATION WITH INDIAN TRIBES.—In carrying out subsection (a), the Secretary shall, in a timely manner, meaningfully consult with Indian Tribes and their representatives to ensure notice of eligibility.

(k) DEFINITIONS.—In this section:

(1) ELEMENTARY SCHOOL.—The term ‘‘elementary school’’ means the term ‘‘elementary school’’ as defined in section 6301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701).

(2) EVIDENCE-BASED.—The term ‘‘evidence-based’’ has the meaning given such term in section 8101(2)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) NATIVE HAWAIIAN EDUCATIONAL ORGANIZATION.—The term ‘‘Native Hawaiian educational organization’’ has the meaning given such term in section 6007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).
 SEC. 7135. RECOGNIZING EARLY CHILDHOOD PERSONNEL.—The term ''specialized instructional support personnel'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 7136. RECOGNIZING EARLY CHILDHOOD AND SECONDARY EDUCATION.—The term ''school'' means a public elementary school or public secondary school.

SEC. 7137. RECOGNIZING GENERATIONAL APPROACHES.—The term ''generational approaches'' has the meaning given such term in section 3 of the Alaska Native Corporations Act (43 U.S.C. 2471).

SEC. 7138. RECOGNIZING THE SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 7139. RECOGNIZING TRAUMA RELATED TO SUBSTANCE USE.—(a) In General.—(1) To cooperate with States and Indian tribes in implementing or maintaining a national system to determine the incidence of infections commonly associated with illicit drug use, such as viral hepatitis, human immunodeficiency virus, and infectious endocarditis, and to assist the States in determining the prevalence of such infections, which may include the reporting of cases of such infections.

(2) To identify, counsel, and offer testing to individuals who are at risk of infections described in paragraph (1) resulting from illicit drug use, receiving blood transfusions prior to July 1992, or other risk factors.

(3) To provide appropriate referrals for counseling, testing, and medical treatment of individuals identified under paragraph (2) and to ensure, to the extent practicable, the provision of appropriate services.

(4) To develop and disseminate public information and education programs for the detection and control of infections described in paragraph (1), with priority given to high-risk populations as determined by the Secretary.

(5) To improve the education, training, and skills of health professionals in the detection and control of infections described in paragraph (1), including to improve coordination of substance use disorders and infectious diseases, with priority given to substance use disorder treatment providers, pediatricians and other primary care providers, obstetrician-gynecologists, and infectious disease clinicians, including HIV clinicians.

(b) LABORATORY PROCEDURES.—The Secretary may (directly or through grants to public and nonprofit private entities) carry out programs that promote and ensure improvements in the quality of clinical-laboratory procedures regarding infections described in subsection (a)(1).

(1) USE OF FUNDS.—Grants awarded under subsection (b)—

(1) shall be used to develop, expand, and enhance community and statewide recovery support services; and

(2) may be used to—

(A) build connections between recovery networks, including between recovery community organizations and peer support networks, and with other recovery support services, including—

(i) behavioral health providers;

(ii) primary care providers and physicians;

(iii) educational and vocational schools;

(iv) employers;

(v) housing services;

(vi) child welfare agencies; and

(vii) other recovery support services that facilitate recovery from substance use disorders, including non-clinical community services;

(B) reduce stigma associated with substance use disorders; and

(C) conduct outreach on issues relating to substance use disorders and recovery, including—

(i) identifying the signs of substance use disorder;

(ii) the resources available to individuals with substance use disorder and to families of an individual with a substance use disorder, including programs that mentor and provide support services to children;

(iii) the resources available to help support individuals in recovery; and

(iv) related medical outcomes of substance use disorders, the potential of acquiring an infection commonly associated with illicit drug use, and neonatal abstinence syndrome among infants exposed to opioids during pregnancy.

(2) SPECIAL CONSIDERATION.—In carrying out this section, the Secretary shall give special consideration to the unique needs of rural areas, areas with an age-adjusted rate of drug overdose deaths that is above the national average and areas with a shortage of prevention and treatment services.

(4) AUTHORIZATION OF APPROPRIATIONS.—(a) DEFINITION.—In this section, the term 'recovery community organization' means an independent nonprofit organization that—

(i) mobilizes resources within and outside of the recovery community, which may include through a peer support network, to increase the prevalence and quality of long-term recovery from substance use disorders; and

(ii) is wholly or principally governed by people in recovery from substance use disorders who reflect the community served.

(b) GRANTS AUTHORIZED.—The Secretary shall award grants to recovery community organizations to enable such organizations to develop, expand, and enhance recovery services.

(c) FEDERAL SHARE.—The Federal share of the costs of a program funded by a grant under this section may not exceed 85 percent.

SEC. 7150. BUILDING COMMUNITIES OF RECOVERY.—(a) DEFINITION.—In this section, the term 'recovery community organization' means an independent nonprofit organization that—

(i) mobilizes resources within and outside of the recovery community, which may include through a peer support network, to increase the prevalence and quality of long-term recovery from substance use disorders; and

(ii) is wholly or principally governed by people in recovery from substance use disorders who reflect the community served.

(b) GRANTS AUTHORIZED.—The Secretary shall award grants to recovery community organizations to enable such organizations to develop, expand, and enhance recovery services.

(c) FEDERAL SHARE.—The Federal share of the costs of a program funded by a grant under this section may not exceed 85 percent.

SEC. 7151. BUILDING COMMUNITIES OF RECOVERY.—Section 547 of the Public Health Service Act (42 U.S.C. 290ee-2) is amended to read as follows:

SEC. 7152. PEER SUPPORT TECHNICAL ASSISTANCE CENTER.—Title V of the Public Health Service Act (42 U.S.C. 290d et seq.) is amended by inserting after section 547 the following:
"SEC. 547A. PEER SUPPORT TECHNICAL ASSISTANCE CENTER.

(a) Establishment.—The Secretary, acting through the Assistant Secretary, shall establish or operate a National Peer-Run Training and Technical Assistance Center for Addiction Recovery Support (referred to in this section as ‘‘the Center’’).

(b) Functions.—The Center established under subsection (a) shall provide technical assistance and support to recovery community organizations and peer support networks, including such assistance and support related to—

(1) training on identifying signs of substance use disorder;
(2) resources to assist individuals with a substance use disorder, or resources for families of an individual with a substance use disorder; and
(3) best practices for the delivery of recovery support services.

(c) Cooperation with Other Federal Agencies.—The Center established under subsection (a) shall—

(1) cooperate with other Federal agencies to achieve the purposes of this section; and
(2) facilitate the coordination of any such programs, projects, activities, or assistance with the Center.

(d) Authorization of Appropriations.—For purposes of carrying out this section, there are authorized to be appropriated $2,000,000 for each of fiscal years 2019 through 2023.

SEC. 7161. PREVENTING OVERDOSES OF CONTROLLED SUBSTANCES.

(a) IN GENERAL.—Part I of title III of the Public Health Service Act (42 U.S.C. 290b et seq.) is amended by inserting after section 392 (42 U.S.C. 290b-1) the following:

"SEC. 392A. PREVENTING OVERDOSES OF CONTROLLED SUBSTANCES.

(a) Evidence-Based Prevention Grants.—

(1) IN GENERAL.—The Director of the Centers for Disease Control and Prevention may make grants to States, localities, and Indian tribes for the purpose of carrying out such activity; and

(2) GRANTS.—The grants made under paragraph (1) shall be in an amount to be determined by the Director in consultation with the Secretary, acting through the Assistant Secretary responsible for Public Health Services and Evaluation, and the National Institute on Drug Abuse.

(b) Functions.—The grants made under subsection (a) shall be for the purpose of—

(1) providing training and technical assistance to States, localities, and Indian tribes for purposes of carrying out such activity;
(2) providing technical assistance to States, localities, and Indian tribes for purposes of carrying out such activity; and
(3) award grants to States, localities, and Indian tribes for purposes of carrying out such activity.

SEC. 547A.

"SEC. 547A. PEER SUPPORT TECHNICAL ASSISTANCE CENTER.

(a) Establishment.—The Secretary, acting through the Assistant Secretary, shall establish or operate a National Peer-Run Training and Technical Assistance Center for Addiction Recovery Support (referred to in this section as ‘‘the Center’’), as follows:

(b) Functions.—The Center established under subsection (a) shall provide technical assistance and support to recovery community organizations and peer support networks, including such assistance and support related to—

(1) training on identifying signs of substance use disorder;
(2) resources to assist individuals with a substance use disorder, or resources for families of an individual with a substance use disorder; and
(3) best practices for the delivery of recovery support services.

(c) Cooperation with Other Federal Agencies.—The Center established under subsection (a) shall—

(1) cooperate with other Federal agencies to achieve the purposes of this section; and
(2) facilitate the coordination of any such programs, projects, activities, or assistance with the Center.

(d) Authorization of Appropriations.—For purposes of carrying out this section, there are authorized to be appropriated $2,000,000 for each of fiscal years 2019 through 2023.

Subtitle Q—Creating Opportunities That Navigate Opioid Use

SEC. 7901. NAVIGATING OPIOID USE USING TECHNOLOGY AND INNOVATION.

(a) IN GENERAL.—There shall be established in the Centers for Disease Control and Prevention a National Opioid Navigation System to—

(1) improve the ability of States, localities, and Indian tribes to—

(A) collect and maintain information on opioid use, use patterns, and trends; and
(B) analyze such information to generate recommendations for actions to prevent opioid misuse and overdose;

(2) promote and support—

(A) opioid misuse prevention programs; and
(B) strategies to combat opioid misuse and overdose;

(3) carry out research and development to improve the accuracy and effectiveness of the system.

(b) Functions.—The National Opioid Navigation System established under subsection (a) shall—

(1) carry out innovative projects for grants to States, localities, and Indian tribes to implement innovative approaches to access, collect, and monitor information on opioid misuse and overdose;

(2) implement projects to advance an innovative prevention approach with respect to opioid misuse and overdose and to enhance the coordination of public health programs with respect to such misuse and overdose;

(3) provide technical assistance to States, localities, and Indian tribes to implement such projects; and

(4) provide for a mechanism for the collection and exchange of electronic health information about opioid misuse and overdose, including—

(A) emergency department visits; and
(B) the use of prescription monitoring programs.

(c) Authorization of Appropriations.—For purposes of carrying out this section, there are authorized to be appropriated—

(1) $1,000,000 for each of fiscal years 2019 through 2023; and
(2) $4,000,000 for each of fiscal years 2024 through 2028.

SEC. 7902. PREVENTING OVERDOSES OF CONTROLLED SUBSTANCES.

(a) IN GENERAL.—The Secretary shall establish within the Centers for Disease Control and Prevention a National Opioid Overdose Data Collection, Analysis, and Dissemination System.

(b) Functions.—The National Opioid Overdose Data Collection, Analysis, and Dissemination System established under subsection (a) shall—

(1) support and promote the implementation of electronic prescription drug monitoring systems, including—

(A) providing technical assistance to States, localities, and Indian tribes to improve such systems; and
(B) supporting research on the use of such systems to prevent opioid misuse and overdose;

(2) support the development and dissemination of effective information on the risks associated with prescription opioid misuse and overdose;

(3) support research and development to develop improved methods for evaluating the impact of prescription opioid misuse and overdose prevention programs; and

(4) support research and development to develop improved methods for evaluating the impact of prescription opioid misuse and overdose prevention programs.

(c) Authorization of Appropriations.—For purposes of carrying out this section, there are authorized to be appropriated—

(1) $1,000,000 for each of fiscal years 2019 through 2023; and
(2) $4,000,000 for each of fiscal years 2024 through 2028.

SEC. 7903. PREVENTING OVERDOSES OF OTHER CONTROLLED SUBSTANCES.

(a) IN GENERAL.—The Secretary shall establish within the Centers for Disease Control and Prevention a National Opioid Overdose Data Collection, Analysis, and Dissemination System.

(b) Functions.—The National Opioid Overdose Data Collection, Analysis, and Dissemination System established under subsection (a) shall—

(1) support and promote the implementation of electronic prescription drug monitoring systems, including—

(A) providing technical assistance to States, localities, and Indian tribes to improve such systems; and
(B) supporting research on the use of such systems to prevent opioid misuse and overdose;

(2) support the development and dissemination of effective information on the risks associated with prescription opioid misuse and overdose;

(3) support research and development to develop improved methods for evaluating the impact of prescription opioid misuse and overdose prevention programs; and

(4) support research and development to develop improved methods for evaluating the impact of prescription opioid misuse and overdose prevention programs.

(c) Authorization of Appropriations.—For purposes of carrying out this section, there are authorized to be appropriated—

(1) $1,000,000 for each of fiscal years 2019 through 2023; and
(2) $4,000,000 for each of fiscal years 2024 through 2028.
SEC. 7162. PRESCRIPTION DRUG MONITORING PROGRAM.

Section 3990 of the Public Health Service Act (42 U.S.C. 290q-3) is amended to read as follows:

SEC. 3990. PRESCRIPTION DRUG MONITORING PROGRAM.

‘’(a) Program.—
‘’(1) In general.—Each fiscal year, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, in coordination with the heads of other appropriate agencies as appropriate, shall support States or localities for the purpose of improving the efficiency and use of PDMPs, including—
‘’(A) establishment and implementation of a PDMP;
‘’(B) maintenance of a PDMP;
‘’(C) improvements to a PDMP by—
‘’(i) enhancing functional components to work toward—
‘’(I) universal use of PDMPs among providers and their delegates, to the extent that State laws allow;
‘’(II) more timely inclusion of data within a PDMP;
‘’(III) active management of the PDMP, in consultation with the National Coordinator for Health Information Technology, improving the interstate interoperability of PDMPs by—
‘’(I) linking PDMP data to other data systems within the State, including—
‘’(aa) pharmacy and pharmacy benefit managers, medical examiners and coroners, and the State's Medicaid program;
‘’(bb) worker's compensation data; and
‘’(cc) prescribing data of providers of the Department of Veterans Affairs and the Indian Health Service within the State;
‘’(2) providing for continuing education on appropriate prescribing practices;
‘’(B) education related to applicable State or local laws and regulations, information on the use of non-addictive alternatives for pain management, and the use of overdose reversal drugs, as appropriate;
‘’(C) providing and improving the use of evidence-based opioid prescribing guidelines across relevant health care settings, as appropriate, and updating guidelines as necessary;
‘’(D) implementing strategies, such as best practices, to encourage and facilitate the use of prescriber guidelines, in accordance with State and local law;
‘’(E) disseminating information to providers about prescribing options for controlled substances, including such options under section 308(f) of the Controlled Substances Act, as applicable; and
‘’(F) disseminating information, as appropriate, on the National Pain Strategy developed in consultation with the Assistant Secretary for Health; and
‘’(2) in subsection (b), by striking ''safe disposal (a)'' and inserting ''non-addictive treatment options for the use of and access to PDMPs by providers and their delegates, to the extent that State laws allow;''

‘’(i) making PDMPs more actionable by integrating PDMPs within electronic health record systems and health information technology infrastructure; and
‘’(ii) ensuring the highest level of ease in use of and access to PDMPs by providers and their delegates, to the extent that State laws allow;
‘’(ii) in consultation with the Office of the National Coordinator for Health Information Technology, improving the intrastate interoperability of PDMPs by—
‘’(I) making PDMPs more actionable by integrating PDMPs within electronic health record systems and health information technology infrastructure; and
‘’(II) linking PDMP data to other data systems within the State, including—
‘’(aa) pharmacy and pharmacy benefit managers, medical examiners and coroners, and the State's Medicaid program;

‘’(bb) worker's compensation data; and
‘’(cc) prescribing data of providers of the Department of Veterans Affairs and the Indian Health Service within the State;

‘’(ii) by striking ''opioid abuse'' each place it appears and inserting ''opioid misuse, are detected;''

‘’(B) in paragraph (2), by striking ''safe disposal'' each place it appears and inserting ''opioid misuse and abuse;'' and

‘’(C) in section 309(f) of the Controlled Substances Act, as applicable; and

‘’(D) in subsection (b)—
‘’(i) by striking ''opioid abuse'' each place it appears and inserting ''opioid misuse, are detected;''

‘’(ii) by striking ''safe disposal'' each place it appears and inserting ''opioid misuse and abuse;''

‘’(E) disseminating information to practitioners, or the designee of practitioners, in the State or locality before initiating treatment with a controlled substance, or any substance as required by the State to be reported to the PDMP, and over the course of ongoing treatment for each prescribing event;

‘’(F) disseminating information, as appropriate, in consultation with the Office of the National Coordinator for Health Information Technology.

‘’(6) the availability of nonidentifiable information to the Centers for Disease Control and Prevention for surveillance, epidemiology, statistical research, or educational purposes.

‘’(b) Drug Misuse and Abuse.—In consultation with practitioners, dispensers, and other relevant and interested stakeholders, a State shall—

‘’(1) establish a program to notify practitioners and dispensers of information that will help to identify and prevent the unlawful diversion or misuse of controlled substances;

‘’(2) may, to the extent permitted under State law, notify the appropriate authorities responsible for carrying out drug diversion investigations if the State determines that information in the PDMP maintained by the State indicates an unlawful diversion or abuse of a controlled substance;

‘’(3) may conduct analyses of controlled substance program data for purposes of providing appropriate State agencies with aggregated information on such analyses in as close to real-time as practicable, regarding prescription patterns flagged as potentially presenting a risk of misuse, abuse, addiction, or overdose, and information, as appropriate and in compliance with applicable Federal and State laws and provided that such reports shall not include protected health information; and

‘’(4) may access information about prescriptions, such as claims data, to ensure that such prescribing and dispensing history is updated in as close to real-time as practicable, in compliance with applicable Federal and State laws and provided that such information shall not include protected health information.

‘’(d) Evaluation and Reporting.—As a condition on receipt of support under this section, the State shall report on interoperability with PDMPs of other States and Federal agencies, where appropriate, in real-time with the use of such data and analytics by practitioners and dispensers; or

‘’(4) improving the ability to include treatment availability resources and referral capabilities within the PDMP.

‘’(2) Legislation.—As a condition on the receipt of support under this section, the Secretary shall require a State or locality to demonstrate that it has enacted legislation or regulations—

‘’(A) to provide for the implementation of the PDMP; and

‘’(B) to permit the imposition of appropriate penalties for the unauthorized use and disclosure of information maintained by the PDMP.

‘’(b) PDMP Strategies.—The Secretary shall encourage, in establishing, improving, or maintaining a PDMP, to implement strategies that improve—

‘’(1) the reporting of dispensing in the State or local dispensing of controlled substances with an ultimate user so the reporting occurs not later than 24 hours after the dispensing event;

‘’(2) the consultation of the PDMP by each prescribing practitioner, or their designee, in the State or locality before initiating treatment with a controlled substance, or any substance as required by the State to be reported to the PDMP, and over the course of ongoing treatment for each prescribing event;

‘’(3) the consultation of the PDMP before dispensing a controlled substance, or any substance as required by the State to be reported to the PDMP;

‘’(4) the proactive notification to a practitioner when patterns indicative of controlled substance misuse by a patient, including opioid misuse, are detected;

‘’(5) the availability of data in the PDMP to other States, as allowable under State law; and

‘’(6) the availability of nonidentifiable information to the Centers for Disease Control and Prevention for surveillance, epidemiology, statistical research, or educational purposes.

‘’(c) Additional Privacy Protections.—

‘’(i) Reporting requirements.—Nothing in this section shall be construed as preempting any State from imposing any additional privacy protections.

‘’(ii) Federal Privacy Requirements.—Nothing in this section shall be construed to supersede any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

‘’(3) No Federal Privacy Requirement.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

‘’(4) No Federal Privacy Requirement.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

‘’(3) Federal Privacy Requirements.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

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‘’(3) Federal Privacy Requirements.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

‘’(4) No Federal Privacy Requirement.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

‘’(3) Federal Privacy Requirements.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

‘’(4) No Federal Privacy Requirement.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

‘’(3) Federal Privacy Requirements.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.

‘’(4) No Federal Privacy Requirement.—Nothing in this section shall be construed as restricting any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of this Act.
(ii) established or strengthened initiatives to ensure linkages to substance use disorder treatment services; or

(iii) affected patient access to appropriate care by leveraging PDMPs;

(C) determine the progress of grantees in achieving interstate interoperability and intrastate interoperability of PDMPs, including assessments of technical, financial, and financial barriers to such progress and recommendations for addressing these barriers;

(D) determines the progress of grantees in implementing near real-time electronic PDMPs;

(EE) provides an analysis of the privacy protections in place for the information reported to the PDMP in each State or locality receiving support under this section and any recommendations of the Secretary for additional Federal or State requirements for protection of this information;

(F) determines the progress of States or localities in implementing technological alternatives to centralized data storage, such as peer-to-peer file sharing or data pointer systems, in PDMPs and the potential for such storage to enhance the privacy and security of individually identifiable data; and

(G) evaluates the penalties that States or localities have enacted for the unauthorized use and disclosure of information maintained in PDMPs, and the criteria used by the Secretary to determine whether such penalties are appropriate for purposes of subsection (a)(2); and

(2) submit a report to the Congress on the results of the study.

(II) ADVISORY COUNCIL.—

(1) ESTABLISHMENT.—A State or locality may establish an advisory council to assist in the establishment, improvement, or maintenance of a PDMP.

(2) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall establish, and shall consult with appropriate professional boards and other interested parties.

(III) DEFINITIONS.—For purposes of this section:

(1) The term 'controlled substance' means a controlled substance (as defined in section 202 of the Controlled Substances Act) in schedule II, III, or IV of title 21 of such Act.

(2) The term 'dispense' means to deliver a controlled substance to an ultimate user, or pursuant to the lawful order of, a practitioner, irrespective of whether the dispenses the Internet or other means to effect such dispensation.

(3) The term 'dispenser' means a physician, pharmacist, or other person that dispenses a controlled substance to an ultimate user.

(4) The term 'interstate interoperability' with respect to a PDMP means the ability of the PDMP to electronically share and disseminate information with another State if the information concerns either the dispensing of a controlled substance to an ultimate user who resides in such other State, or the dispensing of a controlled substance prescribed by a practitioner whose principal place of business is located in such other State.

(B) The term 'intrastate interoperability' with respect to a PDMP means the ability of PDMP data within electronic health records and health information technology infrastructure or linking of a PDMP to other data systems within the State, including the State's Medicaid program, workers' compensation programs, and medical examiners or coroners.

(6) The term 'nonidentifiable information' means information that does not identify a practitioner, dispenser, or an ultimate user and with respect to which there is no reasonable basis to believe that the information can be used to identify a practitioner, dispenser, or an ultimate user.

(7) The term 'PDMP' means a prescription drug monitoring program that is State-controlled.

(8) The term 'practitioner' means a physician, dentist, veterinarian, scientific investigator, pharmacist, hospice, or other licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which the individual practices or does research, to distribute, dispense, conduct research with respect to, administer, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(9) The term 'State' means each of the 50 States, the District of Columbia, and any commonwealth or territory of the United States.

(10) The term 'ultimate user' means a person who has obtained from a dispenser, and who possesses, a controlled substance for the person's own use, for the use of a member of the person's household, for the use of an entity that maintains, operates, or by a member of the person's household.

(II) The term 'clinical workflow' means the integration of automated queries for prescription drug monitoring programs data and analytics into health information technologies such as electronic health record systems, health information exchanges, and/or pharmacy dispensing software systems, thus streamlining provider access through automated queries.

Subtitle R—Review of Substance Use Disorder Treatment Providers Receiving Federal Funding

SEC. 7171. REVIEW OF SUBSTANCE USE DISORDER TREATMENT PROVIDERS RECEIVING FEDERAL FUNDING.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall conduct a review of entities that receive Federal funding for the provision of substance use disorder treatment services.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall develop and submit to Congress a plan to direct appropriate resources to those that provide substance use disorder treatment services in order to address inadequacies in services or funding identified through the survey described in subsection (a).

Subtitle S—Other Health Provisions

SEC. 7181. STATE RESPONSE TO THE OPIOID ABUSE CRISIS.

(a) IN GENERAL.—(1) of the 21st Century Cures Act (Public Law 114-255) is amended—

(1) in subsection (a), by striking "the authorization of appropriations under subsection (b) to carry out the grant program described in subsection (c)" and inserting "subsection (b) to carry out the grant program described in subsection (b)'; and

(2) by inserting "and Indian Tribes" after "States";

(b) by striking subsection (b); and

(c) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively;

(d) by redesigning subsection (f) as subsection (j);

(e) in subsection (b), as so redesignated—

(A) in paragraph (1)—

(i) in the paragraph heading, by inserting "AND TRIBAL," after "STATE";

(ii) by striking "States for the purpose of addressing the opioid abuse crisis within such States" and inserting "States and Indian Tribes for the purpose of addressing the opioid abuse crisis within such States and Indian Tribes";

(iii) by inserting "or Indian Tribes" after "preference to States"; and

(iv) by inserting before the period of the second sentence "or other Indian Tribes, as applicable";

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "to a State";

(ii) in paragraph (A), by striking "Improving State" and inserting "Establishing or improving";

(iii) in subparagraph (B), by inserting "preventing diversion of controlled substances," after "treatment programs," and

(iv) in subparagraph (C), by striking "and"

(c) in subsection (c), as so redesignated, by striking "subsection (c)" and inserting "subsection (b)";

(d) in subsection (d), as so redesignated—

(A) in the matter preceding paragraph (1), by striking "the authorization of appropriations under subsection (b)" and inserting "subsection (b)";

(B) in paragraph (1), by striking "as the State determines appropriate, relative to addressing the opioid abuse crisis within the State" and inserting "as the State or Indian Tribe determines appropriate, related to addressing the opioid abuse crisis within the State or Indian Tribe, including directing resources in accordance with local needs related to substance use disorders";

(e) in subsection (c), as so redesignated, by striking "subsection (c)" and inserting "subsection (b)";

(f) by inserting after subsection (d), as so redesignated, the following:

(1) INDIAN TRIBES.—

(II) DEFINITION.—For purposes of this section, the term 'Indian Tribe' has the meaning given the term 'Indian tribe' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) APPROPRIATE MECHANISMS.—The Secretary, in consultation with Indian Tribes, shall identify and establish appropriate mechanisms to demonstrate the need to report the information as required under subsections (b), (c), and (d).
“(f) REPORT TO CONGRESS.—Not later than 1 year after the date on which amounts are first awarded after the date of enactment of this subsection, pursuant to subsection (b), and after demonstrating the ability to partner with local stakeholders, which may include local employers, community stakeholders, the workforce and State governments, and Indian Tribes or tribal organizations, as applicable, to—

(1) identify gaps in the workforce due to the prevalence of substance use disorders,

(2) in coordination with statewide employment and training activities, including coordination and alignment of activities carried out by entities providing funds under section 8041, help individuals in recovery from a substance use disorder transition into the workforce, including by providing career services, training services as described in paragraph (2) of section 134(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)), and related services described in section 134(a)(5) of such Act (29 U.S.C. 3174(a)); and

(3) assist employers with informing their employees of the resources, such as resources related to substance use disorders that are available to their employees.

(g) USE OF FUNDS.—An entity receiving a grant under this subsection shall use the funds to conduct one or more of the following activities:

(1) Hire case managers, care coordinators, providers of peer recovery services, or other service providers, as described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee–2(a)), or other professionals, as appropriate, to provide services that support treatment, recovery, and rehabilitation, and prevent relapse, recidivism, and overdose, including by encouraging—

(A) the development and strengthening of daily living skills; and

(B) the use of counseling, care coordination, and other services, to support recovery from substance use disorders.

(2) Implement or utilize innovative technology, which may include the use of telemedicine.

(3) In coordination with the lead State agency with responsibility for a workforce investment activity or local board described in subsection (b), provide—

(A) short-term prevocational training services; and

(B) training services that are directly linked to the employment opportunities in the local area or the planning region.

(h) SUPPORT FOR STATES.—An eligible entity shall include in its application under subsection (f) information describing how the services and activities proposed in such application are aligned with the State, outlying area, or Tribal strategy, as applicable, for addressing issues described in such application and how such entity will coordinate with existing service providers to deliver services as described in such application.

(i) DATA REPORTING AND PROGRAM OVERSIGHT.—The Board of Directors of the grantee shall—

(1) establish an annual report to be submitted to the Secretary at such time and in such manner as the Secretary shall require.

(2) ensure the report includes—

(A) a summary of the activities, outcomes, and services provided under the grant; and

(B) a description of any other services provided to support recovery from substance use disorders.

(j) REPORTS TO CONGRESS.—Not later than 2 years after the end of the first year of the

SEC. 7182. REPORT ON INVESTIGATIONS REGARDING PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER COVERAGE.

(a) IN GENERAL.—Section 13003 of the 21st Century Cures Act (Public Law 114–255) is amended by striking “(f) REPORT TO CONGRESS.”

(b) AUTHORIZATION OF APPROPRIATIONS.—For carrying out the purpose of subsection (a), there is authorized to be appropriated $500,000,000 for each fiscal year beginning on or after the date of enactment of this Act, or such lesser amount as the Congress shall appropriate.

(c) MANDATORY REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Education and the Workforce and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the information provided to the Secretary in reports made pursuant to subsection (c), including the purposes for which grant recipients used the funds under this section and the activities of such grant recipients.

(4) APPLICATIONS.—An eligible entity shall submit an application at such time and in such manner as the Secretary may require.

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grant period under this section, the Secretary shall submit to Congress a preliminary report that analyzes reports submitted under subsection (i).

(2) To be in effect—Not later than 2 years after submitting the preliminary report required under paragraph (1), the Secretary shall submit to Congress a final report that includes—

(A) a description of how the grant funding was used, including the number of individuals who received services under subsection (g)(3); and an evaluation of the effectiveness of the activities conducted by the grantee with respect to outcomes of the population of individuals with substance use disorder who received services provided in connection with the grant;

(B) recommendations related to best practices for health care professionals to support individuals in substance use disorder treatment or recovery to live independently and participate in the workforce.

(k) Authorization of Appropriations.—There is authorized to be appropriated $5,000,000 for each of fiscal years 2019 through 2023 for purposes of carrying out this section.

TITLE VIII—MISCELLANEOUS

Subtitle A—Synthetics Trafficking and Overdose Prevention

SEC. 8001. SHORT TITLE.

This subtitle may be cited as the "Synthetics Trafficking and Overdose Prevention Act of 2018" or "STOP Act of 2018".

SEC. 8002. CUSTOMS FEES.

(a) In General.—Section 13031(b)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(9)) is amended by adding at the end the following:

"(a) IN GENERAL.—Section 13031(b)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(9)) is amended—

(1) in paragraph (6), by inserting "other than an item subject to a fee under subsection (b)(9)(D)" after "customs officer"; and

(2) in paragraph (10)—

(A) in subparagraph (C), in the matter preceding clause (ii), inserting "(other than Inbound EMS items described in subsection (b)(9)(D))" after "release"; and

(B) in the flush at the end, by inserting "or of Inbound EMS items described in subsection (b)(9)(D)", after "(C)".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2019.

SEC. 8003. MANDATORY ADVANCE ELECTRONIC INFORMATION FOR POSTAL SHIPMENTS.

(a) MANDATORY ADVANCE ELECTRONIC INFORMATION.—

(1) In General.—Section 343(a)(3)(K) of the Trade Act of 2002 (Public Law 107–210; 19 U.S.C. 2071 note) is amended to read as follows:

"(K)(i) The Secretary shall prescribe regulations requiring the United States Postal Service to transmit the information described in paragraphs (1) and (2) to the Commissioner of Customs and Border Protection for international mail shipments by an electronic transmission means.

(II) Information described in subclause (I) does not have the capacity to collect and transmit such information.

"(ii) The Commissioner, in consultation with the Postmaster General, may determine to exclude a country from the requirement described in subclause (i) to transmit information for mail shipments described in clause (i) from the country if the Commissioner determines that the country—

(1) does not have the capacity to collect and transmit such information;

(2) represents a low risk for mail shipments that violate relevant United States laws and regulations; and

(cc) accounts for low volumes of mail shipments that can be effectively screened for compliance with relevant United States laws and regulations through an alternate means.

"(iii) Beginning in fiscal year 2021, the Secretary shall, on an annual basis, submit to the appropriate congressional committees—

(aa) a list of countries with respect to which the Commissioner has made a determination under subsection (ii) to exclude the countries from the requirement described in clause (ii) and

(bb) information used to support such determination with respect to such countries.

(b) PAYMENTS.—Notwithstanding clause (iv), the Postal Service shall, not later than December 31, 2020, arrange for reimbursement to the Commissioner of the information described in paragraphs (1) and (2) for not less than 70 percent of the aggregate number of mail shipments described in clause (i) of the aggregate number of international mail shipments received by the People’s Republic of China, described in clause (i).

"(II) If the requirements of subclause (i) are met, the Commissioner of the United States shall submit to the appropriate congressional committees, not later than June 30, 2019, a report—

(aa) assessing the reasons for the failure to meet those requirements; and

(bb) identifying recommendations to improve the collection by the Postal Service of the information described in paragraphs (1) and (2).

(iv) Notwithstanding clause (iv), the Postal Service shall, not later than December 31, 2020, arrange for reimbursement to the Commissioner of the information described in paragraphs (1) and (2) for 100 percent of the aggregate number of mail shipments described in clause (i) that is transmitted to the Commissioner of Customs and Border Protection under subclause (ii) to exclude a country from the requirement described in subclause (i).

(ii) The Commissioner, in consultation with the Postmaster General, may determine to exclude a country from the requirement described in subclause (i) that is transmitted to the Commissioner of Customs and Border Protection under subclause (ii) to exclude a country from the requirement described in subclause (i) if the country—

(1) is not a beneficiary of any direct assistance under the heading of "Trade Adjustment Assistance for Workers"; and

(2) fails to transmit the information described in paragraphs (1) and (2) for 100 percent of the aggregate number of mail shipments described in clause (i) to the Commissioner of Customs and Border Protection.

(II) Notwithstanding clause (i), the Postal Service shall, not later than December 31, 2020, arrange for reimbursement to the Commissioner of the information described in paragraphs (1) and (2) for 100 percent of the aggregate number of mail shipments described in clause (i) that is transmitted to the Commissioner of Customs and Border Protection under subclause (ii) to exclude a country from the requirement described in subclause (i) if the country—

(1) is not a beneficiary of any direct assistance under the heading of "Trade Adjustment Assistance for Workers"; and

(b) fails to transmit the information described in paragraphs (1) and (2) for 100 percent of the aggregate number of mail shipments described in clause (i) to the Commissioner of Customs and Border Protection.

(III) Beginning in fiscal year 2021, the Secretary shall, in consultation with the Commissioner of Customs and Border Protection, establish a mechanism to collect and transmit such information.

(d) NOTICING OF REQUIREMENTS.—The Secretary shall notify the Commissioner of the information described in paragraphs (1) and (2) for each country that is required to participate in the requirements under subsection (i) with respect to the country.

SEC. 8004. RULE OF CONSTRUCTION.

This title may not be construed to require any information to be transmitted to the Commissioner by other means than electronic transmission means.
“(viii) Nothing in this subparagraph shall be construed to limit the authority of the Secretary to obtain information relating to international mail shipments from private carriers or other appropriate parties.

“(ix) In this subparagraph, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.

(2) JOINT STRATEGIC PLAN ON MANDATORY ADVANCE INFORMATION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Postmaster General shall develop and submit to the appropriate congressional committees a joint strategic plan detailing specific performance measures for achieving—

(A) the transmission of information as required by section 343(a)(3)(K) of the Trade Act of 2002; and

(B) the presentation by the Postal Service to U.S. Customs and Border Protection of all mail targeted by U.S. Customs and Border Protection for inspection.

(b) CAPACITY BUILDING.—

(1) IN GENERAL.—Section 343(a)(1) of the Trade Act of 2002 (19 U.S.C. 2021 note) is amended by adding at the end the following:

“(5) CAPACITY BUILDING.—

“(A) IN GENERAL.—The Secretary, with the concurrence of the Secretary of State, and in coordination with the Postmaster General and the heads of other Federal agencies, as appropriate, shall establish or assist in the deployment of such equipment, technology, and training to enhance the capacity of foreign postal operators—

“(i) to gather and provide the information required by paragraph (3)(K); and

“(ii) to otherwise gather and provide postal shipment information related to—

“(I) terrorism;

“(II) the importation or introduction of which into the United States is prohibited or restricted, including controlled substances; and

“(III) other such concerns as the Secretary determines appropriate.

“(B) EQUIPMENT AND TECHNOLOGY.—With respect to the provision of equipment and technology under subparagraph (A), the Secretary may lease, loan, provide, or otherwise assist in the deployment of such equipment and technology under such terms and conditions as the Secretary may prescribe, including nonreimbursable loans or the transfer of ownership of equipment and technology.

(2) JOINT STRATEGIC PLAN ON CAPACITY BUILDING.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security and the Postmaster General shall, in consultation with the Secretary of State, jointly develop and submit to the appropriate congressional committees a joint strategic plan—

(A) detailing the extent to which U.S. Customs and Border Protection and the United States Postal Service are engaged in capacity building efforts under section 343(a)(5) of the Trade Act of 2002, as added by paragraph (1); and

(B) describing plans for future capacity building efforts; and

(C) assessing how capacity building has increased the ability of U.S. Customs and Border Protection and the Postal Service to enhance the goals of this subtitle and the amendments made by this subtitle.

(c) REPORT AND CONSULTATIONS BY SECRETARY OF HOMELAND SECURITY AND POSTMASTER GENERAL.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until 3 years after the Postmaster General has met the requirement under clause (vi) of paragraph (K) of section 343 of the Trade Act of 2002, as amended by subsection (a)(1), the Secretary of Homeland Security and the Postmaster General shall, in consultation with the Secretary of State, jointly develop and periodically submit to appropriate congressional committees a report on compliance with that subparagraph that includes the following:

(A) An assessment of the status of the regulations required to be promulgated under that subparagraph.

(B) An update regarding new and existing agreements reached with foreign postal operators for the transmission of the information required by that subparagraph.

(C) A summary of deliberations between the United States Postal Service and foreign postal operators with respect to issues relating to the transmission of that information.

(D) A summary of the progress made in achieving the transmission of that information for the percentage of shipments required by that subparagraph.

(E) An assessment of the quality of that information obtained by foreign postal operators, as determined by the Secretary of Homeland Security, and actions taken to improve the quality of that information.

(F) A summary of the agreements established by the Universal Postal Union that may affect the ability of the Postmaster General to obtain the transmission of that information.

(G) A summary of technology to detect illicit synthetic opioids and other illegal substances in international mail parcels and planned acquisitions and advancements in such technology.

(H) Such other information as the Secretary of Homeland Security and the Postmaster General consider appropriate with respect to obtaining the transmission of information required by that subparagraph.

(2) CONSULTATIONS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until the Postmaster General has met the requirement under clause (vi) of section 343(a)(3)(K) of the Trade Act of 2002, as amended by subsection (a)(1), to arrange for the transmission of information with respect to 100 percent of the aggregate number of mail shipments described in clause (i) of that section, the Secretary of Homeland Security and the Postmaster General shall provide briefings to the appropriate congressional committees on the progress made in achieving the transmission of that information for that percentage of shipments.

(d) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than June 30, 2019, the Government Accountability Office shall submit to the appropriate congressional committees a report—

(1) assessing the progress of the United States Postal Service in achieving the transmission of the information required by subparagraph (K) of section 343(a)(3) of the Trade Act of 2002, as amended by subsection (a)(1), for the percentage of shipments required by that subparagraph.

(2) assessing the quality of the information received from foreign postal operators for targeting permitted shipments.

(3) assessing the specific percentage of targeted mail presented by the Postal Service to U.S. Customs and Border Protection for inspection.

(4) describing the costs of collecting the information required by such subparagraph (K) from foreign postal operators and the costs of implementing the use of that information;

(5) assessing the benefits of receiving that information with respect to international mail shipments;

(6) assessing the feasibility of assessing a customs fee under section 1303(b)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended by section 8003, on international mail shipments other than Inbound Express Mail service in a manner consistent with the obligations of the United States under international agreements; and

(7) identifying recommendations, including recommendations for legislation, to improve the compliance of the Postal Service with the requirements of this section, assess the assessment of whether the detection of illicit synthetic opioids in the international mail would be improved by—

(A) requiring the Postal Service to serve as the consignee for international mail shipments containing goods; or

(B) designating a customs broker to act as an importer of record for international mail shipments containing goods.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.

SEC. 8004. INTERNATIONAL POSTAL AGREEMENTS.

(a) EXISTING AGREEMENTS.—

(1) IN GENERAL.—In the event that any provision of this subtitle, or any amendment made by this subtitle, is determined to be in violation of obligations of the United States under any postal treaty, convention, or other international agreement related to international postal services, or any amendment to such an agreement, that is related to the ability of the United States to secure the provision of advance electronic information by foreign postal operators, the Secretary of State should consult with the appropriate congressional committees (as defined in section 8003(c)).

(2) EXPIRED NEGOTIATION OF NEW AGREEMENT.—To the extent that any new postal treaty, convention, or other international agreement related to international postal services would improve the ability of the United States to secure the provision of advance electronic information by foreign postal operators as required by regulations prescribed under section 343(a)(3)(K) of the Trade Act of 2002, as amended by section 8003(a)(1), the Secretary of State should expeditiously conclude such an agreement.
SEC. 8005. COST RECOUPMENT.
(a) IN GENERAL.—The United States Postal Service shall, to the extent practicable and otherwise recoverable by law, ensure that all costs associated with complying with this subtitle and amendments made by this subtitle are charged directly to foreign shippers or foreign postal operators.

(b) COSTS NOT CONSIDERED REVENUE.—The recovery of costs pursuant to paragraph (a) shall not be deemed revenue for purposes of subchapter I and II of chapter 36 of title 39, United States Code, or regulations prescribed under that chapter.

SEC. 8006. DEVELOPMENT OF TECHNOLOGY TO DETECT ILLICIT NARCOTICS.
(a) IN GENERAL.—The Postmaster General and the Commissioner of U.S. Customs and Border Protection, in coordination with the heads of other agencies as appropriate, shall collaborate to identify and develop technology for the detection of illicit fentanyl, other synthetic opioids, and other narcotics and psychoactive substances entering the United States by mail.

(b) OUTREACH TO PRIVATE SECTOR.—The Postmaster General and the Commissioner shall conduct outreach to private sector entities to gather information regarding the current state of technology to identify areas for improvement related to the detection of illicit fentanyl, other synthetic opioids, and other narcotics and psychoactive substances entering the United States.

SEC. 8007. CIVIL PENALTIES FOR POSTAL SHIPMENTS.
Section 436 of the Tariff Act of 1930 (19 U.S.C. 1436) is amended by adding at the end the following new subsection:

"(e) CIVIL PENALTIES FOR POSTAL SHIPMENTS.—


"(2) MODIFICATION OF CIVIL PENALTY.—

"(A) IN GENERAL.—U.S. Customs and Border Protection shall reduce or dismiss a civil penalty imposed pursuant to paragraph (1) if U.S. Customs and Border Protection determines that the United States Postal Service—

"(i) has a low error rate in compliance with section 343(a)(3)(K)(viii)(I) of the Trade Act of 2002;

"(ii) is cooperating with U.S. Customs and Border Protection with respect to the violation of section 343(a)(3)(K)(viii)(I) of the Trade Act of 2002;

"(iii) has taken remedial action to prevent future violations of section 343(a)(3)(K)(viii)(I) of the Trade Act of 2002;

"(B) WRITTEN NOTIFICATION.—U.S. Customs and Border Protection shall issue a written notification to the Postal Service with respect to each exercise of the authority of subparagraph (A) to reduce or dismiss a civil penalty imposed pursuant to paragraph (1).

"(3) ONGOING LACK OF COMPLIANCE.—If U.S. Customs and Border Protection determines that the United States Postal Service—

"(A) has repeatedly committed violations of section 343(a)(3)(K)(viii)(I) of the Trade Act of 2002;

"(B) has failed to cooperate with U.S. Customs and Border Protection with respect to violations of section 343(a)(3)(K)(viii)(I) of the Trade Act of 2002;

"(C) has an increasing error rate in compliance with section 343(a)(3)(K) of the Trade Act of 2002,

the United States Postal Service, until corrective action, satisfactory to U.S. Customs and Border Protection, is taken.

SEC. 8008. REPORT ON VIOLATIONS OF ARRIVAL REPORTING, ENTRY, AND CLEARANCE REQUIREMENTS AND FALSE OR LACK OF RECORDS.
(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection shall submit to the appropriate congressional committees an annual report that contains the information described in subsection (b) with respect to each violation of section 436 of the Tariff Act of 1930 (19 U.S.C. 1436), as amended by section 8007 of such Act (19 U.S.C. 1584) that occurred during the previous year.

(b) INFORMATION DESCRIBED.—The information described in this subsection is the following:

(1) The name and address of the violator.

(2) The specific violation that was committed.

(3) The location or port of entry through which the items were transported.

(4) An inventory of the items seized, including a description of the items and the quantity seized.

(5) The location from which the items originated.

(6) The entity responsible for the apprehension or seizure, organized by location or port of entry.

(7) The amount of penalties assessed by U.S. Customs and Border Protection, organized by name of the violator and location or port of entry.

(8) The amount of penalties that U.S. Customs and Border Protection could have levied, organized by name of the violator and location or port of entry.

(9) The rationale for negotiating lower penalties, organized by name of the violator and location or port of entry.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the "appropriate congressional committees" means—

(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.

SEC. 8009. EFFECTIVE DATE; REGULATIONS.
(a) EFFECTIVE DATE.—This subtitle and the amendments made by this subtitle (other than the amendments made by section 8002) shall take effect on the date of enactment of this Act.

(b) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, such regulations as are necessary to carry out this subtitle and the amendments made by this subtitle shall be prescribed.

Subtitle B—Opioid Addiction Recovery Fraud Prevention

SEC. 8021. SHORT TITLE.
This subtitle may be cited as the "Opioid Addiction Recovery Fraud Prevention Act of 2018".

SEC. 8022. DEFINITIONS.
For purposes of this subtitle only, and not for purposes of any other statute, the terms "core program", "individual with a barrier to employment", "local area", "local board", "opportunity area", "outlying area", "State", "State board", and "supportive services" have the meanings given the terms respectively under subsection (d) and 1 or more of the following:

(i) A legal service or law enforcement organization.

(ii) An employer or industry organization.

(iii) A faith-based or community-based organization.

SEC. 8023. UNFAIR OR DECEPTIVE ACTS OR PRACTICES WITH RESPECT TO SUBSTANCE USE DISORDER TREATMENT SERVICE AND PRODUCTS.
(a) UNLAWFUL ACTIVITY.—It is unlawful to engage in an unfair or deceptive act or practice with respect to any substance use disorder treatment service or substance use disorder treatment product.

(b) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of a rule under section 5(a) (15 U.S.C. 45(a)) shall be treated as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 45(a)) regarding unfair or deceptive acts or practices.

(2) POWERS OF THE FEDERAL TRADE COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates subsection (a) shall be subject to the penalties and entitlement to the privileges and immunities provided in the Federal Trade Commission Act as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated and made part of this section.

(c) AUTHORITY PRESERVED.—Nothing in this subtitle shall be construed to limit the authority of the Federal Trade Commission under any other provision of law.

Subtitle C—Addressing Economic and Workforce Impacts of the Opioid Crisis

SEC. 8041. ADDRESSING ECONOMIC AND WORKFORCE IMPACTS OF THE OPIOID CRISIS.
(a) DEFINITIONS.—Except as otherwise expressly provided, in this section:

(1) WIOA DEFINITIONS.—The terms "core program", "individual with a barrier to employment", "local area", "local board", "opportunity area", "outlying area", "State", "State board", and "supportive services" have the meanings given the terms respectively under subsection (d) and 1 or more of the following:

(i) A legal service or law enforcement organization.

(ii) An employer or industry organization.

(iii) A faith-based or community-based organization.

(b) ELIGIBLE ENTITY.—The term "eligible entity" means—

(1) a State workforce agency;

(2) an outlying area; or

(3) a Tribal entity.

(c) PARTICIPATING PARTNER.—The term "participating partner" includes, as a minimum:

(i) a legal service or law enforcement organization.

(ii) an employer or industry organization.

(iii) an education provider.

(iv) a legal service or law enforcement organization.

(v) a faith-based or community-based organization.

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(vii) Other State or local agencies, including counties or local governments.
(viii) Other organizations, as determined to be necessary by the local board.

(ix) An Indian Tribe or tribal organizations.

(5) PROGRAM PARTICIPANT.—The term “program participant” means an individual who—

(A) is a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and

(B) has an applicable participating partnership to receive any of the services described in subsection (e)(3).

(6) PEER RECOVERY SUPPORT SERVICES.—The term “provider of peer recovery support services” means a provider that delivers peer recovery support services through an organization described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(7) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(8) STATE WORKFORCE AGENCY.—The term “State workforce agency” means the lead State agency with responsibility for the administration of programs under chapter 2 or 3 of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3161 et seq., 3171 et seq.).

(9) SUBSTANCE USE DISORDER.—The term “substance use disorder” has the meaning given such term by the Assistant Secretary for Mental Health and Substance Use.

(10) TREATMENT PROVIDER.—The term “treatment provider”—

(A) means a health care provider that—

(i) offers services for treating substance use disorders and is licensed in accordance with applicable State law to provide such services; and

(ii) has a health insurance for such services, including coverage under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(B) may include—

(i) a nonprofit provider of peer recovery support services;

(ii) a community health care provider;

(iii) a Federally qualified health center (as defined in section 1861(aa) of the Social Security Act (42 U.S.C. 1395xx));

(iv) an Indian health program (as defined in section 3 of the Indian Health Care Improvement Act (25 U.S.C. 1605)), including an Indian health program that serves an urban center (as defined in such section); and

(v) a Hawaiian health center as defined in section 12 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 1711).

(11) TRIBAL ENTITY.—The term “Tribal entity” includes any Indian Tribe, tribal organization, Indian-controlled organization serving Indian tribes or Alaska Native communities, or Alaska Native entity, as such terms are defined or used in section 166 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3171).

(A) PILOT PROGRAM AND GRANTS AUTHORIZED.—

(i) An eligible entity shall include in the application information that demonstrates that a high rate of a substance use disorder has caused, or is coincident to—

(1) an economic or employment downturn in the service area; or

(2) the date that is 15 days after the date on which the Secretary makes the funds available to the eligible entity; or

(ii) significantly impacted service areas as described in subsection (c)(2).

(II) which may include or utilize—

(aa) primary indicators of performance described in section 116(c)(1)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3116(c)(1)(A)(i)), to assess estimated effectiveness of the proposed services and activities, including the estimated number of individuals with a substance use disorder who may be served by the proposed services and activities;

(bb) the record of the local board in serving individuals with a barrier to employment; and

(cc) the ability of the local board to establish a participating partnership; and

(ii) the number of arrests or convictions, or a relevant law enforcement statistic, that reasonably shows an increase in opioid abuse or another substance use disorder; or

(v) in the case of an eligible entity described in subsection (a)(3)(C), other alternative relevant data as determined appropriate by the Secretary.

(C) SUPPORT FOR STATE STRATEGY.—The eligible entity may include in the application information describing how the proposed services and activities are consistent with and utilized with the State, outlying area, or Tribal strategy, as applicable, for addressing problems described in subparagraph (A) in specific service areas or across the State, outlying area, or Tribal land.

(2) ECONOMIC AND EMPLOYMENT CONDITIONS THAT DEMONSTRATE ADDITIONAL FEDERAL SUPPORT NEEDED.

(A) DEMONSTRATION.—An eligible entity shall include in the application information that demonstrates that the economic and workforce impacts associated with a high rate of a substance use disorder has caused, or is coincident to—

(i) an economic or employment downturn in the service area; or

(ii) persistent economically depressed conditions in such service area.

(B) INFORMATION.—To meet the requirements of subparagraph (A), an eligible entity may use information including—

(i) documentation of any layoff, announced future layoff, legacy industry decline, decrease in an employment or labor market participation rate, or economic impact, whether or not the result described in this clause is overtly related to a high rate of a substance use disorder; and

(ii) documentation showing decreased economic activity related to, caused by, or contributing to a high rate of a substance use disorder, including the description of how the service area has been impacted, or will be impacted, by such a decrease;
(aa) data from the National Center for Health Statistics of the Centers for Disease Control and Prevention; (bb) data from the Center for Behavioral Health Statistics and Quality of the Substance Abuse and Mental Health Services Administration; (cc) State vital statistics; (dd) records of department and agency; (ee) reports from local coroners; or (ff) other relevant data; and
(ii) in the case of a local board proposing to serve a population described in subsection (ee)(2)(B), a demonstration of the workforce shortage in the professional area to be addressed to the subgrantee (which may include substance use disorder treatment and related services, non-addictive pain therapy and pain management services, mental health services, and emergency response services, or mental health care), which shall include information that can demonstrate such a shortage, such as—
(I) the distance between—
(aa) communities affected by opioid abuse or another substance use disorder; and
(bb) facilities or professionals offering services in the professional area; or
(II) the maximum capacity of facilities or professionals to serve individuals in an affected community, or increases in arrests related to other substance use disorder, overdose deaths, or nonfatal overdose emergencies in the community.
(e) PROVISION OF SERVICES AND ACTIVITIES.—
(1) IN GENERAL.—Each local board that receives a subgrant under subsection (d) shall carry out the services and activities described in this subsection through a participating partnership.
(2) SELECTION OF POPULATION TO BE SERVED.—A participating partnership shall select individuals and activities under the subgrant to one or both of the following populations of workers:
(A) Workers, including dislocated workers, individuals with barriers to employment, new entrants in the workforce, or incumbent workers (employed or underemployed), each of whom—
(i) is directly or indirectly affected by a high rate of a substance use disorder; and
(ii) voluntarily confirms that the worker, or a family member of the worker, has a history of opioid abuse or another substance use disorder.
(B) Workers, including dislocated workers, individuals with barriers to employment, new entrants in the workforce, or incumbent workers (employed or underemployed), who—
(i) seek to transition to professions that support individuals with a substance use disorder or at risk for developing such disorder, such as professions that provide—
(I) substance use disorder treatment and related services; or
(II) services offered through providers of peer recovery support services; or
(III) additional pain therapy and pain management services; or
(IV) emergency response services; or
(V) mental health care; and
(ii) need new or upgraded skills to better serve such a population of struggling or at-risk individuals.
(3) SERVICES AND ACTIVITIES.—Each participating partnership shall use funds available through a subgrant under this subsection to carry out 1 or more of the following:
(A) ENGAGING EMPLOYERS.—Engaging with employers, including—
(i) learn about the skill and hiring requirements of employers; or
(ii) learn about the support needed by employers to retain program participants, and other individuals with a substance use disorder, and the support needed by such employers to obtain their commitment to testing creative solutions to employing program participants and such individuals;
(B) case management and support services, including—
(iii) connect employers and workers to on-the-job or customized training programs before or after layoff to help facilitate reemployment; or
(iv) connect employers with an education provider to develop classroom instruction to complement on-the-job learning for program participants and such individuals;
(C) helping employers develop the curriculum design of a work-based learning program for program participants and such individuals;
(D) helping employers employ program participants or such individuals engaged in a work-based learning program for a transitional period before hiring such a program participant or individual for full-time employment of not less than 30 hours a week; or
(E) connect employers to program participants receiving concurrent outpatient treatment and job training services.
(B) SCREENING SERVICES.—Providing screening services, which may include—
(1) using an evidence-based screening method to screen each individual seeking participation in the pilot program to determine whether the individual has a substance use disorder;
(2) conducting an assessment of each such individual to determine eligibility for such individual to obtain or retain employment, including an assessment of strengths and general work readiness; or
(3) accepting walk-ins or referrals from employers, labor organizations, or other entities recommending individuals to participate in such program.
(C) INDIVIDUAL TREATMENT AND EMPLOYMENT PLAN.—Developing an individual treatment and employment plan for each program participant—
(1) in coordination, as appropriate, with other programs serving the participant such as the core programs within the workforce development system under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and
(2) which shall include providing a case manager to work with each participant to develop the plan, which may include—
(I) identifying employment and career goals; or
(II) offering career pathways that lead to in-demand industries and sectors, as determined by the State board and the head of the State workforce agency or, as applicable, the Tribal entity; or
(III) setting appropriate achievement objectives to attain the employment and career goals identified under clause (I) or (II) and goals identified under subclause (i) that is conducted in collaboration with the employers of such participants; or
(D) OUTPATIENT TREATMENT AND RECOVERY CARE.—In the case of a participating partner- ship serving program participants described in paragraph (2)(A) with a substance use disorder, providing individualized and group outpatient recovery services, and recovery services for such program participants that are offered during the day and evening, and on weekends. Such treatment and recovery services shall—
(1) be based on a model that utilizes combined behavioral interventions and other evidence-based or evidence-informed interventions; and
(ii) may include additional services such as—
(I) health, mental health, addiction, or other services; or
(II) drug testing for a current substance use disorder prior to enrollment in career or training services or prior to employment; or
(III) linkage to community services, including services offered by partner organizations designed to support program participants; or
(IV) referrals to health care, including referrals to substance use disorder treatment and mental health services.
(E) SUPPORTIVE SERVICES.—Providing supportive services, which shall include services such as—
(i) coordinated wraparound services to provide maximum support for program participants in maintaining employment and recovery for not less than 12 months, as appropriate; or
(ii) assistance in establishing eligibility for assistance under Federal, Tribal, and local programs providing health services, mental health services, vocational services, housing services, transportation services, social services, or services through early childhood education programs (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1005)); or
(F) CAREER AND JOB TRAINING SERVICES.—Offering career services and training services, related services, concurrent or sequentially with the services provided under subparagraphs (B) through (E). Such services shall include the following:
(i) Services provided to program participants who are in a pre-employment stage of the program, which may include—
(I) initial education and skills assessments; or
(II) traditional classroom training funded through individual training accounts under chapter 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3171 et seq.); or
(iii) services to promote employability skills such as punctuality, personal maintenance skills, and professional conduct; or
(iv) in-depth interviewing and evaluation to identify employment barriers and to develop an individual employment plan; or
(v) career planning that includes—
(aa) career pathways leading to in-demand industries and sectors; and
(bb) job coaching, job matching, and job placement services; or
(vi) provision of payments and fees for employment and training-related applications, tests, and certifications; or
(vii) any other appropriate career service or training service described in section 134(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)).
(G) services provided to program participants during their first 6 months of employment to ensure job retention, which may include—
(i) case management and support services, including a continuation of the services described in clause (I); or
(ii) a continuation of skills training, and career and technical education, described in clause (I) that is conducted in collaboration with the employers of such participants; or
(III) mentorship services and job retention support for such participants; or
(iv) targeted training for managers and workers working with such participants (such as mentors), and human resource representatives in the business in which such participants are employed.
(H) services provided to assist program participants in maintaining employment for not less than 12 months, as appropriate.
Subtitle D—Peer Support Counseling Program for Women Veterans

SEC. 8051. PEER SUPPORT COUNSELING PROGRAM FOR WOMEN VETERANS.

(a) In General.—Section 1720F(j) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(4)(A) As part of the counseling program under this paragraph, the Secretary shall emphasize appointing peer support counselors for women veterans. To the degree practicable, the Secretary shall seek to recruit women veteran peer support counselors with expertise in—

(i) female gender-specific issues and services;

(ii) the provision of information about services and benefits provided under laws administered by the Secretary; or

(iii) employment mentoring;

(B) To the degree practicable, the Secretary shall emphasize facilitating peer support counseling for women veterans who are eligible for counseling and services under section 1720D of this title, have post-traumatic stress disorder or suffer from another mental health condition, are homeless or at risk of becoming homeless, or are otherwise at increased risk of suicide, as determined by the Secretary.

(C) The Secretary shall conduct outreach to inform women veterans about the pilot program and the assistance available under this paragraph.

(D) In carrying out this paragraph, the Secretary shall coordinate with other community organizations, State and local governments, institutions of higher education, chambers of commerce, local business organizations, organizations that provide legal assistance, and other organizations as the Secretary considers appropriate.

(E) In carrying out this paragraph, the Secretary shall provide adequate training for peer support counselors including training carried out under the national program of training required by section 394(c) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (38 U.S.C. 1712A note)."

(b) Funding.—The Secretary of Veterans Affairs shall carry out paragraph (4) of section 1720F(j) of title 38, United States Code, as added by subsection (a), using funds other than amounts otherwise made available to the Secretary. No additional funds are authorized to be appropriated by reason of such paragraph.

(c) Report.—Not later than 60 days after the date of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs a report on the peer support counseling program under section 1720F(j) of title 38, United States Code, as amended by this section. Such report shall include—

(1) the number of peer support counselors in the program;

(2) an assessment of the effectiveness of the program; and

(3) a description of the oversight of the program.

Subtitle E—Treating Barriers to Prosperity

SEC. 8061. SHORT TITLE.

This subtitle may be cited as the "Treating Barriers to Prosperity Act of 2018".
available under this section are allocated to States with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, according to the Centers for Disease Control and Prevention.

(B) Priority.—
(i) In general.—Among such States, priority shall be given to States with the greatest need and ability to deliver effective assistance in a timely manner.
(ii) Use of funds.—The factors described in clause (i) shall be weighted as follows:

(1) The highest average rates of unemployment based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017.
(2) The highest average labor force participation rates based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017.
(3) The highest age-adjusted rates of drug overdose deaths based on data from the Centers for Disease Control and Prevention.

2. WRAIGHTING.—The factors described in clause (i) shall be weighted as follows:

(a) The rate described in clause (i)(I) shall be weighted at 15 percent.
(b) The rate described in clause (i)(II) shall be weighted at 25 percent.
(c) The rate described in clause (i)(III) shall be weighted at 70 percent.

3. DISTRIBUTION.—Amounts appropriated under this section shall be distributed according to the funding formula established by the Secretary under paragraph (1) not later than 30 days after the establishment of such formula.

(c) USE OF FUNDS.—
(1) In general.—Any State that receives amounts pursuant to this section shall expend at least 30 percent of such funds within one year of the date funds become available to the grantee for obligation.
(2) Priority.—Any State that receives amounts pursuant to this section shall distribute such amounts giving priority to entities with the greatest need and ability to deliver effective assistance in a timely manner.
(3) Administrative costs.—Any State that receives amounts pursuant to this section may use up to 5 percent of any grant for administrative costs.

(a) Family Recovery and Reunification Program Replication Project.—Section 435 of the Social Security Act (42 U.S.C. 629e) is amended by adding at the end the following:

5. FUNDING AVAILABLE FOR TECHNICAL ASSISTANCE.—The term "Family Recovery and Reunification Program Replication Project" means the Family Recovery and Reunification Program conducted under the project referred to in paragraph (4) of section 474(a)(1) of the Social Security Act (42 U.S.C. 672, 674(a)(1)) (as amended by section 50712 of Public Law 115–123) to provide foster care maintenance payments for a child placed with a parent who is receiving treatment in a licensed residential facility for substance use disorder to support placing children with their parents in family-focused residential treatment programs.

SEC. 8082. IMPROVING RECOVERY AND REUNIFICATION
PROGRAMS.

(a) Family Recovery and Reunification Program Replication Project.—Section 435 of the Social Security Act (42 U.S.C. 629e) is amended by adding at the end the following:

5. FUNDING AVAILABLE FOR TECHNICAL ASSISTANCE.—The term "Family Recovery and Reunification Program Replication Project" means the Family Recovery and Reunification Program conducted under the project referred to in paragraph (4) of section 474(a)(1) of the Social Security Act (42 U.S.C. 672, 674(a)(1)) (as amended by section 50712 of Public Law 115–123) to provide foster care maintenance payments for a child placed with a parent who is receiving treatment in a licensed residential facility for substance use disorder to support placing children with their parents in family-focused residential treatment programs.

(b) GUIDANCE ON FAMILY-FOCUSED RESIDENTIAL TREATMENT.—The term "family-focused residential treatment program" means a trauma-informed program primarily for substance use disorder treatment for pregnant and postpartum women and parents and guardians that allows children to reside with their parents or guardians during treatment to the extent appropriate and applicable.

(c) AUTHORITY TO WAIVE OR SPECIFY ALTERNATIVE REQUIREMENTS.—
(1) IN GENERAL.—Except as otherwise provided by this section, amounts appropriated or otherwise made available to States under this section shall be treated as though such funds were community development block grant funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) and the District of Columbia.

(d) AUTHORITY TO WAIVE OR SPECIFY ALTERNATIVE REQUIREMENTS.—
(1) IN GENERAL.—In administering any amounts appropriated or otherwise made available to States under this section, the Secretary may waive or specify alternative requirements to any provision under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), except for requirements related to fair housing, non-discrimination, labor standards, the environment, and requirements that activities benefit persons of low- and moderate-income, upon a finding that such a waiver is necessary to expedite or facilitate the use of such funds.

(e) AUTHORITY TO WAIVE OR SPECIFY ALTERNATIVE REQUIREMENTS.—
(1) IN GENERAL.—Administering any amounts appropriated or otherwise made available to States under this section, the Secretary may waive or specify alternative requirements to any provision under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), except for requirements related to fair housing, non-discrimination, labor standards, the environment, and requirements that activities benefit persons of low- and moderate-income, upon a finding that such a waiver is necessary to expedite or facilitate the use of such funds.

(f) AUTHORITY TO WAIVE OR SPECIFY ALTERNATIVE REQUIREMENTS.—
(1) IN GENERAL.—The Secretary shall provide written notice of its intent to exercise the authority to specify alternative requirements under paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives.
“(E) case management services to remove barriers for the parent or guardian to participate and continue in treatment, as well as to re-engage a parent or guardian who is not participating or progressing in treatment;”

“(F) access to services needed to monitor the parent’s or guardian’s compliance with programs provided under the program;”

“(G) frequent reporting between the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardians to ensure appropriate information on the parent’s or guardian’s status is available to inform decision-making; and”

“(H) assessments and recommendations provided by a recovery coach to the child welfare caseworker responsible for documenting the parent’s or guardian’s progress in treatment and recovery as well as the status of other areas identified in the treatment plan for the parent or guardian, including a recommendation regarding the expected safety of the child if the child is returned to the custody of the parent or guardian that can be used by the caseworker and a court to make permanency decisions regarding the child.”

“(3) RESPONSIBILITIES OF THE SECRETARY.—

“(A) IN GENERAL.—The Secretary shall, through contracts or grants with one or more entities, conduct and evaluate the family recovery and reunification program under the project.

“(B) REQUIREMENTS.—In identifying 1 or more entities to conduct the evaluation of the family recovery and reunification program, the Secretary shall—

“(i) determine that the area or areas in which the program will be conducted have sufficient substance use disorder treatment program leadership and resources needed to successfully conduct the program (including by working with 1 or more entities that are or have been involved in recovery coaching programs in the area or areas that the entity is requested to carry out the project) to successfully conduct the program;

“(ii) determine that the area or areas in which the program will be conducted have enough potential program participants, and will serve a sufficient number of parents or guardians and their children, so as to allow for the formation of a control group, evaluation results to be adequately powered, and preliminary results of the evaluation to be available within 4 years of the program’s implementation;

“(iii) provide the entity or entities with technical assistance for the program, including by working with 1 or more entities that are or have been involved in recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children so as to make sure the program conducted under the project adheres closely to the elements and protocol determined by the Secretary during treatment to the extent applicable; and

“(iv) assist the entity or entities in securing adequate coaching, treatment, child welfare, and human or child welfare agency, or private nonprofit organization, a research organization, a treatment service provider, an institution of higher education (as defined under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), or another entity specified by the Secretary.

“(4) EVALUATION REQUIREMENTS.—

“(A) IN GENERAL.—The Secretary, in consultation with 1 or more entities conducting the family recovery and reunification program under the project, shall conduct an evaluation to determine whether the program components have been implemented successfully and resulted in improvements for children and families. The evaluation shall have 3 components: a pilot phase, an impact study, and an implementation study.

“(B) PILOT PHASE.—The pilot phase component of the evaluation shall consist of the evaluation of technical assistance provided by the entity or entities conducting the family recovery and reunification program under the project to ensure—

“(i) the evaluation implementation adheres closely to the elements and protocol determined by the Department to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children; and

“(ii) random assignment of parents or guardians and their children to be participants in the program, with parents and guardians and their children being assigned to the program’s control group or being part of the project under the project.

“(C) IMPACT STUDY.—The impact study component of the evaluation shall determine the impacts of the family recovery and reunification program conducted under the project on the parents and guardians and their children participating in the program. The impact study component shall—

“(i) be conducted using an experimental design that uses a random assignment research methodology;

“(ii) consistent with previous studies of other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children, measure differences for parents and guardians and their children over multiple time periods, including for a period of 5 years; and

“(iii) include measurements of family stability and parent, guardian, and child safety for program participants and the program control group that are consistent with measurements of such factors for participants and control group from previous studies of other recovery coaching programs so as to allow results of the impact study to be compared with the results of such prior studies, including with respect to comparisons between program participants and the program control group regarding—

“(I) safe family reunification;

“(II) time to reunification;

“(III) permanency (such as through measures of reunification, adoption, or placement with guardianship); and

“(IV) safety (such as through measures of subsequent maltreatment);

“(D) IMPLEMENTATION STUDY.—The implementation study component of the evaluation shall be conducted concurrently with the conduct of the impact study component and shall include data to which other information as the Secretary may determine, descriptions and analyses of—

“(i) the adherence of the family recovery and reunification program conducted under the project to other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children;

“(ii) the difference in services received or proposed to be received by the program participants and the program control group;

“(E) REPORT.—The Secretary shall publish on an internet website maintained by the Secretary the following information:

“(i) A report on the pilot phase component of the evaluation;

“(ii) A report on the impact study component of the evaluation.

“(F) REPORT.—The Secretary shall publish a report that includes—

“(i) analyses of the extent to which the program has resulted in increased permanency, case closures, net savings to the States or States involved (taking into account both costs borne by the States and the Federal Government), or other outcomes, or if the program did not produce such outcomes, an analysis of why the replication of the program did not yield such results;

“(ii) if, based on such analyses, the Secretary determines the program should be replicated, a replication plan; and

“(iii) recommendations for legislation and administrative action as the Secretary determines appropriate.

“(5) APPROPRIATION.—In addition to any amounts otherwise made available to carry out this subpart, out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated $15,000,000 for fiscal year 2019 to carry out the project, which shall remain available through fiscal year 2025.”.

“(b) CLARIFICATION OF PAYER OF LAST RESORT APPLICABILITY TO CHILD WELFARE.—

“SEC. 8083. BUILDING CAPACITY FOR FAMILY-FOCUSED RESIDENTIAL TREATMENT.

“(a) DEFINITIONS.—In this section:

“(1) ‘Eligible entity’ means a State, county, local, or tribal health or child welfare agency, a private nonprofit organization, a research organization, a treatment service provider, an institution of higher education (as defined under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), or another entity specified by the Secretary.

“(2) FAMILY-FOCUSED RESIDENTIAL TREATMENT.—The term ‘family-focused residential treatment program’ means a program which—

“(A) is provided (or proposed to be provided) by Federal funding primarily for substance use disorder treatment for pregnant and postpartum women and parents and guardians that allows children to reside with such women or their parents or guardians during treatment to the extent appropriate and applicable.

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(3) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(b) SUPPORT FOR THE DEVELOPMENT OF EVIDENCE-BASED FOCUS ON SUBSTANCE MISUSE RESIDENTIAL TREATMENT PROGRAMS.—

(1) AUTHORITY TO AWARD GRANTS.—The Secretary shall award grants to eligible entities for purposes of financing, enhancing, or evaluating family-focused residential treatment programs to increase the availability of such programs that meet the requirements promulgating, supported, or well-supported practices specified in section 471(e)(4)(C) of the Social Security Act (42 U.S.C. 671(e)(4)(C)) as added by the Family First Prevention Services Act enacted under title VII of division E of Public Law 115–123.

(2) EVALUATION REQUIREMENT.—The Secretary shall require any evaluation of a family-focused residential treatment program by an eligible entity that uses funds awarded under this section for all or part of the costs of the evaluation be designed to assist in the determination of whether the program may qualify as a promising, supported, or well-supported practice in accordance with the requirements of such section 471(e)(4)(C).

(c) APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section, $25,000,000 for fiscal year 2019, which shall remain available until September 30, 2020.

Subtitle H—Reauthorizing and Extending Grants for Recovery From Opioid Use Programs

SEC. 8091. SHORT TITLE.

This subtitle may be cited as the "Reauthorizing and Extending Grants for Recovery From Opioid Use Programs Act of 2018" or the "REGROUP Act of 2018".

SEC. 8092. REAUTHORIZATION OF THE COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM.

Section 1001(a)(27) of the Omnibus Crime Control and Safe Streets Act of 1968 (35 U.S.C. 10261(a)(27)) is amended by striking "through 2021" and inserting "and 2018, and $20,000,000 for each of fiscal years 2019 through 2023".

Subtitle I—Fighting Opioid Abuse in Transportation

SEC. 8101. SHORT TITLE.

This subtitle may be cited as the "Fighting Opioid Abuse in Transportation Act".

SEC. 8102. CONTROLLED AND UNCONTROLLED SUBSTANCE TESTING OF MECHANICAL EMPLOYEES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall publish a rule in the Federal Register revising the regulations promulgated under section 21040 of title 49, United States Code, to cover all employees of railroad carriers who perform mechanical activities.

(b) DEFINITION OF MECHANICAL ACTIVITIES.—For the purposes of the rule under subsection (a), the Secretary shall define the term "mechanical activities" by regulation.

SEC. 8103. DEPARTMENT OF TRANSPORTATION PUBLIC DRUG AND ALCOHOL TESTING DATABASE.

(a) IN GENERAL.—Subject to subsection (c), the Secretary of Transportation shall—

(1) not later than March 31, 2019, establish and make publicly available on its website a database of the drug and alcohol testing data reported by employers for each mode of transportation;

(2) update the database annually.

(b) CONTENTS.—The database under subsection (a) shall include, for each mode of transportation—

(1) the total number of drug and alcohol tests by type of substance tested;

(2) the drug and alcohol test results by type of substance tested;

(3) the reason for the drug or alcohol test, such as pre-employment, random, post-accident, reasonable suspicion, return-to-duty, or follow-up, by type of substance tested;

(4) the number of individuals who refused testing.

(c) COMMERCIALLY SENSITIVE DATA.—The Department of Transportation shall not release any commercially sensitive data or personal identifiable data furnished by an employer under this section unless the data is aggregated or otherwise in a form that does not identify the employer providing the data.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed as limiting or otherwise affecting the requirements of the Secretary of Transportation to adhere to requirements applicable to confidential business information and sensitive security information, consistent with applicable law.

SEC. 8104. GAO REPORT ON DEPARTMENT OF TRANSPORTATION'S COLLECTION AND USE OF DRUG AND ALCOHOL TESTING DATA.

(a) IN GENERAL.—Not later than 2 years after the date the Department of Transportation public drug and alcohol testing database is established under section 8103, the Comptroller General of the United States shall—

(1) review the Department of Transportation Drug and Alcohol Testing Management Information System; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the review, including recommendations under subsection (c).

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a description of the process the Department of Transportation uses to collect and record drug and alcohol testing data submitted by employers for each mode of transportation;

(2) an assessment of whether and, if so, how the Department of Transportation uses the data described in paragraph (1) in carrying out its responsibilities; and

(3) an assessment of the Department of Transportation public drug and alcohol testing database under section 8103.

(c) RECOMMENDATIONS.—The report under subsection (a) may include recommendations regarding—

(1) how the Department of Transportation can best use the data described in subsection (b)(1); and

(2) any improvements that could be made to the process described in subsection (b)(1);

(3) whether and, if so, how the Department of Transportation uses the data described in subsection (b)(1); and

(4) such other recommendations as the Comptroller General considers appropriate.

SEC. 8105. TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS.

(a) MANDATORY GUIDELINES FOR FEDERAL WORKPLACE DRUG TESTING PROGRAMS.—

(1) IN GENERAL.—Not later than 180 days after the date the final notice is published in the Federal Register, not later than 18 months after the date the final notice is published under subsection (a)(2), a final rule revising part 40 of title 49, Code of Federal Regulations, to include such substances in the Department of Transportation’s drug-testing database under section 8103 could be made more effective; and

(2) any improvements that could be made to the process described in subsection (b)(1); and

(3) whether and, if so, how the Department of Transportation uses the data described in subsection (b)(1); and

(4) such other recommendations as the Comptroller General considers appropriate.

SEC. 8106. STATUS REPORTS ON HAIR TESTING GUIDELINES.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, and annually thereafter during the 5 years after the date of enactment of this Act, the Secretary of Health and Human Services shall—

(1) determine whether a revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs to expand the list of substances authorized for testing to include any other drugs or other substances listed in schedule I and II of section 202 of the Controlled Substances Act (21 U.S.C. 812) is justified based on the criteria described in subparagraph (A).

(2) REVISION OF GUIDELINES.—If an expansion of the substances list is determined to be justified under paragraph (1), the Secretary of Health and Human Services shall—

(A) notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the determination; and

(B) publish in the Federal Register, not later than 18 months after the date of the determination under that paragraph, a final notice of the revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs to expand the list of substances authorized to be tested to include the substance or substances determined to be justified for inclusion.

(3) REPORT.—If an expansion of the substances list is determined not to be justified under paragraph (1), the Secretary of Health and Human Services shall—

(A) notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the report explaining, in detail, the reasons the expansion of the list of authorized substances is not justified; and

(B) DEPARTMENT OF TRANSPORTATION DRUG TESTING PANEL.—If an expansion is determined to be justified under subsection (a)(1), the Secretary of Health and Human Services shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining, in detail, the reasons the expansion of the list of authorized substances is justified.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed as—

(1) delaying the publication of the notices described in sections 182 and 183 of title 49, United States Code, to cover all employees of railroad carriers who perform mechanical activities.

(2) preventing the Secretary of Health and Human Services from making a determination or publishing a notice under this section; or

(3) limiting or otherwise affecting any authority of the Secretary of Health and Human Services to 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 revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs to expand the list of authorized substances to include an additional substance.

SEC. 8107. GAO STUDY ON FEDERAL WORKPLACE DRUG TESTING GUIDELINES.

(a) IN GENERAL.—During the 5-year period beginning on the date of enactment of this Act, the Comptroller General shall study and report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the status of the mandatory guidelines; and

(2) an explanation for why the hair testing guidelines have not been issued and
(3) an estimated date of completion of the hair testing guidelines.

(b) REQUIREMENT.—To the extent practicable and consistent with the objective of the hair testing guidelines, published in the Federal Register under subsection (a) to detect illegal or unauthorized use of substances by the individual being tested, the final notice of scientific and technical guidelines, including a proposal for the use of comparable paperless electronic forms instead of forms by the Secretary of Health and Human Services, shall eliminate the risk of positive test results, of the individual being tested, caused solely by the drug use of others and not caused by the drug use of the individual being tested.

SEC. 8107. MANDATORY GUIDELINES FOR FEDERAL WORKPLACE DRUG TESTING PROGRAMS USING ORAL FLUID.

(a) DEADLINE.—Not later than December 31, 2018, the Secretary of Health and Human Services shall publish in the Federal Register a final notice of the Mandatory Guidelines for Federal Workplace Drug Testing Programs using Oral Fluid, based on the notice of proposed mandatory guidelines published in the Federal Register on May 15, 2015 (84 FR 29504).

(b) REQUIREMENT.—To the extent practicable and consistent with the objective of the testing described in subsection (a) to detect illegal or unauthorized use of substances by the individual being tested, the final notice of the scientific and technical guidelines is published in the Federal Register by the Secretary of Health and Human Services, shall eliminate the risk of positive test results, of the individual being tested, caused solely by the drug use of others and not caused by the drug use of the individual being tested.

SEC. 8108. ELECTRONIC RECORDKEEPING.

(a) DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall—

(1) ensure that each certified laboratory that requests approval for the use of completely paperless electronic Federal Drug Testing Programs using electronic Laboratory Control Forms, the National Laboratory Certification Program's Electronic Control and Form System receives approval for those completely paperless electronic forms instead of forms that include any combination of electronic traditional handwritten signatures executed on paper forms; and

(2) establish a deadline for a certified laboratory to request approval under paragraph (1).

(b) SAVINGS CLAUSE.—Nothing in this section may be construed as limiting or otherwise affecting any authority of the Secretary of Health and Human Services to grant approval to a certified laboratory for use of completely paperless electronic Federal Drug Testing Programs using electronic Laboratory Control Forms, or to require a certified laboratory to request approval under this section.

SEC. 8110. STATUS REPORTS ON COMMERCIAL DRIVER'S LICENSE DRUG AND ALCOHOL TEST FACILITIES.
Subtitle K—Substance Abuse Prevention

SEC. 8201. SHORT TITLE.
This subtitle may be cited as the “Substance Abuse Prevention Act of 2018.”

SEC. 8202. REAUTHORIZATION OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY.
(a) OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.—
(1) IN GENERAL.—The Office of National Drug Control Policy reauthorized by the Act of 1998 (21 U.S.C. 1701 et seq.), as in effect on September 29, 2003, and as amended by the laws described in paragraph (2), is revived and restored.
(2) LAWS DESCRIBED.—The laws described in this paragraph are:
(B) The Presidential Appointment Efficiency and Streamlining Act of 2011 (Public Law 112-166; 125 Stat. 1303).

(b) REAUTHORIZATION.—
(1) IN GENERAL.—Section 714 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1711) is amended by striking “such sums as may be necessary for each of fiscal years 2006 through 2010” and inserting “$15,400,000 for each of fiscal years 2018 through 2023.”


SEC. 8203. REAUTHORIZATION OF THE DRUG FREE COMMUNITIES PROGRAM.
(a) REVIVAL OF NATIONAL NARCOTICS LEADERSHIP ACT OF 1988.—

(b) AMENDMENT TO NATIONAL NARCOTICS LEADERSHIP ACT OF 1988.—
(1) IN GENERAL.—Section 109 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1506) is amended by striking paragraphs (10) through (14) and inserting “$15,400,000 for each of fiscal years 2018 through 2023.”

(2) TECHNICAL CORRECTION.—
(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect as though added as part of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3535).

(c) AMENDMENT TO TERMINATION PROVISION.—Section 109 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1506) is amended by striking paragraphs (10) through (14) and inserting “$15,400,000 for each of fiscal years 2018 through 2023.”

(d) TECHNICAL CORRECTION.—

SEC. 8204. REAUTHORIZATION OF THE NATIONAL COMMUNITY ANTI-DRUG COALITION INSTITUTE.
Section 4 of Public Law 107-82 (21 U.S.C. 1531 note) is amended to read as follows:

“SEC. 4. AUTHORIZATION FOR NATIONAL COMMUNITY ANTI-DRUG COALITION INSTITUTE.

(1) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter in each fiscal year, provide support and technical assistance for the development, enhancement, and strengthening of community anti-drug coalitions under this subchapter.

(2) REQUIRED USES.—Funds under this subsection—
(A) are only available for the following activities:
(i) $2,000,000 for each of fiscal years 2018 through 2023 for training and technical assistance to drug courts.
(ii) $15,400,000 for each of fiscal years 2018 through 2023 for the National Community Anti-Drug Coalition Institute.
(iii) $15,400,000 for each of fiscal years 2018 through 2023 for under section 202 of the Controlled Substances Act (21 U.S.C. 812); and
(B) may only be used for—
(i) education, training, and technical assistance to drug courts that provide protection or assistance to victims.
(ii) education, training, and technical assistance to drug courts that provide protection or assistance to witnesses in court proceedings.
(iii) education, training, and technical assistance to drug courts that provide protection or assistance to witnesses in cases of illegal drug distribution and related activities.

SEC. 8205. REAUTHORIZATION OF THE HIGH-INTENSITY DRUG TRAFFICKING AREA PROGRAM.
Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1761 note) is amended to read as follows:

“(b) REAUTHORIZATION.—
(1) IN GENERAL.—There is authorized to be appropriated to the Office of National Drug Control Policy to pay administrative costs associated with the responsibilities of the Office under this chapter—
(A) $99,000,000 for each of fiscal years 2018 through 2023.
(B) ADMINISTRATIVE COSTS.—Not more than 5 percent of the funds appropriated to carry out this chapter may be used by the Office of National Drug Control Policy to pay administrative costs associated with the responsibilities of the Office under this chapter.
(C) RENEWAL GRANTS.—Subject to clause (iv), the Administrator may award a renewal grant to a grant recipient under this subchapter for each fiscal year of the 4-fiscal-year period following the first fiscal year for which the initial additional grant is awarded in an amount not to exceed the following:
(I) for the first and second fiscal years of the 4-fiscal-year period, the amount of the non-Federal funds, including in-kind contributions and in-kind contributions, raised by the coalition for the applicable fiscal year is not less than 125 percent of the amount awarded;
(II) for the third and fourth fiscal years of the 4-fiscal-year period, the amount of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year is not less than 150 percent of the amount awarded; and
(III) for each of fiscal years 2018 through 2023.

(D) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(E) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(F) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(G) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(H) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(I) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(J) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(K) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(L) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(M) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(N) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(O) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(P) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(Q) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(R) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(S) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(T) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(U) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(V) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(W) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(X) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(Y) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.
(Z) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by this subchapter, make a grant to each HIDTA.

SEC. 8206. REAUTHORIZATION OF DRUG COURT PROGRAM.
Section 1001(a)(25)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1992 (21 U.S.C. 10261(a)(25)(A)) is amended by striking “Except as provided” and all that follows and inserting the following: “Except as provided in subparagraph (C), there is authorized to be appropriated to carry out this part $75,000,000 for each of fiscal years 2018 through 2023.”

SEC. 8207. DRUG COURT TRAINING AND TECHNICAL ASSISTANCE.
Section 705 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704) is amended by adding at the end the following:

“(b) DRUG COURT TRAINING AND TECHNICAL ASSISTANCE.—
(1) GRANTS AUTHORIZED.—The Director shall make grants to a nonprofit organization for the purpose of providing training and technical assistance to drug courts.
(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2018 through 2023.”

SEC. 8208. DRUG OVERDOSE RESPONSE STRATEGY IMPLEMENTATION.—The Director may use...
SEC. 8209. PROTECTING LAW ENFORCEMENT OFFICERS FROM ACCIDENTAL EXPOSURE TO Fentanyl.

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706), as amended by section 8208, is amended by adding at the end the following:

"(e) SUPPLEMENTAL GRANTS.—The Director is authorized to use not more than $10,000,000 of the amounts otherwise appropriated to carry out this section to provide supplemental competitive grants to high intensity drug trafficking areas that have experienced high rates of fentanyl and new psychoactive substances for the purposes of—

"(1) purchasing portable equipment to test for fentanyl and other substances;

"(2) training law enforcement officers and other first responders on best practices for handling fentanyl and other substances; and

"(3) enabling collaborative deployment of prevention, intervention, and enforcement resources to address substance use addiction and narco trafficking.".

SEC. 8210. COPS ANTI-METH PROGRAM.


(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following:

"(k) COPS ANTI-METH PROGRAM.—The Attorney General shall use amounts otherwise appropriated to carry out this section to provide supplemental competitive grants to high intensity drug trafficking areas that have experienced high rates of fentanyl and new psychoactive substances for the purposes of—

"(1) purchasing portable equipment to test for fentanyl and other substances;

"(2) training law enforcement officers and other first responders on best practices for handling fentanyl and other substances; and

"(3) enabling collaborative deployment of prevention, intervention, and enforcement resources to address substance use addiction and narco trafficking.".

SEC. 8211. COPS ANTI-HEROIN TASK FORCE PROGRAM.


(1) by redesignating subsection (l), as so redesignated by section 8210, as subsection (m); and

(2) by inserting after subsection (j) the following:

"(k) COPS ANTI-HEROIN TASK FORCE PROGRAM.—The Attorney General shall use amounts otherwise appropriated to carry out this section to provide supplemental competitive grants to high intensity drug trafficking areas that have experienced high rates of fentanyl and new psychoactive substances for the purposes of—

"(1) purchasing portable equipment to test for fentanyl and other substances; and

"(2) training law enforcement officers and other first responders on best practices for handling fentanyl and other substances; and

"(3) enabling collaborative deployment of prevention, intervention, and enforcement resources to address substance use addiction and narco trafficking.".

SEC. 8212. COMPREHENSIVE ADDICTION AND RECOVERY ACT EDUCATION AND AWARENESS.

Title VII of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198; 130 Stat. 735) is amended by adding at the end the following:

"SEC. 709. SERVICES FOR FAMILIES AND PATIENTS IN CRISIS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall provide grants to entities that focus on addiction and substance use disorders and specialize in family and patient services, advocacy for patients and families, and educational information.

(b) ALLOWABLE USES.—A grant awarded under this section may be used for nonprofit national, state, or local organizations that engage in the following activities:

"(1) Expansion of resource center services with professional, clinical staff that provide, for families and individuals impacted by a substance use disorder, support, access to treatment resources, brief assessments, medication and overdose prevention education, compassionate listening services, recovery support or peer specialists, bereavement and grief support, and case management.

"(2) Continued development of health information technology systems that leverage new and upcoming technology and techniques for prevention, intervention, and filling resource gaps in communities that are underserved.

"(3) Enhancement and operation of treatment and recovery resources, easy-to-read scientific and evidence-based education on addiction and substance use disorders, and other informational tools for families and individuals impacted by a substance use disorder and support for stakeholders, such as law enforcement agencies.

"(3) Provision of training and technical assistance to State and local governments, law enforcement agencies, health care systems, research institutions, and other stakeholders.

"(4) Expanding upon and implementing educational information using evidence-based information on substance use disorders.

"(5) Expansion of training of community stakeholders, law enforcement officers, and families across a broad-range of addiction, health, and related topics on substance use disorders, local issues and community-specific issues, and social issues.

"(6) Program evaluation.

"SEC. 8213. REIMBURSEMENT OF SUBSTANCE USE DISORDER TREATMENT PROFESSIONALS.

Not later than January 1, 2020, the Comptroller General of the United States shall submit to Congress a report examining how substance use disorder services are reimbursed.

SEC. 8214. SOBRIETY TREATMENT AND RECOVERY TEAMS.

Title V of the Public Health Service Act (42 U.S.C. 290dd et seq.) is amended by adding at the end the following:

"SEC. 550. SOBRIETY TREATMENT AND RECOVERY TEAMS.

(a) IN GENERAL.—The Secretary may make grants to States for the purpose of establishing or expanding sobriety treatment and recovery teams (referred to in this section as "START Teams") to deter or deter from the recognition of the effectiveness of pairing social workers or mentors with families that are struggling with a substance use disorder and child abuse or neglect to help provide peer support, intensive treatment, and child welfare services to such families.

(b) ALLOWABLE USES.—A grant awarded under this section may be used for one or more of the following activities:

"(1) Training eligible staff, including social workers, social services coordinators, child welfare specialists, substance use disorder treatment professionals, and mentors.

"(2) Expanding access to substance use disorder treatment services and drug testing.

"(3) Enhancing data sharing with law enforcement agencies, child welfare agencies, substance use disorder treatment providers, judges, and court personnel.

"(4) Program evaluation and technical assistance.

"SEC. 8215. PROVIDER EDUCATION.

Not later than 60 days after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Secretary of Health and Human Services, shall complete the plan related to medical registration coordination as required by section 437(f) of the Social Security Act focused on improving outcomes for children affected by substance abuse.

"SEC. 8216. DEFINITIONS.

(A) IN GENERAL.—The term 'appropriate congressional committees' means—

"(1) the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on the Judiciary, the Committee on the Budget, the Committee on the Judiciary, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives; and

"(2) the Committee on Oversight and Government Reform, the Committee on the Judiciary, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives.

"(B) SUBMISSION TO CONGRESS.—Any submission to Congress shall mean submission to the appropriate congressional committees.

"(C) APPROPRIATE CONGRESSIONAL COMMITTEES.—

"(A) IN GENERAL.—The term 'appropriate congressional committees' means—

"(1) the Committee on the Judiciary, the Committee on Appropriations, and the Committee on Health, Education, Labor, and Pensions of the Senate; and

"(2) the Committee on Oversight and Government Reform, the Committee on the Judiciary, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives.

"(B) SUBMISSION TO CONGRESS.—Any submission to Congress shall mean submission to the appropriate congressional committees.

"(7) by amending paragraph (3), as so redesignated, to read as follows:

"(3) DEMAND REDUCTION.—The term 'demand reduction' means any activity conducted by a National Drug Control Program Agency, other than an enforcement activity,
that is intended to reduce or prevent the use of drugs or support, expand, or provide treatment and recovery efforts, including—

(A) education about the dangers of illicit drug use;

(B) services, programs, or strategies to prevent substance use disorder, including evidence-based education campaigns, community education programs, collection and disposal of unused prescription drugs, and services to at-risk populations to prevent or delay initial use of an illicit drug;

(C) substance use disorder treatment;

(D) support for long-term recovery from substance use disorders;

(E) drug-free workplace programs;

(F) drug testing, including the testing of employees;

(G) interventions for illicit drug use and dependence;

(H) expanding availability of access to health care services for the treatment of substance use disorders;

(I) international drug control coordination and cooperation with respect to activities described in this paragraph;

(J) pre- and post-arrest criminal justice intervention programs such as diversion programs, drug courts, and the provision of evidence-based treatment to individuals with substance use disorders who are arrested or under criminal justice supervision, including medication assisted treatment;

(K) other coordinated and joint initiatives among Federal, State, local, and Tribal agencies to promote comprehensive drug control strategies designed to reduce the demand for, and the availability of, illegal drugs;

(1) international illicit drug use education, prevention, treatment, recovery, research, and capacity building activities, and interventions for illicit drug use and dependence; and

(M) research related to illicit drug use and any of the activities described in this paragraph.

(8) by inserting after paragraph (6), as so redesignated, the following:

(7)Emerging drug threat.—The term ‘‘emerging drug threat’’ means the occurrence of a new and growing trend in the use of an illicit drug or class of drugs, including rapid expansion in the supply of or demand for such drug.

(8) Illicit drug use; illicit drugs; illegal drug use; illegal drugs; ‘‘illicit drug use’’; ‘‘illicit drugs’’; and ‘‘illegal drug use’’ include the illegal or illicit use of prescription drugs.

(9) Law enforcement.—The term ‘‘law enforcement’’ or ‘‘drug law enforcement’’ means all efforts by a Federal, State, local, or Tribal government agency to enforce the drug laws of the United States or any State, including investigation, arrest, prosecution, and incarceration or other punishments or penalties.

(9) by amending paragraph (11), as so redesignated, to read as follows:

(11) National Drug Control Program Agency.—The term ‘‘National Drug Control Program Agency’’ means any agency (or bureau, office, independent agency, board, division, commission, subdivision, unit, or other component thereof) that is responsible for implementing any aspect of the National Drug Control Strategy, including any agency that receives Federal funds to implement any aspect of the National Drug Control Strategy, but does not include any agency that receives funds for drug control activity solely under the National Intelligence Program or the Joint Military Intelligence Program.

(10) in paragraph (12), as so redesignated—

(A) by inserting ‘‘or ‘Strategy’’ before ‘‘means’’; and

(B) by inserting ‘‘, including any report, plan, or strategy required to be incorporated into or issued concurrently with such strategy’’ before the period at the end;

(11) by inserting after paragraph (12), as so redesignated, the following:

(12) in paragraph (14), as so redesignated, by striking ‘‘Unless the context clearly indicates otherwise, the’’ and inserting ‘‘The’’;

(13) by inserting after paragraph (15), as so redesignated, the following:

(14) in paragraph (17), as so redesignated—

(A) by redesigning subparagraphs (B), (C), (D), and (E), as subparagraphs (C), (D), (E), and (F), respectively;

(B) by inserting after subparagraph (A) the following:

‘‘(B) domestic law enforcement;’’;

(C) in subparagraph (E), as so redesignated, by striking ‘‘and’’ and inserting ‘‘and’’;

(D) in subparagraph (F), as so redesignated, by striking the period at the end and inserting a semicolon and ‘‘and’’;

(E) by adding at the end the following:

‘‘(G) activities to prevent the diversion of drugs for their illicit use; and

(H) research described in the activities described in this paragraph.’’.

SEC. 8217. AMENDMENTS TO ADMINISTRATION OF THE OFFICE.

(a) Responsibilities of Office.—Section 702(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1702(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

‘‘(1) lead the national drug control effort, including coordinating with the National Drug Control Program Coordinator, as described in section 709, the National Drug Control Strategy; and

(2) in paragraph (2), by inserting before the semicolon the following: ‘‘, including the National Drug Control Strategy’’;

(3) in paragraph (3), by striking ‘‘and’’ at the end; and

(4) by striking paragraph (4) and all that follows through ‘‘the National Academy of Sciences’’ and inserting the following:

‘‘(4) evaluate the effectiveness of national drug control policy efforts, including the National Drug Control Program Agencies’ performance budget, by establishing specific goals and performance measurements and monitoring the agencies’ program-level spending;’’;


(1) in paragraph (1), as so redesignated—

(A) by inserting ‘‘or ‘Strategy’’ before ‘‘means’’; and

(2) by striking ‘‘including any report, plan, or strategy required to be incorporated into or issued concurrently with such strategy’’ before the period at the end;

(3) by striking paragraph (6), as so redesignated, the following:

(1) in paragraph (1), by striking subparagraph (A), (B), (C), and (D), as so redesignated;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon and ‘‘and’’;

(3) by adding at the end the following:

‘‘(4) Ethics guidelines.—The Director shall establish written guidelines setting forth the criteria to be used in determining whether a gift or donation should be declined under this subsection because the acceptance of the gift or donation would—

(a) undermine the integrity or the appearance of integrity of programs or services provided under this chapter or of any official involved in those programs or services;

(b) compromise the integrity or the appearance of integrity of programs or services provided under this chapter or of any official involved in those programs or services;

(c) compromise the integrity or the appearance of integrity of programs or services provided under this chapter or of any official involved in those programs or services;

(d) compromise the integrity or the appearance of integrity of programs or services provided under this chapter or of any official involved in those programs or services;

(e) violate any Federal, State, or local law or Federal, State, or local ethics law; or

(f) otherwise impair or reduce public confidence in the Office.’’.

(c) Designation of Deputy Director.—Section 703(d) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(d)) is amended—

(1) in paragraph (1), by striking ‘‘(L) international illicit drug use education;’’ and inserting the following:

‘‘(L) international illicit drug use education;’’.
(1) in paragraph (19), by striking "and" and inserting a semicolon;
(2) in paragraph (20), by striking the period at the end and inserting "and"; and
(3) by adding at the end the following:
"(21) in order to formulate the national drug control policies, goals, objectives, and priorities—
(A) consult with and assist—
(i) State and local governments;
(ii) National Drug Control Program Agen-
cies;
(iii) each committee, working group, council, or other entity established under this chapter, as appropriate;
(iv) the public;
(v) appropriate congressional committees; and
(vi) any other person in the discretion of the Director; and
"(B) may—
(i) establish advisory councils;
(ii) acquire data from agencies; and
(iii) request data from any other entity.
"(e) NATIONAL DRUG CONTROL PROGRAM BUDGET.—Section 704(c) of the Office of Na-
tional Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(c)) is amended—
(1) in paragraph (A), by striking "paragraph (1)(C);" and
(2) in paragraph (B), by striking "paragraph (1)(C) and include—
(i) the funding level for each National Drug Control Program agency; and
(ii) alternative funding structures that could improve progress on achieving the goals of the National Drug Control Strategy; and
"(f) coordinating and disseminating information among National Drug Control Program agencies to—
(A) ensure the public has electronic access to information identifying—
(i) all drug control grants and pertinent information for inclusion in the system developed by the appropriate congressional committees;
(ii) any available performance metrics, evaluations, or other information indicating the effectiveness of such programs;
(iii) the best available medical and scientific evidence for inclusion in the system developed by the Director with respect to coordinated drug efforts between Federal, State, and local public health agencies; and
(iv) the best available medical and scientific evidence for inclusion in the system developed by the Director with respect to coordinated drug efforts between Federal, State, and local public health agencies.
"(g) ACCOUNTING OF FUNDS EXPENDED.—Section 705 of the Office of National Drug Con-
(1) in subsection (d)(8)—
(A) in subparagraph (D), by striking "and" at the end;
(B) in subparagraph (E)—
(i) in clause (1)—
(I) by striking "Congress, including the Committees on Appropriations of the Senate and the House of Representa-
tives, the authorizing committees for the Office, and" and inserting "the appropriate congressional com-
mmittees;" and
(II) by striking "or agencies"; and
(ii) in clause (2)—
(I) by striking "Congress and" and inserting "the appropriate congressional committees;" and
(II) by adding "and" at the end; and
(iii) by adding at the end the following:
(funds may only be used for—
(I) expansion of demand reduction activi-
ties;
(II) interdiction of illicit drugs on the high seas, in United States territorial waters, and airspaces, the sharing of domestic and foreign intel-
ligence information among National Drug Control Program Agencies and domestic and foreign law enforcement officers;
(III) accurate assessment and monitoring of international drug production and inter-
diction programs and policies;
(IV) activities to facilitate and enhance the sharing of domestic and foreign intel-
ligence information among National Drug Control Program Agencies related to the production and trafficking of drugs in the United States; agencies; and
(V) research related to any of these ac-
tivities.;
(2) in subsection (e)(2)(A), by striking "and" and inserting "or"; and
(3) by adding at the end the following:
(1) MODEL ACTS PROGRAM.—
"(1) IN GENERAL.—The Director shall pro-
vide for or shall enter into an agreement with a nonprofit organization to—
"(A) advise States on establishing laws and policies to address illicit drug use issues; and
(B) revise such model State drug laws and draft supplemental model drug laws and take into consideration changes in illicit drug use issues in the State involved.
"(2) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to carry out this subsection $1,250,000 for each of fiscal years 2018 through 2023.
"(j) STATE, LOCAL, AND TRIBAL AGENCIES.—
(1)彈, and insert appropriate
(U) by adding "and" at the end; and
(iii) by adding at the end the following:
(V) research related to any of these ac-
tivities.;
(2) in subsection (e)(2)(A), by striking "and" and inserting "or"; and
(3) by adding at the end the following:
(1) MODEL ACTS PROGRAM.—
"(1) IN GENERAL.—The Director shall pro-
provide for or shall enter into an agreement with a nonprofit organization to—
"(A) advise States on establishing laws and policies to address illicit drug use issues; and
(B) revise such model State drug laws and draft supplemental model drug laws and take into consideration changes in illicit drug use issues in the State involved.
"(2) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to carry out this subsection $1,250,000 for each of fiscal years 2018 through 2023.
"(j) STATE, LOCAL, AND TRIBAL AGENCIES.—
(1) 弹, and insert appropriate

SEC. 8218. DESIGNATION OF EMERGING THREATS COMMITTEE, PLAN, AND MEDIA CAMPAIGN.

(a) In General.—Section 709 of the Office of National Drug Control Policy Reauthorization Act of 1872 (21 U.S.C. 1708) is amended to read as follows: 8218.

8218. EMERGING THREATS COMMITTEE, PLAN, AND MEDIA CAMPAIGN.

(‘a) Designation of Committee.—The Director shall designate or appoint a United States Emerging and Continuing Threats Coordinator to perform the duties of that position described in this section and such other duties as may be determined by the Director. The Director shall determine whether the coordinator position is a non-career appointee in the Senior Executive Service or a career appointee in a position at level 15 of the General Schedule (or equivalent).

(‘b) Emerging Threats Committee.—

1. In General.—The Emerging Threats Committee shall—

(A) monitor evolving and emerging drug threats in the United States;

(B) discuss evolving and emerging drug trends in the United States using the criteria required to be established under paragraph (1);

(C) advise in the formulation of and oversee implementation of any plan described in subsection (d);

(D) provide such other advice to the Coordinator and Director concerning strategy and policies for emerging drug threats and trends as the Committee determines to be appropriate; and

(E) disseminate and facilitate the sharing with Federal, State, local, and Tribal officials and other entities as determined by the Director of pertinent information and data relating to—

(i) recent trends in drug supply and demand;

(ii) fatal and nonfatal overdoses;

(iii) demand for and availability of evidence-based substance use disorder treatment, including the extent of the untreated need, and treatment admission trends;

(iv) recent trends in drug interdiction, supply, and demand from State, local, and Tribal governments, and other relevant entities; and

(v) other subject matter as determined necessary by the Director.

(2) Chairperson.—The Director shall designate one of the members of the Emerging Threats Committee to serve as Chairperson.

(3) Members.—The Director shall appoint other members of the Committee, which shall include—

(A) representatives from National Drug Control Program Agencies or other agencies;

(B) representatives from State, local, and Tribal governments, and the Federal Government;

(C) representatives from other entities as designated by the Director.

(4) Meetings.—The members of the Emerging Threats Committee shall meet, in person and not through any delegate or representative, not less frequently than once per calendar year, before June 1. At the call of the Director or the Chairperson, the Emerging Threats Committee may hold additional meetings as the members may choose.

(5) Contract, Agreement, and Other Authority.—The Director may award contracts, enter into interagency agreements, manage individual projects, and conduct other activities necessary to carry out the responsibilities of the Emerging Threats Committee in support of the identification of emerging drug threats and in support of the development, implementation, and assessment of any Emerging Threat Response Plan.

(6) Criteria to Identify Emerging Drug Threats.—Not later than 180 days after the date on which the Committee first meets, the Committee shall develop and recommend to the Director criteria to be used to identify an emerging drug threat or the termination of such designation based on information gathered by the Committee, statistical data, and other evidence.

(7) Designation of Threats.—

(A) In General.—The Director, in consultation with the Committee, shall designate an emerging drug threat in the United States.

(B) Standards for Designation.—The Director, in consultation with the Committee, shall promulgate and make publicly available standards by which a designation under paragraph (1) and the termination of such designation may be made. In developing such standards, the Director shall consider the recommendations of the committee and other criteria the Director determines to be appropriate.

(C) Public Statement Required.—The Director shall publish a public written statement on the portal of the Office explaining the criteria used to designate an emerging drug threat or the termination of such designation and shall notify the appropriate congressional committees of the availability of such statement when a designation or termination of such designation has been made.

(8) Plan.—

(A) Public Availability of Plan.—Not later than 90 days after making a designation under subsection (c), the Director shall publish and make publicly available an Emerging Threat Response Plan and notify the President, the Appropriations Committees of each House of Congress, and the President of the Congress of such plan’s availability.

(B) Timing.—Concurrently with the annual submissions under section 709(g), the Director shall update the plan and report on implementation of the plan, until the Director determines that the threat no longer exists.

(9) Contents of an Emerging Threat Response Plan.—The plan shall include in the plan required under this subsection—

(A) a comprehensive strategic assessment of the emerging drug threat, including the emerging drug threat and its associated trends and features, relevant evidence of the effectiveness of evidence-based prevention, treatment, and enforcement programs and efforts to respond to the emerging drug threat;

(B) a comprehensive, research-based, short- and long-term, quantifiable goals for addressing the emerging drug threat, including the drug designated as the emerging drug threat and for expanding the availability and effectiveness of evidence-based substance use disorder treatment and prevention programs to reduce the demand for the emerging drug threat;

(C) performance measures pertaining to the plan’s goals, including quantifiable and measurable objectives and specific targets; and

(D) the level of funding needed to implement the plan, including whether funding is available, how funding is transferred to support implementation of the plan or whether additional appropriations are necessary to implement the plan;

(E) the criteria defined in paragraph (1) and the termination of such designation based on information gathered by the Committee, statistical data, and other evidence.

(10) Review.—Not later than 180 days after the date on which a designation is made under subsection (c) and in accordance with paragraph (A), the Director shall review whether each agency identified in such plan shall submit to the Coordinator a report on implementation of the plan.

(B) Evaluation of Media Campaign.—Upon designation of an emerging drug threat, the Director shall evaluate whether a national anti-drug media campaign would be appropriate to address the threat.

(C) National Anti-Drug Media Campaign.—

(A) In General.—The Director shall, to the extent feasible and appropriate, conduct a national anti-drug media campaign (referred to in this subtitle as the ‘national media campaign’) in accordance with this subsection for the purposes of—

(i) preventing substance abuse among people in the United States;

(ii) encouraging individuals affected by substance use disorders to seek treatment and providing such individuals with information on—

(1) how to recognize addiction issues;

(2) what forms of evidence-based treatment options are available; and

(iii) how to access such treatment;

(iv) combating the stigma of addiction and substance use disorders, including the stigma of treating such disorders with medication-assisted treatment therapies; and

(v) informing the public about the dangers of any drug identified by the Director as an emerging drug threat as appropriate.

(B) Use of Funds.—

(A) In General.—Amounts made available to carry out this subsection for the national media campaign may only be used for the following:

(B) Development of media time and space, including the strategic planning for, tracking, and accounting of, such purchases.
“(ii) Creative and talent costs, consistent with subparagraph (B)(i).

“(iii) Advertising production costs, which may include television, radio, internet, social media, and other commercial marketing venues.

“(iv) Testing and evaluation of advertising.

“(v) Evaluation of the effectiveness of the national media campaign.

“(vi) Costs of contracts to carry out activities authorized by this subsection.

“(vii) Partnerships with professional and civic community-based organizations, including faith-based organizations, and government organizations related to the national media campaign.

“(viii) Entertainment industry outreach, interactive outreach, media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

“(ix) Operational and management expenses.

“(B) SPECIFIC REQUIREMENTS.—

“(i) CREATIVE SERVICES.—In using amounts for creative and talent costs under subparagraph (A)(ii), the Director shall use creative services at no cost to the Government wherever feasible and may only procure creative services for advertising—

“(I) responding to high-priority or emergent campaign needs if that cannot timely be obtained at no cost; or

“(II) intended to reach a minority, ethnic, or other special audience that cannot reasonably be obtained at no cost.

“(ii) TESTING AND EVALUATION OF ADVERTISING.—In using amounts for testing and evaluation of advertising under subparagraph (A)(iv), the Director shall test all advertisements prior to use in the national media campaign to ensure that the advertisements are effective with the target audience and meet industry-accepted standards.

“The Director may waive this requirement for advertisements using no more than 10 percent of the purchase of advertising time purchased under this subsection in a fiscal year and no more than 10 percent of the advertising space purchased under this subsection in a fiscal year, if the advertisements respond to emergent and time-sensitive campaign needs or the advertisements will not be widely utilized in the national media campaign.

“(iii) CONSULTATION.—For the planning of the campaign under paragraph (1), the Director may consult with—

“(I) the head of any appropriate National Drug Control Program Agency;

“(II) experts on the designated drug;

“(III) Tribal officials and Tribal government officials and relevant agencies;

“(IV) communications professionals;

“(V) the public; and

“(VI) appropriate congressional committees.

“(iv) EVALUATION OF EFFECTIVENESS OF NATIONAL MEDIA CAMPAIGN.—In using amounts for the evaluation of effectiveness of the national media campaign under subparagraph (A)(v), the Director shall—

“(I) designate an independent entity to evaluate by April 20 of each year the effectiveness of the national media campaign based on data from—

“(aa) the Monitoring the Future Study published by the Department of Health and Human Services;

“(bb) the National Survey on Drug Use and Health; and

“(cc) other relevant studies or publications, as determined by the Director, including tracking and evaluation data collected according to marketing and advertising industry standards.

“(II) ensure that the effectiveness of the national media campaign is evaluated in a manner that enables consideration of whether the national media campaign has contributed to changes in attitude or behaviors among the target audience with respect to substance use and such other measures of evaluation as the Director determines are appropriate.

“(iii) ADVERTISING.—In carrying out this subsection, the Director shall ensure that sufficient funds are allocated to meet the stated goals of the national media campaign.

“(iv) RESPONSIBILITIES AND FUNCTIONS UNDER THIS SUBSECTION.—

“(A) IN GENERAL.—The Director shall determine the overall purposes and strategy of the national media campaign.

“(B) DIRECTOR.—The Director shall approve—

“(I) the strategy of the national media campaign;

“(II) all advertising and promotional material used in the national media campaign; and

“(III) the plan for the purchase of advertising time and space for the national media campaign.

“(v) IMPLEMENTATION.—The Director shall be responsible for implementing a focused national media campaign to meet the purposes set forth in paragraph (1) and shall ensure—

“(I) information disseminated through the campaign is accurate and scientifically valid; and

“(II) the campaign is designed using strategies demonstrated to be the most effective in achieving the goals and requirements of paragraph (1), which may include—

“(aa) a media campaign, as described in paragraph (2);

“(bb) local, regional, or population specific messaging;

“(cc) the development of websites to publicize and disseminate campaign information;

“(dd) conducting outreach and providing educational resources for parents;

“(ee) collaborating with law enforcement agencies; and

“(ff) providing support for school-based public health education classes to improve teen knowledge about the effects of substance use.

“(vi) PROHIBITIONS.—None of the amounts made available under paragraph (2) may be obligated or expended for any of the following:

“(A) To supplant current anti-drug community-based coalitions.

“(B) To supplant pro bono public service time donated by national and local broadcasting networks for other public service campaigns.

“(C) For partisan political purposes, or to express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.

“(D) To fund activities that features any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations.

“(E) To fund advertising that does not contain a primary message intended to reduce or prevent substance use.

“(F) To fund advertising containing a primary message intended to promote support for the national media campaign or private sector contributions to the national media campaign.

“(G) To fund advertising that promotes a policy or position that is not approved by the Executive Branch.

“(H) To fund advertising that does not contain a message that is directed at the public and that is not related to the national media campaign or the policy or program that is the subject of the national media campaign.

“(i) IN GENERAL.—The Director shall apply—

“(I) the plan for the purchase of advertising time and space for the national media campaign; and

“(II) all advertising and promotional material used in the national media campaign.

“(j) MATCHING REQUIREMENT.—

“(A) IN GENERAL.—Amounts made available under this subsection shall be matched to the extent possible with in-kind contributions from the public and private sectors.

“(B) NO-COST MATCH ADVERTISING DIRECT RELATIONSHIP REQUIREMENT.—The Director shall ensure that no less than 100 percent of the amount made available under this subsection that is used for no-cost match advertising directly relates to substance abuse prevention consistent with the specific purposes of the national media campaign.

“(C) NO-COST MATCH ADVERTISING NOT DIRECTLY RELATED.—The Director shall ensure that no-cost match advertising that does not relate to substance abuse prevention consistent with the purposes of the national media campaign includes a clear anti-drug message. Such message is not required to be the primary message of the match advertising.

“(k) FINANCIAL AND PERFORMANCE ACCOUNTABILITY.—The Director shall cause to be performed—

“(A) audits and reviews of costs of the national media campaign pursuant to section 4706 of title 41, United States Code; and

“(B) an audit to determine whether the costs of the national media campaign are allowable under chapter 43 of title 41, United States Code.

“(l) REPORT TO CONGRESS.—The Director shall submit on an annual basis a report to Congress that describes—

“(A) the strategy of the national media campaign and whether the specific objectives of the national media campaign were accomplished;

“(B) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the national media campaign;

“(C) plans to purchase advertising time and space;

“(D) policies and practices implemented to ensure that Federal funds are used responsibly, including each recipient of funds, the purpose of each expenditure, the amount of each expenditure, any available outcome information, and any other information necessary to provide a complete accounting of the funds expended and

“(E) a review and evaluation of the effectiveness of the national media campaign strategy for the past year.

“(m) REQUIRED NOTICE FOR COMMUNICATION FROM THE OFFICE.—Any communication, including an advertisement, paid for or otherwise disseminated by the Office directly or through a contract awarded by the Office shall include a prominent notice informing the audience that the communication was paid for by the Office.

“(n) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office to carry out this section, $25,000,000 for each of fiscal years 2018 through 2023.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subsection (a) of section 203 of the Omnibus National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 170a) is repealed.
SEC. 8219. DRUG INTERDICTION.

(a) REPEAL.—This first section 711 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1710) is repealed.


(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “The United” and inserting “The Director shall direct or appoint an appointee in the Senior Executive Service or an appointee in a position at level 15 of the General Schedule (or equivalent) as the United”; and

(ii) by striking “shall” and inserting “to”;

(B) in paragraph (2) and (3)—

(i) by striking “March 1” and inserting “September 1”; and

(ii) by striking paragraph (3) and inserting—

“and

(i) in the matter preceding clause (i)—

(aa) by striking “March 1” and inserting “September 1”;

(bb) by inserting “the Director, acting through” before “the United States”; and

(cc) by inserting a comma after “Coordinator”;

(dd) by striking “a report on behalf of the Director”; and

(ee) by striking “, which shall include” and inserting “and”;

(II) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), and adjusting the margins accordingly;

(III) in subclause (I), as so redesignated, the following:

“(i) includes”—

“(iv) in clause (i), as so redesignated—

(aa) by striking use, and redesignated, by inserting “, including information about how each National Drug Control Program agency conducting drug interdiction activities is engaging with relevant international partners” after “Plan”;

(bb) in subclause (II), as so redesignated, by striking “, and” as well as and inserting “and”;

(cc) in subclause III, as so redesignated—

(1) in paragraph (1), by striking “and” how to strengthen international partner-
(iii) an estimate of Federal funding and other resources needed to achieve such goal;
(iv) a list of each existing or new coordinating mechanism needed to achieve such goal;
(v) a description of the Office’s role in facilitating the achievement of such goal.

(G) For each year covered by the Strategy, and at each level of the national drug control strategy established under subparagraph (B) for each National Drug Control Program Agency, including—
(i) performance measures for each National Drug Control Program Agency;
(ii) annual and, to the extent practicable, quarterly objectives and targets for each performance measure; and
(iii) an estimate of Federal funding and other resources needed to achieve each performance objective and target.

(H) A list identifying existing data sources or a description of data collection needed to evaluate performance, including a description of how the Director will obtain such data.

(i) A list of any anticipated challenges to achieving the National Drug Control Strategy goals and planned actions to address such challenges.

(ii) A description of how each goal established under subparagraph (B) was determined, including—
(A) the inclusion of data and information required to enable the relevant National Drug Control Program Agency, any relevant official of a State, local, or Tribal government, and the government of other relevant countries;
(B) not change any existing agency authority or constrain any strategy described under this paragraph to amend or modify any law governing interagency relationship but may include recommendations about changes to such authority or law.

(iii) Present separately from the rest of any strategy described under subparagraph (B) any information classified under criteria established by an Executive order or, where the public disclosure is not disclosed by the Director or the head of any relevant National Drug Control Program Agency, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or Tribal agency.

(2) REQUIREMENT FOR SOUTHWEST BORDER COUNTERNARCOTICS STRATEGY.—The Southwest Border Counternarcotics Strategy shall—
(I) set forth the strategy of the Federal Government for preventing the illegal trafficking of drugs across the international border between the United States and Mexico for the purpose of illegal trafficking of drugs across such border;
(II) recommendations for criminal penalties for persons who construct or use such a tunnel or subterranean passage for such a purpose.

(3) ADDITIONAL STRATEGIES.—
(A) The inclusion of data and information classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the National Drug Control Strategy to Congress in accordance with subsection (a)(2), not later than five days

(b) REQUIREMENT FOR NORTHERN BORDER COUNTERNARCOTICS STRATEGY.—

(i) PURPOSES.—The Northern Border Counternarcotics Strategy shall—
(I) set forth the strategy of the Federal Government for preventing the illegal trafficking of drugs across the international border between the United States and Canada, including through ports of entry and between ports of entry on the border;
(II) state the specific roles and responsibilities of each relevant National Drug Control Program Agency for implementing the strategy;
(III) identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement the strategy;
(IV) be designed to promote, and not hinder, legitimate trade and travel; and
(V) reflect the unique nature of small communities along the international border between the United States and Mexico, ongo- ing cooperation and coordination with Canada, other enforcement authorities, and vari- ations in the volumes of vehicles and pedes- trians crossing through ports of entry along the international border between the United States and Canada.

(ii) SPECIFIC CONTENT RELATED TO CROSS- BORDER INDIAN RESERVATIONS.—The Northern Border Counternarcotics Strategy shall include—
(I) a strategy to end the illegal traffick- ing of drugs to or through Indian reserv- ations or near International border between the United States and Canada; and
(II) recommendations for additional assistance, if any, needed by Tribal law en- forcement agencies relating to the strategy, including an evaluation of Federal technical and financial assistance, infrastructure ca- pacity building, and interoperability defi- cies.

(c) SELECTION OF DATA AND INFORMATION.—In selecting data and information for inclu- sion in the Strategy, the Director shall en- sure—

(1) the inclusion of data and information that will permit analysis of current trends against previously compiled data and infor- mation where the Director believes such an analysis enhances long-term assessment of the National Drug Control Strategy; and
(2) the inclusion of data and information to permit a standardized and uniform assess- ment of the effectiveness of drug treatment programs in the United States.

(d) SUBMISSION OF REVISED STRATEGY.—

The President may submit to Congress a revised National Drug Control Strategy that meets the requirements of this section—

(1) at any time, upon a determination of the President, in consultation with the Di- rector, that the National Drug Control Strategy in effect is not sufficiently effec- tive; or
(2) if a new President or Director takes office.

(e) FAILURE OF DIRECTOR TO SUBMIT NA- TIONAL DRUG CONTROL STRATEGY.—If the Di- rector does not submit a revised Na- tional Drug Control Strategy to Congress in accordance with subsection (a)(2), not later than five days
after the first Monday in February following the year in which the term of the President commences, the Director shall send a notification to the appropriate congressional committees

(1) explaining why the Strategy was not submitted; and

(2) specify the date by which the Strategy will be submitted.

(1) DRUG CONTROL DATA DASHBOARD.—

(I) In general.—The Director shall collect and disseminate appropriate, useful information as the Director determines is appropriate, but not less than the information described in this subsection. The data shall be published quarterly to the extent practicable on a machine-readable format on the online portal of the Office, and to the extent practicable on the Drug Control Data Dashboard.

(II).modify.—The Director shall publish to the online portal of the office in a machine-readable, sortable, and searchable format, or to the extent practicable, establish and maintain a data dashboard on the online portal of the Office to be known as the ‘‘Drug Control Data Dashboard.’’ To the extent practicable, when establishing the Drug Control Data Dashboard, the Director shall ensure the user interface of the dashboard is constructed with modern design standards. To the extent practicable, the data made available on the dashboard shall be publicly available in a machine-readable and searchable by year, agency, drug, and location.

(III) Data.—The data included in the Drug Control Data Dashboard shall be updated quarterly to the extent practicable, but not less frequently than annually and shall include, at a minimum, the following:

(A) For each substance identified by the Director as having a significant impact on the public health, the data shall:

(i) data sufficient to show the quantities of such substance available in the United States, including:

(1) the total amount seized and disrupted in the calendar year and each of the previous 3 calendar years, including to the extent practicable the amount seized by State, local, and Tribal governments;

(2) the known and estimated flows into the United States from all sources in the calendar year and each of the previous 3 calendar years, including to the extent practicable the known flows into the United States from all sources in the calendar year;

(3) the known and estimated levels of domestic production in the calendar year and each of the previous 3 calendar years, including the levels of domestic production if the drug is a prescription drug, as determined under the Federal Food, Drug, and Cosmetic Act, for which a listing is in effect under section 202 of the Controlled Substances Act (21 U.S.C. 812);

(4) the average street price for the calendar year and the highest known street price during the preceding 10-year period; and

(VI) the extent practicable, related prosecutions by State, local, and Tribal governments;

(iii) data sufficient to show the frequency of use of such substance, including:

(2) the average number of arrests, probationers, and parolees; and

(VI) crime and criminal activity related to such substance;

(IV) to the extent practicable, related prosecutions by State, local, and Tribal governments;

(V) For the calendar year and each of the previous three years data sufficient to show, disregregated by State and, to the extent feasible, by region within a State, county, or city, the following:

(i) The number of fatal and non-fatal overdoses of a drug identified under subparagraph (A)(i);

(ii) The prevalence of substance use disorders.

(III) The number of individuals who have received substance use disorder treatment, including medication assisted treatment, for a substance use disorder, including treatment provided through publicly-financed health care programs.

(IV) The extent of the unmet need for substance use disorder treatment, including the unmet need for medication-assisted treatment.

(C) Data sufficient to show the extent of prescription drug diversion, trafficking, and misuse in the calendar year and each of the previous 3 calendar years.

(D) Any quantifiable measures the Director determines to be appropriate to detail progress toward the achievement of the goals of the National Drug Control Strategy.

(16) DEVELOPMENT OF AN ANNUAL NATIONAL DRUG CONTROL ASSESSMENT.—

(I) TIMING.—Not later than the first Monday in February each year, the Director shall submit to the President, Congress, and the appropriate congressional committees, a report assessing the progress of each National Drug Control Program Agency toward achieving each goal, objective, and target contained in the National Drug Control Strategy applicable to the prior fiscal year.

(II) PROCESS FOR DEVELOPMENT OF THE ANNUAL ASSESSMENT.—Not later than November 1 of each year, the head of each National Drug Control Program Agency shall submit, in accordance with guidance issued by the Director, to the Director an evaluation of progress by the agency with respect to the National Drug Control Strategy goals using the performance measures for the agency developed under this title, including progress with respect to—

(A) success in achieving the goals of the National Drug Control Strategy;

(B) success in reducing domestic and foreign sources of illegal drugs;

(C) success in increasing access to and increasing the effectiveness of substance use disorder treatment;

(D) success in protecting the borders of the United States (and in particular the Southwestern border of the United States) from penetration by illegal narcotics;

(E) success in reducing crime associated with drug use in the United States;

(F) success in reducing the health and social consequences of drug use in the United States;

(G) implementation of evidence-based substance use disorder treatment and prevention programs in the United States and improvements in the adequacy and effectiveness of such programs; and

(H) success in increasing the prevention of illicit drug use.

(III) CONTENTS OF THE ANNUAL ASSESSMENT.—The Director shall include in the annual assessment required under paragraph (1)—

(A) a summary of each evaluation received by the Director under paragraph (2); and

(B) a summary of the progress of each National Drug Control Program Agency toward the National Drug Control Strategy goals of the agency using the performance measures for the agency developed under this chapter;

(C) an assessment of the effectiveness of each National Drug Control Program Agency toward the National Drug Control Strategy for the previous year, including a specific evaluation of whether the applicable goals, measures, objectives, and targets for the previous year were met; and

(D) the assessments required under this subsection shall be based on the Performance Measurement System.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 704(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(b)) is amended—

(A) by striking paragraphs (13) and (17); and

(B) in paragraph (14)(A), by striking ‘‘paragraph (13)’’ and inserting ‘‘section 706(g)(2)’’.


SEC. 8222. TECHNICAL AND CONFORMING AMENDMENTS TO THE OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.


(1) by striking section 703(b) (21 U.S.C. 1702(b)); and

(2) by striking section 704 (21 U.S.C. 1703).

(a) I N GENERAL.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 923(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?
There was no objection.

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

I have dozens and dozens of letters of support for this legislation; 90 or 100 different letters of support from different groups, 124 names, it looks like, that will constitute the record.

Statements and Letters of Support from:


1. A New PATH, San Diego, California
2. Addiction Policy Forum
3. AIDS United
4. Alabama Addiction Policy Forum
5. Alaska, Addiction Policy Forum
6. American Correctional Association
7. Arizona Addiction Policy Forum
8. Association of Prosecuting Attorneys
9. Beyond Addiction Ministry, WI
10. Brave Health
11. CADA of Northwest Louisiana
12. California Consortium of Addiction Programs & Professionals (CCAPP)
13. California, Addiction Policy Forum
14. Campaign for Youth Justice
15. Caron Treatment Centers
16. CFC Loud N Clear Foundation, Farmingdale, New Jersey
17. Chicago Recovering Communities Coalition, Chicago, Illinois
18. Colorado, Addiction Policy Forum
19. Community Anti-Drug Coalitions of America (CADCA)
20. Connecticut Certification Board
22. Connecticut, Addiction Policy Forum
23. COPES
24. Darke County Recovery Support Services & Cafe, Green Bay, Wisconsin
25. Delaware, Addiction Policy Forum
26. Delphi Behavioral Health Group
27. Diposers
28. El Paso Alliance, El Paso, Texas
29. Faces & Voices of Recovery
30. FAVOR Low Country, Charleston, South Carolina
31. FAVOR Tri-County, Rock Hill, South Carolina
32. FedCURR
33. Fellowship Foundation Recovery Community Organization, Margate, Florida
34. Floridians for Recovery, West Palm Beach, Florida
35. Foundation for Recovery, Las Vegas, Nevada
36. Friends of Emmett
37. H.O.P.E.S. Forever
38. Healthcare Leadership Council
39. IC & RC
40. Idaho, Addiction Policy Forum
41. Illinois Association of Behavioral Health
42. Illinois, Addiction Policy Forum
43. Indiana, Addiction Policy Forum
44. Institute for Behavior and Health (IBH)
45. Iowa, Addiction Policy Forum
46. Jackson Area Recovery Community, Jackson, Michigan
47. Kansas, Addiction Policy Forum
48. Kentucky, Addiction Policy Forum
49. Kingston NH Lions Foundation
50. Lifehouse Recovery Connection, San Diego, California
51. Maine Alliance for Addiction Recovery, Augusta, Maine
52. Maine, Addiction Policy Forum
53. Maryland House Detox
54. Maryland, Addiction Policy Forum
55. Massachusetts, Addiction Policy Forum
56. Michigan, Addiction Policy Forum
57. Minnesota Recovery Connection, Minneapolis, Minnesota
58. Minnesota, Addiction Policy Forum
59. Missouri Recovery Network, Jefferson City, Missouri
60. Missouri, Addiction Policy Forum
61. Montana, Addiction Policy Forum
62. National Association of Social Workers (NASW)
63. National Prevention Science Coalition
64. National Recovery Council
65. Navigate Recovery Gwinnett, Gwinnett County, Georgia
67. Nevada, Addiction Policy Forum
68. New Hampshire, Addiction Policy Forum
69. New Jersey, Addiction Policy Forum
70. New Mexico, Addiction Policy Forum
71. New York, Addiction Policy Forum
72. North Carolina, Addiction Policy Forum
73. North Dakota, Addiction Policy Forum
74. Ohio Citizen Advocates for Addiction Recovery, Columbus, Ohio
75. Ohio, Addiction Policy Forum
76. Oklahoma, Addiction Policy Forum
77. Oregon, Addiction Policy Forum
78. PEER Wellness Center
79. Peer-to-Peer Recovery Alliance, Bay City, Michigan
81. Pennsylvania, Addiction Policy Forum
82. People Advocating Recovery, Louisville, Kentucky
83. Phoenix House Recovery Residences
84. PLR Athens, Athens, Georgia
85. Reality Check, Jaffrey, New Hampshire
86. Recovery Connexion, Amherst, Massachusetts
87. Recovery Communities of North Carolina, Raleigh, North Carolina
88. Recovery Connection, West Los Angeles, California
89. Recovery Community Connection, Williamsport, Pennsylvania
90. Recovery Community of Durham, Durham, North Carolina
91. Recovery Data Solutions
92. Rock Recovery, Rochester, New York
93. Relapse Prevention, Long Island, New York
94. SAMHSA: Recovery Corps
95. SMART Recovery, Nationwide
96. Sobriety Matters
97. Solutions Recovery, Oskosh, Wisconsin
98. South Dakota, Addiction Policy Forum
99. SpiritWorks Foundation, Williamsburg, Virginia
100. Springs Recovery Connection, Colorado Springs, Colorado
101. Tennessee, Addiction Policy Forum
102. Texas, Addiction Policy Forum
103. The DOIL–DeKalb Open Opportunity for Recovery, Decatur, Georgia
104. The McShin Foundation, Richmond, Virginia
105. The Moyer Foundation
106. The Phoenix, Nationwide
107. The RASE Project, Harrisburg, Pennsylvania
108. The Solano Project, Fairfield, California
109. Treatment Communities of America
110. Trilogy Recovery Community, Walla Walla, Washington
111. Trust for America’s Health
112. Utah, Addiction Policy Forum
113. Vermont, Addiction Policy Forum
114. Virginia, Addiction Policy Forum
115. Voices of Hope Lexington, Lexington, Kentucky
116. Voices of Recovery San Mateo County, San Mateo, California
117. WAI-IAM, Inc. and RISE Recovery Community, Lansing, Michigan
118. WAI-IAM, Inc. and RISE Recovery Project (WRAP), Ann Arbor, Michigan
119. West Virginia, Addiction Policy Forum
120. Wisconsin Voices for Recovery, Madison, Wisconsin
121. Wyoming, Addiction Policy Forum
122. Wyoming, Addiction Policy Forum

Mr. WALDEN. Mr. Speaker, I rise today in support of H.R. 6. This is the SUPPORT for Patients and Communities Act that your Energy and Commerce Committee has worked on diligently for nearly 2 years.

In my own case, in 10 roundtables throughout Oregon, I have heard from everyday people on the frontlines of this fight in our communities. They are the victims. They are the families. They are medical professionals, treatment advocates. They are local law enforcement, and they are first responders. They are our neighbors. They are our loved ones.

Each of these people puts a name and a face to what I would say is the worst drug epidemic we have seen in America, the opioid crisis.

I have heard from Oregon families, I have heard from Mike and Winnie, from Grants Pass, who have seen their loved one struggle with addiction. Mike’s sister who died, she was a nurse, became addicted, and overdosed. He told me that at a townhall in a community forum. Their son struggles with his addiction and his problems with addiction.

We will never know what could have become of the 72,000 Americans who died last year.

Every 24 hours, 1,000 people go to emergency rooms overdosing from opioids. Roughly 115 die.

I heard it from Paula, whose two sons and stepson struggle with their opioid addiction today.

As a parent, I can only imagine what parents of children with opioid addiction must feel every time the phone rings. They think it may be that call.

For the millions of people currently struggling with addiction, please know, don’t give up. It is never too late to seek help. We stand here today.

Mr. Speaker, this legislation is a product of months of bipartisan, bicameral work, eight House committees involved, I think probably every Member of this House, five Senate committees, twenty and dozens of Members of Congress.

And the faces that we came to know are the parents and the children whom they lost, Amanda Beatrice Gray being one of them, a beautiful young woman, talented, struggling with her issues, overdosed on heroin heavily laced with fentanyl.

We are here for them. Mr. Speaker. We are here for our neighbors, for our
Mr. Speaker, because we are going to hear from a lot of our Members who have put so much work into this, I reserve any time.

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

I rise today in support of H.R. 6, the SUPPORT for Patients and Communities Act. This bill is the product of many months of hard work by several committees in the House and Senate. It is important that we pass this bill today as another step in addressing the opioid crisis that is ravaging every community in our Nation.

Last year, a record 72,000 Americans died of drug overdoses; that is about 200 people dying every day, and this is a national crisis that is devastating families and that this Congress must act on.

And while this legislation will not solve every problem, I do believe it includes important policies that will help turn the tide of this tragic opioid epidemic. It will also improve treatment options for those battling other substance disorders as well.

I am proud that H.R. 6 builds upon CARA, the Comprehensive Addiction and Recovery Act, by including a provision championed by my colleague, Congresswoman Tourkko, that would allow all advanced practice registered nurses to treat patients with buprenorphine for opioid use disorder. It also gives nurse practitioners and physician assistants the authority to treat patients with buprenorphine permanently, and it codifies the 275 patient physician cap. This is a critical step in expanding access to the treatment of these drugs, one of the major challenges that we continue to face in the fight against this epidemic.

Mr. Speaker, the legislation also expands access to coverage. It includes an important provision that I worked on with Ways and Means Committee Ranking Member NEAL that expands Medicare coverage of opioid treatment programs and medication-assisted treatment.

In the Medicaid space, I am pleased to see the inclusion of several Democratic priorities. This bill requires State Medicaid programs to cover all forms of medication-assisted treatment, which plays a critical and life-saving role in treating opioid use disorder.

It provides grants to State Medicaid programs to help increase the number of substance use disorder providers and services. It increases access to mental health and substance use disorder treatment for children and pregnant women covered by CHIP, and it ensures former foster youth are able to keep their Medicaid coverage across State lines up to the age of 26. And it improves the continuity of Medicaid coverage for juveniles in the justice system.

I am also pleased that we have been able to improve upon the House-passed IMD policy. This bill adds new safeguards to ensure that States continue to provide an adequate level of outpatient services and offer medication-assisted treatment. It does this by making clear that this policy does not impact the more comprehensive efforts to provide care that is ongoing in many States today.

H.R. 6 also includes provisions from my legislation, the SCREEN Act, that would give the Food and Drug Administration the ability to take action against illicit controlled substances coming in through international mail facilities across the country. FDA will now be able to prohibit the importation of drugs by people who have repeatedly imported illicit drugs. It also allows the agency to cease distribution of or recall controlled substances, like opioids, if they are endangering patients.

These provisions also provide FDA expanded authority and capacity needed to more effectively combat the influx of deadly synthetic opioids, like fentanyl, from reaching our shores through the back door.

It also provides the Federal Trade Commission with stronger enforcement tools to go after bad actors that are taking advantage of the suffering of individuals combating addictions.

Mr. Speaker, there is one provision that is concerning and that I do want to mention. It did not go through regular order and was not properly vetted. In fact, it was added at the very last minute. That is a proposal by Senator Rubio to create a new criminal antikickback statute.

I know this proposal is well-intentioned in addressing the serious problem of patient brokers who are taking advantage of individuals with opioid disorders, directing them to substandard or fraudulent providers in exchange for kickbacks. This is an issue, but since the bill was introduced last Tuesday night, multiple stakeholders have raised concerns that the language does not do what we think it does. It may have unintended consequences.

Mr. Speaker, I hope this is a good lesson to all of us that passing legislation that has not been properly vetted, and that the public has not had an adequate opportunity to review, is unwise. I hope to get a commitment from Chairman WALDEN and Chairman GOODLATTE to work to address any technical problems with this provision in the upcoming months.

In closing, Mr. Speaker, these are all policies that have the potential to make a real impact on this epidemic, but our work here is not complete. An epidemic of this size will take a long-term commitment to improving health insurance coverage, treatment, access, and affordability.

This bill is an important step, but I want to stress that we have to do a lot more. The opioid crisis continues to get worse. A lot more needs to be done to provide treatment and expand the treatment infrastructure. More resources are needed to support the families and communities impacted by this crisis. So what we are doing today is clearly helpful, but it is not enough.

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

Mr. WALDEN. Mr. Speaker, I am honored to yield 1 minute to the gentleman from Texas (Mr. BRADY), the distinguished and talented chairman of the House Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, I thank Chairman WALDEN and Ranking Member PALLONE for their work. The opioid crisis, as you know, has impacted every community in America, has robbed countless individuals of their full potential. We all know someone who lost a loved one because they were exposed to opioids and then addicted, and that sometimes, in routine surgery, they didn’t even need it.

This can be prevented, and that is why I rise today in support of H.R. 6. This is bicameral and bipartisan. It addresses this crisis by placing many commonsense measures to reduce the unnecessary prescribing of opioids and get people treatment once they become addicted.

Mr. Speaker, I want to thank the ranking member of the Ways and Means Committee, Mr. NEAL; the ranking member of the Health Subcommittee, Mr. LEVIN; as well as leaders on our side and Mr. ROSKAM, Mr. CURBELO, Mr. PAULSEN, and Mr. BISHOP for their work. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL), the ranking member of the Ways and Means Committee who worked so hard on this legislation as well.

Mr. NEAL of Massachusetts. Mr. Speaker, I rise today in support of H.R. 6, the SUPPORT for Patients and Communities Act, and I want to acknowledge Mr. PALLONE, Mr. WALDEN, and Mr. BRADY, the chairman of the Ways and Means Committee, for the good work that they have offered on this as well.

The opioid crisis is not a partisan issue. It is a health, safety, family, community, and economic issue. Everybody in this Chamber today has a family member or knows someone close to them who is connected to the opioid crisis.

H.R. 6 represents the best of bipartisan and bicameral negotiation. This is, indeed, the way policy can and should be done.

The bill includes a number of Democratic priorities to expand treatment options for our neighbors, family members, and friends suffering from opioid use disorders. It includes my bill, with Member PALLONE, that would require Medicare to cover opioid treatment programs so that our Nation’s seniors might have more outpatient options for treatment.
Opioid use disorders are rapidly growing among Medicare beneficiaries. In 13 States, the highest rate of opioid-related inpatient hospital stays is amongst those over 65. This policy would give Medicare beneficiaries increased access to a range of medication and behavior treatment options, leading to more hope for long-term recovery.

I am also pleased that H.R. 6 includes the Securing the International Mail Against Opioids Act, which would help to stem the flow of opioids through the United States. This legislation stems from the STOP Act, a bill that I worked on with Mr. Tiberi before his retirement earlier this year. I want to commend him, in addition to Trade Subcommittee Ranking Member Pascrell, for their work on this bipartisan legislation.

While the bill before us is a step in the right direction, this epidemic is not going to turn around overnight. It needs a thoughtful, long-term, sustainable approach that requires significant Federal investments. H.R. 6 represents the initial step in addressing this crisis, but it cannot be the end. Part of that long-term approach must include protecting and strengthening Medicaid and the Affordable Care Act.

I want to take a moment to thank the staff on both sides of the aisle for their usual good work in this Chamber, for the weeks of hard effort they put in bringing this bill to fruition. The effort exemplifies bipartisan cooperation, and a particular thanks to House and Senate legislative counsel who worked long nights and weekends to finish the bill.

Thanks also to the CMS Office of Legislation and the staff of the Congressional Budget Office who played a critical role in finalizing the bill.

This is a complicated issue, and H.R. 6 is not going to solve the public health epidemic. It makes a significant impact on solving the problem at the moment, but it certainly is a good step. I encourage all of us here in this Chamber today and in Congress to continue to work together to develop policy solutions for members of our community who are suffering from this terrible epidemic.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentlewoman from Indiana (Ms. BROOKS), and concur in my colleague’s comments in praise of the staff that we worked with to get this done. The gentlewoman has been a real leader.

Ms. BROOKS of Indiana. Mr. Speaker, the opioid and heroin crisis continues to hit Hoosiers hard. Sadly, we haven’t turned the tide yet. It is estimated the future of Americans in every State in our Nation. We must support those battling addiction.

I have met with so many Hoosiers battling addiction. I visited treatment centers and recovery houses like the La Vergne Lodge for men and the Ohana House Sober Living for women. I have talked with addicts and those battling addiction about what is working and what is not working with different recovery options.

Passing the strong bipartisan bill before us today is critically important. It will help ensure that more people have better access to treatments, and we can try to save more lives across this country.

Mr. PALLONE. Mr. Speaker, I yield 4 minutes the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Oversight and Government Reform Committee.

Mr. CUMMINGS. Mr. Speaker, I want to thank Mr. PALLONE for yielding, and for his great work on this legislation. Mr. Speaker, I rise in support of provisions in this package reauthorizing and reforming the Office of National Drug Control Policy to improve coordination of our national response to the drug crisis.

At my request, the bill creates a demand reduction coordinator position, parallel to the existing interdiction coordinator position. This position would be responsible for coordinating reduction initiatives, including efforts to expand treatment.

Among other critical reforms, this legislation also requires ONDCP to report whether drug control programs and strategies are achieving the goals of the National Drug Control Strategy. It requires the compilation of essential data on overdoses, deaths, and interdiction in a data dashboard, so the American people have a clear, accessible picture of the effectiveness of efforts to combat the drug crisis.

I thank Chairman GOWDY, Chairman MEADOWS, and Vice Ranking Member CONNOLLY for working with me to develop legislation that will reform ONDCP. I thank Chairman GRASSLEY, Ranking Member FEINSTEIN, and Senator CORNYN for their leadership.

Let me also give special thanks to the committee staff and, I must say, to the majority and the minority staff. They did a phenomenal job working hard in conference and throughout this effort. Without their extraordinary efforts, this legislation would not be in this package today.

Mr. Speaker, I close with a simple warning. There are a lot of people suffering. Almost 198 people die a day—a day. Those are the people who are dying, but there are a lot of people in the pipeline who are in so much pain, they don’t even know they are in pain. So while the provisions of H.R. 6 are important, without significantly expanding access to treatment and wrap-around services through long-term, sustained funding, we continue to nibble at the edges of our national crisis, and the crisis will continue to worsen.

Mr. Speaker, I thank the gentleman for yielding.

Mr. WALDEN. Mr. Speaker, it is my great honor and high privilege to yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), the Speaker of the House and my dear friend and classmate from the class of ‘98.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to talk about something that is really close to all of our hearts. We have reached a point in this country where opioid overdoses claim more than 100 lives each and every single day.

Think about that for a moment, more than 100 lives every day. Mothers and fathers are burying sons and daughters, or in some cases, sons and daughters are burying mothers and fathers.

I bring this up simply to impart the gravity of the situation, which makes our response all the more urgent. But while the situation is certainly grave, that does not mean that we should ever lose hope.

As we have worked on this legislation, we will soon send to the President, we all had to go out and gain an understanding of the facts on this issue. Everybody on both sides of the aisle spent so much time on this bill. In doing that, we have gleaned so much understanding of this epidemic.

And that is, after all, how our Republic works. That is what the people’s House does. We learn from our constituents. We hear their stories. We see the suffering, and then we act.

This is a fantastic moment of people coming together to solve a problem. I think, in this process, we gained something very special.

Many of us heard the stories from incredible souls who have known unshakable loneliness and who struggle with drug addiction. They made it through to the other side.

We met family members and friends who have known the pain and the fear that accompanies loving someone wrestling with addiction. Every one of us knows somebody or is related to somebody who has gone through this.

We met those who will never again have the chance to see the ones that they love so much.

Amid the overwhelming darkness, we have gotten to see the spark of their strength. From this pain has come something more powerful: resolve and a passion to make sure that others have a safe place to turn, that this doesn’t happen to their family.

Witnessing this kind of strength, witnessing this kind of resilience, is what helped produce this legislation. Through these bills, we are trying to ensure that anyone who needs help is not too isolated to receive it.

We are giving our communities the resources that they need to provide stronger treatment networks and support systems. That is where the healing happens. That is where Americans are at our best.

If this legislation can save one life and bring help to one person, that is what matters.

It is going to do far more than that.

So I want to thank all of those who were brave enough to share their stories with all of us. I want to thank all of those people who all of us met with
for being brave, for coming here, for meeting us, and for testifying and giving us their stories. And for all of those who are continuing to struggle in silence, I want them to know that there is no shame in their trials. In our own ways, we all fall.

In our Catholic tradition, we look to St. Jude as the patron saint of lost causes, a keeper of those some in society may have written off. To me, his guardianship is written in this legislation. There are no lost causes. No one is permanently down. It is about offering a helping hand, and it is about opening our hearts.

Mr. Speaker, I am very proud of this legislation. I am most thankful to my colleagues on both sides of the aisle who came together to put these families and to put these communities first.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. Tonko), a member of the committee.

Mr. TONKO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, all across my district, I have heard stories of individuals and families whose lives have been irrevocably changed by the scourge of the opioid epidemic: a father who lost his daughter too young and is pouring his grief into advocacy, a former neighbor who had a dad who left behind two young children, a young man who is walking the hard path of recovery and showing others how to do the same.

These are the stories I hear day in and day out. They fill my heart; they show me how the future is on the table for all of us. They fill my heart; they show me how to be the change we want to see.

One is permanently down. It is about preserving what we have, about giving those who some in society may have written off, have encountered stories of individuals and families whose lives have been irrevocably changed by the scourge of the opioid epidemic, a chance. I truly believe that this provision will transform lives.

I thank Ranking Member PALLONE, Chairman WALDEN, and their staffs for their continued efforts in this process. Without their dedicated, bipartisan work, we would not be making this progress today.

Mr. Speaker, I urge my colleagues to support H.R. 6.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. BURGESS). The country is well served by his chairmanship of the Subcommittee on Health.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, H.R. 6 is by far the most comprehensive legislation to address this national crisis. While more work remains—and I am the first to admit it—it provides meaningful solutions and vital resources for our States and localities.

Many of the priorities developed by the Energy and Commerce Committee are included in H.R. 6, like the 21st Century Tools for Pain and Addiction Treatment Act, partially repealing the institutions for mental disease exclusion and strengthening interagency coordination at our international mail institutions so that, perhaps, once and for all, we can do something about this poison coming into our country from eastern Asia to the detriment of our citizens.

I believe H.R. 6 could have been stronger. It could have included language aligning 42 CFR Part 2 with HIPAA. That stand-alone bill received 357 votes in this House. And I promise you, you will see it again. I am concerned about expanding prescriptive authority for nonphysicians, and I hope we will be able to look at that again in the future.

But I cannot let the perfect be the enemy of the good. I urge our Members to support this product today.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL), also a member of the committee.

Mrs. DINGELL. Mr. Speaker, I thank Ranking Member PALLONE for yielding and Chairman WALDEN for his leadership in bringing this bill to the floor.

Mr. Speaker, I rise in strong support of H.R. 6, the SUPPORT for Patients and Communities Act. This is a critical first step in addressing the opioid epidemic.

I have lived on all sides of this. I lived in a home with a father who was an opioid addict before anyone knew what it was. I had a sister who died of a drug overdose. Yet I also live with a man who has very serious chronic pain and needs opioids to live his life comfortably.

We cannot let the pendulum swing too far in either direction, and we cannot deny being medication to those who need it. I am confident that this legislation strikes the right balance.

This bill has four provisions which I authored included in it: The ACE Research Act, which I co-sponsored with my friend Mr. Upton, and the Innovative reintegration of the non-opioid pain medications at NIH and will help lead the next big breakthrough and bring benefits to patients. We need nonaddictive pain drugs.

I am also pleased that Jessie’s Law, which I introduced, would not forget the 25 million people who do live in pain. We cannot let the pendulum swing either way.

Mr. WALDEN. Mr. Speaker, it is now my privilege to yield 30 seconds to the gentleman from Ohio (Mr. LATTA), the very effective chairman of our Digital Commerce and Consumer Protection Subcommittee.

Mr. LATTA. Mr. Speaker, I thank the chairman for yielding.

In addition, this provision will make permanent buprenorphine-prescribing authority for nurse practitioners and physician assistants and allow certain providers to treat more patients in the first year of their license.

This bill will make a big difference for individuals struggling from addiction across our country, especially in rural areas, and for vulnerable populations like pregnant and postpartum women and the 13,000 babies born every year with neonatal abstinence syndrome.

I also want to highlight the inclusion of my Medicaid Reentry Act into this bill, which aims to improve care for individuals who are leaving jail or prison and reentering a community setting.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas.
Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico (Mr. BEN RAY LUJÁN).

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today in support of H.R. 6, the SUPPORT for Patients and Communities Act.

This is an important step forward in the fight against the Nation's opioid epidemic. However, this Congress must acknowledge that this is not the end. Healthcare is a right, not a privilege. There is much more work to do to ensure that families get the help that they deserve.

I am pleased that this package includes language that I have championed to address gaps in prevention and gaps in access to treatment. In addition, this bill will create pathways to behavioral healthcare jobs in communities like New Mexico.

Still, Congress must do more. As we have heard from Representative CUMMINGS, this is going to take much more money, investment, and comprehensive legislation.

Mr. WALDEN. Mr. Speaker, I am privileged to yield 30 seconds to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Mr. Speaker, I rise in support of the SUPPORT for Patients and Communities Act.

One of the main things I hear back home is how our Nation's ongoing opioid crisis has affected either themselves, their loved ones, or their community.

Mothers, fathers, children, bankers, dentists, bus drivers, or high school athletes, anyone can fall victim to opioid use disorder. That is why I am proud to work with my colleagues in support of the act so that we can help these people who are suffering from this terrible epidemic.

Mr. Speaker, I urge my colleagues to support this critical legislation so that we can deliver relief to those communities.

Mr. BILIRAKIS. Mr. Speaker, the SUPPORT for Patients and Communities Act is the product of a year of hearings and investigations into America's opioid crisis.

This thoughtful bipartisan legislation will provide more tools to our communities to work to make sure that we included my legislative efforts to help Medicare beneficiaries, begin reforms to the sober home industry, and address the problem of patient brokering.

We need to pass this bill and give our constituents the help they need.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. JOHNSON), who is a leader on this issue.

Mr. JOHNSON of Ohio. Mr. Speaker, today is the culmination of months of tireless work driven by heartbreaking stories of people whose lives were destroyed by opioid addiction, and, just as importantly, the powerful stories of hope and recovery.

I am grateful for the hard work of my colleagues and our Energy and Commerce staff. I am proud that my legislation to improve how health professional students are taught to recognize, prevent, and address addiction, as well as to expand the availability of telehealth and peer support services for those struggling with addiction is included.

Mr. Speaker, I am looking forward to continuing the hard work ahead on this very important issue, and I urge support for the bill.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Indiana (Mr. BUCSHON), who is a talented physician on our committee.

Mr. BUCSHON. Mr. Speaker, I rise today in support of H.R. 6, the SUPPORT for Patients and Communities Act.

This bipartisan bill will help our struggling communities to combat the opioid epidemic by increasing access and improving care to those in need and preventing new occurrences of opioid misuse and abuse.

Section 202, which I authored, would provide screening for chronic pain, address possible non-opioid pain alternatives, and increase early detection of opioid use disorder in seniors as they enter Medicare.

Mr. Speaker, I am proud to have worked with my colleagues on solutions to this serious epidemic, and I urge support of H.R. 6.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan (Mr. WALBERG) to speak on the measure.
Mr. WALDEN. Mr. Speaker, I rise today in strong support of this bipartisan package to address the opioid crisis devastating our communities.

This legislation includes two provisions authored by myself and my good friend from Michigan, Congresswoman Debbie Dingell.

One will help safely dispose of unused drugs and prevent their diversion into the community. The other, Jessie’s Law, honors the memory of Jessie Grubb and will help prevent future overdose tragedies under medical care.

Mr. Speaker, this critical legislation will help save and rebuild lives. I urge its passage today, and I look forward to its quickly advancing to the President’s desk.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia (Mr. CARTER), who is our resident pharmacist on the Energy and Commerce Committee.

Mr. CARTER of Georgia. Mr. Speaker, I would like to thank Chairmen WALDEN and Burgess for working so hard with our partners across the aisle as well as across the Capitol to come to a consensus on this critical legislation necessary to combat the opioid epidemic.

As the only pharmacist currently serving in Congress, I have seen families saved by pain medications and have seen families torn apart by the same drugs.

Since this body began tackling the opioid epidemic, I have said there are three major components to this crisis: prevention, law enforcement, and treatment.

This legislation touches all three prongs of the opioid crisis with a number of creative solutions in addition to providing offsets to ensure that solving a public health crisis does not lead to a fiscal one.

This package is not a silver bullet, but as legislators we need to do everything in our capacity to prevent the addiction and overdoses that occur every day in the United States.

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This legislation touches all three prongs of the opioid crisis with a number of creative solutions in addition to providing offsets to ensure that solving a public health crisis does not lead to a fiscal one.

I voted for many of these bills when they came before Energy and Commerce for markup, and once again I want to offer my full support for this legislation.

I am pleased that this package includes three of my own bills, the Special Registration for Telemedicine Clarification Act, the Abuse Deterrent Access Act, and the Empowering Pharmacist in the Fight Against Opioid Abuse Act.

This package is not a silver bullet—but as legislators we need to do everything in our capacity to prevent the addiction and overdoses that occur every day in the United States.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Illinois (Mr. ROSEKAM).

Mr. ROSEKAM of Illinois. Mr. Speaker, what a joy it is to be on the floor today. What a joy it is to be amongst a group of people who are trying to find common ground.

This is a good day, Mr. Speaker. There is good work that is happening. I chair the Health Subcommittee, and it was incredible to see the work that that subcommittee did on the Ways and Means Committee.

Mr. Speaker, I strongly endorse this bill, and I urge its passage.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I am honored to yield 30 seconds to the gentleman from Minnesota (Mr. PAULSEN), who has worked so hard for these issues.

Mr. PAULSEN. Mr. Speaker, I am excited to support this legislation. It is bipartisan.

Minnesotans and those who are on the front lines of the opioid crisis will be helped, and it will aid the millions of American families who are affected by this epidemic.

It includes a bipartisan measure that I authored that will help prevent opioid addiction among seniors by educating them on alternative pain management treatments, and the proper, safe disposal of prescription painkillers. It will help more than 90,000 at-risk seniors from descending into a deadly spiral of addiction.

The end result will be less addiction, fewer overdoses, and safer Minnesota communities.

Mr. Speaker, I thank the chairman for yielding time.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. RENACCI) to speak on the measure.

Mr. RENACCI. Mr. Speaker, I rise in support of this legislation which includes my bipartisan bill, the Strengthening Partnerships to Prevent Opioid Abuse Act.

The opioid epidemic has hit my home State of Ohio particularly hard, with thousands of Ohioans dying from drug overdoses every year.

This bill will make it easier for Medicare Advantage Part D drug plans, and HHS to combat fraud, waste, and abuse and prevent the overprescribing of opioids to vulnerable seniors.

I would like to thank members of the conference committee as well as their staff for including my bill in this package and for their hard work to pass legislation to address the opioid epidemic.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, may I inquire as to how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Oregon has 8½ minutes remaining. The gentleman from New Jersey has 1½ minutes remaining.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Michigan (Mr. BISHOP).

Mr. BISHOP of Michigan. Mr. Speaker, I rise in strong support of H.R. 6 which will make great strides toward ending the opioid epidemic once and for all.

I am pleased this package includes my bill, the STOP Act, which is targeted legislation to help stop synthetic opioids like fentanyl and carfentanil from entering our country through the international mail system.

I want to make sure I thank all the parents, educators, law enforcement, emergency response personnel, healthcare professionals, victims, and those suffering from addiction who have been working with me to ensure this legislation gets signed into law.

Your hard work has made a real difference.

Mr. Speaker, I also want to thank my colleagues for their support, and I urge a “yes” vote on the underlying bill, H.R. 6.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, few States have been harder hit than Kentucky in this effort on opioids, a terrible tragedy.

Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Kentucky (Mr. BARR).

Mr. BARR of Kentucky. Mr. Speaker, on behalf of the families of the Commonwealth of Kentucky which suffers from the third highest opioid overdose mortality rate in the Nation, I rise today in support of H.R. 6, and I thank the chairman for his leadership on this.

This legislation makes a critical investment to help individuals and families struggling with addiction rise above addiction and transition back into the workforce.

Specifically, H.R. 6 includes my legislation, the CAREER Act, which creates a demonstration program to promote evidence-based transitional housing that pairs recovery support with life skills, workforce training, and job placement.

I would like to thank the many nonprofits in my home State of Kentucky for inspiring this legislation.
Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania (Mr. BARLETTA). There is a lot of enthusiasm for this legislation, Mr. Speaker. We were happy to hear from Mr. BARLETTA about his thoughts on it. He has been a real leader on it.

Mr. BARLETTA. Mr. Speaker, I rise today in support of H.R. 6 which includes my bill, the Treating Barriers to Prosperity Act.

The Appalachian region, including much of my home State of Pennsylvania, has an overdose death rate 65 percent higher than the rest of the country for people ages 15 to 64. My legislation will allow communities to use Appalachian Regional Commission funding for everything from attracting doctors to putting in broadband for telemedicine. It will spur economic growth in communities hit hardest by the opioid epidemic, while also helping those struggling with addiction by breaking down barriers to employment.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentlewoman from California (Mrs. MIMI WALTERS) who is from the West Coast and is a real leader on our committee.

Mrs. WALTERS of California. Mr. Speaker, I rise in support of H.R. 6 and the IMD exclusion repeal probation modeled after my bill, the IMD CARE Act.

I fought to ensure the IMD exclusion repeal was part of this final agreement because increasing inpatient treatment options is essential in our fight against the opioid epidemic.

The Orange County Board of Supervisors agrees with leading addiction treatment groups: the IMD exclusion repeal and the IMD CARE Act are the most important steps we can take to end drug overdose deaths in Orange County.

Mr. Speaker, I urge my colleagues to support this legislation to address this public health crisis.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentlewoman from Indiana (Mrs. WALORSKI), who is also a really good leader on this issue.

Mrs. WALORSKI. Mr. Speaker, I rise today in support of H.R. 6, the SUPPORT Act. It includes my bill, named for Dr. Todd Graham, who was senselessly murdered last year over an opioid prescription.

With this legislation, we build on Dr. Graham’s legacy of treating patients not as addicts but as our fellow human beings, and for their underlying causes. Today we are taking bipartisan action to expand access to nonopioid alternatives and give our communities better tools to prevent and treat addiction.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I rise today in support of H.R. 6 as did my colleagues.

The opioid crisis has impacted nearly every community across this country, and in order to most effectively combat this crisis, we must establish a comprehensive response plan.

In my amendment, this bill includes a version of my amendment offered in committee to establish a system to track Federal funding for drug control efforts, ensuring the government knows exactly where the money is being spent, how it is being used, and if it is working.

Mr. Speaker, I support this bill, and I ask my colleagues to do so as well.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, we have heard from doctors, we heard from pharmacists, and we have heard from many family members. Now we will hear from somebody who has a distinguished career in law enforcement.

Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. KNIGHT) to speak on this legislation.

Mr. KNIGHT. Mr. Speaker, as a police officer and a street cop in L.A., I have seen the problems that the opioid epidemic has done to our communities. It has literally destroyed families and hurt our communities to no end. H.R. 6 is a much-needed display of bipartisanship to address the ongoing opioid crisis and epidemic.

Many of the issues that have come out of this bill spur development of national best practices for substance abuse recovery housing and incorporating Kickbacks in Recovery Act, to establish meaningful penalties for profiteering off other people’s pain and addiction through illicit referrals.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentlewoman from Virginia (Mr. BRAT) to speak on the measure.

Mr. BRAT. Mr. Speaker, I rise today to thank Chairman BRADY, Chairwoman FOXX, and Chairman WALDEN for addressing opioid and substance abuse disorders and their work on H.R. 6, the SUPPORT for Patients and Communities Act. I am grateful to my colleagues for treating the crisis with the urgency it deserves.

In my district, this crisis has affected way too many. I am also grateful that my bill, H.R. 5895, the Recognizing the Essential Trauma Related to Substance Abuse Act of 2018 was included in the final package before us today.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I don’t believe I have any other speakers on my side of the aisle pending, so that I reserve the balance of my time.

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

Mr. Speaker, I do urge support for this legislation. It is a good bill. It expands access in a number of ways in covering health care, but I do also want to point out that there are limitations to the bill. In other words, we do need to do a lot more.

For example, we still haven’t expanded Medicaid coverage in many States. Medicaid coverage is crucial, in terms of providing treatment.

Some say that the treatment infrastructure in our country is very much inadequate. Many people really do not have access to treatment in many parts of the country, including my home State.

I want to close by urging everyone to support this bipartisan and bicameral bill, because it does do a lot. At the same time, I remind my colleagues that we have a lot more to do if we are going to address this opioid crisis, which actually is getting worse instead of better.

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

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

Mr. Speaker, before I close, I want to especially thank our staff on both sides of the aisle for their incredible work. They have worked day and night, literally, and all through the weekend—also, the folks at the Congressional Budget Office and Legislative Counsel. But I especially thank our team: Josh Trent, Kristen Shatynski, Caleb Graff, Dan Butler, James Paluskiewicz, Danielle Steele, Adam Buckalew, Melissa Oldfield, Michael Kilmer, Peter Keilty, and Jenn Sherman, and the whole team at the Energy and Commerce Committee on both sides of the aisle.

We worked through a lot of difficult issues, issues where we didn’t start on the same side, but we ended on the same page as we listened to each other, as we listened to our constituents at home.

These are oftentimes when you are legislating that you can say what you are doing will actually save lives. This is one of those times. What we are doing here today is saving lives.

We will lift people out of addiction who are trapped there today. We will prevent people from ending up in that emergency room because they overdosed. Maybe they will find a better path. We will go after those who perpetrated this on the country and after those who try to smuggle in the opioids that are cut with heroin and kill our people.

So today’s effort is about people like Amanda, who left this world tragically...
at a very young age through an overdose. And it is about her parents. It is about Mike and Winnie. It is about Paula, and it is about her sons and sisters. It is about a woman I met in Hermiston who had to travel 5 hours to find a pharmacy that would allow her to pick up her treatment on Suboxone because nobody was available. We help fix that in this legislation.

It is about my friends at Winding Waters in Enterprise, Oregon, who I was with last week, and the sheriff and others, who talked about the continuing problems and challenges they face and who have given me great guidance on these and other issues.

I offer amendments to the House version of H.R. 6, bipartisan legislation to address the nation’s opioid crisis. CHCC is comprised of companies from varying industries that compete in the global marketplace and sponsors health plans for the benefit of our employees and other beneficiaries. Collectively, CHCC member companies provide health benefits for nearly 5 million Americans across every state in the nation.

The depth and devastation associated with the opioid crisis is being felt by families and communities nationwide. CHCC therefore applauds lawmakers for working on a bipartisan basis to reach consensus on H.R. 6, which represents a critical step forward in providing necessary resources for treatment and prevention efforts related to opioids.

We urge the House and Senate to pass this important legislation.

Sincerely,

CORPORATE HEALTH CARE COALITION.

(From the First Focus Campaign for Children, September 27, 2018)

STATEMENT: FIRST FOCUS CAMPAIGN FOR CHILDREN APPLAUDS BIPARTISAN, BICAMERAL AGREEMENT ON OPIOID LEGISLATION

WASHINGTON, D.C., SEPT. 27, 2018.—First Focus Campaign for Children is delighted to see bipartisan agreement on tackling the opioid addiction epidemic and helping those affected by it. In June, the House passed H.R. 6, the SUPPORT for Patients and Communities Act of 2018 by a vote of 99–1. It is crucial that families and foster youth affected by this devastating crisis get the help they need to overcome opioid addiction and put their lives back on track,” said Bruce Lesley, First Focus president. “We are particularly heartened that this bipartisan bill offers substantive help and hope both sides of the aisle will make children a priority going forward.”

The opioid crisis affects foster children and youth in two ways: First, children enter the child welfare and foster system often as a result of substance abuse by their parents, and secondly, foster youth who age out of care are at an increased risk of substance use disorders. We therefore commend Congress for including numerous provisions in the bipartisan, bicameral opioid package that will improve the lives of foster children and youth impacted by the opioid crisis, including:

Continuous Health Insurance for former foster youth: This provision, which corrects a flaw in existing law, allows foster youth who have aged out of care to remain on Medicaid through age 26, regardless of whether they relocate to other states. This provision recognizes the critical role health care coverage for former foster youth as they transition into adulthood.

Mr. WALDEN. Mr. Speaker, I include the following letters in the RECORD.

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

HON. MITCH MCCONNELL
Majority Leader, U.S. Senate
Washington, DC.

HON. MITCH MCCONNELL
Majority Leader, House of Representatives
Washington, DC.

HON. CHARLES SCHUMER
Minority Leader, House of Representatives
Washington, DC.

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

HON. MITCH MCCONNELL
Majority Leader, House of Representatives
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Minority Leader, House of Representatives
Washington, DC.
month, First Focus, the State Policy and Advocacy Reform Center, and PosterClub held a congressional briefing on the importance of Medicaid to foster children and youth.

Family-Focused Residential Treatment: This provision promotes family-based residential treatment for substance use disorders among children and youth. It eliminates an outdated, burdensome, and inefficient Institutions for Mental Disease (IMD) exclusion since the early 1990s. It reduces the number of children who are impacted by this provision and increases the number of children who can access care. ADAM projects that this provision will result in an additional $2.5 billion in federal funding for children's mental health care.

Recovery and Reunifying Families: This provision authorizes the replication of effective recovery coach programs to improve outcomes for children and families in the child welfare system who are impacted by substance use disorder. It provides grants to states to improve and coordinate substance use disorder treatment programs for children and youth.

Family-Focused Residential Treatment: This provision creates a grant program to promote family-based residential treatment programs, which are critical to helping parents and families get the treatment they need to overcome addiction.

Plans of Safe Care: This provision provides grants to states to improve and coordinate their response to ensure the safety, permanency, and well-being of infants affected by substance use.

Trauma-Informed Care: This provision gives the Center for Disease Control (CDC) authority to work with states to collect and report data on childhood experiences. It also directs the CDC to form a task force to promote best practices in treating children impacted by trauma and to recommend additional federal agencies regarding its coordination and response to substance use disorders and other forms of trauma that affect children and families.

At-Risk Youth - Medica Protection: This legislation would ensure that incarcerated youth are simply suspended, rather than terminated, from Medicaid while they are incarcerated. It requires states to automatically restore full eligibility to youth upon release from incarceration, and to take any steps necessary to make sure that youth begin receiving medical assistance benefits immediately.

The Fiscal Year 2019 annual spending bill for the Departments of Labor, Health and Human Services, Education and Related Agencies (H.R. 6157) includes $3.8 billion for combating the opioid crisis, and the bill should be supported by all lawmakers. Adequate federal funding for these new programs benefitting our foster children is critical. Looking ahead to Fiscal Year 2020, though, these gains may be reversed if Congress fails to lift the budget cap for non-defense discretionary spending established by the 2011 Budget Control Act. If budget caps are allowed, this type of spending will go down by $55 billion. Congress must prioritize children in our federal budget decisions.

Mr. WALDEN. Mr. Speaker, I include the following letter in the Record.

BENEFITS COUNCIL,

WASHINGTON, DC, September 27, 2018.

Dear Leader McConnell, Leader Schum-
create comprehensive opioid recovery centers (CORCs).

Improve access to telehealth services

Streamline Medicaid coverage for incarcerated pregnant women and former foster youth.

Ensure mental health parity for pregnant women and children within the CHIP program.

Codify MAT prescribing regulations allowing Nurse Practitioners and Physician Assistants to prescribe buprenorphine as well as increase flexibility for patient care, and allowing additional advanced practice nurses to prescribe for a period of 5 years.

We particularly want to highlight our support for section 9005 of H.R. 6, which authorizes $8 million to support expanded access to MAT at FQHCs and rural health clinics under the Medicare program. We believe this provision will be of great assistance to health centers who are initiating and expanding opioid use disorder treatment programs in underserved areas across the country.

Thank you again for all your hard work to bring this bill to fruition. We know there is more work we can do together to turn the tide on this public health crisis and look for opportunities to expand access to MAT at FQHCs and rural health centers under the Medicare program. We believe this provision will be of great assistance to health centers who are initiating and expanding opioid use disorder treatment programs in underserved areas across the country.

Sincerely,

TOM VAN COVERDEN,
President and CEO of NACHC.

Mr. WALDEN. Mr. Speaker, I include the following letters in the RECORD.

SEPTEMBER 26, 2018.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce strongly supports the bipartisan H.R. 6, the “Opioid Crisis Response Act of 2018.” The chamber will vote in support of the bill in our annual How They Voted scorecard.

The opioid epidemic is ravaging families and employers. Employers are increasingly concerned about employees’ safety and productivity. The opioid epidemic is not only having a significant impact on health care and productivity, it is also having a significant impact on our nation’s economy.

Opioid use is impairing productivity, increasing employee absences, increasing health care costs, and reducing business revenue. The epidemic is having a significant impact on Indonesia, China, and the United States. Indonesia is losing an estimated $350 billion per year due to the opioid epidemic.

A recent study by the National Institute on Drug Abuse estimated that the opioid epidemic cost $248 billion in 2017.

The opioid epidemic is not limited to the United States. In India, the opioid epidemic is having a significant impact on the economy. The opioid epidemic is having a significant impact on the United States. In China, the opioid epidemic is having a significant impact on the economy. In the United States, the opioid epidemic is having a significant impact on the economy.

The opioid epidemic is having a significant impact on the United States. In China, the opioid epidemic is having a significant impact on the economy. In the United States, the opioid epidemic is having a significant impact on the economy.

Thank you again for your attention to the urgent matter of opioid and other substance use disorders. We believe the goal of our Catholic health ministry in providing the best possible care and treatment for those who need it, and we hope approval of the Support for Patients and Communities Act will provide effective additional resources for doing so.

Sincerely,

SR. CAROL KEEHAN, DC,
President and CEO.

Mr. WALDEN. Mr. Speaker, I include the following letters in the RECORD.

FROM THE AMERICAN SOCIETY OF ADDICTION MEDICINE

Rockville, MD, September 26, 2018.

American Society of Addiction Medicine (ASAM) applauds inclusion of key provisions in historic opioid legislative package.

Key provisions to teach, standardize, and cover addiction medicine will help close treatment gap and save lives, addiction medicine experts say.

The American Society of Addiction Medicine (ASAM) today applauds US House and Senate leaders for announcing a bipartisan agreement on an opioid legislative package that includes key provisions to bolster the country’s addiction treatment workforce, help provide standardized, evidence-based treatment for individuals with a substance use disorder (SUD), and help ensure coverage and payment models facilitate comprehensive, coordinated care for patients seeking treatment for a SUD.

“On behalf of America’s addiction medicine physicians and other clinicians on the frontlines of this crisis, ASAM applauds our Congressional leaders for working together to include key provisions that will help close the treatment treatment gap and save lives,” said Kelly J. Clark, MD, MBA, DFASAM, President of ASAM. “Reversing course on the deaddriver crisis requires bold policy solutions that help teach, standardize, and cover addiction medicine so more patients benefit from evidence-based treatment. The agreement reached last night is an important step toward realizing this critical goal.”

Key provisions in the legislative package to teach, standardize, and cover evidence-based addiction medicine include:

Making permanent buprenorphine prescribing authority for certified physician assistants and nurse practitioners and allowing waivered practitioners to treat immediately up to 100 patients at a time (in lieu of 30) if the practitioner is board certified in addiction medicine or addiction psychiatry; or if the practitioner provides medication assisted treatment (MAT) in a qualified practice setting. Certain practitioners would also be allowed to treat up to 250 patients at a time with buprenorphine, codifying an existing rule.

Allowing physicians who have recently graduated in good standing from an accredited school of allopathic or osteopathic medicine to meet the educational requirements during school to prescribe MAT, to obtain a waiver to prescribe MAT.
Providing loan repayment relief to addiction treatment professionals who practice in high-need areas;

Creating a Medicare demonstration program to increase access to evidence-based outpatient treatment for beneficiaries with opioid use disorder that includes medication as well as psychosocial supports, care management, and peer support;

Partially repealing the Institutions for Mental Diseases (IMD) exclusion and allowing state Medicaid programs to cover care in certain IMDs to deliver services that meet certain requirements, including evidence-based assessments and levels of care;

Directing the Departments of Justice and Health and Human Services to finalize special registration regulations concerning the prescribing of medications for addiction via telemedicine within one year of enactment;

Expanding Medicare coverage to include payment for Opioid Treatment Programs through bundled payments for wholistic services;

Convening a stakeholder group to produce a report of best practices for states to consider in health care related transitions for inmates of public correctional facilities; and

Requiring the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide information to SAMHSA grantees to encourage the implementation and replication of evidence-based practices.

“Addiction is both treatable and preventable—but from where we stand today, delivering high-quality care to the millions of Americans who live with the disease of addiction will require significant investments in our workforce, coverage, and payment models that facilitate coordinated and comprehensive care, and structural changes that incentivize the use of evidence-based approaches,” said Clark. “And while we celebrate this bipartisan announcement today, ASAM knows there is still much more work to be done to ensure all Americans living with a substance use disorder get the treatment they need. ASAM will continue to advocate for building an addiction treatment system that fully integrates mental health, substance use disorder, and primary care services in order to provide the best patient outcomes. This includes supporting final passage of H.R. 6. This legislation will make it possible for the Department of Health and Human Services to replicate a ‘recovery coach’ program for parents with children in foster care due to parental substance use.”

**RECOVERY SUPPORTS**

**CAREER Act (Section 7183)**—Expands resources and wrap-around support services for individuals in recovery from a substance use disorder who are transitioning from treatment programs to independent living and the workforce;

Enforcing Access to Quality Sober Living (Section 7031)—Develops and disseminates best practices for operating recovery housing to ensure individuals are living in a safe and supportive environment;

**Building Communities of Recovery (Section 7151, 7152)**—Awards grants to community organizations to provide regional training and technical assistance in order to expand peer recovery support services nationwide;

**HELPING MOMS AND BABIES**

**Substance Use Disorder Workforce Loan Repayment (Section 7071)**—Enhances the substance use disorder treatment workforce by creating a student loan repayment program for health care professionals interested in working with pregnant and postpartum women who are receiving care for substance use disorder in a treatment facility to receive other Medicaid-covered care, such as prenatal services;

**Caring Recovery for Infants and Babies (Section 1007)**—Expands Medicaid coverage for infants with neonatal abstinence syndrome who are receiving care in residential pediatric recovery centers;

**Health Insurance for Former Foster Youth (Section 1002)**—Allows former foster youth to keep their Medicaid coverage across state lines until age 21;

**Modifies IMD Exclusion for Pregnant and Postpartum Women (Section 1002)**—Allows non-Medicaid-eligible women who are receiving care for substance use disorder in a treatment facility to receive other Medicaid-covered care, such as prenatal services;

**Report on Maternal and Infant Health in the opioid crisis (Section 7061)**—Studies best practices of pain management, prevention, identification, and reduction of opioid and other substance use disorders during pregnancy;

**Early interventions for pregnant women and infants (Section 7053)**—Develops and disseminates best practices for educational clinicians to use with pregnant women for shared decision making regarding pain management during pregnancy;

**Maternal and Postnatal Health (Section 7061)**—Authorizes data collection and analysis of neonatal abstinence syndrome and
other outcomes related to prenatal substance abuse and misuse, including prenatal opioid abuse and misuse.

HELPING PATIENTS AND FAMILIES IN CRISIS

Communication with families during emergencies (Section 7052)—Reminds healthcare providers of the fact that they are allowed under current federal privacy laws to notify families, caregivers, and health care providers of overdose emergencies involving a loved one.

Families and Patients in Crisis (Section 8212)—Grants to expand services for patients and families impacted by substance use disorder and in crisis.

LAWS ENFORCEMENT

Reauthorization of Key Law Enforcement Programs (Section 8305–8312)—Reauthorizes law enforcement programs through the Office of National Drug Control Policy, such as programs such as the High Intensity Drug Trafficking Area programs, drug courts, COPS Anti-Meth Program, and COPS anti-heroine task force program.

First Responder Training (Section 7002)—Expands first responder training, authorized through the Comprehensive Addiction and Recovery Act, to include training on safety around fentanyl and other synthetic and dangerous substances.

Public Health Laboratories Detecting Fentanyl and Other Synthetic Opioids (Section 7011)—Improves coordination between public health laboratories and laboratories operated by law enforcement to improve detection of fentanyl and other synthetic opioids.

Synthetics Trafficking and Overdose Prevention (Section 8006, 8007)—Improves Federal agencies ability to detect synthetic opioids and other substances from entering the United States through the mail.

Opioid Addiction Recovery Fraud Prevention (Sections 8021–8023)—Subjects those who engage in unfair or deceptive acts with respect to substance use disorder treatment services or substance use disorder treatment products to civil penalties for first time violations by the FTC.

Prescription Medication Safety and Disposal

Empowering Pharmacists in the Fight Against Prescription Abuse (Section 3212)—Develops and disseminates training resources to help pharmacists better detect fraudulent attempts to fill prescription medications.

Safe Disposal of Unneeded Medication (Section 3222)—Allows hospice workers to dispose of unused medications on site or in patients homes.

Access to Increased Drug Disposal (Section 3231–3230)—Awards grants to states to enhance access of prescription drug disposal programs.

Safety-enhancing Packaging and Disposal Features (Section 3032)—Requires certain opioids to be packaged into 3 or 7 day supplies and requires safe prescription drug disposal options to be given to patients upon receiving medications.

PRISONER REENTRY

Promoting State Innovations to ease transition to community for certain individuals (Section 5032)—Requires the HHS Secretary to convene a stakeholder group to produce a report of best practices for states to use in health care related transitions for inmates of public institutions. 

We commend Congress for its leadership and the bipartisan, bicameral work it has undertaken to address the ever worsening opioid crisis. We are pleased that this package continues our comprehensive approach to addressing the opioid crisis, across the entire continuum of care prevention, treatment and recovery support. In addition, it fully recognizes addiction as the medical condition that it is and contains meaningful programs aimed at helping patients and families struggling with this disease. For all of these reasons we urge the quick passage of the final agreement of the SUPPORT for Patients and Communities Act (H.R. 6).

Sincerely,

1. A New PATH, San Diego, California
2. Addiction Policy Forum
3. AIDS United
4. Alabama, Addiction Policy Forum
5. Alaska, Addiction Policy Forum
6. American Correctional Association
7. Arizona, Addiction Policy Forum
8. Association of Prosecuting Attorneys
9. Beyond Addiction, Michigan
10. Brave Health
11. CABDA of Northwest Louisiana
12. California Consortium of Addiction Programs & Professionals (CCAPP)
13. California, Addiction Policy Forum
14. Campaigns for Change
15. Caron Treatment Centers
16. CFC Loud N Clear Foundation, Farmingdale, New Jersey
17. Chicago Recovery Communities Coalition, Chicago, Illinois
18. Colorado, Addiction Policy Forum
19. Community Anti-Drug Coalitions of America (CADCA)
20. Connecticut Certification Board
22. Connecticut, Addiction Policy Forum
23. COPES
24. DarJune Recovery Support Services & Cafe, Green Bay, Wisconsin
25. Delaware, Addiction Policy Forum
26. Delphi Behavioral Health Group
27. DisposeRx
28. El Paso Alliance, El Paso, Texas
29. Faces & Voices of Recovery
30. FAVOR Low Country, Charleston, South Carolina
31. FAVOR Tri-County, Rock Hill, South Carolina
32. FedCURE
33. Fellowship Foundation Recovery Community Organization, Margate, Florida
34. Floridians for Recovery, West Palm Beach, Florida
35. Foundation for Recovery, Las Vegas, Nevada
36. Friends of Emmett
37. H.O.P.E.S. Forever
38. Healthcare Leadership Council
39. IC & RC
40. Idaho, Addiction Policy Forum
41. Illinois Association of Behavioral Health
42. Illinois, Addiction Policy Forum
43. Indiana, Addiction Policy Forum
44. Institute for Behavioral and Health (IBH)
45. Iowa, Addiction Policy Forum
46. Jackson Area Recovery Community, Jackson, Michigan
47. Kansas, Addiction Policy Forum
48. Kentucky, Addiction Policy Forum
49. Kingston NH Lions Foundation
50. Lifeline Recovery Connection, San Diego, California
51. Maine Alliance for Addiction Recovery, Augusta, Maine
52. Maine, Addiction Policy Forum
53. Maryland House Detox
54. Maryland, Addiction Policy Forum
55. Massachusetts, Addiction Policy Forum
56. Michigan, Addiction Policy Forum
57. Minnesota Recovery Connection, Minneapolis, Minnesota
58. Minnesota, Addiction Policy Forum
59. Missouri Recovery Network, Jefferson City, Missouri
60. Missouri, Addiction Policy Forum
61. Montana, Addiction Policy Forum
62. National Association of Social Workers (NASW)
63. National Prevention Science Coalition
64. National Safety Council
65. Navigate Recovery Gwinnett, Gwinnett County, Georgia
67. Nevada, Addiction Policy Forum
68. New Hampshire, Addiction Policy Forum
69. New Jersey, Addiction Policy Forum
70. New Mexico, Addiction Policy Forum
71. New York, Addiction Policy Forum
72. North Carolina, Addiction Policy Forum
73. North Dakota, Addiction Policy Forum
74. Ohio Citizen Advocates for Addiction Recovery, Columbus, Ohio
75. Oklahoma, Addiction Policy Forum
76. Oregon, Addiction Policy Forum
77. PEER Wellness Center
78. PEER360 Recovery Alliance, Bay City, Michigan
79. Pennsylvania, Addiction Policy Forum
80. People Advocating Recovery, Louisville, Kentucky
81. Phoenix House Recovery Residences
82. PMAS, Athens, Georgia
83. Reality Check, Jaffrey, New Hampshire
84. Recover Wyoming, Cheyenne, Wyoming
85. Recovery Communities of North Carolina
86. Raleigh, North Carolina
87. Recovery Connection, Williamsport, Pennsylvania
88. Recovery Community of Durham, Durham, North Carolina
89. Recovery Data Solutions
90. Rhode Island, Addiction Policy Forum
91. ROCovery Fitzness, Rochester, New York
92. Shatterproof
93. Smart Approaches to Marijuana Action (SAM Action)
94. SMART Recovery, Nationwide
95. Sobriety Matters
96. Solutions Recovery, Oskosh, Wisconsin
97. South Dakota, Addiction Policy Forum
98. SpiritWorks Foundation, Williamsburg, Virginia
99. Spring Recovery Connection, Colorado Springs, Colorado
100. Strengthening the Mid-Atlantic Region for Tomorrow (SMART)
101. Tennessee, Addiction Policy Forum
102. Texas, Addiction Policy Forum
103. The DOOR—DeKalb Open Opportunity for Recovery, Decatur, Georgia
104. The McShin Foundation, Richmond, Virginia
105. The Moyer Foundation
106. The Phoenix Project, Pennsylvania
107. The RASE Project, Harrisburg, Pennsylvania
108. The Solano Project, Fairfield, California
109. Trust for America’s Health
110. Utah, Addiction Policy Forum
111. Utah, ProjectMediQ
112. Utah, Recovery Community Forum
113. Voices of Hope Lexington, Lexington, Kentucky
114. Voices of Hope Marion County, Marion County, Georgia
115. Voices of Hope Lexington, Lexington, Kentucky
116. Voices of Hope Lexington, Lexington, Kentucky
117. Voices of Hope Madison County, Madison County, Georgia
118. WAI-IAM, Inc. and RISE Recovery Community, Lansing, Michigan

August 28th, 2018
Mr. TURNER. Mr. McSALLY, Messrs. RICE of South Carolina, RUTHERFORD, RUSSELL, SANFORD, REICHERT, and HOLLINGSWORTH changed their vote from "yea" to "nay." Mr. McCOLLUM and Mr. HUFFMAN changed their vote from "nay" to "yea." So the motion to recommence was adopted as amended.

Stated against—

Mr. HILL. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 413.
The SPEAKER pro tempore. The question is on the passage of the bill. Pursuant to House Resolution 1084, the yeas and nays are ordered. This is a 5-minute vote. The vote was taken by electronic device, and there were—yeas 220, nays 191, not voting 18, as follows:

(Roll No. 414) YEAS—220

A traditional roll call vote is taken and the results are announced.

LEGISLATIVE PROGRAM

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

Mr. McCARTHY. Mr. Speaker, I rise for the purpose of making a scheduling announcement.

Members are advised that votes are no longer expected in the House during the weeks of October 1 and October 8, no longer expected in the House during the weeks of October 1 and October 8, no longer expected in the House during the weeks of October 1 and October 8.

Now, I would also like to make another announcement. I would also like to note that today is the 1-year anniversary of this event, of our friend, Majority Whip STEVE SCALISE, returning to Congress after the attempt on his life. I will not forget the day of that shooting. Many of you may know—

STEVE did not know that at that moment—but KEVIN BRADY, Patrick, and I were sitting with the doctor waiting for Jennifer to arrive. We celebrated him coming back, but we didn't know that he was even going to make it. And I have been friends for more than 20 years, long before we ever entered this floor. STEVE had always had the strength and the courage, and he is an example for a public servant and for all of us to impart. I am just so glad that STEVE is back with us.

Mr. HOYER. Will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I will ask the majority leader a question, just to make sure we all understand the schedule. But before I do that, I want to join the majority leader in saying how pleased we are that STEVE SCALISE not only came back, but is making such a positive contribution to the Congress of the United States.

I say to STEVE that when he came back, he gave one of those talks that I will always remember: his gratitude for the care of so many people around the world who made it possible for me. STEVE and I have been friends for—we were talking tonight. And I think that they were talking on the House floor tonight, and that it appeared that the majority leader said we weren't going to be here next week.

Welcome back, and God bless him, and we wish him a full, full recovery. We don't want him to be too strong on this side, but we want him strong.

And with that, we were talking tonight, and it appeared that the majority leader said we weren't going to be here next week.

Mr. McCARTHY. Or the week after.

Mr. HOYER. Or the week after. Is there a possibility, from that, that we may be here during the month of October?

Mr. McCARTHY. No.

I thank the gentleman for his question.

November 13, if I am correct, is the first time we will come back, and hopefully we will come back in the same order we leave.

Mr. HOYER. Thank you. We look forward to being back on November 13. I thank the majority leader.

SUBSTANCE USE-DISORDER PREVENTION THAT PROMOTES OPIOID RECOVERY AND TREATMENT FOR PATIENTS AND COMMUNITIES ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.
The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WAL-MAN) 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 the result was—yeas 393, nays 8, not voting 27, as follows:

YEAS—393

Polis
MacArthur
Maloney,
Carolyn B.
Marchant
Marino
Marshall
Mast
Matsui
McCaul
McCollum
McGovern
McHenry
McKinley
McMorris
McNerney
McSally
Meeks
Menendez
Mitchell
Moore
Mooney (NV)
Moran
Moore
Napolitano
Neal
Newhouse
Norris
Norman
O'Halleran
O'Roarke
Palazzo
Palone
Pallone
Palmer
Panetta
Pascrell
Paul
Perkins
Persyn
Peterson
Petters
Peters
Petersen
Perry
Pelosi
Poliquin

Buck
Bucco
Budd
Burges
Butler
Byrne
Calvert
Capuano
Caraballo
Cardeña
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castronuovo
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Cohen
Cullen
Collins (GA)
Collins (NY)
Comer
Comstock
Connolly
Cook
Cooper
Correa
Costa

Price (NC)
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rohrabacher
Rooney, Francis
Rooney, Thomas
J.
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (TX)
Ros-Lehtinen
Ross
Roskam
Rouzer
Royal-Allard
Royce (CA)
Run
Ruppersberger
Russell
Ryan (NY)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneiber
Schroder
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sheehy
Smith (MO)
Smith (NE)

Zeldin
Smith (NJ)
Smith (TX)
Smith (WA)
Sommer
Soto
Speer
Stefanik
Stewart
Stivers
Suozzi
Swawel\(l\)(CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MI)
Thompson (PA)
Thenberry
Tipton
Titus
Torrance
Trout
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velasquez
Walberg
Walden
Walker
Walter
Walters
Watterson
Schultz
Schuette
Walsh
Watner
Webber (TX)
Webster (FL)
Welch
Wenstrup
Western
Wilson (SC)
Wittman
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)

González (TX)
Gonzalez (LA)
Gowdy
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Hanna
Hanna
Handel
Harris
Hartl
Hastings
Heck
Hennessy
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McClintock
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COMMUNICATION FROM CHAIR COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

CONGRESSIONAL RECORD — HOUSE

WASHINGTON, DC, SEPTEMBER 27, 2018

COMMUNICATION FROM CHAIR COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

WASHINGTON, DC, SEPTEMBER 27, 2018

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures:

COMMITTER RESOLUTION

ALTERATION—CONSOLIDATION ACTIVITIES PROGRAMS, VARIOUS BUILDINGS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representaties, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the reconfiguration and renovation of space within government-owned and leased buildings during Fiscal Year 2019 to improve space utilization, optimize inventory, and decrease reliance on leased space at a total cost of $70,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that the Expenditure Plan be submitted to the Committee prior to the expenditure of any funds.

Provided, that said projects result in reduced annual rent paid by the tenant agency.

Provided, that no consolidation project exceeds $2,000,000 in costs.

Provided further, that preference is given to consolidation projects that achieve an office consolidation that exceeds $20,000,000 in costs.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.
GSA

PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PCA-0001-MU19

FY 2019 Project Summary
The General Services Administration (GSA) proposes the reconfiguration and renovation of space within Government-owned and leased buildings during fiscal year (FY) 2019 to support GSA's ongoing consolidation efforts to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the Government’s environmental footprint.

Since inception of the Consolidation Activities Program in FY 2014, GSA has received $263 million in support of the program. Through FY 2017, the Consolidation Activities Program has funded 78 projects. When complete, the 78 projects will result in more than a 1.67 million usable square foot (USF) reduction, reduce agency rental payments to GSA by $66 million annually, and generate $132 million in annual Government lease cost avoidance.

FY 2019 Committee Approval and Appropriation Requested ........................................$70,000,000

Program Summary
As part of its ongoing effort to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the Government’s environmental footprint, GSA is identifying consolidation opportunities within its inventory of real property assets. These opportunities are presented through surveys and studies, partnering with customer agencies, and through agency initiatives. Projects will vary in size by location and agency mission and operations; however, no single project will exceed $20 million in GSA costs. Funds will support consolidation of customer agencies and will not be available for GSA internal consolidations. Preference will be given to projects that result in an office utilization rate of 130 USF per person or less and a total project payback period of 10 years or less.

Typical projects include the following:

- Reconfiguration and alteration of existing Federal space to accommodate incoming agency relocation/consolidation. (Note: may include reconfigurations of existing occupied Federal tenant space); and

- Incidental alterations and system upgrades, such as fire sprinklers or heating, ventilation, and air conditioning, needed as part of relocation and consolidation.

Projects will be evaluated using the following criteria:

- Preference will be given to projects that are identified as a reduction opportunity by both GSA and the subject agency, and that meet the other criteria.

- Proposed consolidation projects will result in a reduction in annual rent paid by the impacted customer agency.
GSA

PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PCA-0001-MU19

- Preference is given to consolidations within or into owned buildings over consolidations within or into leased space.

- Consolidation of expiring leases into owned buildings will be given preference over those business cases for lease cancellations that include a cancellation cost.

- Co-location with other agencies with shared resources and special space will be given preference.

- Links to other consolidation projects will be given preference.

Justification

GSA continually analyzes opportunities to improve space utilization and realize long-term cost savings for the Government. Funding for space consolidations is essential so that GSA can execute those opportunities.

Projects funded under this authorization will enable agencies to consolidate within Government-controlled leased space or relocate from either Government-controlled leased or federally owned space to federally owned space that more efficiently meets mission needs. These consolidations will result in improved space utilization, cost savings for the American taxpayers, and a reduced environmental impact.
Certification of Need

Current administration and congressional initiatives call for improved space utilization, lower costs for the Government, and a reduced environmental footprint. GSA has determined that the proposed consolidation program is the most practical solution to meeting those goals.

Submitted at Washington, DC, on ____________

Recommended:  

Approved:  

Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representa-
tives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for repairs and alterations to upgrade, replace, and improve fire protection systems and life safety features in government-owned buildings during Fiscal Year 2019 at a total cost of $30,000,000, a prospectus for which is attached to and included in this resolution.
PROSPECTUS - ALTERATION  
FIRE PROTECTION AND LIFE SAFETY PROGRAM  
VARIOUS BUILDINGS  

Prospectus Number: PFP-0001-MU19

FY 2019 Project Summary
This prospectus proposes alterations to upgrade, replace, and improve fire protection systems and life safety features in Government-owned buildings during fiscal year (FY) 2019.

Since FY 2010, the General Services Administration (GSA) has received $94,000,000 in support of this program. These funds supported 87 projects in over 72 Government-owned buildings.

FY 2019 Committee Approval and Appropriation Requested.............................. $30,000,000

Program Summary
As part of its fire protection and life safety efforts, GSA currently is identifying projects in Federal buildings throughout the country through surveys and studies. These projects will vary in size, location, and delivery method. The approval and appropriation requested in this prospectus is for a diverse set of retrofit projects with engineering solutions to reduce fire and life safety hazards. Typical projects include:

- Replacing antiquated fire alarm and detection systems that are in need of repair or for which parts are no longer available.

- Installing emergency voice communication systems to facilitate occupant notification and evacuation in Federal buildings during an emergency.

- Installing or expanding, as necessary, fire sprinkler systems to provide a reasonable degree of protection for life and property from fire in Federal buildings.

- Constructing additional exit stairs or enclosing existing exit stairs to facilitate the safe and timely evacuation of building occupants in the event of an emergency.

Justification
GSA periodically assesses all facilities using technical professionals to identify hazards and initiate correction or risk-reduction protection strategies so that its buildings do not present an unreasonable risk to GSA personnel, occupant agencies, or the general public. Completion of these proposed projects will improve the overall level of safety from fire and similar risks in federally owned buildings in GSA’s portfolio nationwide.
PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PFP-0001-MU19

Certification of Need

Over the years, a number of fire protection and life safety issues have been identified that need to be addressed to reduce fire risk. The proposed program is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for alterations to improve physical security in government-owned buildings occupied by the Judiciary and U.S. Marshals Service during Fiscal Year 2019 in lieu of future construction of new facilities at a total cost of $11,500,000, a prospectus for which is attached to and included in this resolution.
PROSPECTUS - ALTERATION
JUDICIARY CAPITAL SECURITY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PJCS-0001-MU19

FY 2019 Project Summary
This prospectus proposes alterations to improve physical security in Government-owned buildings occupied by the Judiciary and the Department of Justice—U.S. Marshals Service (USMS) during fiscal year (FY) 2019.

Since FY 2012, GSA has received $106,700,000 in support of this program. These funds supported 11 projects.

FY 2019 Committee Approval and Appropriation Requested ...................... $11,500,000

Program Summary
The Judiciary Capital Security Program is dedicated to improving physical security in buildings occupied by the Judiciary and USMS. In most cases, these projects are in lieu of constructing new facilities, thereby providing cost savings and expedited delivery. These projects will vary in size, location, and delivery method and are designed to improve the separation of circulation for the public, judges, and prisoners. Funding provided for the security improvement projects will address elements such as adding doors, reconfiguring or adding corridors, reconfiguring or adding elevators and sallyports, and constructing physical or visual barriers.

Justification
This program provides a vehicle for addressing security deficiencies in a timely and less costly manner when constructing a new courthouse is unlikely in the foreseeable future. The projects in this program are based on studies undertaken by the Judiciary. This prospectus requests separate funding to address security conditions at existing Federal courthouses. The Judiciary’s asset management planning process helps in the compilation of a preliminary assessment of potential projects that involve courthouses with poor security ratings nationwide.
PROSPECTUS - ALTERATION
JUDICIARY CAPITAL SECURITY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PJCS-0001-MU19

Certification of Need

Over the years, a number of security issues have been identified that need to be addressed to reduce risk to physical security. The proposed program is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §307, appropriations are authorized for repairs and alterations for the full modernization of and to convert Building 48 from a vacant warehouse building into a fully occupied office building, including upgrading building systems and the fire suppression system, repairing structural and architectural deficiencies, installing an elevator, abating hazardous materials, and improving landscaping and underground utilities at the Denver Federal Center located at West 6th Avenue and Kipling Street in Lakewood, Colorado at a design cost of $3,821,000, an estimated construction cost of $40,516,000 and a management and inspection cost of $2,696,000 for a total estimated project cost of $47,035,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 48
LAKEWOOD, CO

Prospectus Number: PCO-0522-LA19
Congressional District: 7

FY 2019 Project Summary
The General Services Administration (GSA) proposes a repair and alteration project for a full modernization of Building 48 at the Denver Federal Center (DFC), located at West 6th Avenue and Kipling Street in Lakewood, CO. The project will convert Building 48 from a vacant warehouse building into a fully occupied Class A office building. The proposed project will upgrade building systems and the fire suppression system, repair structural and architectural deficiencies, install an elevator, abate hazardous materials, and improve landscaping and underground utilities. This project will provide an efficient office layout that both reduces agency utilization rates and allows for the backfill of approximately 149,000 rentable square feet (RSF) of vacant federally owned space. The renovated space will be occupied by the Department of the Interior (DOI) – Interior Business Center (IBC), which is currently housed in leased space. Relocation of IBC to Building 48 provides an annual lease cost avoidance of approximately $4,600,000 and an annual agency rent savings of approximately $1,200,000.

FY 2019 Committee Approval and Appropriation Requested
(Design, Construction, Management & Inspection).................................$47,035,000

Major Work Items
Electrical, heating, ventilation and air conditioning (HVAC), plumbing, and fire protection systems replacement; roof replacement; exterior closure repairs and replacement; interior construction; paving and landscaping; interior finishes; structural upgrades; demolition; utilities relocation; and elevator installation.

Estimated Project Budget

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>$3,821,000</td>
</tr>
<tr>
<td>Estimated Construction Cost (ECC)</td>
<td>40,516,000</td>
</tr>
<tr>
<td>Management &amp; Inspection (M&amp;I)</td>
<td>2,698,000</td>
</tr>
<tr>
<td>Estimated Total Project Cost (ETPC)*</td>
<td>$47,035,000</td>
</tr>
</tbody>
</table>

*Tenant agency may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

<table>
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<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
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</thead>
<tbody>
<tr>
<td>Design and Construction</td>
<td>FY 2019</td>
<td>FY 2022</td>
</tr>
</tbody>
</table>
Building

Building 48 is part of the DFC’s main campus and contains 154,422 gross square feet. The first section of the building was originally constructed in 1941 as part of the Denver Ordinance Plant, with additions made in the 1950s, 1960s, and in 1971. The building is predominantly warehouse space that was formerly occupied by the National Archives and Records Administration (NARA), which moved to a new location in 2013.

Tenant Agencies

Department of the Interior – Interior Business Center

Proposed Project

The project proposes a full modernization of Building 48 to renovate approximately 149,000 RSF of space, including the addition of a main entrance with an atrium to provide for daylighting. A below-grade courtyard will provide access and natural light for the basement-level office space with new windows and landscaping. This project will allow for a higher density open office environment and the relocation of the IBC from leased space.

Exterior walls will be insulated, repaired, and re-caulked, and the masonry will be repointed. All exterior windows will be replaced with efficient insulated glazing. Additional windows will be added to increase natural light. The entire roof and roof drain system will be replaced with skylights and solar tubes to provide top lighting, thereby increasing daylight penetration into the building’s interior spaces. The project also will replace exterior stairs, railings, ramps, and sidewalks. A parking lot to accommodate approximately 500 parking spaces will be constructed. Site utilities will be replaced and relocated.

The basement will be built out and used for office space. To accommodate the use of the basement, a passenger elevator will be installed. Walls that do not provide structural support will be removed to create an open office area. Some loading docks will be removed, and the remaining docks will have new levelers, seal enclosures on doors, and electric vehicle charging stations installed. There also will be structural repairs and upgrades to provide sufficient support to the existing structure and additions.

The plumbing systems for hot water, chilled water, and sanitary sewer piping will be replaced, along with two domestic hot water heaters and gas piping. The project also includes an energy-efficient cooling and heating system with appropriate air distribution and building automation system, new electrical system, emergency power, a lighting
system, a telecom room and equipment, security access control equipment, and a lighting protection system. Fire protection upgrades, including fire sprinklers and new fire alarm, will be installed. Architectural Barriers Act Accessibility Standards requirements will be addressed by automatic entrances, audible and visual notification systems, egress doors, larger stairwells, and accessible restrooms and parking spaces. The project also will abate hazardous materials encountered during construction.

Major Work Items

<table>
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<tr>
<th>Work Item</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Electrical Replacement</td>
<td>$7,979,000</td>
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<tr>
<td>HVAC Replacement</td>
<td>8,486,000</td>
</tr>
<tr>
<td>Interior Finishes</td>
<td>5,453,000</td>
</tr>
<tr>
<td>Plumbing Replacement</td>
<td>4,171,000</td>
</tr>
<tr>
<td>Interior Construction</td>
<td>2,378,000</td>
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<tr>
<td>Paving and Landscaping</td>
<td>2,975,000</td>
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<tr>
<td>Exterior Closures Repairs and Replacement</td>
<td>2,305,000</td>
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<tr>
<td>Structural Upgrades</td>
<td>1,453,000</td>
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<td>Fire Protection Replacement</td>
<td>607,000</td>
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<tr>
<td>Demolition</td>
<td>3,962,000</td>
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<tr>
<td>Roof Replacement</td>
<td>455,000</td>
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<tr>
<td>Utilities Relocation</td>
<td>292,000</td>
</tr>
<tr>
<td>Total ECC</td>
<td>$40,516,000</td>
</tr>
</tbody>
</table>

Justification

Building 48 was occupied by NARA for approximately 50 years and has been vacant for approximately 3 years. The building is predominantly warehouse space and is essentially a building shell that requires a complete modernization to facilitate the backfill.

Completion of this project reduces vacant space by approximately 149,000 RSF and eliminates approximately $5 million in future annual lease payments to the private sector. IBC is currently housed in three leased locations and experiencing growth. GSA has been working closely with IBC since 2009 to create a solution that will allow it to consolidate its leases, provide more efficient work space, and upgrade its space to meet the modern day demands of running its business.

This project will provide IBC with a higher quality, more efficient work environment, progressive alternative workplace arrangements with shared resources, open office space, flexible conference rooms, and collaboration areas, in addition to telework and office
sharing. IBC will be closer to the other DOI bureaus and offices at the DFC, thereby providing easier access to its services.

The proposed full modernization of Building 48 will transform a deteriorating core asset at the heart of one of the country's largest Federal Government campuses into a high-performing LEED Gold facility capable of housing Class A office space for at least the next 30 years.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals
None

Prior Prospectus-Level Projects in Building (past 10 years):
None

Alternatives Considered (30-year, present value cost analysis)

 Alteration: .................................................................$76,036,000
 Lease .................................................................$179,994,000
 New Construction: .............................................................$109,031,000

The 30-year, present value cost of alteration is $103,958,000 less than the cost of leasing, with an equivalent annual cost advantage of $3,465,000.

Recommendation
ALTERATION
Prospectus Alteration
Denver Federal Center Building 48
Lakewood, CO

Prospectus Number: PCO-0522-LA19
Congressional District: 7

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for the partial modernization of Building 53, including upgrading building systems and backfilling vacant space at the Denver Federal Center located at West 6th Avenue and Kipling Street in Lakewood, Colorado at a design cost of $3,464,000, an estimated construction cost of $38,306,000 and a management and inspection cost of $2,757,000 for a total estimated project cost of $44,527,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
The General Services Administration (GSA) proposes a repair and alteration project for a partial modernization and backfill of Building 53 at the Denver Federal Center (DFC) located at West 6th Avenue and Kipling Street in Lakewood, CO. The proposed project will upgrade building systems and backfill vacant space. This project will provide a more efficient layout that both reduces agency utilization rates and allows for the recapture of and backfill of approximately 164,000 rentable square feet of vacant federally owned space. The vacant space will be occupied by the Department of the Interior (DOI) - Business Integration Office (BIO), DOI - Fish & Wildlife Service (FWS), and DOI - Office of Chief Information Officer (OCIO). Relocation of FWS and OCIO to Building 53 provides an annual lease cost avoidance of approximately $3,000,000 and an annual agency rent savings of approximately $600,000.

**FY 2019 Project Summary**

Electrical, heating, ventilation and air conditioning (HVAC), roof, fire protection, and plumbing systems replacements; exterior closure repairs; interior finishes; paving, landscaping and site utilities; structural upgrades; and elevator repair and installation

**Estimated Project Budget**

- Design .......................................................... $3,464,000
- Estimated Construction Cost (ECC) .................. $38,306,000
- Management & Inspection (M&I) .................. $2,757,000

**Estimated Total Project Cost (ETPC)** .................. $44,527,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.*

**Schedule**

<table>
<thead>
<tr>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>FY 2019</td>
</tr>
<tr>
<td>Construction</td>
<td>FY 2022</td>
</tr>
</tbody>
</table>
PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO

Prospectus Number: PCO-0530-LA19
Congressional District: 7

Building
Building 53 is part of the DFC’s main campus and contains 387,826 gross square feet. The building was originally constructed in 1941 as part of the Denver Ordinance Plant. The building is a two-story brick structure with predominantly office space and some lab and warehouse space.

Tenant Agencies
Department of Agriculture – Forest Service, Natural Resources Conservation Service; Department of Health and Human Services – Office of the Secretary, Centers for Disease Control and Prevention; Department of Labor – Office of Inspector General, Employee Standards Administration, Office of Workers Compensation Program; Department of the Interior – Geological Survey, Bureau of Land Management, National Park Service, Bureau of Reclamation, Office of the Secretary, Office of Natural Resources and Revenue, BIO, FWS, OCIO; Department of Transportation – Pipeline and Hazardous Materials Safety Administration; Department of Veterans Affairs – Office of Information and Technology, Veteran Benefits Administration; Department of Homeland Security – Federal Protective Service; Environmental Protection Agency; Department of Defense – Defense Civilian Personnel Advisory Service; Small Business Administration; GSA – Public Buildings Service Field Office, Retail Service.

Proposed Project
This project will allow for a higher density open office environment and the relocation of FWS and OCIO from leased space. BIO also will be relocating from other Government-owned space at the DFC.

In addition to vacant space recapture, the following work will take place in the vacant space to be backfilled, as well as the common spaces: replace electrical power devices, cables, and telephone and data systems; replace light fixtures, lighting controls and related cable; upgrade the cooling and heating system equipment, controls and air distribution; and fire protection upgrades, including fire sprinklers and alarms. The plumbing systems for hot water and chilled water and plumbing fixtures will be replaced.

The project includes paving and landscaping for a parking lot to accommodate approximately 65 vehicles and relocation of utilities to provide lighting for the parking lot.

The foundation and floor slab will be repaired throughout the building, as required. The project includes replacement of the sanitary sewer system for the entire building, the roof,
and the exterior windows, which replacement will include efficient insulated glazing. Exterior walls will be insulated and repaired, the masonry will be re-caulked and repointed, and some exterior doors will be replaced. All restrooms will be upgraded with new finishes. The existing elevators will be upgraded and one new elevator will be installed at the main entrance.

**Major Work Items**

- Electrical Replacement: $10,385,000
- Interior Finishes: 7,655,000
- HVAC Replacement: 3,266,000
- Exterior Closures Repairs and Replacement: 5,312,000
- Roof Replacement: 5,043,000
- Fire Protection Replacement: 2,272,000
- Plumbing Replacement: 1,605,000
- Paving, Landscaping and Site Utilities: 1,268,000
- Structural Upgrades: 945,000
- Elevator Repair and Installation: 555,000
- **Total ECC**: $38,306,000

**Justification**

The building has not undergone significant reinvestment since originally constructed in 1941. Many of its systems no longer meet the current code requirements or have exceeded their useful life, and replacement parts are expensive and difficult to find. DOI is the largest tenant on the DFC and is actively working with GSA to reduce its footprint and eliminate multiple private sector leases. This project will provide a high-quality, more efficient work environment, the ability to embrace new technologies, and better space layout. This allows increased collaboration and coordination among DOI’s bureaus to better fulfill their missions and goals. These moves are part of the GSA and DOI long-term strategic plan for the DFC and will transform a deteriorating core asset into a high-performing facility that will continue operating for at least another 30 years.

The lighting, electrical system, and various components of the HVAC system are beyond their useful lives and need to be brought up to current design standards. Currently, there is no emergency generator to support the building. The windows are outdated and do not meet required thermal and infiltration performance levels. The roof is in poor condition and beyond its useful life, and the building envelope needs to be sealed to prevent water infiltration into customer space and avoid further work outages. The fire protection system is outdated and will be upgraded in renovated space and common areas. The
Prospectus – Alteration
Denver Federal Center Building 53
Lakewood, CO

Prospectus Number: PCO-0530-LA19
Congressional District: 7

Sewer piping is at the end of its useful life and needs to be replaced. New domestic water supply and fixtures will be required for newly renovated areas, as well as common areas. An additional parking area is needed to accommodate the increased number of tenants. The floor is uneven in some areas and the floor slab is cracking and heaving. The existing elevators are in need of upgrades, in addition to a new passenger elevator to better distribute upper level access across the building.

Undertaking the necessary infrastructure improvements will reduce greenhouse gas emissions, improve energy efficiency, reduce maintenance costs, help facilitate long-term tenancy, and meet customer agency needs.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals
None

Prior Prospectus-Level Projects in Building (past 10 years):
None

Alternatives Considered (30-year, present value cost analysis)

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alteration</td>
<td>$65,113,000</td>
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<tr>
<td>Lease</td>
<td>$308,688,000</td>
</tr>
<tr>
<td>New Construction</td>
<td>$199,403,000</td>
</tr>
</tbody>
</table>

The 30-year, present value cost of alteration is $243,575,000 less than the cost of leasing, with an equivalent annual cost advantage of $8,119,000.

Recommendation
ALTERATION
PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO

Prospectus Number: PCO-0530-LA19
Congressional District: 7

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for realigning and reconfiguring approximately 286,000 usable square feet of Department of Education-occupied space and upgrading or replacing multiple building systems at the Lyndon Baines Johnson Federal Building located at 400 Maryland Avenue, SW in Washington, D.C. at an additional design cost of $1,266,000, an estimated construction cost of $30,431,000, a management and inspection cost of $25,000 for a total additional project cost of $32,522,000 and a total estimated project cost of $36,722,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
PROSPECTUS – ALTERATION
LYNDON BAINES JOHNSON FEDERAL BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0010-WA19

FY 2019 Project Summary
The General Services Administration (GSA) proposes a repair and alteration project for the Lyndon Baines Johnson (LBJ) Federal Building located at 400 Maryland Avenue, SW, Washington, DC. The proposed project will realign and reconfigure approximately 286,000 usable square feet (USF) of Department of Education (Education)-occupied space and upgrade or replace multiple building systems. The proposed renovation will support GSA and Education’s ongoing efforts to improve Education’s utilization of space and generate an annual lease cost avoidance of approximately $6,500,000 and an annual agency rent savings of approximately $3,000,000.

FY 2019 Committee Approval and Appropriation Requested
(Additional Design, Construction, Management & Inspection) .................. $32,522,000

Major Work Items
Electrical, heating, ventilation and air conditioning (HVAC), fire and life safety, and plumbing systems upgrades/replacements; demolition; interior construction

Project Budget

| Design (FY 2018) | $4,200,000 |
| Design Cost | $1,266,000 |
| Estimated Construction Cost (ECC) | $30,431,000 |
| Management and Inspection (M&I) | $825,000 |

Estimated Total Project Cost (ETPC)* $36,722,000

*The tenant agency may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

<table>
<thead>
<tr>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>FY 2018</td>
</tr>
<tr>
<td>Construction</td>
<td>FY 2019</td>
</tr>
</tbody>
</table>

Building

Constructed in 1959, the LBJ Federal Building consists of 640,332 gross square feet and 386,635 USF. The building has seven floors occupied above grade, plus a mechanical penthouse, and two levels below grade, including the basement parking area. The property is across the street from the Smithsonian’s Air and Space Museum, as well as the National Museum of the American Indian. A planned memorial to President Dwight D.
Eisenhower is expected to be constructed in the next few years on the north side of the LBJ Federal Building.

**Tenant Agencies**
Department of Education

**Proposed Project**
The project proposes to renovate and reconfigure floors 3, 4, 6, and 7 of the existing building, resulting in an open office environment with sufficient work and meeting space to meet Education’s programmatic requirements in a much more efficient manner while consolidating personnel from leased space.

The majority of the building system capacities will meet the forecast demand after consolidation, but a few system upgrades are needed. These upgrades include the HVAC controls, new power distribution circuits and breaker ties, open mobile workspace construction, and a new generator.

The proposed project also includes life safety items, such as new fire alarm annunciators and replacement of equipment in fire control rooms, and items to improve energy efficiency. Additionally, the switchgear replacement project will replace the medium and low voltage switchgear and network transformers and protectors, and upgrade the monitoring devices within the switchgears to be compatible with GSA requirements for the advanced metering systems.

**Major Work Items**

<table>
<thead>
<tr>
<th>Work Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical Upgrades</td>
<td>$21,603,000</td>
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<tr>
<td>Interior Alterations</td>
<td>$6,892,000</td>
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<tr>
<td>Life Safety Upgrades</td>
<td>$974,000</td>
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<td>Plumbing Upgrades</td>
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<tr>
<td><strong>TOTAL ECC</strong></td>
<td><strong>$30,431,000</strong></td>
</tr>
</tbody>
</table>

**Justification**
The proposed project will increase the utilization of the LBJ Federal Building, thereby allowing Education to use the space more efficiently and cost effectively and reduce its reliance on privately owned leased space. This reduction will further reduce the Government’s real estate footprint and save the taxpayer’s money.
GSA

PROSPECTUS – ALTERATION
LYNDON BAINES JOHNSON FEDERAL BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0010-WA19

The existing medium- and low-voltage switchgear is obsolete and lacks the safety features and equipment required. Upgrading the current equipment will achieve at least another 20 years of reliable service.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

Alteration: ................................................................. $314,697,947
Lease: ....................................................................... $580,101,162
New Construction: ..................................................... $325,073,546

The 30-year, present value cost of alteration is $265,403,215 less than the cost of leasing, with an equivalent annual cost advantage of $13,192,970.

Recommendation

ALTERATION
Prospectus

Prospectus Number: PDC-0010-WA19

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for structural and related system upgrades of the parking garage at the Minton-Capehart Federal Building located at 575 North Pennsylvania Street in Indianapolis, Indiana of a reduction in design cost of $195,000, an additional estimated construction cost of $3,358,000 and a reduction in management and inspection cost of $6,000 for a total additional cost of $3,157,000 and total estimated project cost of $13,941,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on May 25, 2016 of Prospectus No. PIN–0133–1N17.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN

Prospectus Number: PIN-0133-IN19
Congressional District: 7

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to undertake structural and related system upgrades of the parking garage at the Minton-Capehart Federal Building located at 575 North Pennsylvania Street in Indianapolis, IN. The proposed project will address safety and operability issues of the rapidly deteriorating garage.

This prospectus amends Prospectus No. PIN-0133-IN17. GSA is requesting approval of an additional $3,157,000 to account for cost escalations and refined project scope and budget.

FY 2019 Committee Approval Requested

(Construction) ................................................................. $3,157,0001

FY 2019 Committee Appropriation Requested

(Design, Construction, Management & Inspection) ........................................... $13,941,000

Major Work Items

Superstructure repairs and demolition; electrical and fire protection replacement/upgrades

Project Budget

Design ................................................................. $904,000
Estimated Construction Cost (ECC) ........................................ 12,165,000
Management and Inspection (M&I) ........................................ 872,000
Estimated Total Project Cost (ETPC)* ........................................ $13,941,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

1 The amount approved for Design and Management and Inspection in Prospectus No. PIN-0133-IN17 by the House and Senate Committees includes $201,000 ($195,000 Design and $6,000 Management and Inspection) more than the current estimate. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved $195,000 from Design and $6,000 from Management and Inspection to Construction.
Building
The Minton-Capehart Federal Building, built in 1974, is six stories above grade and includes a mezzanine and basement. The attached parking garage, which is original to the building, is two stories, with the first story partially below grade and partially exposed to the elements. The garage provides 464 parking spaces, which accommodates Government-owned, including law enforcement, vehicles, and 75 vehicles associated with the nearby Birch Bayh Federal Building and U.S. Courthouse tenants. The upper deck serves as a partial cover for the lower deck. The garage is elevated and entirely open to the atmosphere and elements. The garage’s upper deck is joined to the Federal Building’s first floor entry and plaza. The lower level has a dock area that is also attached to the Federal Building.

Tenant Agencies
Department of Housing and Urban Development, Department of Justice, Department of the Treasury, Department of Veterans Affairs, Department of Homeland Security, GSA, Department of Transportation, National Labor Relations Board, Social Security Administration, Department of Labor (parking only), and Judiciary (parking only)

Proposed Project
The proposed project scope includes concrete repairs and upgrades to lateral load resistance, which will extend the life of the parking structure for several decades. The upper level slab will be replaced, and a new membrane for vehicle bearing surfaces will be installed over the top of the new slab. Existing beams will be repaired or replaced at locations where concrete has spalled. New concrete shear walls will be constructed. The project also includes improvements to the supporting columns, shear walls, and exterior stairwells, as well as improvements to the lighting and fire protection and installation of bollards at the garage entrance and exits.

Major Work Items
<table>
<thead>
<tr>
<th>Work Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Superstructure Repairs and Demolition</td>
<td>$10,875,000</td>
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<tr>
<td>Electrical Replacement/Upgrades</td>
<td>771,000</td>
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<tr>
<td>Fire Protection Replacement/Upgrades</td>
<td>519,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$12,165,000</strong></td>
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</table>
AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN

Prospectus Number: PIN-0133-IN19
Congressional District: 7

Justification
The garage is over 40 years old and is in urgent need of a major renovation. The garage is suffering from multiple concrete-related failures including: delamination on the floor slabs and beams, and slab reinforcement with extensive section loss; concrete spalling and delamination at some column facades; water leakage on the underside of the supported level; and deteriorated expansion joints. The current electrical infrastructure will be upgraded/replaced to meet current codes. The installation of bollards on both the entrance and exit ramps of the garage will enhance security.

Interim short-term repairs have been undertaken with minor repair and alteration program funds over the past decade in an attempt to address immediate safety measures. The corrosion, spalling, and delamination of the structure are threatening tenant and property safety. Sections of the garage have been closed due to the risk. Currently, two parking spaces in the lower level are closed due to falling concrete. Ten additional parking spaces in the lower level are closed due to water leaks from the upper deck that have damaged several vehicles. Until a major repair is completed, tenant safety will continue to be threatened, closures of sections of the garage will need to be continued and expanded, and degradation of the garage deck will continue.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.
GSA

AMENDED PROSPECTUS – ALTERATION
MINOT-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN

Prospectus Number: PIN-0133-IN19
Congressional District: 7

Prior Appropriations

None

Prior Committee Approvals

<table>
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<th>Committee</th>
<th>Date</th>
<th>Amount</th>
<th>Purpose</th>
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<tr>
<td>House T&amp;I</td>
<td>5/25/2016</td>
<td>$10,784,000</td>
<td>Design = $1,099,000, ECC = $8,807,000, M&amp;I = $878,000</td>
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<td>Senate EPW</td>
<td>5/18/2016</td>
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<td>Design = $1,099,000, ECC = $8,807,000, M&amp;I = $878,000</td>
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Prior Prospectus-Level Projects in Building (past 10 years)

<table>
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<tr>
<th>Prospectus</th>
<th>Description</th>
<th>FY</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P.L. 111-5 (ARRA)</td>
<td>Modernization</td>
<td>2009</td>
<td>$48,086,000</td>
</tr>
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</table>

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation, and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION
AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN

Prospectus Number: PIN-0133-IN19
Congressional District: 7

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: ___________________________________________

Commissioner, Public Buildings Service

Approved: ___________________________________________

Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for a consolidation project that will relocate the U.S. Bankruptcy Court from leased space to owned space at the Potter Stewart U.S. Courthouse located in Cincinnati, Ohio at a design cost of $3,086,000, an estimated construction cost of $27,229,000, a management and inspection cost of $2,570,000 for a total estimated project cost of $32,885,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
GSA

PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH

Prospectus Number: POH-0028-CN19
Congressional District: 1

FY 2019 Project Summary
The General Services Administration (GSA) proposes a consolidation project that will relocate the U.S. Bankruptcy Court (USBC) from over 38,000 usable square feet (USF) of leased space to approximately 21,000 USF in the Potter Stewart U.S. Courthouse (Potter Stewart Courthouse). The project will meet the long-term housing needs of USBC, decrease the Federal Government’s reliance on leased space, reduce federally owned vacant space, and improve space utilization in the Potter Stewart Courthouse. Approximately $1.6 million in annual lease costs will be avoided, with savings of approximately $160,000 in annual agency rent payments.

FY 2019 Committee Approval and Appropriation Requested
(Design, Construction, Management & Inspection) .................................... $32,885,000

Major Work Items
Interior construction; demolition and hazardous materials abatement; heating, ventilation, and air conditioning (HVAC); electrical, plumbing and life safety upgrades

Project Budget
Design ............................................................................................................ $3,086,000
Estimated Construction Cost (ECC) .............................................................. 27,229,000
Management & Inspection (M&I) .................................................................... 2,570,000
Estimated Total Project Cost (ETPC)* .......................................................... $32,885,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule
Start End
Design and Construction FY 2019 FY 2024

Building
The Potter Stewart Courthouse, built in 1938, is a nine-story structure designed in the Art Modern style. The primary elevations are clad in limestone atop a granite base. The courthouse is approximately 529,000 gross square feet, with 11 outside parking spaces. It is located within Cincinnati’s Central Business District and is listed in the National Register of Historic Places. It serves as the main office for the Sixth Circuit Court Executive. A service and pedestrian tunnel connects the building to the John Weld Peck Federal Building.
PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH

Prospectus Number: POH-0028-CN19
Congressional District: 1

Tenant Agencies
Judiciary, Department of Justice, GSA

Proposed Project
The proposed project involves alterations to consolidate USBC’s space into the Potter Stewart Courthouse from leased space. The construction will create two USBC courtrooms and chambers, clerk space, and shared support spaces. HVAC, electrical, plumbing, and life safety system upgrades required to house USBC in the courthouse also will be completed. To provide contiguous space for USBC, some of the existing customer agency space may be relocated within the courthouse.

Major Work Items

<table>
<thead>
<tr>
<th>Work Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interior Construction</td>
<td>$21,411,000</td>
</tr>
<tr>
<td>Demolition /Hazardous Materials Abatement</td>
<td>1,825,000</td>
</tr>
<tr>
<td>HVAC Upgrades</td>
<td>2,630,000</td>
</tr>
<tr>
<td>Electrical Upgrades</td>
<td>1,128,000</td>
</tr>
<tr>
<td>Plumbing Upgrades</td>
<td>133,000</td>
</tr>
<tr>
<td>Life Safety Upgrades</td>
<td>102,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$27,229,000</strong></td>
</tr>
</tbody>
</table>

Justification
The Potter Stewart Courthouse has approximately 30,000 USF of vacant space. USBC, which currently is in 38,000 USF of leased space, will backfill approximately 21,000 USF in the building once the project is completed. The majority of the remaining vacant space will be in the basement and sub-basement of the building. Bringing USBC into the Potter Stewart Courthouse will co-locate all of the judiciary’s space in Cincinnati into one location and will avoid approximately $1.6 million in annual lease costs.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None
PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH

Prior Committee Approvals
None

Prior Prospectus-Level Projects in Building (past 10 years)
None

Alternatives Considered (30-year, present value cost analysis)

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Cost (in $)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alteration</td>
<td>$40,715,000</td>
</tr>
<tr>
<td>Lease</td>
<td>$66,844,000</td>
</tr>
<tr>
<td>New Construction</td>
<td>$45,072,000</td>
</tr>
</tbody>
</table>

The 30-year, present value cost of alteration is $26,129,000 less than the cost of leasing, with an equivalent annual cost advantage of $1,299,000.

Recommendation
ALTERATION
Prospectus Number: POH-0028-CN19
Congressional District: 1

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
### February 2018

#### Housing Plan

**Potter Stewart U.S. Courthouse**

<table>
<thead>
<tr>
<th>Leased Location</th>
<th>Office</th>
<th>Total</th>
<th>Office</th>
<th>Storage</th>
<th>Special</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>E. 4th St.</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>federal-U.S. Bankruptcy Court</td>
<td>25</td>
<td>25</td>
<td>38,305</td>
<td>-</td>
<td>-</td>
<td>38,305</td>
</tr>
<tr>
<td>total</td>
<td>25</td>
<td>25</td>
<td>38,305</td>
<td>-</td>
<td>-</td>
<td>38,305</td>
</tr>
</tbody>
</table>

#### Federally-owned Locations

- Potter Stewart U.S. Courthouse
- OJ - U.S. Marshals Service
- OJ - Office of U.S. Attorneys
- US - Federal Protective Service
- SA
- Federalist-U.S. District Court
- Federalist-U.S. Court of Appeals
- Federalist - Circuit Executive
- Federalist - Pretrial Services
- S. Tax Court
- Federalist-U.S. Bankruptcy Court
- All Use
- Rent
- Subtotal
- total

<table>
<thead>
<tr>
<th>Office Utilization Rate</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Office Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)</td>
<td>290</td>
<td>290</td>
</tr>
<tr>
<td>I Building Office Tenants (including Judiciary, Congress, and agencies with less than 10 employees)</td>
<td>347</td>
<td>292</td>
</tr>
<tr>
<td>Total Building USF Rate</td>
<td>Current</td>
<td>Proposed</td>
</tr>
<tr>
<td>Office Tenants (excluding Judiciary, Congress, and agencies with 10 employees)</td>
<td>628</td>
<td>628</td>
</tr>
<tr>
<td>Office Tenants (including Judiciary, Congress, and agencies with 10 employees)</td>
<td>983</td>
<td>918</td>
</tr>
</tbody>
</table>

**Notes:**

- USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
- Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.
- Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to complete, repair, and expand the plaza system at the Carl B. Stokes U.S. Courthouse located at the intersection of Superior Avenue and Huron Road in Cleveland, Ohio of an additional design cost of $342,000, an additional estimated construction cost of $3,788,000 and an additional management and inspection cost of $310,000 for a total additional project cost of $4,400,000 and total estimated project cost of $19,964,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on May 25, 2016 of Prospectus No. POH-0301-CL17.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH

Prospectus Number: POH-0301-CL19
Congressional District: 11

FY 2019 Project Summary
The General Services Administration (GSA) proposes a repair and alteration project to complete, repair, and expand the plaza system at the Carl B. Stokes U.S. Courthouse (Stokes Courthouse) located at 801 W. Superior Avenue in Cleveland, OH. The completion of the proposed repairs will correct the ongoing deterioration of the plaza system, eliminate water infiltration into the building, and allow for the completion of the plaza toward Superior Avenue, which has remained unfinished since construction of the courthouse in 2002.

This prospectus amends Prospectus No. POH-0301-CL17. GSA is requesting approval of an additional $4,440,000 to account for cost escalations and refined project scope.

FY 2019 Committee Approval Requested
(Design, Construction, and Management & Inspection) $4,440,000

FY 2019 Appropriation Requested
(Design, Construction, and Management & Inspection) $19,964,000

Major Work Items
Sitework

Project Budget
Design $1,855,000
Estimated Construction Cost (ECC) 16,515,000
Management and Inspection (M&I) 1,594,000
Estimated Total Project Cost (ETPC) $19,964,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule
Start End
Design and Construction FY 2019 FY 2023

Building
The Stokes Courthouse is a 766,000 gross square foot building with 21 stories above grade and 3 below grade. Construction of the building was completed in 2002, and its
primary function is to serve as a Federal courthouse. The Stokes Courthouse is located at the intersection of Superior Avenue and Huron Road. The existing plaza spans the front of the property along Huron Road and was originally designed to extend to the corner of Superior Avenue. The building acts as an anchor to the downtown area of Cleveland and is prominent in the city’s skyline.

**Tenant Agencies**

Judiciary, Department of Justice, Senate, GSA

**Proposed Project**

The project proposes to repair the plaza at the Stokes Courthouse to eliminate water leaks and infiltration into the lower levels of the building. The scope includes refinishing and reinforcing the structural steel that supports the plaza, along with repairs to fireproofing and upgrading the surface parking lot.

The project also proposes to extend the currently incomplete plaza toward Superior Avenue as was envisioned in the original design. Due to a funding shortage when the building was originally constructed, a portion of the plaza was left unfinished.

**Major Work Items**

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sitework</td>
<td>$16,515,000</td>
</tr>
<tr>
<td>Total ECC</td>
<td>$16,515,000</td>
</tr>
</tbody>
</table>

**Justification**

The structural steel that supports the plaza is exposed to the elements and has been since the original construction. The steel has considerable rust damage, and the structural beams that support the plaza and connect into the parking garage are heavily corroded. Part of the unfinished plaza includes the base of the structural steel columns that are at grade with the Cleveland Regional Transit Authority train tracks and support beams that run above and across the train tracks. If the steel continues to be left unattended, it will become difficult to repair and will result in structural issues. The corroded steel is also very unsightly and detracts from the appearance of the courthouse.

The plaza has experienced excessive water infiltration in many areas that will worsen until repairs are completed. The leaks have been causing damage to the structure, interior finishes, and the fireproofing in the lower levels of the building.
The plaza surrounding the Stokes Courthouse remains incomplete from the time of the original construction in 2002. The sidewalk on the northwest side of the site is built on a portion of the city-owned and controlled Huron Road. This sidewalk is the only way to access the building from the southeast intersection of Huron Road and Superior Avenue. Once the plaza is completed, the sidewalk will be returned to the city, and this will restore a lane of traffic on Huron Road. Completion of the plaza will protect the structural steel from future damage, improve pedestrian access to the building, incorporate the building into the surrounding urban environment, and significantly improve the appearance of the Stokes Courthouse. The building’s location within the city acts as a prominent gateway for those entering into the city from the west. Unfortunately, this impression is lost when visitors reach the intersection of Huron Road and Superior Avenue, where the steel installed for the completion of the plaza is rusting and the appearance of the facility at street level is that of a public building that is difficult to approach.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

<table>
<thead>
<tr>
<th>Committee</th>
<th>Date</th>
<th>Amount</th>
<th>Purpose</th>
</tr>
</thead>
</table>
| House T&I | 5/25/2016  | $15,524,000  | Design = $1,513,000  
|           |            |              | ECC = $12,727,000  
|           |            |              | M&I = $1,284,000  |
| Senate EPW | 5/18/2016  | $15,524,000  | Design = $1,513,000  
|           |            |              | ECC = $12,727,000  
|           |            |              | M&I = $1,284,000  |

Prior Prospectus-Level Projects in Building (past 10 years)

None
Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This project is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION
AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH

Prospectus Number: POH-0301-CL19
Congressional District: 11

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: Commissioner, Public Buildings Service

Approved: Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for repairing and replacing domestic and storm water systems and upgrading and replacing the heating, ventilation, and air conditioning system at the U.S. Custom House located at 200 Chestnut Street in Philadelphia, Pennsylvania at a design cost of $7,440,000, an estimated construction cost of $78,025,000, a management and inspection cost of $10,005,000 for a total estimated project cost of $95,470,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

FY 2019 Project Summary
The General Services Administration (GSA) proposes a repair and alteration project for the U.S. Custom House (Custom House) located at 200 Chestnut Street in Philadelphia, PA. The proposed project will repair/replace the building’s domestic and storm water systems and upgrade/replace the heating, ventilation, and air conditioning (HVAC) system to a more efficient, modern design.

FY 2019 Committee Approval and Appropriation Requested
(Design, Construction, Management & Inspection) $95,470,000

Major Work Items
HVAC upgrades/replacement; interior construction; demolition/abatement; plumbing repair/replacement; electrical, fire and life safety system upgrades; and roof upgrades

Project Budget
- Design .................................................. $ 7,440,000
- Estimated Construction Cost (ECC) ...................... 78,025,000
- Management & Inspection (M&I) ..... 10,005,000
- Estimated Total Project Cost (ETPC) .................. $95,470,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule
- Design and Construction
  Start FY 2019
  End FY 2025

Building
The Custom House is a 19-story, approximately 565,000 gross square foot building located on the eastern side of the Philadelphia central business district. The building was originally constructed in 1934 and is primarily utilized as office space. The Custom House is listed in the National Register of Historic Places and is distinguished by an ornate, three-story rotunda situated in the main lobby.
GSA

PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Tenant Agencies
Department of Homeland Security, Department of Justice, Department of Health and Human Services, Department of the Interior, Department of State, Department of Agriculture, U.S. Tax Court, U.S. Senate, GSA

Proposed Project
The building is suffering from recurrent flooding caused by the aged domestic water piping system and significant temperature and indoor air quality issues caused by the insufficient and outdated HVAC system. Electrical system components will be replaced to support the HVAC systems. Mitigation of hazardous materials and associated sprinkler modifications will be accomplished in disturbed areas as part of the project.

To repair the building’s domestic water system, the piping will need to be exposed, abated of asbestos, inspected, and repaired. Concurrently, the building’s induction unit system will be removed, abated of asbestos, and upgraded to a four-pipe fan coil system. Due to the invasive nature of this work and the presence of hazardous materials, the majority of building tenants will be moved into internal swing space.

The less invasive aspects of the project include repairing the storm water system, replacing the building automation system, replacing the air handling units, partial conversion to variable air volume serving interior zones, replacing the heating and chilled water systems, and replacing the boilers.

As noted above, this renovation is in an occupied building so the proposed project includes allowances for internal swing space. The project minimizes tenant impact by using internal swing space and hazardous materials enclosures, as well as by completing the scope items together.
PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Major Work Items

<table>
<thead>
<tr>
<th>Work Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>HVAC Upgrades/Replacement</td>
<td>$45,363,000</td>
</tr>
<tr>
<td>Interior Construction</td>
<td>16,491,000</td>
</tr>
<tr>
<td>Demolition/Abatement</td>
<td>9,360,000</td>
</tr>
<tr>
<td>Plumbing Repair/Replacement</td>
<td>3,624,000</td>
</tr>
<tr>
<td>Electrical Upgrades</td>
<td>2,225,000</td>
</tr>
<tr>
<td>Fire and Life Safety Upgrades</td>
<td>852,000</td>
</tr>
<tr>
<td>Roof Upgrades</td>
<td>110,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$78,025,000</strong></td>
</tr>
</tbody>
</table>

Justification

The project will address the failing domestic water piping system that has flooded the building three times in the past 4 years, creating millions of dollars in damage to the building and personal property. The damage has displaced tenants for months at a time and interfered with their ability to carry out their missions. The threat of another major flood is imminent, and there is a serious risk that additional flooding could potentially damage the historic rotunda, which would be enormously costly to repair. If left unaddressed, the building could potentially become uninhabitable and would need to be considered for disposal.

Due to the major disruption caused by the repair of the plumbing system, GSA determined that this project will provide the opportunity to upgrade the deficient HVAC systems. The HVAC systems in the building are approximately 20 years past their useful lives and are vulnerable to a large-scale failure in both the air handling units and the branch piping leading to the perimeter induction units. There have been longstanding temperature and indoor air quality issues caused by a system that was not designed for office space. In addition to affecting occupant comfort, poor dehumidification has caused the paint, plaster, and wall materials to peel at numerous locations in the building, including in the historic rotunda and in areas with lead-based paint. The two pipe induction system is highly inefficient, forcing entire building switchover between heating and cooling to address unseasonal temperatures (e.g., cooling in the winter and heating in the summer). Simultaneously completing these projects will save the Government approximately $13 million in duplicative costs, while minimizing disruption to building tenants.
PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals
None

Prior Prospectus-Level Projects in Building (past 10 years)

<table>
<thead>
<tr>
<th>Prospectus</th>
<th>Description</th>
<th>FY</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PL 111-5 (ARRA)</td>
<td>Window Replacement, Green Roof Installation, Exterior Masonry Repairs</td>
<td>FY 09</td>
<td>$30,490,000</td>
</tr>
</tbody>
</table>

Alternatives Considered (30-year, present value cost analysis)
There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation
ALTERATION
Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for modernization, including replacing building systems, at the Austin Finance Center located at 1619 Woodward Street in Austin, Texas of a reduction in design cost of $465,000, an additional estimated construction cost of $7,131,000 and a reduction in management and inspection cost of $725,000 for a total additional cost of $5,941,000 and total estimated project cost of $28,722,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on May 25, 2016 of Prospectus No. PTX–1618–AU17.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX

Prospectus Number: PTX-1618-AU19
Congressional District: 25

FY 2019 Project Summary
The General Services Administration (GSA) proposes a repair and alteration project to modernize the existing Austin Finance Center (AFC), located at 1619 Woodward Street in Austin, Texas. The project will replace building systems and improve energy efficiency.

This prospectus amends Prospectus No. PTX-1618-AU17. GSA is requesting approval of an additional $5,941,000 to account for cost escalation due to time and market conditions, and a tenant improvement component.

FY 2019 Committee Approval Requested
(Construction) ................................................................. $5,941,000

FY 2019 Appropriation Requested
(Design, Construction, and Management & Inspection) ....................... $28,722,000

Major Work Items
Interior construction; exterior construction; electrical, heating, ventilation and air conditioning (HVAC), mechanical, life safety/emergency, and plumbing replacement; and sitework

Project Budget
Design ................................................................. $ 2,070,000
Estimated Construction Cost (ECC) .................................................... 24,994,000
Management & Inspection (M&I) ..................................................... 1,658,000
Estimated Total Project Cost (ETPC)* ........................................... $28,722,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

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1 The House and Senate committees approved Design, M&I and Construction of $22,781,000 in Prospectus No. PTX-1618-AU17. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved $1,190,000 from Design and M&I to Construction.
AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX

Schedule

Start             End
Design and Construction FY 2019 FY 2022

Building
AFC was constructed in 1969 as an office building and was purchased by the United States in 1985. It is located on a 40-acre Federal campus in southeast Austin, along with the federally owned Department of the Treasury – Internal Revenue Service (IRS) Service Center, the Department of Veterans Affairs Automation Center and a leased IRS office/warehouse. It consists of a single, freestanding, one-story building of approximately 85,000 gross square feet. The building is home to the Department of the Treasury – Bureau of the Fiscal Service.

Tenant Agencies
Treasury Department – Bureau of the Fiscal Service

Proposed Project
The project includes HVAC replacement, separation of storm and sanitary lines, domestic water line replacement, main electrical switchboard replacement, window replacement, and power distribution system replacement.

Major Work Items

<table>
<thead>
<tr>
<th>Work Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interior Construction</td>
<td>$7,511,000</td>
</tr>
<tr>
<td>Exterior Construction</td>
<td>5,132,000</td>
</tr>
<tr>
<td>Electrical Replacement</td>
<td>5,211,000</td>
</tr>
<tr>
<td>HVAC/Mechanical Replacement</td>
<td>4,906,000</td>
</tr>
<tr>
<td>Plumbing Replacement</td>
<td>872,000</td>
</tr>
<tr>
<td>Life Safety/Emergency System Replacement</td>
<td>842,000</td>
</tr>
<tr>
<td>Sitework</td>
<td>520,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$24,994,000</strong></td>
</tr>
</tbody>
</table>

Justification
Historically, the building has been used by Treasury as one of four regional check printing and distribution facilities for Federal obligations to vendors and the general public. Treasury’s transition to electronic transfer of funds resulted in the removal of all check printing and distribution functions, and has significantly altered the type and amount of space the agency requires.
The 48-year-old building has undergone various renovation projects over the years, but never a complete modernization, including upgrades. The space, converted from light industrial to office use, does not include the appropriate lighting, HVAC, ceilings, or finishes for office space. Window replacement will provide energy efficiency and costs savings. The building systems are outdated and have reached the end of their useful lives. The old main switchboard needs replacement to comply with the National Electric Code. The control system and related electronic components need frequent repairs, and parts are no longer available. The original power distribution system is inadequate for the electrical loads that are now required. The HVAC equipment has reached or surpassed its life expectancy. The storm water and sanitary lines do not meet current code and need to be separated. Runoff from heavy rains often floods the loading dock’s storm drain, causing flooding in the building when floor drains back up. All the domestic water lines are old and corroded and need to be replaced.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

<table>
<thead>
<tr>
<th>Committee</th>
<th>Date</th>
<th>Amount</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senate EPW</td>
<td>5/18/16</td>
<td>$22,781,000</td>
<td>Design = $2,535,000; ECC = $17,863,000; M&amp;I = $2,383,000</td>
</tr>
<tr>
<td>House T&amp;I</td>
<td>5/25/16</td>
<td>$22,781,000</td>
<td>Design = $2,535,000; ECC = $17,863,000; M&amp;I = $2,383,000</td>
</tr>
<tr>
<td>Approval to Date</td>
<td>$22,781,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Prior Prospectus-Level Projects in Building (past 10 years):

None
Alternatives Considered (30-year, present value cost analysis)

Alteration: $43,770,000  
Lease: $98,737,000  
New Construction: $46,636,000

The 30-year, present value cost of alteration is $54,967,000 less than the cost of leasing, with an equivalent annual cost advantage of $2,732,000.

Recommendation

ALTERATION
AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX

Prospectus Number: PTX-1618-AU19
Congressional District: 25

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
AMENDED COMMITTEE RESOLUTION
CONSTRUCTION—U.S. LAND PORT OF ENTRY,
CALEXICO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, additional appropriations are authorized for Phase II of a two-phase project to reconfigure and expand the existing land port of entry in Calexico, California at an additional design cost of $970,000, an additional estimated construction cost of $14,847,000 and a reduction of management and inspection cost of $1,625,000 for a total additional cost of $14,192,000, a prospectus for which is attached and included in this resolution. This resolution amends the authorization of the Committee on July 16, 2014 of Prospectus No. PCA–BSC–CA15.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
GSA

AMBENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

FY 2019 Project Summary

The General Services Administration (GSA) requests additional approval and funding for construction of Phase II of a two-phase project to reconfigure and expand the existing land port of entry (LPOE) in downtown Calexico, CA. The project includes new pedestrian processing and privately owned vehicle (POV) inspection facilities, a new head house to provide supervision and services to the non-commercial vehicle inspection area, new administration offices, and a parking structure. The expanded facilities will occupy both the existing inspection compound and the site of the former commercial inspection facility, decommissioned in 1996 when commercial traffic was redirected to the newly completed LPOE six miles east of downtown Calexico.

This prospectus amends Prospectus No. PCA-BSC-CA15. GSA is requesting approval of an additional $27,687,000 to account for cost escalations and design refresh.

FY 2019 Committee Approval Requested

(Additional Design and Construction) ............................................................. $14,192,000

FY 2019 Appropriation Requested

(Additional Design, Construction, Management & Inspection) .............. $275,900,000

Overview of Project

The existing LPOE is a pedestrian and vehicle inspection facility constructed in 1974. It comprises a main building and a decommissioned commercial inspection building. The project includes the creation of new pedestrian and POV inspection facilities, and expansion of the port onto the site of the former commercial inspection facility. The commercial inspection operation was moved to Calexico East in 1996. POV inspection facilities will include expanded northbound inspection lanes, new southbound inspection lanes, and a parking structure. There will be new administration space, a new head house

1 The amount approved for Management & Inspection in Prospectus No. PCA-BSC-CA11 by the House and Senate committees includes $1,625,000 more than the current estimate. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved $1,625,000 from Management & Inspection to Construction.

2 GSA works closely with Department of Homeland Security program offices responsible for developing and implementing security technology at LPOEs. This prospectus contains funding for infrastructure requirements known at the time of prospectus development. Additional funding by a reimbursable work authorization may be required to provide for as yet unidentified security technology elements to be implemented at this port.
and design guide-mandated secondary inspection stations serving both northbound and southbound traffic. The project will be constructed in two phases.

The first phase included a head house, 10 of the project's northbound POV inspection lanes, all southbound POV inspection lanes with temporary asphalt paving, and a bridge across the New River for southbound POV traffic.

The second phase will include the balance of the project, including the remaining northbound POV lanes, southbound POV inspection islands, booths, canopies and concrete paving, an administration building, an employee parking structure, a pedestrian processing building with expanded northbound pedestrian inspection stations, and a photovoltaic generation facility.

**Site Information**

- Government-Owned: 13.5 acres
- Acquired as part of Phase I: 4.3 acres

**Building Area**

- Building (including canopies and indoor parking): 333,719 GSF
- Building (excluding canopies and indoor parking): 162,015 GSF
- Outside parking spaces: 79
- Structured parking spaces: 264

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3 Gross square feet (GSF) in this Amended Prospectus was developed from the final construction drawings. It reflects a 2.63 percent increase in total GSF from that listed in Prospectus No. PCA-BSC-CA15 (where the square footage was developed from the concept drawings). The parking structure is not included in GSF.
GSA

AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

### Project Budget

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site Acquisition</strong></td>
<td>Site Acquisition (FY 2007)</td>
<td>$2,000,000</td>
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<tr>
<td></td>
<td>Additional Site Acquisition (FY 2010)</td>
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<td><strong>Total Site Acquisition</strong></td>
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<td>$5,000,000</td>
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<tr>
<td><strong>Design</strong></td>
<td>Design (FY 2007)</td>
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<tr>
<td></td>
<td>Additional Design (FY 2010)</td>
<td>$6,437,000</td>
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<td></td>
<td>Additional Design</td>
<td>$970,000</td>
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<td><strong>Total Design</strong></td>
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<td>$19,757,000</td>
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<tr>
<td><strong>Estimated Construction Cost (ECC)</strong></td>
<td>Phase I (2015)</td>
<td>$90,838,000</td>
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<td></td>
<td>Phase II</td>
<td>$255,660,000</td>
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<td><strong>Total ECC</strong></td>
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<td>$346,498,000</td>
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<td></td>
<td>Site Development Costs</td>
<td>$146,550,000</td>
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<td></td>
<td>Building Costs (includes inspection canopies) ($599/GSF)</td>
<td>$199,948,000</td>
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<td><strong>Management &amp; Inspection (M&amp;I)</strong></td>
<td>Phase I (2015)</td>
<td>$7,224,000</td>
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<td></td>
<td>Phase II</td>
<td>$19,270,000</td>
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<tr>
<td><strong>Total M&amp;I</strong></td>
<td></td>
<td>$26,494,000</td>
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<tr>
<td><strong>Estimated Total Project Cost (ETPC)</strong></td>
<td></td>
<td>$397,749,000</td>
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</table>

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

### Location

The site is located at 200 East 1st Street, Calexico, CA.

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4 ECC is broken into two parts – Site Development Costs and Building Costs.
GSA

AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Start</th>
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<tr>
<td>Design</td>
<td>FY 2007</td>
<td>FY 2013</td>
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<tr>
<td>Design Refresh</td>
<td>FY 2019</td>
<td>FY 2020</td>
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<table>
<thead>
<tr>
<th>Construction</th>
<th>Start</th>
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<tr>
<td>Phase I</td>
<td>FY 2015</td>
<td>FY 2018</td>
</tr>
<tr>
<td>Phase II</td>
<td>FY 2019</td>
<td>FY 2023</td>
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</tbody>
</table>

Tenant Agencies
Department of Homeland Security – Customs and Border Protection, and Immigration and Customs Enforcement; GSA

Justification
On an average day, 12,000 POVs and approximately 11,000 pedestrians enter the U.S. through this LPOE. The existing facilities are undersized relative to existing traffic loads and obsolete in terms of inspection officer safety and border security. The space required to accommodate modern inspection technologies is not available in the existing facility. When completed, the project will provide the port operation with adequate operational space, reduced traffic congestion, and a safe environment for port employees and visitors.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.
AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

Prior Appropriations

<table>
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<tr>
<th>Public Law</th>
<th>Fiscal Year</th>
<th>Amount</th>
<th>Purpose</th>
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<tr>
<td>110-5</td>
<td>2007</td>
<td>$14,350,000</td>
<td>Site acquisition &amp; design</td>
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<td>111-117</td>
<td>2010</td>
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<td>113-235</td>
<td>2015</td>
<td>$98,062,000</td>
<td>Phase I Construction</td>
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Appropriations to Date $121,849,000

Prior Committee Approvals

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<th>Date</th>
<th>Amount</th>
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<td>House T&amp;I</td>
<td>4/5/2006</td>
<td>$14,350,000</td>
<td>Design = $12,350,000; Site acquisition = $2,000,000</td>
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<td>Senate EPW</td>
<td>5/23/2006</td>
<td>$14,350,000</td>
<td>Site Acquisition &amp; Design</td>
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<tr>
<td>House T&amp;I</td>
<td>11/5/2009</td>
<td>$9,437,000</td>
<td>Additional design = $6,437,000; additional site acquisition = $3,000,000</td>
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<tr>
<td>Senate EPW</td>
<td>2/4/2010</td>
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<td>Additional site acquisition &amp; design</td>
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<td>House T&amp;I</td>
<td>12/2/2010</td>
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<td>Senate EPW</td>
<td>11/30/2010</td>
<td>$274,463,000</td>
<td>Construction = $246,344,000; M&amp;I = $28,119,000</td>
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<td>House T&amp;I</td>
<td>07/16/2014</td>
<td>$85,307,000</td>
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<td>Senate EPW</td>
<td>04/28/2015</td>
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<td>Additional Construction of $85,307,000</td>
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Approvals to Date $383,557,000

Alternatives Considered

GSA has jurisdiction, custody, and control over and maintains the existing facilities at this LPOE. No alternative other than Federal construction was considered.

Recommendation

CONSTRUCTION
GSA

AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: Commissioner, Public Buildings Service

Approved: Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for construction of a new laboratory facility of 68,000 gross square feet to provide a long-term housing solution for the Department of Health and Human Services-Food and Drug Administration at the Denver Federal Center at West 6th Avenue and Kipling Street in Lakewood, Colorado at a design cost of $3,570,000, an estimated construction cost of $23,335,000, a management and inspection cost of $2,414,000 for a total estimated project cost of $29,319,000, a prospectus for which is attached to and included in this resolution. Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution. Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
FY 2019 Project Summary
The General Services Administration (GSA) requests approval for construction of a new laboratory facility of approximately 68,000 gross square feet (GSF) to provide a long-term housing solution for the Department of Health and Human Services – Food and Drug Administration (FDA) at the Denver Federal Center (DFC), at West 6th Avenue and Kipling Street in Lakewood, CO. This project will allow FDA to occupy a laboratory building that meets modern standards for functional laboratory space that will accommodate a floor plan with the most optimal layout in support of its mission on a secure campus.

FY 2019 Committee Approval and Appropriation Requested
(Design, Construction, Management & Inspection)....................................$29,319,000

Overview of Project
GSA proposes the design and construction of a new Federal laboratory building on a 4-acre Government-owned site, just south of existing Building 20 at the DFC. This project will provide FDA a state-of-the-art laboratory facility with ancillary office space to support laboratory functions. The facility will be built to meet biosafety level 2 specifications. Laboratory layout will be modular and designed to create higher efficiency of workflow while maintaining agency chain-of-custody regulations. The office space will primarily consist of open workstations and a collaborative environment.

Site Area
Government-Owned ............................................................................. 4 acres

Project Budget
Design .......................................................................................... $ 3,570,000
Estimated Construction Cost (ECC) .............................................................. 23,335,000
Management & Inspection (M&I) ................................................................. 2,414,000
Estimated Total Project Cost (ETPC)* ......................................................... $29,319,000

*Tenant agency may fund an additional amount for alterations above the standard normally provided by GSA.
PROSPECTUS - CONSTRUCTION
FOOD AND DRUG ADMINISTRATION LABORATORY
LAKEWOOD, CO

Prospectus Number: PCO-LAB-LA19
Congressional District: 07

Schedule
Start: FY 2019
End: FY 2023

Tenant Agencies
Department of Health and Human Services – Food and Drug Administration

Justification
FDA is currently housed in laboratory and laboratory support space at the DFC in Building 20, a converted ammunitions plant building that also houses multiple Federal operations and offices. Building 20 is well past its useful life and experiencing major building system deficiencies. Due to current conditions, failing building systems are projected to cause a shutdown of its current space within 1 to 5 years.

The building uses excessive amounts of energy and struggles to maintain proper humidity and pressurization levels due to inadequacies in the heating, ventilation, and air conditioning system and building enclosure, which are critical components to prevent contamination within laboratories.

FDA processes evidence in court cases that must be tested and stored appropriately; some samples must be stored for up to 8 years. These samples are irreplaceable and failing infrastructure could place them at risk for contamination and spoilage. Costly laboratory equipment is at risk of being damaged due to severe roof leaks.

The current space is compartmentalized with hard wall offices and no capability of changing space to accommodate workflow or to facilitate collaboration. FDA has storage spaces and conference rooms that were built to accommodate program areas that no longer exist, and later built laboratory space around those areas. As its space has changed and evolved, the result is pockets of unused space sprinkled throughout the area. This situation has resulted in inefficient use of space that does not meet regulatory requirements to isolate laboratory space from office work areas.

This location is the regional regulatory arm of FDA and a critical part of its mission. Various departments include laboratories that analyze food, drugs, and cosmetics; a compliance department; investigators; and an administration team. For sections of the country west of the Mississippi River and east of Nevada, this facility is responsible for managing foodborne illness outbreaks. FDA uses this facility to analyze food samples to determine the source of the illness so the food can be immediately recalled to prevent further illness or death. This laboratory analyzes foods crossing State boundaries, as well as foods that are flown in from other countries to ensure it is safe for consumption.
GSA

PROSPECTUS - CONSTRUCTION
FOOD AND DRUG ADMINISTRATION LABORATORY
LAKEWOOD, CO

Prospectus Number: PCO-LAB-LA19
Congressional District: 07

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals
None

Alternatives Considered (30-year, present value cost analysis)
  New Construction ................................................................. $39,221,000
  Lease ....................................................................................... $49,540,000

The 30-year, present value cost of new construction is $10,319,000 less than the cost of lease, an equivalent annual cost advantage of $344,000.

Recommendation
CONSTRUCTION
Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolutions are authorized for the acquisition, through a purchase option under an existing lease, of the building located at 1200 New Jersey Avenue SE in Washington, D.C. composed of 1,900,000 gross square feet and indoor parking spaces currently occupied by the Department of Transportation at a building and site acquisition cost of $760,000,000, closing costs of $7,900,000 and total estimated project cost of $767,900,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.
GSA

PROSPECTUS – BUILDING ACQUISITION
DEPARTMENT OF TRANSPORTATION HEADQUARTERS
1200 NEW JERSEY AVENUE, SOUTHEAST
WASHINGTON, DC

Prospectus Number: PDC-0689-WA19

Description
The General Services Administration (GSA) proposes to acquire, through a purchase option under an existing space lease, the building located at 1200 New Jersey Avenue SE, Washington, DC. The 1,900,000 gross square foot facility, currently leased by GSA, provides 1,350,000 rentable square feet (RSF) of space and 936 indoor parking spaces, and is occupied entirely by the Department of Transportation (DOT) and serves as its headquarters (HQ). The proposed purchase will reduce the Government’s rental payment to the private sector by approximately $49,400,000 annually.

FY 2019 Committee Approval and Appropriation Requested
(Building Acquisition) ........................................................................................................... $767,900,000

Situated on 10 acres of land to the southwest of the U.S. Capitol building, along the south side of M Street SE, between New Jersey Avenue SE on the west and 4th Street SE on the east, the building has served as the DOT HQ since its construction in 2006. The building houses approximately 5,000 employees. The office space is contained in two towers, referred to as the West Building and the East Building, each containing nine stories above grade and two stories below grade.

The site was originally part of the 18th century Navy Yard. Part of the Navy Yard was excessed in the mid-20th century to GSA and became known as the Southeast Federal Center. GSA sold the parcel that is the subject of this prospectus to the developer specifically for the construction of the DOT HQ.

Project Budget
Building and Site Acquisition ........................................................................................................... $760,000,000
Closing Costs ................................................................................................................................. $7,900,000
Estimated Total Project Cost (ETPC) .......................................................................................... $767,900,000

Schedule
Notice of Intent to Consider Purchase .......................................................................................... 10/2018
Building Acquisition Notice of Intent to Exercise Purchase Option ........................................... 10/2019
Purchase Option Expiration ........................................................................................................ 10/2021

1 The actual purchase price and closing costs will be determined by negotiation in accordance with the terms of the existing purchase option under the lease.
Overview of Project

GSA leased the building on behalf of DOT following completion of construction in 2006. The current lease agreement expires on October 19, 2021. GSA has an option to negotiate the purchase of the building and site at the end of the current lease term, provided 24 months’ prior notice is given to lessor. A Notification of Intent to consider exercising the purchase option is required 36 months prior to the lease expiration. The estimated purchase price is based on a current fair market value appraisal of the property, escalated to the purchase date, multiplied by 95%.

Tenant Agencies

DOT

Justification

DOT is a cabinet-level agency with a long-term requirement for a HQ facility. Exercising the purchase option will provide for a permanent, owned housing solution for DOT’s mission execution, lowering the cost to the taxpayer. Upon purchase, GSA will work with DOT to improve the utilization of the space.

Alternatives Considered (30-year, present value cost analysis)

Purchase .................................................................................................................... $1,220,413,705
Lease ....................................................................................................................... $1,629,450,889
New Construction .................................................................................................... $1,444,009,181

The 30-year, present value cost of purchasing is $409,037,184 less than the cost of leasing, with an equivalent annual cost advantage of $20,332,893.

Recommendation

ACQUISITION
GSA

PROSPECTUS – BUILDING ACQUISITION
DEPARTMENT OF TRANSPORTATION HEADQUARTERS
1200 NEW JERSEY AVENUE, SOUTHEAST
WASHINGTON, DC

Prospectus Number: PDC-0689-WA19

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: _______________

Commissioner, Public Buildings Service

Approved: _______________

Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 207,000 rentable square feet of space for the Securities and Exchange Commission currently located at 200 Vesey Street in New York. New York at a proposed total annual cost of $14,332,680 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 230 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 230 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
Congressional Record — House
H9331

September 28, 2018

GSA

Prospectus — Lease
Securities and Exchange Commission
New York, NY

Prospectus Number: PNY-05-NY19
Congressional District: 7,10

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 207,000 rentable square feet (RSF) for the Securities and Exchange Commission (SEC), currently located at 200 Vesey Street in New York, NY. SEC has occupied space in the building since April 1, 2006, under a lease that expires on March 31, 2021.

The proposed lease will enable SEC to provide continued housing as well as more streamlined and efficient operations. It will improve space utilization, as the office and overall space utilization rates will be improved from 189 to 139 usable square feet (USF) and 316 to 230 USF per person, respectively.

Description

<table>
<thead>
<tr>
<th></th>
<th>Securities and Exchange Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupant:</td>
<td>270,431 (Current RSF/USF = 1.32)</td>
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<tr>
<td>Current Rentable Square Feet (RSF):</td>
<td>207,000 (Proposed RSF/USF = 1.35)</td>
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<tr>
<td>Estimated/Proposed Maximum RSF¹:</td>
<td>63,431 RSF (Reduction)</td>
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<tr>
<td>Expansion/Reduction RSF:</td>
<td>316</td>
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<tr>
<td>Current USF/Person:</td>
<td>316</td>
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<tr>
<td>Estimated/Proposed USF/Person:</td>
<td>230</td>
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<td>Expiration Dates of Current Lease(s):</td>
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<td>Proposed Maximum Leasing Authority:</td>
<td>20 years</td>
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<td>Delineated Area:</td>
<td>North: Chambers Street; East: East River; South: Battery Park; West: Hudson River</td>
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<tr>
<td>Number of Official Parking Spaces:</td>
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<tr>
<td>Scoring:</td>
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<td>Current Total Annual Cost:</td>
<td>$15,344,613 (lease effective 4/1/2006)</td>
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<td>Estimated Rental Rate²:</td>
<td>$69.24/RSF</td>
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<td>Estimated Total Annual Cost³:</td>
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</table>

¹ The RSF/USF at the current location is approximately 1.32; however, to maximize competition a RSF/USF ratio of 1.35 is used for the estimated proposed maximum RSF as indicated in the housing plan.
² This estimate is for fiscal year 2021 and may be escalated by 2 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government.
³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
Acquisition Strategy

In order to maximize the flexibility and competition in acquiring space for SEC, GSA may issue a single, multiple-award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The lease at 200 Vesey Street in New York, NY, comprises the New York Regional Office headquarters for SEC with jurisdiction in New York and New Jersey. The mission of SEC is to protect investors; maintain fair, orderly and efficient markets; and facilitate capital formation. SEC entered into the current lease using independent leasing authority granted by Congress. GSA proposes to use its leasing authority to secure new office space in New York City following the expiration of the current lease.

Justification

The New York Regional Office is unique to the SEC organization because it encompasses divisions typically represented in regional offices, as well as HQ-based divisions with staff who are assigned to the New York Regional Office. The current lease at 200 Vesey Street expires March 31, 2021. SEC requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 10, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
### Leased Locations

<table>
<thead>
<tr>
<th>Location</th>
<th>Personnel</th>
<th>CURRENT</th>
<th></th>
<th>Estimated/Proposed</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Office</td>
<td>Storage</td>
<td>Office</td>
<td>Storage</td>
</tr>
<tr>
<td>200 Valley Street, NY, NY</td>
<td>650</td>
<td>638</td>
<td>157,734</td>
<td>2,062</td>
<td>45,679</td>
</tr>
<tr>
<td></td>
<td></td>
<td>650</td>
<td>157,734</td>
<td>2,062</td>
<td>45,679</td>
</tr>
<tr>
<td>Total</td>
<td>650</td>
<td>650</td>
<td>157,734</td>
<td>2,062</td>
<td>45,679</td>
</tr>
</tbody>
</table>

#### Office Utilization Rate (UR)¹

<table>
<thead>
<tr>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>189</td>
<td>199</td>
</tr>
</tbody>
</table>

**Overall UR**³

<table>
<thead>
<tr>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>316</td>
<td>230</td>
</tr>
</tbody>
</table>

#### RUI Factor ²

<table>
<thead>
<tr>
<th>Total USF</th>
<th>RSF/USF</th>
<th>Max RSF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>205,495</td>
<td>1.32</td>
</tr>
<tr>
<td>Estimated</td>
<td>152,744</td>
<td>1.35</td>
</tr>
</tbody>
</table>

### Notes:

1. USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
2. RUI Factor (RUI) = Max RSF divided by total USF.
3. Proposed UR excludes 26,078 sf of office support space.
4. Overall UR excludes 26,078 sf of office support space.
5. Special space listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.

### Special Space

<table>
<thead>
<tr>
<th>Special Space</th>
<th>USF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conference/Training</td>
<td>1,680</td>
</tr>
<tr>
<td>Testamentary Suite</td>
<td>6,720</td>
</tr>
<tr>
<td>Hearing Room</td>
<td>1,560</td>
</tr>
<tr>
<td>AIP</td>
<td>1,400</td>
</tr>
<tr>
<td>VTC Center</td>
<td>9,065</td>
</tr>
<tr>
<td>Closed Commission Room</td>
<td>840</td>
</tr>
<tr>
<td>Multi-Purpose Room/AV Control</td>
<td>3,402</td>
</tr>
<tr>
<td>High Density Filing Room</td>
<td>2,100</td>
</tr>
<tr>
<td>Qualitative Analysis Unit</td>
<td>2,800</td>
</tr>
<tr>
<td>Wellness Room</td>
<td>280</td>
</tr>
<tr>
<td>Copy Room</td>
<td>1,680</td>
</tr>
<tr>
<td>Boardroom</td>
<td>280</td>
</tr>
<tr>
<td>Total</td>
<td>32,207</td>
</tr>
</tbody>
</table>
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease of up to 224,000 rentable square feet of space, including 100 official parking spaces, for the Department of Health and Human Services-Food and Drug Administration currently located at 158-15 Liberty Avenue in Jamaica, New York at a proposed total annual cost of $6,944,000 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an office utilization rate of 109 square feet or less per person, except that, if the Administrator determines that the office utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 224,000 rentable square feet (RSF) for the Department of Health and Human Services–Food and Drug Administration (FDA). FDA is currently housed at 158-15 Liberty Avenue, Jamaica, NY, under a lease that expires on October 19, 2019.

The lease will provide continued housing for FDA and will maintain the office utilization rate at 109 usable square feet (USF) per person.

Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupant:</td>
<td>Food and Drug Administration</td>
</tr>
<tr>
<td>Current Rentable Square Feet (RSF)</td>
<td>224,000 (Current RSF/USF = 1.28)</td>
</tr>
<tr>
<td>Estimated/Proposed Maximum RSF¹</td>
<td>224,000 (Proposed RSF/USF = 1.28)</td>
</tr>
<tr>
<td>Expansion/Reduction RSF:</td>
<td>None</td>
</tr>
<tr>
<td>Current Office USF/Person:</td>
<td>109</td>
</tr>
<tr>
<td>Estimated/Proposed Office USF/Person:</td>
<td>109</td>
</tr>
<tr>
<td>Expiration Dates of Current Lease(s):</td>
<td>10/19/2019</td>
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<tr>
<td>Proposed Maximum Leasing Authority:</td>
<td>10 years</td>
</tr>
<tr>
<td>Delineated Area:</td>
<td>North: Merrick Blvd.</td>
</tr>
<tr>
<td></td>
<td>West: Archer Ave.</td>
</tr>
<tr>
<td></td>
<td>East: Liberty Ave.</td>
</tr>
<tr>
<td></td>
<td>South: Sutphin Blvd.</td>
</tr>
<tr>
<td>Number of Official Parking Spaces:</td>
<td>100</td>
</tr>
<tr>
<td>Scoring:</td>
<td>Operating</td>
</tr>
<tr>
<td>Current Total Annual Cost:</td>
<td>$10,417,071.84 (lease effective 10/20/1999)</td>
</tr>
<tr>
<td>Estimated Rental Rate²:</td>
<td>$31.00 / RSF</td>
</tr>
<tr>
<td>Estimated Total Annual Cost¹:</td>
<td>$6,944,000</td>
</tr>
</tbody>
</table>

¹ A RSF/USF ratio of 1.28 is used for the estimated/proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2020 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including standard operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
Background

FDA’s Northeast Region (NER) is responsible for carrying out the programs of FDA’s Office of Regulatory Affairs (ORA) within a geographical area that includes seven states: Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Principal components of NER include the Regional Office, the New York District Office, and the Northeast Regional Laboratory (NERL). These are all currently located at 158-15 Liberty Avenue, Jamaica, NY (the Jamaica Complex). NER has regulatory responsibility over more than 18,000 private firms within its inspectional jurisdiction, with the largest number of firms being in the food and medical-device areas. NER’s regulatory efforts promote and protect the health of the public by ensuring the safety, efficacy, and security of medical devices, as well as the safety of radiation-emitting products. FDA is also responsible for enforcing legislation such as the Federal Food, Drug and Cosmetic Act and the Food Safety Modernization Act.

FDA must have laboratory facilities that are fully functioning to protect the public and ensure effective global and domestic commerce. ORA operates high-throughput field laboratories, located strategically across the United States, to support FDA’s mission to protect the public health and to create new knowledge in the field of regulatory science.

GSA will consider whether FDA’s continued housing needs can be satisfied in the existing location based on an analysis of other potential locations within the delineated area. If other potential locations are identified, GSA will conduct a cost-benefit analysis to determine whether the Government can expect to recover the relocation and duplication costs of real and personal property needed for FDA to accomplish its mission.

Justification

Remaining at the Jamaica Complex will ensure that FDA makes the best use of its investment in the existing flexible, modern space and reliable building systems. The current location supports evolving regulatory science within a secure, safe, and healthy work environment for FDA employees. Extending the service life of the Jamaica Complex, and of the Bio Safety Level 3 (BSL-3) laboratory in particular, by renewing the existing lease will improve the economic performance of the significant investment of taxpayer dollars required to establish and maintain the facility.

NERL is one of FDA’s largest field laboratories. This key laboratory responds to outbreaks involving food and microbiological pathogens. The laboratory’s areas of expertise and specialization include:
analysis for microbial pathogens, pesticides, food additives, mycotoxins, colors, insanitation, decomposition, cosmetics, heavy metals in foods, and quality and purity in pharmaceuticals.

Specialized laboratory capabilities include:
- Mass Spectrometry Center;
- Microbiological Bio-Clean Room (State-of-the-Art Class 100);
- Marine Toxins Laboratory;
- Counterterrorism Toxic Chemical and Poison Analysis; and
- BSL-3 Laboratory (operated and maintained in accordance with 42 CFR 73.7).

Currently, the BSL-3 laboratory is undergoing a recertification to remain compliant with regulatory laws. The biosafety level designation establishes the biocontainment precautions required to isolate dangerous biological agents in the enclosed laboratory facility. BSL-3 facilities provide the appropriate containment environment for working with biological select agents and toxins that have the potential to pose a severe or potentially lethal disease after inhalation.

The current lease at 158-15 Liberty Avenue, Jamaica, NY, expires on October 19, 2019. FDA requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
Certification of Need

The proposed project is the best solution to meet a validated Government need.

September 10, 2018

Submitted at Washington, DC, on

Recommended:

[Signature]
Commissioner, Public Buildings Service

Approved:

[Signature]
Administrator, General Services Administration
### Housing Plan

**Food and Drug Administration**

**Jamaica-Queens, NY**

<table>
<thead>
<tr>
<th>Leased Locations</th>
<th>CURRENT</th>
<th>ESTIMATED/PROPOSED</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Personnel</td>
<td>USF</td>
</tr>
<tr>
<td>158-13 Liberty Avenue</td>
<td>285</td>
<td>285</td>
</tr>
<tr>
<td>Estimated/Proposed Lease</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>285</td>
<td>285</td>
</tr>
</tbody>
</table>

**Office Utilization Rate (OUR)^

<table>
<thead>
<tr>
<th>Rate</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>109%</td>
<td>109%</td>
<td></td>
</tr>
</tbody>
</table>

**Overall RU Factor**^

<table>
<thead>
<tr>
<th></th>
<th>Total USF</th>
<th>RU/USF</th>
<th>Max RU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>175,000</td>
<td>1.28</td>
<td>224,000</td>
</tr>
<tr>
<td>Estimated/Proposed</td>
<td>175,000</td>
<td>1.28</td>
<td>224,000</td>
</tr>
</tbody>
</table>

**Notes:**

1 USF means the portion of the building available for use by a tenant’s personnel and furnishings and space available jointly to the occupants of the building.
2 Calculation excludes judiciary, consular and agencies with less than 10 people.
3 USF/Person = Housing plan total USF divided by total personnel.
4 RU Factor (RU) = Max RU divided by total USF.
5 Storage excludes warehouse, which is part of Special Space.
6 Special spaces listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease of up to 84,937 rentable square feet of space, including 20 official parking spaces, for the Department of Labor currently located at 300 5th Avenue in Seattle, Washington at a proposed total annual cost of $3,958,914 for a lease term of up to 3 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 250 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
PROSPECTUS—LEASE
DEPARTMENT OF LABOR
SEATTLE, WA

Prospectus Number: PWA-01-SE19
Congressional District: 7

Executive Summary

The General Services Administration (GSA) proposes a 3-year lease extension of approximately 84,937 rentable square feet (RSF) for the Department of Labor (DOL) currently located at 300 5th Avenue in Seattle, WA. The current lease expires October 31, 2020.

The proposed extension will enable DOL to provide continued housing for its personnel while a renovation project to allow for relocation and consolidation into federally owned space is completed.

Description

<table>
<thead>
<tr>
<th>Occupant:</th>
<th>Department of Labor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Rentable Square Feet (RSF)</td>
<td>84,937 (Current RSF/USF = 1.14)</td>
</tr>
<tr>
<td>Estimated/Proposed Maximum RSF¹</td>
<td>84,937 (Proposed RSF/USF = 1.14)</td>
</tr>
<tr>
<td>Expansion/Reduction RSF:</td>
<td>None</td>
</tr>
<tr>
<td>Current USF/Person:</td>
<td>250</td>
</tr>
<tr>
<td>Estimated/Proposed USF/Person:</td>
<td>250</td>
</tr>
<tr>
<td>Expiration Dates of Current Lease(s):</td>
<td>10/31/2020</td>
</tr>
<tr>
<td>Proposed Maximum Leasing Authority:</td>
<td>3 years</td>
</tr>
<tr>
<td>Delineated Area:</td>
<td>Seattle CBD</td>
</tr>
<tr>
<td>Number of Official Parking Spaces:</td>
<td>20</td>
</tr>
<tr>
<td>Scoring:</td>
<td>Operating Lease</td>
</tr>
<tr>
<td>Current Total Annual Cost:</td>
<td>$3,242,895 (lease effective 11/01/2010)</td>
</tr>
<tr>
<td>Estimated Rental Rate²:</td>
<td>$46.61 / RSF</td>
</tr>
<tr>
<td>Estimated Total Annual Cost³:</td>
<td>$3,958,914</td>
</tr>
</tbody>
</table>

Background

DOL promotes and develops the welfare of the wage earners, job seekers, and retirees of the United States; improves working conditions; advances opportunities for profitable employment; and assures work-related benefits and rights. The Seattle DOL Regional Office houses district and field offices for 11 agencies.

¹ Five other agencies are included in the existing lease at 300 5th Ave; their space needs will be negotiated and procured separately.
² This estimate is for fiscal year 2021 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.
³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
GSA

PROSPECTUS - LEASE
DEPARTMENT OF LABOR
SEATTLE, WA

Prospectus Number: PWA-01-SE19
Congressional District: 7

Justification

The current lease at 300 5th Avenue expires October 31, 2020. DOL is scheduled to consolidate this office and relocate to the Federal Office Building (FOB) at 909 First Avenue in Seattle, by October 1, 2021. DOL requires continued housing at its current location until the new space is readyed for occupancy. DOL will backfill vacant space made available from a recent Department of the Interior–National Park Service (NPS) consolidation project in the FOB, and a Department of Housing and Urban Development (HUD) relocation and consolidation from the FOB to the Jackson Federal Building (JFB) at 915 Second Avenue in Seattle. The consolidation project will reduce DOL’s all-in utilization rate from 250 to 166 per person with a reduction in usable square footage from 74,832 to 49,637.

The DOL move to the FOB is dependent on the completion of the NPS consolidation and HUD’s relocation to the JFB. The 3-year term is requested to cover any potential delays in the coordination of these projects.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
PROSPECTUS – LEASE
DEPARTMENT OF LABOR
SEATTLE, WA

Prospectus Number: PWA-01-SE19
Congressional District: 7

Certification of Need
The proposed project is the best solution to meet a validated Government need.

September 10, 2018
Submitted at Washington, DC, on

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration
## Housing Plan
### Department of Labor

| Leased Locations | CURRENT | | E|STIMATED/PROPOSED | | |
|-----------------|---------|---|---|---|---|---|---|---|
| | Office | Total | Office | Storage | Special | Total | Office | Total | Office | Storage | Special | Total |
| 300 5th Avenue | 299 | 299 | 53,846 | 6,368 | 14,518 | 74,732 | 299 | 299 | 53,846 | 6,368 | 14,518 | 74,732 |
| **Total** | 299 | 299 | 53,846 | 6,368 | 14,518 | 74,732 | 299 | 299 | 53,846 | 6,368 | 14,518 | 74,732 |

### Office Utilization Rate (UR)\(^2\)

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
<td>144</td>
<td>144</td>
</tr>
</tbody>
</table>

\(^2\)UR = average amount of office space per person

Current UR excludes 11,868 sq. ft. of office support space. Proposed UR excludes 11,868 sq. ft. of office support space.

### Overall UR\(^2\)

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
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<td>250</td>
</tr>
</tbody>
</table>

### R/F Factor\(^3\)

<table>
<thead>
<tr>
<th></th>
<th>Total USF</th>
<th>RSF/USF</th>
<th>Max RSF(^4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>74,832</td>
<td>1.14</td>
<td>64,937</td>
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<tr>
<td>Estimated/Proposed</td>
<td>74,832</td>
<td>1.14</td>
<td>64,937</td>
</tr>
</tbody>
</table>

### NOTEs:

1. USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
2. Calculation excludes Judiciary, Congress and agencies with less than 10 people.
3. USF/Person = housing plus total USF divided by total personnel.
4. R/F Factor = Max RSF divided by total USF.
5. Storage excludes warehouses, which are part of Special Space.
6. Special spaces listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RFP) is issued to meet specific agency requirements.
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 201,000 rentable square feet of space, including 35 official parking spaces, for the Court Services and Offender Supervision Agency for the District of Columbia, the Pretrial Services Agency for the District of Columbia, and the Public Defender Service for the District of Columbia currently located at 633 Indiana Avenue NW, 1025 F Street NW, and 601 Indiana Avenue NW in Washington, D.C. at a proposed total annual cost of $10,050,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease. Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the Administrator shall provide any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
Executive Summary

The General Services Administration (GSA) proposes a replacement lease of approximately 201,000 rentable square feet (RSF) for the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA), the Pretrial Services Agency for the District of Columbia (PSA), and the Public Defender Service for the District of Columbia (PDS) in Washington, DC. CSOSA, PSA, and PDS are currently housed in three leased locations, which include three GSA leases (located at 633 Indiana Avenue NW since 1999, and 1025 F Street NW since 2010), and two leases executed by CSOSA and PSA under a delegation from GSA (located at 601 Indiana Avenue NW).

The new lease will provide continued housing for CSOSA, PSA, and PDS and will improve their office utilization rate from 115 usable square feet (USF) per person to 93 USF and their overall space utilization rate from 212 USF to 204 USF per person, respectively.

Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupant: CSOSA, PSA, and PDS</td>
<td></td>
</tr>
<tr>
<td>Current Rentable Square Feet (RSF)</td>
<td>209,012 (Current RSF/USF = 1.20)</td>
</tr>
<tr>
<td>Estimated Maximum RSF1:</td>
<td>201,000 (Proposed RSF/USF = 1.20)</td>
</tr>
<tr>
<td>Reduction RSF:</td>
<td>8,012 RSF</td>
</tr>
<tr>
<td>Current USF/Person:</td>
<td>212</td>
</tr>
<tr>
<td>Estimated USF/Person:</td>
<td>204</td>
</tr>
<tr>
<td>Expiration Dates of Current Lease(s):</td>
<td>633 Indiana Ave. NW: 9/30/20</td>
</tr>
<tr>
<td></td>
<td>1025 F St. NW: 11/7/20</td>
</tr>
<tr>
<td></td>
<td>601 Indiana Ave. NW: 3/31/23 &amp; 9/30/21</td>
</tr>
<tr>
<td>Proposed Maximum Leasing Authority:</td>
<td>20 years</td>
</tr>
<tr>
<td>Delineated Area:</td>
<td>Portions of Washington DC, CEA</td>
</tr>
<tr>
<td>Number of Official Parking Spaces:</td>
<td>35</td>
</tr>
<tr>
<td>Scoring:</td>
<td>Operating</td>
</tr>
<tr>
<td>Current Total Annual Cost:</td>
<td>$10,002,095 (leases effective 2010)</td>
</tr>
<tr>
<td>Estimated Rental Rate2:</td>
<td>$50.00 / RSF</td>
</tr>
</tbody>
</table>

1 The RSF/USF at the current location is approximately 1.18; however, to maximize competition a RSF/USF ratio of 1.20 is used for the estimated proposed maximum RSF as indicated in the housing plan.

2 This estimate is for fiscal year 2019 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.
GSA PBS

PROSPECTUS – LEASE
COURT SERVICES AND OFFENDER SUPERVISION AGENCY,
PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE
WASHINGTON, DC

Prospectus Number PDC-12-WA19

Estimated Total Annual Cost:\  $10,050,000

Acquisition Strategy

In order to maximize the flexibility and competition in acquiring space for CSOSA, PSA, and PDS, GSA may issue a single, multiple-award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The National Capital Revitalization and Self-Government Improvement Act first established CSOSA in 1997 to provide community supervision for adult offenders on probation, parole, and supervised release in the District of Columbia. CSOSA’s mission is to enhance public safety, prevent crime, and reduce recidivism among those supervised and to support the fair administration of justice in close collaboration with the community.

PSA’s mission is to promote pretrial justice and enhance community safety. It assists judicial officers in both the Superior Court of the District of Columbia and the United States District Court for the District of Columbia by conducting a risk assessment for every arrested person who will be presented in court and formulating release or detention recommendations. PDS’ mission is to promote and provide quality court-appointed counsel in criminal and juvenile delinquency cases pending before the Superior Court of the District of Columbia.

Justification

Due to the nature of their functions, CSOSA, PSA, and PDS need to be housed within close proximity to the courts to address mission-based matters that may arise with the sentencing and/or supervision of their clients. CSOSA staff supervises approximately 14,000 offenders on any given day. The court often directs probationers to report promptly to CSOSA for a variety of reasons that may require immediate attention before judicial decisions can be made. For the defendants who are placed on conditional release pending trial, PSA provides supervision and treatment services that reasonably assure that they return to court and do not engage in criminal activity pending their trial and/or sentencing. PDS staff makes frequent trips to the DC Superior Court daily in support of

\ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
GSA

PROSPECTUS – LEASE
COURT SERVICES AND OFFENDER SUPERVISION AGENCY,
PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE
WASHINGTON, DC

Prospectus Number PDC-12-WA19

PDS's work, and the court relies heavily on the immediate availability of PDS staff to attend to the many matters that may arise.

These agencies have housed their offices in close proximity to the courts since their creation. They anticipate continued housing needs beyond the proposed term of this lease (20 years).

CSOSA's goal is to reduce its real estate footprint through consolidation and vacating some of its existing locations. CSOSA will reduce its real estate footprint and operational costs through open space plans and office sharing, where feasible. While neither PDS nor PSA have published reduction goals, the proposed project reflects reductions from their current footprint.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
Prospectus Number PDC-12-WA19

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 19, 2018

Recommended: Commissioner, Public Buildings Service

Approved: Administrator, General Services Administration
### Leased Locations

<table>
<thead>
<tr>
<th>Leased Location</th>
<th>CURRENT Personnel</th>
<th>CURRENT Usable Square Feet (USF)</th>
<th>ESTIMATED/PROPOSED Personnel</th>
<th>ESTIMATED/PROPOSED Usable Square Feet (USF)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office Total</td>
<td>Office Storage Special Total</td>
<td>Office Total</td>
<td>Office Storage Special Total</td>
</tr>
<tr>
<td>633 Indiana Avenue</td>
<td>597</td>
<td>85,878</td>
<td>36,088</td>
<td>127,026</td>
</tr>
<tr>
<td>1051 F Street NW</td>
<td>55</td>
<td>5,221</td>
<td>4,145</td>
<td>9,367</td>
</tr>
<tr>
<td>Estimated/Proposed Lease</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>652</td>
<td>91,099</td>
<td>36,088</td>
<td>167,049</td>
</tr>
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</table>

#### Office Utilization Rate (UR)\(^1\)

<table>
<thead>
<tr>
<th>Rate</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office UR</td>
<td>1.15</td>
<td>0.93</td>
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</tbody>
</table>
| Current UR excludes 26,668 sf of office support space
| Proposed UR excludes 21,440 sf of office support space

#### Overall UR\(^2\)

<table>
<thead>
<tr>
<th>Rate</th>
<th>Current</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td>Overall UR</td>
<td>2.12</td>
<td>2.06</td>
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</table>

#### CAF\(^3\)

<table>
<thead>
<tr>
<th>CAF</th>
<th>Total USF</th>
<th>80% of USF M1 Est USF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>173,352</td>
<td>120,019</td>
</tr>
<tr>
<td>Estimated/Proposed</td>
<td>167,049</td>
<td>120,019</td>
</tr>
</tbody>
</table>

### Notes:

1. USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
2. Calculation excludes Judiciary, Congress and agencies with less than 10 people.
3. USF/Person = housing plan total USF divided by total personnel.
4. Common Area Factor (CAF) = Max USF divided by total USF.
5. Storage excludes warehouse, which is part of Special.
6. Special space listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 92,210 rentable square feet of space for the Department of Homeland Security-Secret Service currently located in the Renaissance Plaza Building at 335 Adams Street in Brooklyn, New York at a proposed total annual cost of $5,593,459 for a lease term of up to 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 269 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 5 years at the current location for approximately 92,210 rentable square feet (RSF) for the Department of Homeland Security (DHS)–Secret Service (USSS). USSS is currently located in the Renaissance Plaza Building at 335 Adams Street in Brooklyn, New York. This location houses the Regional Headquarters Office for USSS, and USSS has occupied space in the building since October 2001. The lease expires on October 30, 2018.

Description

<table>
<thead>
<tr>
<th>Description</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupant:</td>
<td>Secret Service</td>
</tr>
<tr>
<td>Current Rentable Square Feet (RSF)</td>
<td>92,210 (Current RSF/USF = 1.37)</td>
</tr>
<tr>
<td>Estimated Maximum RSF:</td>
<td>92,210 (Proposed RSF/USF = 1.37)</td>
</tr>
<tr>
<td>Expansion/Reduction RSF:</td>
<td>None</td>
</tr>
<tr>
<td>Current Usable Square Feet (USF)/Person:</td>
<td>269</td>
</tr>
<tr>
<td>Estimated USF/Person:</td>
<td>269</td>
</tr>
<tr>
<td>Proposed Maximum Lease Term:</td>
<td>5 Years</td>
</tr>
<tr>
<td>Expiration Dates of Current Leases:</td>
<td>10/30/2018</td>
</tr>
<tr>
<td>Delineated Area:</td>
<td>Bounded by Tillary Street to the north, Ashland Place to the east, Schermerhorn Street to the south, and Adams Street/Boerun Place to the west</td>
</tr>
<tr>
<td>Number of Official Parking Spaces:</td>
<td>0</td>
</tr>
<tr>
<td>Scoring:</td>
<td>Operating lease</td>
</tr>
<tr>
<td>Current Total Annual Cost:</td>
<td>$4,965,202 (Lease effective 10/05/2001; includes lease contract and electricity)</td>
</tr>
<tr>
<td>Estimated Rental Rate:¹</td>
<td>$60.66</td>
</tr>
<tr>
<td>Estimated Total Annual Cost:²</td>
<td>$5,593,459 (lease contract plus electricity)</td>
</tr>
</tbody>
</table>

¹This estimate is for fiscal year 2019 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

²The proposed annual rental is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
Background

The current lease became effective on October 5, 2001—shortly after the September 11, 2001, attacks destroyed USSS' Regional Headquarters Office located at 7 World Trade Center—and expires on October 30, 2018. The lease was executed under an emergency blanket authorization. GSA pays approximately $4,726,378 in annual lease contract rent.

Justification

USSS has housed its Regional Headquarters in Brooklyn since 2001. Extension of the current lease will enable USSS to provide continued housing for its personnel and meet its mission requirements. A 5-year lease extension will provide GSA and USSS the opportunity for a coordinated USSS relocation plan. GSA will attempt to negotiate a flexible lease term of 5 years with termination rights after the third year to mitigate vacancy risk in the event a new location for USSS is ready for occupancy in less than 5 years.

It is anticipated that USSS will consolidate the larger USSS footprint throughout the New York City area into a long-term solution.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
SECRET SERVICE
BROOKLYN, NY

Prospectus Number: PNY-04-BR18
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 2, 2018.

Recommended: __________________________

Commissioner, Public Buildings Service

Approved: ______________________________

Administrator, General Services Administration
January 2017

Department of Homeland Security United States Secret Service (DHS-USSS)

<table>
<thead>
<tr>
<th>Leased Locations</th>
<th>CURRENT</th>
<th>ESTIMATED/PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Personnel</td>
<td>Usable Square Feet (USF)</td>
</tr>
<tr>
<td></td>
<td>Office</td>
<td>Total</td>
</tr>
<tr>
<td>315 Adams Street, Brooklyn, NY</td>
<td>250</td>
<td>250</td>
</tr>
<tr>
<td>Total</td>
<td>250</td>
<td>250</td>
</tr>
</tbody>
</table>

Office Utilization Rate (UR)²

<table>
<thead>
<tr>
<th>Rate</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>UR</td>
<td>149</td>
<td>149</td>
</tr>
</tbody>
</table>

Current UR excludes 10,474 USF of office support space
Proposed UR excludes 10,474 USF of office support space

Overall UR³

<table>
<thead>
<tr>
<th>Rate</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>UFR</td>
<td>1.37</td>
<td>1.37</td>
</tr>
<tr>
<td>UFR</td>
<td>67,291</td>
<td>92,210</td>
</tr>
</tbody>
</table>

NOTES:

¹USF means the portion of the building available for use by a tenant’s personnel and furnishings and space available jointly to the occupants of the building.
²Calculation excludes Judiciary, Congress, and agencies with fewer than 10 people.
³USF/Person = housing plan total USF divided by total personnel.
⁴RU Factor = Max RSF divided by total USF.
There was no objection.

RENMING THE STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT OF 2012

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform, Committee on Financial Services, Committee on Agriculture, Committee on House Administration, and Committee on the Judiciary be discharged from further consideration of the bill (H.R. 6870) to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter, 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 Kentucky?

There was no objection.

The text of the bill is as follows:

H.R. 6870

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

SECTION 1. RENAMING.

(a) SHORT TITLE.—Section 1 of the Stop Trading on Congressional Knowledge Act of 2012 is amended by striking “Stop Trading on Congressional Knowledge Act of 2012” and inserting “Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge Act”.

(b) CONFORMING AMENDMENT.—Section 103(i)(2) of the Ethics in Government Act of 1978 (5 U.S.C. App. 103(i)(2)) is amended by striking “Stop Trading on Congressional Knowledge Act of 2012” and inserting “STOCK Act”.

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.

DEPUTY SHERIFF ZACKARI SPURLOCK PARRISH, III, POST OFFICE BUILDING

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (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 Zackari Spurlock Parrish, III, Post Office Building”.

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.

DEPUTY SHERIFF HEATH MCDONALD GUMM POST OFFICE

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (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”, 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 Kentucky?

There was no objection.

The text of the bill is as follows:

H.R. 5792

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

SECTION 1. DEPUTY SHERIFF HEATH MCDONALD GUMM POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, shall be known and designated as the “Deputy Sheriff Heath McDonald Gumm Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Deputy Sheriff Heath McDonald Gumm Post Office”.

AMENDMENT OFFERED BY MR. COMER

Mr. COMER. Mr. Speaker, I have an amendment at the desk.

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

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. DEPUTY SHERIFF HEATH MCDONALD GUMM POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, shall be known and designated as the “Deputy Sheriff Heath McDonald Gumm Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Deputy Sheriff Heath McDonald Gumm Post Office”.

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: “A bill to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the ‘Detective Heath McDonald Gumm Post Office’.”

A motion to reconsider was laid on the table.

MAJOR ANDREAS O’KEEFFE POST OFFICE BUILDING

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (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”, 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 Kentucky?

There was no objection.

The text of the bill is as follows:

H.R. 6780

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

SECTION 1. MAJOR ANDREAS O’KEEFFE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, shall be known and designated as the “Major Andreas O’Keeffe Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Major Andreas O’Keeffe Post Office Building”.

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.

NAPOLEON “NAP” FORD POST OFFICE BUILDING

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (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”, 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 Kentucky?

There was no objection.

The text of the bill is as follows:

H.R. 6591

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SEC. 1. NAPOLEON “NAP” FORD POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, shall be known and designated as the “Napoleon ‘Nap’ Ford Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ‘‘Napoleon ‘Nap’ Ford Post Office Building’’.

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.

MISSING CHILDREN’S ASSISTANCE ACT OF 2018

Mr. GUTHRIE. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the bill (S. 3354) to amend the Missing Children’s Assistance Act, 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 Kentucky?

There was no objection.

The text of the bill is as follows:

S. 3354

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 “Missing Children’s Assistance Act of 2018”.

SEC. 2. IMPROVING SUPPORT FOR MISSING AND EXPLOITED CHILDREN

(a) FINDINGS.—Section 402 of the Missing Children’s Assistance Act (34 U.S.C. 11292) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;”;

(2) by striking paragraphs (4), (5), and (9);

(b) DESIGNATING PARAGRAPHS (6), (7), (8), and (10) as paragraphs (4), (5), (6), and (7), respectively;

(3) in paragraph (4), as so redesignated, by inserting “including child sex trafficking and sextortion” after “exploitation”;

(4) in paragraph (6), as so redesignated, by adding “and” at the end; and

(5) by amending paragraph (7), as so redesignated, to read as follows—

“(7) the Office of Juvenile Justice and Delinquency Prevention administers programs under this title, including programs that prevent and address offenses committed against vulnerable children and support missing children’s organizations, including the National Center for Missing and Exploited Children that—

(A) serves as a nonprofit, national resource center and clearinghouse to provide assistance to families, child-serving professionals, and the general public;

(B) works with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, U.S. Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, other agencies, and nongovernmental organizations in the effort to find missing children and to prevent child victimization and exploitation; and

(C) coordinates with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, Puerto Rico, and U.S. territories and organizations that transmit images and information regarding missing and exploited children to law enforcement agencies, nongovernmental organizations, and volunteer and advocate partners across the United States and around the world interactively.”;

(b) DEFINITIONS.—Section 403 of the Missing Children’s Assistance Act (34 U.S.C. 11292) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) the term ‘missing child’ means any individual less than 18 years of age whose whereabouts are unknown to such individual’s parent;”;

(2) in paragraph (2), by striking “and” at the end;

(3) in paragraph (3), by striking the period at the end and inserting “;” and “;”;

(4) by adding at the end the following:

“(4) the term ‘exploitation’ includes a legal guardian or other individual who may lawfully exercise parental rights with respect to the child.”;

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children’s Assistance Act (34 U.S.C. 11293) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking “telephone line” and inserting “hotline”; and

(B) in paragraph (6)(b)(1)—

(i) by striking “telephone line” and inserting “hotline”;

(ii) by striking “(b)(1)(A) and” and inserting “(b)(1)(A)”;

(iii) by inserting “, and the number and types of reports to the tipline established under paragraph (4)(K) before the semicolon at the end;

(2) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking “telephone line” each place it appears and inserting “hotline”; and

(ii) by striking “legal custodian” and inserting “parent”;

(B) in paragraph (C)—

(i) in clause (1)—

(I) by striking “restaurant” and inserting “food”;

(II) by striking “and” at the end;

(III) by adding “and” at the end; and

(IV) by adding at the end the following:

“(V) provide technical assistance and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying and locating such individuals;”;

(K) by amending subparagraph (K), as so redesignated, to read as follows:

“(K) work with families, law enforcement agencies, nongovernmental service providers, technology companies, nongovernmental organizations, and others on methods to reduce the existence and distribution of online images and videos of sexually exploited children—

(i) by operating a tipline to—

(I) provide to individuals and electronic service providers an effective means of reporting internet-related and other instances of child sexual exploitation in the areas of—

(aa) possession, manufacture, and distribution of child pornography;

(bb) online enticement of children for sexual acts;

(cc) child sex trafficking;

(dd) sex tourism involving children;

(ee) extra-familial child sexual molestation;

(ff) unsolicited obscene material sent to a child;

(gg) misleading domain names; and

(hh) misleading words or digital images on the internet; and

(ii) make reports received through the tipline available to the appropriate law enforcement agency for its review and potential investigation;

(iii) operate a child victim identification program to assist law enforcement agencies in identifying victims of child pornography and other sexual crimes to support recovery of children from sexually exploitative situations; and

(iv) by utilizing emerging technologies to provide additional outreach and educational materials to parents and service providers;”;

(L) by amending subparagraphs (L) and (M), as so redesignated, to read as follows:
“(L) develop and disseminate programs and information to families, child-serving professionals, law enforcement agencies, State and local governments, nongovernmental organizations, and local educational agencies, child-serving organizations, and the general public on—

“(i) the prevention of child abduction and sexual exploitation;

“(ii) internet safety, including tips for social media and cyberbullying; and

“(iii) sexting and sextortion;

“(M) provide technical assistance and training to local educational agencies, schools, State and local law enforcement agencies, individuals, and other nongovernmental organizations that assist with finding missing and abducted children in identifying and recovering such children;”;

(d) Grants.—Section 405 of the Missing Children’s Assistance Act (34 U.S.C. 11294) is amended—

(1) in subsection (a)—

(A) in paragraph (7), by striking “(as defined in section 403(a)(1))”;

(B) in paragraph (8)—

(i) by striking “legal custodians” and inserting “parents”;

(ii) by striking “custodians” and inserting “parents”;

(2) in subsection (b)(1)(A), by striking “legal custodians” and inserting “parents”;

(e) Section 409(a) of the Missing Children’s Assistance Act (34 U.S.C. 11291 et seq.) is amended—

(1) by redesignating sections 407 and 408 as sections 408 and 409, respectively; and

(2) by inserting after section 406 (34 U.S.C. 11295) the following:

**SEC. 407. REPORTING.**

“(a) Required Reporting.—As a condition of receiving funds under section 404(b), the grant recipient shall, based solely on reports received by the grantee and not involving any other collection by the grantee other than those reports, annually provide to the Administrator and make available to the general public, as appropriate—

“(1) the number of children nationwide who are reported to be missing; and

“(2) the number of children nationwide who are reported to the grantee as victims of non-family abductions; and

“(3) the number of missing children recovered nationwide whose recovery was reported to the grantee.

(b) Incidence of Attempted Child Abduction.—As a condition of receiving funds under section 404(b), the grant recipient shall—

“(1) track the incidence of attempted child abductions in order to identify links and patterns;

“(2) provide such information to law enforcement agencies; and

“(3) make such information available to the general public, as appropriate.”.

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS; AUDIT REQUIREMENT.**

(a) Authorization of Appropriations.—Section 409(a) of the Missing Children’s Assistance Act, as so redesignated by section 2, is amended by striking “2018” and inserting “2023”.

(b) Audit Requirement.—Section 408(1) of the Missing Children’s Assistance Act, as so redesignated by section 2, is amended by striking “2018” and inserting “2023”.

**SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

(a) Effective Date.—Except as provided in subsection (b) and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) Application of Amendments.—The amendments made by section 2 shall apply with respect to fiscal years that begin after September 30, 2018.

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.

**REAUTHORIZING THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT**

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the Committee on Education and the Workforce be discharged from further consideration of the bill (H.R. 6964) to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, 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. 6964

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

**SECTION 1. FAMILY VIOLENCE PREVENTION AND SERVICES.**

Section 303 of the Family Violence Prevention and Services Act (42 U.S.C. 10403) is amended—

(1) in subsection (a)(1), by striking “2011 through 2015” and inserting “2015 through 2019”;

(2) in subsection (b), by striking “2011 through 2015” and inserting “2015 through 2019”;

(b) Effective Date.—The amendment made by subsection (a) shall take effect on October 1, 2018.

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.

**JUVENTILE JUSTICE REFORM ACT OF 2018**

Mr. LEWIS of Minnesota. Mr. Speaker, I ask unanimous consent that the Committee on Education and the Workforce be discharged from further consideration of the bill (H.R. 6964) to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, 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 Minnesota?

There was no objection.

The text of the bill is as follows:

H.R. 6964

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 “Juvenile Justice Reform Act of 2018.”

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

Sec. 1. Purposes.

Sec. 2. Definitions.

Sec. 3. Application of amendments.

**TITLE I—DECLARATION OF PURPOSES AND DEFINITIONS**

Sec. 101. Purposes.

Sec. 102. Definitions.

**TITLE II—CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM**

Sec. 102. Concentration of Federal efforts.


**CONGRESSIONAL AWARD PROGRAM REAUTHORIZATION ACT OF 2018**

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the bill (S. 3509) to reauthorize the Congressional Award Act (2 U.S.C. 808) is amended—

(3) in subsection (c), by striking “2011 through 2015” and inserting “2015 through 2019”.

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.

**JUVENILE JUSTICE REFORM ACT OF 2018**
SEC. 3. APPLICATION OF AMENDMENTS.

The amendments made by this Act shall not apply with respect to funds appropriated for any fiscal year that begins before the date of the enactment of this Act.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

SEC. 101. PURPOSES.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11102) is amended—

(1) in paragraph (1), by inserting "tribal," after youth's;

(2) in paragraph (2)—

(A) by inserting "tribal," after "State"; and

(B) by striking "and" at the end;

(3) by amending paragraph (3) to read as follows:

"(3) to assist State, tribal, and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of current and relevant information on effective and evidence-based programs and practices for combating juvenile delinquency; and"

(4) by adding at the end the following:

"(4) to support a continuum of evidence-based or promising programs (including delinquency prevention, intervention, mental health, educational, and substance abuse treatment, family services, and services for children exposed to violence) that are trauma informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth and youth who come into contact with the justice system;"

SEC. 102. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11103) is amended—

(1) in paragraph (8)—

(A) in subparagraph (B)(i), by adding "or" at the end;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) in paragraph (18)—

(A) by inserting purposes of title II, before "the term"; and

(B) by adding at the end the following:

"that has a law enforcement function, as determined by the Secretary of the Interior in consultation with the Attorney General;"

(3) by amending paragraph (22) to read as follows:

"(22) the term 'juvenile facility' means any physical, clear visual, or verbal contact that is not brief and inadvertent;"

(4) by amending paragraph (25) to read as follows:

"(25) the term 'juvenile' means any juvenile official who—"

(A) by an appropriately trained professional who is licensed or certified by the applicable State in the mental health, behavioral health, or substance abuse treatment needs to be addressed during a youth's confinement;"

(5) not later than 1 year after the date of the enactment of this Act—

(A) means the requirements described in paragraphs (11), (12), (13), and (15) of section 223(a); and

(B) includes the data collection requirements described in subparagraphs (A) through (K) of section 207(1);"

(31) the term 'chemical agent' means a spray or injection used to temporarily incapacitate a person, including oleoresin capsaicin spray, tear gas, and 2-chlorobenzalmalononitrile gas;"

(32) the term 'isolation'—

"(A) means any instance in which a youth is confined alone for more than 15 minutes in a room or cell; and"

(33) the term 'restraints' has the meaning given that term in section 591 of the Public Health Service Act (42 U.S.C. 290j);"

(34) the term 'evidence-based' means a program or practice that—

"(1) is based on a clearly articulated and empirically supported theory;

(2) is measurable in terms of the outcomes produced in a particular population, whether urban or rural; and"

(35) the term 'promising' means a program or practice that—

"(A) has measurable outcomes relevant to juvenile justice, including a detailed description of the outcomes produced in a particular population, whether urban or rural; and"

(36) the term 'dangerous practice' means a program or practice that—

"(A) is demonstrated to be effective when implemented with fidelity;

(2) by striking ''a long-term plan, and implementing'' from the end; and

(3) by striking subsection (b) and redesignating it as subsection (c)."

(37) the term 'screening' means a brief evaluation;"

(38) the term 'trauma-informed' means—

"(A) understanding the impact that exposure to violence and trauma have on a youth's physical, psychological, and psychosocial development;"

(39) the term 'rural' means an area that is not located in a metropolitan statistical area, as defined by the Office of Management and Budget; and"

(40) the term 'tribal government' means the governing body of an Indian Tribe;"

TITLE II—CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM

SEC. 201. CONCENTRATION OF FEDERAL EF- FORTS.

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11114) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence—

(i) by striking "a long-term plan, and implement" and inserting the following: "a long-term plan to improve the juvenile justice system in the United States, taking into account scientific knowledge regarding adolescent development and behavior and re-evaluating the effect of delinquency prevention programs and juvenile justice interventions on adolescents, and shall implement"; and

(ii) by striking "research, and improve" and inserting "and research, and";

(B) in paragraph (2), by striking "Federal Register during the 30-day period ending on October 1 of each year"; and

(2) in subsection (b)—

(A) by striking paragraph (7); and

(B) by redesigning paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(3) by inserting after paragraph (4), the following:

"(5) not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018, in Indian Tribes, develop a policy for the Office of Juvenile Justice and Delinquency Prevention

"(6) in paragraph (28), by striking "and" at the end; and

(7) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

"(9) the term 'core requirements'—

"(A) means the requirements described in paragraphs (11), (12), (13), and (15) of section 223(a); and

(B) does not include the data collection requirements described in subparagraphs (A) through (K) of section 207(1);"

(10) the term 'restraint' means a spray or injection used to temporarily incapacitate a person, including oleoresin capsaicin spray, tear gas, and 2-chlorobenzalmalononitrile gas;"

(11) the term 'isolation'—

"(A) means any instance in which a youth is confined alone for more than 15 minutes in a room or cell; and"

(12) the term 'juvenile' means—

"(1) an individual who—

(A) means an individual who—

(i) at the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law; and

(ii) was committed to the care and custody or supervision, including post-placement or parole supervision, of a juvenile correctional agency by a court of competent jurisdiction or by operation of applicable State law; "

(3) by amending paragraph (22) to read as follows:

"(22) the term 'juvenile facility' means any physical, clear visual, or verbal contact that is not brief and inadvertent;"

(4) by amending paragraph (25) to read as follows:

"(25) the term 'juvenile' means—

(A) means an individual who—

(i) has been arrested and is in custody for a youth's physical, psychological, and psychosocial development; and

(ii) does not include—

(i) confinement during regularly scheduled sleeping hours;

(ii) separation based on a treatment program approved by a licensed medical or mental health professional;"
to collaborate with representatives of Indian Tribes with a criminal justice function on the implementation of the provisions of this Act relating to Indian Tribes;'';
(D) in paragraph (8), as so redesignated, by adding “and” at the end; and
(E) in paragraph (7), as so redesignated—
(i) by striking “monitoring”;
(ii) by striking section 223(a)(15)” and inserting “section 223(a)(14)”;
(iii) by striking “to review the adequacy of such systems;” and
(iv) and inserting “for monitoring collations”
SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.
Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11116) is amended—
11117) is amended—
SEC. 203. ANNUAL REPORT.
Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11117) is amended—
11117) is amended—
SEC. 204. ALLOCATION OF FUNDS.
(a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11131(b)(1)) is amended by striking “2 percent” and inserting “5 percent”.
(b) OTHER ALLOCATIONS.—Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11132) is amended—
(1) in subsection (a) —
(A) in paragraph (1), by striking “age eight” and “18 years of age” and inserting “age eight and 18 years of age”;
(B) in paragraph (2), by striking “$600,000; and
(C) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than $75,000.
(B) If the aggregate amount appropriated for fiscal year to carry out this title is less than $75,000,000, then—
(iii) by striking “Secretary of the Interior,” after “the Sec-
education, child and adolescent substance abuse, special education, services for youth with disabilities; 

(bb) in subclause (ii), by striking “delinquency,” inserting “potential delinquents,” and inserting “delinquent youth or youth at risk of delinquency;” 

(cc) in subclause (VI), by striking “youth workers for these purposes” and inserting “representatives or;” 

(dd) in subparagraph (VII), by striking “and” at the end; 

(3) in subparagraph (VIII) and inserting the following: 

“(X) for a State in which one or more Indian tribes are present, an Indian tribal representative (if such representative is available) or other individual with significant expertise in juvenile justice and Indian tribal communities;” 

(III) in clause (iv), by striking “24 at the time of appointment” and inserting “28 at the time of initial appointment;” and 

(IV) in clause (v) by inserting “or, if not feasible and in appropriate circumstances, who is the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system after juvenile justice system;” 

(ii) in subparagraph (C), by striking “30 days” and inserting “45 days;” 

(iii) in subparagraph (D) 

(I) in clause (i), by striking “and” at the end; 

(II) in clause (ii), by striking “at least annually” and inserting “at least annually recommendations regarding State compliance with the requirements of paragraphs (ii), (I), and (I)” and inserting “at least annually recommendations regarding State compliance with the core requirements;” and 

(iv) in subparagraph (E) 

(I) in clause (i), by adding “and” at the end; and 

(II) in clause (ii), by striking the period at the end and inserting a semicolon; 

(D) by striking “Indian tribes” and all that follows through “and juvenile delinquents and juvenile justice systems;” 

(E) in paragraph (7) 

(I) in subparagraph (A), by striking “performs law enforcement functions” and inserting “has jurisdiction;” and 

(ii) in subparagraph (B) 

(I) in clause (i), by striking “and” at the end; and 

(II) by striking clause (iv) and inserting the following: 

“(IV) a program to provide alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system;” 

(iv) a plan to reduce the number of children housed in secure detention and correction facilities who are awaiting placement in residential treatment programs; 

(v) a plan to ensure that parents, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement; 

(vi) a plan to ensure the availability of evidence-based and trauma-informed programs and practices; and 

(vii) by (IX) not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018, a plan which shall be implemented not later than 2 years after the date of enactment of the Juvenile Justice Reform Act of 2018 to— 

“(I) eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; and 

“(II) eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints, and four-point restraints on known pregnant juveniles, unless— 

“((aa) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or 

“((bb) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method; 

“(P) in the matter preceding subparagraph (A), by inserting “, including evidence-based and promising programs’’; and 

(G) in paragraph (9)— 

(I) in the matter preceding subparagraph (A), by inserting “, with priority in funding given to entities meeting the criteria for evidence-based or promising programs’’ after “used for;” 

(ii) in subparagraph (A)— 

(I) in clause (i) 

((aa) inserting “status offenders and other” before “youth who need;” and 

(bb) by striking “and” at the end; 

(II) in clause (ii) by adding “and” at the end; and 

(III) by inserting after clause (ii) the following: 

“(iii) for youth who need specialized intensive and comprehensive services that address the unique issues encountered by youth when they become involved with gangs;” 

(III) in subparagraph (H)— 

(I) by striking “parents and other family members” and inserting “status offenders, other youth, and the parents and other family members of such offenders and youth;” and 

(II) by striking “be retained” and inserting “remain;” 

(iv) in subparagraph (E) 

(I) in the matter preceding clause (i), by striking “delinquent” and inserting “at-risk or delinquent youth;” and 

(II) in clause (i), by inserting “, including for truancy prevention and reduction” before the semicolon; 

(v) in subparagraph (F), in the matter preceding clause (i), by striking “expanding” and inserting “and expanding;” 

(vi) by redesignating subparagraphs (G) through (S) as subparagraphs (H) through (T), respectively; 

(vii) by inserting after subparagraph (F), the following: 

“(G) programs— 

“(i) to ensure youth have access to appropriate legal representation; and 

“(ii) to expand access to publicly supported, court-appointed legal counsel who are authorized to represent juveniles in adjudication proceedings, except that the State may not use more than 2 percent of the funds received under section 222 for these purposes; 

(viii) in subparagraph (H), as so redesignated, by striking “State,” each place the term appears and inserting “State, tribal,”; 

(ix) in subparagraph (M), as so redesignated— 

(I) in clause (I)— 

((aa) by striking “pre-adjudication and” before “post-adjudication;” 

(bb) by striking “restraints” and inserting “alternatives;” and 

(cc) by inserting “specialized or problem-solving courts,” after “(including);” and 

(II) in clause (ii)— 

((aa) by striking “by the provision by the Administrator;” and 

(bb) by striking “to States;” 

(xx) in subparagraph (N), as so redesignated— 

(I) by inserting “or co-occurring disorder” after “mental health;” 

(II) by inserting “court-involved or” before “incarcerated;” 

(III) by striking “suspected to be;” 

(IV) by striking “and discharge plans” and inserting “provision of treatment, and development of discharge plans;” and 

(V) by striking the period at the end and inserting a semicolon; and 

(III) by inserting after subparagraph (T) the following: 

“(U) programs and projects designed— 

“(vi) to inform juveniles of the opportunity and process for sealing and expunging juvenile records; and 

“(ii) to assist juveniles in pursuing juvenile record sealing and expungements for both adjudications and arrests not followed by adjudications; and 

except that the State may not use more than 2 percent of the funds received under section 222 for these purposes; 

(V) programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of an Indian Tribe; and 

(W) monitoring for compliance with the core requirements and providing training and technical assistance on the core requirements of secure facilities;” 

(H) by striking paragraph (11) and inserting the following: 

“(II) in accordance with rules issued by the Administrator; provide that a juvenile shall not be placed in a secure detention facility or a secure correctional facility, if— 

“(i) the juvenile is charged with or has committed an offense that would not be criminal if committed by an adult, excluding— 

“(1) a juvenile who is charged with or has committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law; 

“(II) a juvenile who is charged with or has committed a violation of a valid court order issued and reviewed in accordance with paragraph (23); and 

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“(III) a juvenile who is held in accordance with the Interstate Compact on Juveniles as enacted by the State; or

“(ii) the juvenile—

“(i) is not charged with any offense; and

“(II(aa) is an alien; or

“(bb) is alleged to be dependent, neglected, or abused; and

“(bb) is alleged to be dependent, neglected, or abused; and

“(I) not later than 3 years after the date of enactment of the Juvenile Justice Reform Act of 2018, unless a court finds, after a hearing and in writing, that it is in the interest of juvenile justice that the status offender be placed in a non-secure facility, or

“(II) the physical and mental maturity of the juvenile;

“(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

“(IV) the nature and circumstances of the alleged offense;

“(V) the juvenile’s history of prior delinquent acts;

“(VI) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

“(VII) any other relevant factor; and

“(III) if a court determines under clause (i) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults—

“(I) the age of the juvenile;

“(II) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, (A) have sight or sound contact with adult inmates, a court shall consider—

“(I) the physical and mental maturity of the juvenile;

“(II) the nature and circumstances of the alleged offense;

“(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

“(IV) the party’s need and the juvenile’s fitness to engage in treatment, counseling, or other rehabilitative efforts;

“(V) the status of the juvenile’s case; and

“(VI) the juvenile’s history of prior delinquent acts;

“(VII) the juvenile’s history of prior delinquent acts;

“(VIII) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

“(IX) any other relevant factor; and

“(III) if a court determines under clause (i) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults—

“(I) the court shall hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and

“(II) the court shall not hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and

“(I) the juvenile shall not have sight or sound contact with adult inmates, a court shall consider—

“(I) the physical and mental maturity of the juvenile;

“(II) the nature and circumstances of the alleged offense;

“(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

“(IV) the nature and circumstances of the alleged offense;

“(V) the juvenile’s history of prior delinquent acts;

“(VI) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

“(VII) any other relevant factor; and

“(III) if a court determines under clause (i) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults—

“(I) the court shall issue a written order that—

“(I) the evidence-based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who—

“(i) request a screening; and

“(ii) show signs of needing a screening; or

“(ii) show signs of needing a screening; or

“(iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and

“(iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and

“(ii) the living arrangement to which the juvenile is to be discharged; and

“(ii) the living arrangement to which the juvenile is to be discharged; and

“(iii) any other plans developed for the juvenile based on an individualized assessment; and

“(iii) any other plans developed for the juvenile based on an individualized assessment; and

“(ii) review processes; and

“(ii) review processes; and

“(iii) provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

“(A) a written case plan based on an assessment of needs that includes—

“(i) the pre-release and post-release plans for the juvenile;

“(ii) the living arrangement to which the juvenile is to be discharged; and

“(iii) any other plans developed for the juvenile based on an individualized assessment; and

“(ii) the living arrangement to which the juvenile is to be discharged; and

“(iii) any other plans developed for the juvenile based on an individualized assessment; and

“(ii) review processes; and

“(ii) review processes; and

“(iii) provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

“(A) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

“(B) the credits of adjudicated juveniles are transferred; and

“(B) the credits of adjudicated juveniles are transferred; and

“(C) adjudicated juveniles receive full or partial credit toward high school graduation for any work, either in a secondary school program or an alternative educational program, conducted in a juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

“(C) adjudicated juveniles receive full or partial credit toward high school graduation for any work, either in a secondary school program or an alternative educational program, conducted in a juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

“(C) provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

“(A) a written case plan based on an assessment of needs that includes—

“(i) the pre-release and post-release plans for the juvenile;

“(ii) the living arrangement to which the juvenile is to be discharged; and

“(iii) any other plans developed for the juvenile based on an individualized assessment; and

“(ii) the living arrangement to which the juvenile is to be discharged; and

“(iii) any other plans developed for the juvenile based on an individualized assessment; and

“(ii) review processes; and

“(ii) review processes; and

“(iii) provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

“(A) a written case plan based on an assessment of needs that includes—

“(i) the pre-release and post-release plans for the juvenile;

“(ii) the living arrangement to which the juvenile is to be discharged; and

“(iii) any other plans developed for the juvenile based on an individualized assessment; and

“(ii) the living arrangement to which the juvenile is to be discharged; and

“(iii) any other plans developed for the juvenile based on an individualized assessment; and

“(ii) review processes; and

“(ii) review processes; and

“(iii) provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

“(A) a written case plan based on an assessment of needs that includes—

“(i) the pre-release and post-release plans for the juvenile;
“(A) screen for, identify, and document in records of the State the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and

(B) establish, such description in subparagraph (A) to appropriate programs or services, to the extent practicable;”;

(2) by adding subsection (c) to read as follows:

“(c)(1) If a State fails to comply with any of the core requirements in any fiscal year, then—

(A) subject to subparagraph (B), the amount allocated to such State under section 222 for the subsequent fiscal year shall be reduced by not less than 20 percent for each core requirement with respect to which the failure occurs; and

(B) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

(i) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such core requirement with respect to which the State is in noncompliance; or

(ii) the Administrator determines that the State—

(A) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

(B) has, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

(2) Of the total amount of funds not allocated for a fiscal year under paragraph (1)—

(A) 50 percent of the unallocated funds shall be made available under section 222 to States that have not failed to comply with the core requirements; and

(B) 50 percent of the unallocated funds shall be used by the Administrator to provide additional training and technical assistance to States for the purpose of promoting compliance with the core requirements.

(3) in subsection (d)—

(A) by striking “described in paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “described in the core requirements”;

(B) by striking “the requirements under paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “the core requirements”;

(4) in subsection (f)(2)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (D) of subparagraphs (A) through (D), respectively; and

(5) by adding at the end the following:

“(g) Compliance Determination—

(1) In general.—For each fiscal year, the Administrator shall make a determination regarding whether each State receiving a grant under this title is in compliance or out of compliance with each of the core requirements.

(2) Reporting.—The Administrator shall—

(A) issue an annual public report—

(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

(ii) for any such determination that a State is out of compliance with any of the core requirements, describing the basis for the determination; and

(B) when such description as described in subparagraph (A) available on a publicly available website.

“(h) Determinations Required.—The Administrator may not—

(A) determine that a State is ‘‘not out of compliance’’, or issue any other determination not described in paragraph (i), with respect to any core requirement; or

(B) otherwise fail to make the compliance determinations required under paragraph (1).”;

SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.


SEC. 207. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

Section 251 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11161) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “may” and inserting “shall”;

(ii) in subparagraph (A), by striking “plan and identify” and inserting “annually publish a plan to identify”; and

(iii) in subparagraph (B), by striking clause (ii) and inserting the following:

“(ii) successful efforts to prevent status offenses and out-of-home placement of juveniles from subsequent involvement with the juvenile justice and criminal justice systems;”;

(B) by striking clause (vii) and inserting the following:

“(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement in the juvenile justice system, including an examination of the effects of secure detention in a correctional facility;”;

(2) in subsection (b), in the matter preceding paragraph (2), by striking “may” and inserting “shall”; and

(3) by adding at the end the following:

“(o) National Recidivism Measure.—The Administrator, in accordance with applicable confidentiality requirements and in consultation with experts in the field of juvenile justice research, recidivism, and data collection shall—

(i) establish a uniform method of data collection and technology that States may use to evaluate data on juvenile recidivism on an annual basis;

(ii) establish a common national juvenile recidivism measurement system; and

(iii) make cumulative juvenile recidivism data that is collected from States available to the public.

SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.

Section 252 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11162) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “may”; and

(B) in paragraph (1)—

(i) by inserting “shall before” and carry out projects”;

(ii) by striking “and” after the semicolon; and

(iii) by striking the period at the end and inserting “;”;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

(ii) by striking the period at the end and inserting “;”;

(D) by adding at the end the following:

“(3) shall provide periodic training for States regarding implementation of the core requirements, current protocols and best practices for achieving and monitoring compliance, and information sharing regarding relevant Office resources on evidence-based and promising programs or practices that promote the purposes of this Act.”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1)—

(i) by inserting “shall before” and carry out projects”;

(ii) by inserting “and” after the semicolon; and

(iii) by striking the period at the end and inserting “;”;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

(ii) by striking the period at the end and inserting “;”;

(D) by adding at the end the following:

“(3) shall provide technical assistance to States and units of local government to achieve and monitor compliance with the amendments to the core requirements and State Plans made by the Juvenile Justice Reform Act of 2018, including training and technical assistance for projects intended to develop and replicate best practices for achieving sight
and sound separation in facilities or portions of facilities that are open and available to the general public and that may or may not contain a jail or a lock-up; and

(4) training and technical assistance to States in support of efforts to establish partnerships between a State and a university, institution of higher education, or research center to improve the research, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, the judiciary, juvenile justice, residential treatment, and child protection education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency;—or

(3) in subsection (c)—

(A) by inserting “prosecutors,” after “public defenders,”; and

(B) by inserting “status offenders and” after “needs of”; and

(4) by adding at the end the following:

“(d) BEST PRACTICES REGARDING LEGAL REPRESENTATION OF CHILDREN.—In consultation with experts in the field of juvenile defense, the Administrator shall—

“(1) disseminate best practices for the treatment of status offenders with a focus on reduced recidivism and improved long-term outcomes, and limited usage of valid court orders to place status offenders in secure detention; and

“(2) provide a State, on request, technical assistance to implement any of the best practices shared under paragraph (1).

“(e) BEST PRACTICES FOR STATUS OFFENDERS.—In the available research and State practices, the Administrator shall—

“(1) disseminate best practices for the treatment of status offenders with a focus on reduced recidivism and improved long-term outcomes, and limited usage of valid court orders to place status offenders in secure detention; and

“(2) provide a State, on request, technical assistance to implement any of the best practices shared under paragraph (1).

“(f) TRAINING AND TECHNICAL ASSISTANCE TO LOCAL AND STATE JUVENILE DETENTION AND CORRECTIONS PERSONNEL.—The Administrator shall coordinate training and technical assistance programs with juvenile detention and corrections personnel of States and units of local government—

“(1) to promote methods for improving conditions of confinement, including training methods that are designed to minimize the use of dangerous practices, unreasonable restraints, and isolation and methods responsive to emerging research and practice standards; and

“(2) to encourage alternative behavior management techniques based on positive youth development approaches that may include methods responsive to cultural differences.

“(g) TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE TREATMENT.—In consultation with experts in the field of mental health or substance abuse and management of cases for youth who are making decisions regarding the disposition of their cases, the Administrator shall coordinate training and technical assistance to enhance the capacity of State and local courts, judges, and related judicial personnel to—

“(1) improve the lives of children currently involved in or at risk of being involved in the juvenile court system; and

“(2) carry out the requirements of this Act, the Family Violence Prevention Reconciliation, Food, and Nutrition Act [42 U.S.C. 1775 et seq.] for juveniles who are incarcerated and would, if not incarcerated, be eligible for free or reduced price lunches under that Act.”.

SEC. 209. ADMINISTRATIVE AUTHORITY.

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11132) is amended—

(1) in subsection (c) (1) by inserting “(1)” before “The Administrator”;

(B) by striking “,” after appropriate consultation with States and units of local government;—

“(C) by inserting “guidance,” after “regulations,”; and

(D) by striking at the end the following: “In developing guidance and procedures, the Administrator shall consult with representatives of States and units of local government, including those individuals responsible for administration of this Act and compliance with the core requirements.

“(2) The Administrator shall ensure that—

“(A) reporting, compliance reporting, State plan requirements, and other similar documentation as may be required from States is requested in a manner that respects confidentiality, encourages efficiency and reduces the duplication of reporting efforts; and

“(B) States meeting all the core requirements and that have engaged to the extent practical in offering innovative, data-driven programs designed to further improve the juvenile justice system;” and

“(2) in subsection (d), by striking “requirements described in paragraphs (11), (12), and (13) of section 223(a)” and inserting “core requirements”.

TITLE III—INCENTIVE GRANTS FOR PRISON REDUCTION THROUGH OPPORTUNITIES, MENTORING, INTERVENTION, SUPPORT, AND EDUCATION

SEC. 301. SHORT TITLE.

Section 501 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11110) is amended—

(1) by inserting “Youth Promise” before “Grants”;

(2) by striking “2002” and inserting “2018”.

SEC. 302. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11281) is amended to read as follows:

“(A) a unique entity that is in compliance with the requirements of part B of title II; or

“(B) a nonprofit organization in partnership with a unit of local government described in subparagraph (A); or

“(c) the term ‘delinquency prevention program’ means a delinquency prevention program that is evidence-based or promising and that may include—

“(A) alcohol and substance abuse prevention treatment services;

“(B) tutoring and remedial education, especially in reading and mathematics;

“(C) child and adolescent health and mental health services;

“(D) recreation services;

“(E) leadership and youth development activities;

“(F) the teaching that individuals are and should be held accountable for their actions;

“(G) assistance in the development of job training skills;

“(H) youth mentoring programs;

“(I) after-school programs;

“(J) coordination of a continuum of services that may include—

“(x) early childhood development services;

“(y) voluntary home visiting programs;

“(z) nurse-family partnership programs;

“(aa) parenting skills training;

“(bb) child abuse prevention programs;

“(cc) family stabilization programs;

“(dd) child welfare services;

“(ee) family violence intervention programs;

“(ff) adoption assistance programs;

“(gg) emergency, transitional and permanent housing assistance;

“(hh) job placement and retention training;

“(jj) summer jobs programs;

“(kk) alternative school resources for youth who have dropped out of school or demonstrate chronic truancy;

“(ll) conflict resolution skill training;

“(mm) restorative justice programs;

“(nn) mentoring programs;

“(oo) targeted gang prevention, intervention and exit services;

“(pp) training and education programs for pregnant teens and teen parents; and

“(qq) pre-release, post-release, and re-entry services to assist detained and incarcerated youth with transitioning back into and reentering the community; and

“(rr) data-based or promising prevention programs;

“(s) the term ‘local policy board’, when used with respect to an eligible entity, means a local advisory board that the eligible entity will engage in the development of the eligible entity’s plan described in section 504(e)(5), and that includes—

“(A) not fewer than 15 and not more than 21 members; and

“(B) a balanced representation of—

“(i) public agencies and private nonprofit organizations serving juveniles and their families; and

“(ii) business and industry; and

“(iii) at least one representative of the faith community, one adjudicated youth, and one parent of an adjudicated youth; and

“(D) in the case of an eligible entity described in paragraph (1)(B), a representative of a nonprofit organization of the eligible entity;

“(E) the term ‘mentoring’ means matching 1 adult with 1 or more youths for the purpose of providing guidance, support, and encouragement through regularly scheduled meetings for not less than 9 months; and

“(F) the term ‘State advisory group’ means the advisory group appointed by the chief executive officer of a State under a plan described in section 223(a); and

“(G) the term ‘State entity’ means the State agency designated under section 223(a)(1) or the entity receiving funds under section 223(d).”.

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SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11281 et seq.) is amended to read as follows:

**SEC. 304. GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS.**

(a) PURPOSE.—The purpose of this section is to encourage State entities to address the unmet needs of at-risk or delinquent youth, including through a continuum of delinquency prevention programs for juveniles who have had contact with the juvenile justice system or who are likely to have contact with the juvenile justice system.

(b) PROGRAM AUTHORIZED.—The Administrator shall—

(1) for each fiscal year for which less than $25,000,000 is appropriated under section 506, award grants to not fewer than 5 State entities, that apply under subsection (c) and meet the requirements of subsection (d); or

(2) for each fiscal year for which $25,000,000 or more is appropriated under section 506, award grants to not fewer than 5 State entities that apply under subsection (c) and meet the requirements of subsection (d).

(c) STATE APPLICATION.—To be eligible to receive a grant under this section, a State entity shall submit an application to the Administrator that includes the following:

(1) An assurance the State entity will use—

(A) not more than 10 percent of such grant, in the aggregate,

(B) for the costs incurred by the State entity to carry out this section, except that not more than 3 percent of such grant may be used for such costs; and

(ii) technical assistance to eligible entities receiving a subgrant under subsection (e) in carrying out delinquency prevention programs under the subgrant; and

(iii) if the State entity desires such grants to award subgrants to eligible entities under subsection (e).

(2) An assurance that such grant will supplement, not supplant, State and local efforts to prevent juvenile delinquency.

(3) An assurance the State entity will evaluate the capacity of eligible entities receiving a subgrant under subsection (e) to fulfill the requirements under such subsection.

(4) An assurance that such application was prepared after consultation with, and participation by, the State advisory group, units of local government, community-based organizations, and organizations that carry out programs or activities to prevent juvenile delinquency in the local juvenile justice system served by the State entity.

(d) APPROVAL OF STATE APPLICATIONS.—In awarding grants under this section for a fiscal year, the Administrator may not award a grant to a State entity for a fiscal year unless—

(1)(A) the State that will be served by the State entity submitted a plan under section 229 for such fiscal year; and

(B) such plan is approved by the Administrator for such fiscal year; or

(2) after finding good cause for a waiver, the Administrator waives the plan required under subparagraph (A) for such State for such fiscal year.

(e) SUBGRANT PROGRAM.—

(1) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—Each State entity receiving a grant under this section shall award subgrants to eligible entities in accordance with this subsection.

(B) PRIORITY.—In awarding subgrants under this subsection, the State shall give priority to eligible entities that demonstrate ability in—

(i) plans for service and agency coordination and collaboration including the collocation of services;

(ii) innovative ways to involve the private nonprofit and business sector in delinquency prevention activities;

(iii) developing data-driven prevention plans, employing evidence-based prevention strategies, and conducting program evaluations to determine impact and effectiveness;

(iv) identifying under the plan submitted under paragraph (5) potential savings and efficiencies associated with successful implementation of such plan; and

(v) providing an estimate of the amount or percentage of non-Federal funds that are available to carry out the strategy; and

(C) SUBGRANT PROGRAM PERIOD AND DIVERSITY OF PROJECTS.—

(i) PROGRAM PERIOD.—A subgrant awarded to an eligible entity by a State entity under this section shall be for a period of not more than 5 years, of which the eligible entity—

(A) may use not more than 18 months for completing the plan submitted by the eligible entity under paragraph (5); and

(B) shall use the remainder of the subgrant period, after planning period described in clause (i), for the implementation of such plan.

(ii) DIVERSITY OF PROJECTS.—In awarding subgrants under this subsection, a State entity shall ensure, to the extent practicable and applicable, that such subgrants are distributed throughout different areas, including urban, suburban, and rural areas.

(2) LOCAL APPLICATION.—An eligible entity that desires a subgrant under this section shall submit an application to the State entity in the State of the eligible entity, at such time and in such manner as determined by the State entity, and that includes—

(A) a description of—

(i) the local government board and local partners the eligible entity will engage in the development of the plan described in paragraph (5); and

(ii) the unmet needs of at-risk or delinquent youth in the community;

(B) a strategy to address the unmet needs of such youth identified in the needs assessment described in paragraph (5); and

(C) a description of how delinquency prevention programs under the plan will be co-ordinated;

(D) the performance evaluation of the delinquency prevention programs to be implemented under the plan, which shall include performance measures to assess efforts to address the unmet needs of youth in the community analyzed under subparagraph (A); and

(E) the evidence or promising evaluation on which such delinquency prevention programs are based; and

(F) if such delinquency prevention programs are proven successful according to the performance evaluation process under subparagraph (D), a strategy to continue such programs after the subgrant period with non-Federal funding, including a description of how any estimated savings or efficiencies created by the implementation of the plan may be used to continue such programs.

SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION AND RESPONSE PROGRAMS.

The Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34...
(a) IN GENERAL.—The Administrator shall make grants to, or contracts with, local governments on the performance of the functions of the agency and programs of other agencies; (b) CONSIDERATIONS FOR AUDITS.—In conducting the analysis and evaluation under subsection (a), the Comptroller General shall take into consideration—
(1) the extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies;
(2) whether the other agencies or programs have effective controls over contractors or grantees;
(3) whether the other agencies or programs are capable of carrying out the functions of the agency; (c) RECOMMENDATIONS AND FINDINGS.—In conducting the evaluation required by subsection (a), the Comptroller General shall take into consideration—
(1) the extent to which the agency has complied with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285);
(2) the extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies; (d) availability of funds.—Of the amount available for a fiscal year to carry out this title, 11 percent shall be available to carry out this section.
SEC. 306. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.
SEC. 307. TECHNICAL AMENDMENT.
SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.
SEC. 402. AUTHORIZATION OF APPROPRIATIONS; ACCOUNTABILITY AND OVERSIGHT.
SEC. 601. AUTHORIZATION OF APPROPRIATIONS.
"SEC. 601. AUTHORIZATION OF APPROPRIATIONS. "There are authorized to be appropriated to carry out this Act, except for titles III, IV, and V, $176,000,000 for each of fiscal years 2019 through 2023, of which not more than $96,053,401 shall be used to carry out title V for each such fiscal year.
"(a) SELECTION OF PREVENTION GRANTS.—The Comptroller General shall take into account, in awarding grants under subsection (a)(2) and (3), the evidence-base information used to support the delinquency prevention programs.
"(b) ACCOUNTABILITY.—(1) the Department of Justice, through its Office of Audit, Assessment, and Management, (2) the Office of Audit, Assessment, and Management of the Office of Juvenile Justice and Delinquency Prevention, and (3) the Office of Audit, Assessment, and Management of the Office of Juvenile Justice and Delinquency Prevention.
"(c) CONSIDERATIONS FOR AUDITS.—In conducting the audit and evaluation under subsection (a)(2), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.), the Comptroller General shall take into consideration—
(1) whether grants to juvenile delinquency prevention programs were used with fidelity by local entities in accordance with the approach used to find the evidence-base information used to support the delinquency prevention programs; (2) the ability of Indian Tribes to be served, the—
SEC. 504(e) OF INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS
"(5) the evidence-base information used to justify such delinquency prevention programs was used with fidelity by local entities in accordance with the approach used to find the evidence-base information used to support the delinquency prevention programs; (4) the extent to which changes are necessary in the authorizing statutes of the agency in order for the functions of the agency to be performed in a more efficient and effective manner; and (b) tribal juvenile delinquency prevention programs; and (2) the ability of Indian Tribes to be served, the—
"(4) such delinquency prevention programs replaced existing or planned programs or activities in the State; and
“(i) conduct a comprehensive analysis and evaluation of the internal controls of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as the ‘agency’) to determine if States and Indian Tribes receiving grants are following the requirements of the agency grant programs and what remedial action the agency has taken to recover any grant funds that are expended in violation of grant programs, including instances where—

‘‘(aa) supporting documentation was not available for cost reports;

‘‘(bb) unauthorized expenditures occurred; and

‘‘(cc) subrecipients of grant funds were not in compliance with program requirements;

‘‘(II) conduct an examination and evaluation of a selected statistically significant sample of States and Indian Tribes (as determined by the Director) that have received Federal funds under title II, including a review of internal controls to prevent fraud, waste, and abuse of funds by grantees; and

‘‘(III) submit a report in accordance with clause (iv).

‘‘(ii) CONSIDERATIONS FOR EVALUATIONS.—In conducting the analysis and evaluation under clause (i), the Director shall take into consideration—

‘‘(I) greater oversight is needed of programs developed with grants made by the agency;

‘‘(II) changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner; and

‘‘(III) whether grantees have sufficient internal controls to ensure adequate oversight of grant funds received;

‘‘(IV) whether grantees timely file Financial Status Statements;

‘‘(V) whether grantees were complying with program requirements; and

‘‘(VI) whether grant funds were spent in accordance with the program goals and guidelines.

‘‘(b) REPORT.—The Director shall—

‘‘(I) submit to the Congress a report outlining the results of the analysis, evaluation, and audit conducted under clause (i), including such recommendations as the Director considers appropriate; and

‘‘(II) make such report available to the public online, not later than 1 year after the date of enactment of this section.

‘‘(C) ANALYSIS OF INTERNAL CONTROLS.—

‘‘(1) In general.—Not later than 180 days after the date of enactment of the Juvenile Justice and Delinquency Prevention Act of 2018, the Administrator shall submit to Congress a report containing—

‘‘(I) the findings of the analysis and evaluation conducted under clause (i);

‘‘(II) a description of remedial actions, if any, that will be taken by the Administrator to enhance the internal controls of the agency; and

‘‘(III) a description of—

‘‘(aa) the analysis conducted under clause (i);

‘‘(bb) whether the funds awarded under titles II and V have been used in accordance with law, regulations, program guidance, and applicable plans; and

‘‘(cc) the extent to which funds awarded to States and Indian Tribes under titles II and V enhanced the ability of grantees to fulfill the core requirements.

‘‘(2) REPORT BY THE ATTORNEY GENERAL.—Not later than 180 days after the date of enactment of the Juvenile Justice and Delinquency Prevention Act of 2018, the Attorney General shall submit to the appropriate committees of Congress a report on the results of each review conducted under subsection (a)(5).

‘‘(3) Office of Inspector General Performance Audits.—

‘‘(A) In general.—In order to ensure the effectiveness and appropriate use of grants administered under this Act (excluding title IV) and to prevent waste, fraud, and abuse of funds by grantees, the Inspector General of the Office of Inspector General shall annually conduct audits of grantees that receive funds under this Act.

‘‘(B) Assessment.—Not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018 and annually thereafter, the Inspector General shall conduct a risk assessment to determine the appropriate scope of grants to be audited under subparagraph (A) in the year involved.

‘‘(C) Public Availability on Website.—The Attorney General shall make the summary of each report on the performance audits conducted under subsection (a)(5) available on the website of the Department of Justice, subject to redaction as the Attorney General determines necessary to protect classified or sensitive information.

‘‘(D) Mandatory Exclusion.—A recipient of grant funds under this Act (excluding title IV) that is found to have an unresolved audit finding during the 3 fiscal years prior to the date on which the State or Tribe submits an application for a grant under this Act, shall not be awarded a grant under this Act.

‘‘(E) Priority.—In awarding grants under this Act (excluding title IV), the Attorney General shall give priority to a State or Indian Tribe that has not been found to have an unresolved audit finding during the 3 fiscal years prior to the date on which the State or Indian Tribe submits an application for a grant under this Act.

‘‘(F) Reimbursement.—If a State or an Indian Tribe is awarded a grant under this Act (excluding title IV) during the 2-fiscal-year period that immediately precedes from the date on which the State or Indian Tribe receives grant funds under subparagraph (D), the Attorney General shall—

‘‘(i) deposit an amount equal to the amount of grant funds that were improperly awarded to the grantee into the general fund of the Treasury; and

‘‘(ii) seek to recoup the costs of the repayment to the general fund under clause (i) from the grantee that was erroneously awarded grant funds.

‘‘(G) Definition.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General that—

‘‘(i) whether the audit of the State or Indian Tribe has used grant funds for an unauthorized expenditure or otherwise unallowable cost; and

‘‘(ii) that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.

‘‘(H) Nonprofit Organization Requirements.—

‘‘(1) Definition.—For purposes of this paragraph and this section, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

‘‘(2) Prohibition.—The Administrator may not award grants to any nonprofit organization described in this Act (excluding title IV) to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding payment of the tax described in section 511(a) of the Internal Revenue Code of 1986.

‘‘(3) Disclosure.—

‘‘(I) In general.—Each nonprofit organization that is awarded a grant under a grant program described in this Act (excluding title IV) and uses the procedures prescribed in regulations to create a rebuttably preclusive presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Administrator, in the application for the grant, the process for determining such compensations including—

‘‘(i) the independent persons involved in reviewing and approving such compensation;

‘‘(ii) the comparability data used; and

‘‘(iii) contemporaneous substantiation of the deliberation and decision.

‘‘(ii) Public Inspection Upon Request.—Upon request, the Administrator shall make the information disclosed under clause (i) available for public inspection.

‘‘(4) Conference Expenditures.—

‘‘(A) Limitation.—No amounts authorized to be appropriated to the Office of Juvenile Justice under this Act may be used by the Attorney General, or by any individual or organization recognized as a charitable or other organization by the Administrator, to host or support any expenditure for conferences that uses more than $20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

‘‘(B) Written Approval.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and entertainment.

‘‘(C) Report.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on Education and the Workforce of the House of Representatives on the estimated amount of conference expenditures approved under this paragraph.

‘‘(5) Prohibition on Lobbying Activity.—

‘‘(A) In general.—Amounts authorized to be appropriated under this Act shall not be utilized by any recipient of a grant made using such amounts—
(1) to lobby any representative of the Department of Justice regarding the award of grant funding; or

(2) to lobby any representative of a Federal, State, or local government regarding the award of grant funding.

(B) Penalty.—If the Attorney General determines that any recipient of a grant made using amounts authorized to be appropriated under this Act has violated subparagraph (A), the Attorney General shall—

(i) require the recipient to repay the grant in full; and

(ii) prohibit the recipient to receive any other grant under this Act for not less than 5 years.

(6) ANNUAL CERTIFICATION.—Beginning in the 1st fiscal year that begins after the effective date of this section, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate, and the Committee on Education and the Workforce and the Committee on Appropriations of the House of Representatives, an annual certification that—

(A) all audits issued by the Inspector General of the Department of Justice under paragraph (2) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(B) all mandatory exclusions required under paragraph (2)(D) have been made; and

(C) includes a list of any grant recipients excluded under paragraph (2) during the then preceding fiscal year.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) Assistance to Implement the Global Food Security Strategy.—Section 6(b) of the Global Food Security Act of 2016 (22 U.S.C. 9305(b)) is amended by striking “fiscal years 2017 and 2018” and inserting “fiscal years 2017 through 2023”.

(b) Emergency Food Security Program.—Section 492(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2252a(a)) is amended by striking “fiscal years 2017 and 2018” and inserting “fiscal years 2017 through 2023.”

(c) Global Food Security Strategy Implementation Reports.—Section 8(a) of the Global Food Security Act of 2016 (22 U.S.C. 9307(a)) is amended—

(1) in paragraph (1)—

(A) by striking “The order” and inserting “Except as provided in paragraph (2), the order”;

(B) by striking “as determined by the court pursuant to paragraph (2)” after “of the victim’s losses”; and

(C) by redesignating paragraph (2) as paragraph (3); and

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (1) the following:

“(2) Restitution for Trafficking in Child Pornography.—If the defendant was convicted for trafficking in child pornography, the court shall order restitution to direct the defendant to pay the victim (through the appropriate court mechanism) an amount of restitution determined by the court as follows:

(A) Determining the Full Amount of a Victim’s Losses.—The court shall determine the full amount of the victim’s losses that resulted or are protected to be incurred by the victim as a result of the trafficking in child pornography.

(B) Determining a Restitution Amount.—After completing the determination required under subparagraph (A), the court shall enter an order of restitution against the defendant in favor of the victim in an amount which is between $3,000 and 1 percent of the full amount of the victim’s losses.

(C) Termination of Payment.—A victim’s total aggregate recovery pursuant to this section shall not exceed the full amount of the victim’s demonstrated losses. After the victim has received restitution in the full amount of the victim’s losses as measured by the greatest amount of each loss found in any case involving that victim that has resulted in a final restitution order under this

SEC. 3. DETERMINING RESTITUTION.

(a) Determining Restitution.—Section 2259(b) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “The order” and inserting “Except as provided in paragraph (2), the order”;

(B) by striking “as determined by the court pursuant to paragraph (2)” after “of the victim’s losses”; and

(C) by redesignating paragraph (2) as paragraph (3); and

(2) by redesigning paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (1) the following:

“(2) Restitution for Trafficking in Child Pornography.—If the defendant was convicted for trafficking in child pornography, the court shall order restitution to direct the defendant to pay the victim (through the appropriate court mechanism) an amount of restitution determined by the court as follows:

(A) Determining the Full Amount of a Victim’s Losses.—The court shall determine the full amount of the victim’s losses that resulted or are protected to be incurred by the victim as a result of the trafficking in child pornography.

(B) Determining a Restitution Amount.—After completing the determination required under subparagraph (A), the court shall enter an order of restitution against the defendant in favor of the victim in an amount which is between $3,000 and 1 percent of the full amount of the victim’s losses.

(C) Termination of Payment.—A victim’s total aggregate recovery pursuant to this section shall not exceed the full amount of the victim’s demonstrated losses. After the victim has received restitution in the full amount of the victim’s losses as measured by the greatest amount of each loss found in any case involving that victim that has resulted in a final restitution order under this

SEC. 1. SHORT TITLE.

This Act may be cited as the “Global Food Security Reauthorization Act of 2017”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) the demand for child pornography harms children, the health of the victim, and the individuals who drive production of child pornography, which involves severe and often irreparable child sexual abuse and exploitation.
is a victim of the defendant who was convicted of child pornography production.

(3) ORDER.—If a court determines that a claimant is a victim of child pornography production and the claimant chooses to receive defined monetary assistance, the court shall order payment in accordance with subparagraph (D) to the victim from the Child Pornography Victims Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984.

(4) DEFINED MONETARY ASSISTANCE.—The amount of defined monetary assistance payable under this subparagraph shall be equal to—

(i) for the first calendar year after the date of enactment of this section, $35,000; and

(ii) for each calendar year after the year described in clause (i), $35,000 multiplied by the ratio (not less than one) of—

(I) the Consumer Price Index for all Urban Consumer (CPI–U, as published by the Bureau of Labor Statistics of the Department of Labor) for the calendar year preceding such calendar year; to

(II) the CPI–U for the calendar year 2 years before the calendar year described in clause (i).

(5) LIMITATIONS ON DEFINED MONETARY ASSISTANCE.—

(A) In general.—A victim may only obtain defined monetary assistance under this subsection once.

(B) EFFECT ON RECOVERY OF OTHER RESTITUTION.—A victim who obtains defined monetary assistance under this subsection shall not be barred or limited from receiving restitution against any defendant for any offenses not covered by this section.

(C) DEFINED ASSISTANCE.—If a victim who received defined monetary assistance under this subsection subsequently seeks restitution under this section, the court shall deduct the amount of defined monetary assistance when determining the full amount of the victim’s losses.

(6) LIMITATIONS ON ELIGIBILITY.—A victim who has collected payment of restitution pursuant to this section in an amount greater than the amount provided for under paragraph (1)(D) shall be ineligible to receive defined monetary assistance under this section.

(7) GUARDIAN AD LITEM.—In all cases alleging child pornography production, the court shall appoint a guardian ad litem, who shall be an attorney, for each identified victim of the child pornography production pursuant to section 1402(d)(7).

(8) FEES.—A guardian ad litem appointed pursuant to this subsection may not charge, receive, or collect, without court approval for good cause shown, any fees or payment of expenses that in the aggregate exceed 10 percent of any defined monetary assistance payment made under this subsection.

(9) PENALTY.—Any guardian ad litem who violates subparagraph (B) shall be fined under this title, imprisoned for not more than one year, and be subject to removal.

SEC. 5. ASSESSMENTS IN CHILD PORNOGRAPHY CASES.

(a) ASSESSMENTS IN CHILD PORNOGRAPHY CASES.—Chapter 110 of title 18, United States Code, is amended by adding after section 2259 the following:

"§ 2259A. Assessments in child pornography cases

(1) In general.—In addition to any other criminal penalty, restitution, or special assessment authorized by law, the court shall assess—

(I) not more than $17,000 on any person convicted of an offense under section 2252A(a)(1) or 2252A(a)(5);
Child Pornography Victims Reserves has insufficient funds to make all of the payments ordered under section 2259(d), the Child Pornography Victims Reserve shall make such payments to the extent practicable by fully recoverable funds. In determining the order in which such payments shall be made, the Child Pornography Victims Reserve shall make payments on the date they were ordered, with the earliest-ordered payments made first.

(c) ADMINISTRATION.—The Attorney General shall administer the Child Pornography Victims Reserve and shall issue guidelines and regulations to implement this section.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Attorney General shall not promulgate regulations implementing this section before this legislation is enacted, but who are sentenced after this legislation is enacted, shall be subject to the statutory scheme that was in effect at the time the offenses were committed.

(e) AMENDMENT.—The table of sections for purposes of this title of title 18, United States Code, is amended by adding after the item relating to section 2295 the following:

"2259A. Assessments in child pornography cases."

"2259B. Child pornography victims reserve."

SEC. 6. CHILD PORNOGRAPHY VICTIMS RIGHT TO EVIDENCE

Section 3509(m) of title 18, United States Code, is amended by adding at the end the following:

(3)(A) In any criminal proceeding, a victim of trafficking in child pornography or child pornography production, as those terms are defined in section 2259(c), shall have access to any property or material that constitutes child pornography, as defined by section 2256, depicting the victim, for inspection, viewing, and examination at a Government facility, by the victim, his or her attorney, and the victim may seek to qualify to furnish expert testimony.

(B) A victim of trafficking in child pornography or child pornography production, as those terms are defined in section 2259(c), his or her attorney, and any individual the victim may seek to qualify to furnish expert testimony may not copy, photograph, duplicate, disseminate, or destroy any property or material that constitutes child pornography, as defined by section 2256 of this title, so long as the Government makes the property available to the victim, his or her attorney, and the victim may seek to qualify to furnish expert testimony.

SEC. 7. GENERAL AMENDMENTS

(a) EXPANSION OF CIVIL REMEDIES FOR SATISFACTION OF AN UNPAID FINE.—Section 3613(c) of title 18, United States Code, is amended by inserting "an assessment imposed pursuant to section 2259A of this title, after pursuant to the provisions of subsection C of chapter 227 of this title, " after "pursuant to the provisions of subsection C of chapter 227 of this title, " (b) EXPANSION OF CIVIL REMEDIES FOR ECONOMER FORCION PROVISION REGARDING CERTAIN ACTIVITIES PERTAINING TO CHILD PORNOGRAPHY.—Section 2252A (a)(2) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "the order" and inserting "Except as provided in paragraph (2), the order;" and

(B) by striking "as determined by the court pursuant to paragraph (2)" after "of the victim's losses";

(2) by striking paragraph (3);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

"(2) RESTITUTION FOR TRAFFICKING IN CHILD PORNOGRAPHY.—If the defendant was convicted of trafficking in child pornography, the court shall order restitution in an amount that reflects the defendant's relative role in the causal process that underlies the victim's losses, which is no less than $3,000."

"(C) TERMINATION OF PAYMENT.—A victim's total aggregate recovery pursuant to this section shall not exceed the full amount of the victim's demonstrated losses. After the victim has received restitution in the full amount of the victim's losses as measured by the greatest amount of such losses found in any case involving that victim that has resulted in a final restitution order under this section, the liability of each defendant who is under an order to pay restitution for such losses to that victim shall be terminated. The court may require the victim to provide information concerning the amount of restitution the victim has been paid in other cases for the same losses.

(b) ADDITIONAL DEFINITIONS.—Section 2259(c) of title 18, United States Code, is amended—

(1) in the heading, by striking "DEFINITIONS" and inserting "DEFINITIONS";

(2) by striking "For purposes" and inserting the following:

"(4) VICTIM.—For purposes;"

(3) by striking "under this chapter, includ- ing "under this chapter" and inserting "under this chapter.

"(4) by inserting after "or any other person appointed as suitable by the court," the following:

"(5) by inserting before paragraph (4), as so designated, the following:

"(C) CHILD PORNOGRAPHY PRODUCTION.—For purposes of this section and section 2259A, the term "child pornography production" means conduct proscribed by subsections (a) and (b) of section 2260 and subparagraph (A) of section 2252A(g) (in cases in which the series of felony violations involves at least 1 of the violations listed in this subsection), section 2252(a), or any offense under chapter 109A or chapter 117 that involved the production of child pornography (as such term is defined in section 2256).

"(D) FULL AMOUNT OF THE VICTIM'S LOSSES.—For purposes of this subsection, the term "full amount of the victim's losses" includes any costs incurred, or that are reasonably projected to be incurred in the future, by the victim, as a proximate result of the offenses involving the victim, and in the case of victim who may seek to qualify to furnish expert testimony in child pornography offenses involving the victim, including—

"(E) OTHER LOSS.—For purposes of this subsection, the term "other loss" includes any losses resulting in child pornography offenses involving the same victim, including—

"(F) TREATMENT.—For purposes of this subsection, the term "treatment" means a court-ordered program designed to provide therapy to the victim, in any form or format, that is specifically related to the harm or harms resulting from the traumatic event, and is specifically related to the harm or harms resulting from the traumatic event;";

(4) by inserting the following:

"(G) THERAPY.—For purposes of this subsection, the term "therapy" means any therapy provided to the victim in any form or format, and is specifically related to the harm or harms resulting from the traumatic event, and is specifically related to the harm or harms resulting from the traumatic event;";
"(A) medical services relating to physical, psychiatric, or psychological care;  
"(B) physical and occupational therapy or rehabilitation;  
"(C) emergency transportation, temporary housing, and child care expenses;  
"(D) lost income;  
"(E) reasonable attorneys’ fees, as well as other costs and expenses incurred by the victim who has collected payment of restitution pursuant to this section in an amount greater than the amount provided for under paragraphs (B) and (C) hereof. This subsection shall not be construed to require an attorney to be ineligible to receive defined monetary assistance when determining the full amount of the victim’s losses."  
  
"(4) ATTORNEY FEES.—An attorney who violates subparagraph (A) shall be fined not more than $1,000,000.  
"(5) PENALTY.—An attorney who violates subparagraph (A) shall be fined not more than $1,000,000, imprisoned not more than 1 year, or both."

**§ 2259A. Assessments in child pornography cases.**

(a) ELECTION TO RECEIVE DEFINED MONETARY ASSISTANCE.—Subject to paragraphs (2) and (3), when a defendant is convicted of trafficking in child pornography, any victim of that trafficking in child pornography may choose to receive defined monetary assistance from the Child Pornography Victims Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984 (34 U.S.C. 20101(d)).

(b) PENALTY.—An attorney who violates subparagraph (A) shall be fined not more than $1,000,000, imprisoned not more than 1 year, or both.

(c) DEDUCTION.—If a victim who received payment of restitution from a defendant.

(d) EFFECT ON OTHER PENALTIES.—Imposition of an assessment under this section does not relieve a defendant of, or entitle a defendant to, any other penalty by the assessment of the assessment. Any money received from a defendant shall be disbursed so that each of the following obligations is paid in full in the following sequence:

(1) A special assessment under section 3013.

(2) Restitution to victims of any child pornography production or trafficking of offenses that the defendant committed.

(3) An assessment under this section.

(4) Other orders under any other section of this title.

(e) All other fines, penalties, costs, and other payments required under the sentence.

(f) Any other relevant losses incurred by the victim.

§ 2259B. Child pornography victims reserve

(a) DEPOSITS INTO THE RESERVE.—Notwithstanding any other provision of law, there shall be deposited into the Child Pornography Victims Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984 (34 U.S.C. 20101(d)) all assessments collected under section 2259A and any gifts, bequests, or donations to the Child Pornography Victims Reserve from private entities or individuals.

(b) AMOUNTS FOR DEFINED MONETARY ASSISTANCE.—Amounts in the Child Pornography Victims Reserve shall be available for payment of defined monetary assistance pursuant to section 2259(d). If at any time the Child Pornography Victims Reserve has insufficient funds to make all of the payments ordered under section 2259(d), the Child Pornography Victims Reserve shall make such payments as it can satisfy in full from available funds. In determining the order in which such payments shall be made, the Child Pornography Victims Reserve shall make payments based on the date they were ordered, with the earliest-ordered payments made first.

(c) ADMINISTRATION.—The Attorney General shall administer the Child Pornography Victims Reserve and shall issue guidelines and regulations to implement this section.

(d) REDUCTION OF COUNSEL.—In cases of Congress that individuals who violate this chapter prior to the date of the enactment of the Amy, Vicky, and Andy Child Pornography Victim Assistance Act who are sentenced after such date, shall be subject to the statutory scheme that was in effect at the time the offenses were committed.

(e) CLERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after section 2259(b) the following:

"§ 2259B. Child pornography victims reserve"

SEC. 6. CHILD PORNOGRAPHY VICTIMS’ RIGHT TO EVIDENCE.

Second. Section 3509(m) of title 18, United States Code, is amended by adding at the end the following:

(3) In any criminal proceeding, a victim, as defined under section 2258(c)(4), shall have the right to access to material that constitutes child pornography, as defined under section 2256(8), depicting the victim, for inspection, viewing, and examination at a Government facility or court, by the victim, his or her attorney, and any individual the victim may seek to furnish expert testimony, but under no circumstances may such material be copied, photographed, duplicated, or otherwise reproduced. Such property or material..."
There was no objection. The text of the bill is as follows:

S. 1311

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Abolish Human Trafficking Act of 2017.”

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

Sec. 1. Short title; title of contents.
Sec. 2. Preserving Domestic Trafficking Victims’ Fund.
Sec. 3. Mandatory restitution for victims of commercial sexual exploitation.
Sec. 4. Victim-witness assistance in sexual exploitation cases.
Sec. 5. Victim protection training for the Department of Homeland Security.
Sec. 6. Implementing a victim-centered approach to human trafficking.
Sec. 7. Direct services for child victims of human trafficking.
Sec. 8. Holistic review by federal law enforcement officers and prosecutors.
Sec. 9. Best practices in delivering justice for human trafficking.
Sec. 10. Improving the national strategy to combat human trafficking.
Sec. 11. Specialized human trafficking training and technical assistance for service providers.
Sec. 13. Targeting organized human trafficking perpetrators.
Sec. 15. Combating sex tourism.
Sec. 16. Human Trafficking Justice Coordinators.
Sec. 17. Interagency Task Force to Monitor and Combat Human Trafficking.
Sec. 18. Additional reporting on crime.
Sec. 19. Making the Presidential Survivor Council permanent.
Sec. 20. Strengthening the national human trafficking hotline.
Sec. 21. Ending Government partnerships with the commercial sex industry.
Sec. 22. Understanding the effects of severe trafficking and exploitation on persons.
Sec. 23. Combating trafficking in persons.
Sec. 24. Grant accountability.
Sec. 25. HERO Act improvements.

SEC. 2. PRESERVING DOMESTIC TRAFFICKING VICTIMS’ FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Domestic Trafficking Victims’ Fund established under section 3014 of title 18, United States Code—

(1) is intended to supplement, and not supplant, any other funding for domestic trafficking victims; and

(2) has achieved the objective described in paragraph (1) since the establishment of the Fund.

(b) ENSURING FULL FUNDING.—Section 3014 of title 18, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “September 30, 2019” and inserting “September 30, 2023”; and

(2) in subsection (e)(1), in the matter preceding subparagraph (A), by striking “2019” and inserting “2023”.

(c) Codification.—(A) The amendments made by this section are codified as section 3014 of title 18, United States Code, with the following:

(1) is intended to supplement, and not supplant, any other funding for domestic trafficking victims; and

(2) has achieved the objective described in paragraph (1) since the establishment of the Fund.

SEC. 3. MANDATORY RESTITUTION FOR VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION.

(a) AMENDMENT.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

“§ 2429. Mandatory restitution

“(a) Notwithstanding section 3663 or 3663A, and in addition to any civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

“(b)(1) The order of restitution under this section shall direct the defendant to pay the victim (through the appropriate court mechanism) the full amount of the victim’s losses, as determined by the court, under paragraph (3), and shall additionally require the defendant to pay the greater of the gross income or value to the defendant of the victim’s services in support of the commercial sexual acts as defined under section 1591.

“(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

“(3) As used in this subsection, the term ‘full amount of the victim’s losses’ has the same meaning as provided in section 2259(b)(3).

“(c) The forfeiture of property under this section shall be governed by the provisions of section 413 (other than subsection (d) of such section) of the Controlled Substances Act (21 U.S.C. 853).

“(d) As used in this section, the term ‘victim’ means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim’s estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.”

(b) TABLE OF SECTIONS.—The table of sections for chapter 117 of title 18, United States Code, is amended by inserting after the end the following:

“§ 2429. Mandatory restitution.”

SEC. 4. VICTIM-WITNESS ASSISTANCE IN COMMERCIAL SEXUAL EXPLOITATION CASES.

(a) AVAILABILITY OF DOJ APPROPRIATIONS.—Section 524(c)(1)(B) of title 28, United States Code, is amended by inserting “, chapter 110 of title 18” after “chapter 77 of title 18”.

(b) AMENDMENT TO TITLE 31.—Section 9075(a)(2)(B)(v) of title 31, United States Code, is amended by inserting “, chapter 110 of title 18 (relating to child sexual abuse), chapter 110 of title 18 (relating to child sexual exploitation), or chapter 117 of title 18 (relating to transportation for illegal sexual activity and related crimes)” after “(relating to human trafficking)”.

SEC. 5. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title IX of the Justice for Victims of Trafficking Act of 2015 (6 U.S.C. 641 et seq.) is amended by adding at the end the following:

“§ 9006. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY

“(a) DIRECTIVE TO DHS LAW ENFORCEMENT OFFICIALS AND TASK FORCES.—
(1) In general.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue a directive to—

(A) all Federal law enforcement officers and related personnel employed by the Department who may be involved in the investigation of human trafficking offenses; and

(B) members of all task forces led by the Department who participate in the investigation of human trafficking offenses.

(2) Required instructions.—The directive required to be issued under paragraph (1) shall—

(A) require the investigation of individuals who patronize or solicit human trafficking victims or who engage in labor trafficking in persons and how such individuals should be investigated for their roles in severe trafficking in persons; and

(B) require that sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.

(b) Victim Screening Protocol.—

(1) in the heading by inserting "CHILD VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS AND" before "VICTIMS OF CHILD PORNOGRAPHY";

(2) by inserting "victims of a severe form of trafficking (as defined in section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4))) shall—

(A) under appropriate circumstances, arrest and prosecuting buyers of commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, and coercion and offenses under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense;

(B) develop and distribute materials, in accordance with Federal law, to help build capacity of service providers who serve trafficking victims; including materials identifying best practices for the collection of special assessments under section 3014 of title 18, United States Code, as added by section 101 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–12; 129 Stat. 22), including a directive that civil liens are an authorized mechanism for human trafficking and reduce demand for human trafficking victims.

(3) by striking subsection (b) and inserting the following:

(b) Grants Authorized.—The Attorney General may award grants to eligible entities to—

(1) provide training to identify and protect victims of trafficking; to improve the quality and quantity of services offered to trafficking survivors; and

(2) develop specific curriculum for—

(A) under appropriate circumstances, arresting and prosecuting buyers of commercial sex act, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(B) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(3) specify that any comprehensive approach to eliminating human trafficking shall include a demand reduction component.

(c) MANDATORY TRAINING.—The training described in sections 902 and 904 shall include training necessary to implement—

(1) the directive required under subsection (a); and

(2) the protocol required under subsection (b).

(d) Table of Contents Amendment.—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 227) is amended by inserting after the item relating to section 905 the following:


SEC. 6. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)) is amended—

(1) in subparagraph (B)(ii) by striking the period at the end and inserting "; and"; and

(2) by striking the following:

(D) Priority.—In selecting recipients of grants under this paragraph that are only available for law enforcement operations or task forces, the Attorney General may give priority to any applicant that files an attestation with the Attorney General stating that—

(i) the grant funds—

(1) will be used to assist in the prevention of severe forms of trafficking in persons in accordance with Federal law;

(2) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

(3) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of trafficking for any offense that is the direct result of their victimization; and

(4) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

(ii) the applicant will provide dedicated resources for anti-human trafficking law enforcement for a period that is longer than the duration of the grant received under this paragraph—

(1) in subparagraph (B)(ii); by striking the

SEC. 7. DIRECT SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING.

Section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)) is amended—

(1) in the heading by inserting "CHILD VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS AND" before "VICTIMS OF CHILD PORNOGRAPHY";

(2) by inserting "victims of a severe form of trafficking (as defined in section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4))) shall—

(A) all Federal law enforcement officers;

(B) members of all task forces led by the Attorney General;

(C) be developed in consultation with relevant interagency partners and nongovernmental organizations that specialize in the prevention of human trafficking or in the identification and support of victims of human trafficking and survivors of human trafficking; and

(2) with human trafficking and survivors of human trafficking; and

(2) develop specific curriculum for—

(A) under appropriate circumstances, arresting and prosecuting buyers of commercial sex act, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(B) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(3) specify that any comprehensive approach to eliminating human trafficking shall include a demand reduction component.

SEC. 8. HOLISTIC TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS AND PROSECUTORS.

All training required under the Combat Human Trafficking Act of 2015 (42 U.S.C. 14044g) and section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) shall—

(1) emphasize that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, and coercion and offenses under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense;

(2) develop specific curriculum for—

(A) under appropriate circumstances, arresting and prosecuting buyers of commercial sex act, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(B) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(3) specify that any comprehensive approach to eliminating human trafficking shall include a demand reduction component.

SEC. 9. BEST PRACTICES IN DELIVERING JUSTICE FOR VICTIMS OF TRAFFICKING.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall issue guidance to all offices and components of the Department of Justice—

(1) emphasizing that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a severe form of trafficking in persons, as that term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9));

(2) recommending best practices for the collection of special assessments under section 3014 of title 18, United States Code, as added by section 101 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–12; 129 Stat. 22), including a directive that civil liens are an authorized mechanism and remedy under section 3014 of title 18, United States Code; and

(3) clarifying that commercial sexual exploitation is a form of gender-based violence.

SEC. 10. IMPROVING THE NATIONAL STRATEGY TO COMBAT HUMAN TRAFFICKING.

Section 606(b) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044c(b)) is amended by adding at the end the following:

(6) a national strategy to prevent human trafficking and reduce demand for human trafficking victims;

SEC. 11. SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS.

(a) In General.—Section 111 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f) is amended—

(1) in the heading, by striking "LAW ENFORCEMENT TRAINING PROGRAMS" and inserting "SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS";

(2) in subsection (a)(2), by striking "a State or a local government." and inserting the following: "means—

(A) a State or unit of local government;

(B) a federally recognized Indian tribal government, as determined by the Secretary of the Interior;

(C) a victim service provider;

(D) a nonprofit or for-profit organization (including a tribal nonprofit or for-profit organization); or

(E) a national organization; or

(F) an institution of higher education (including tribal institutions of higher education);"

(3) by striking subsection (b) and inserting the following:

(b) Grants Authorized.—The Attorney General may award grants to eligible entities to—

(1) provide training to identify and protect victims of trafficking;

(2) improve the quality and quantity of services offered to trafficking survivors; and

(3) improve victim service providers’ partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities; and

(4) by striking subsection (c)—

(A) in paragraph (2), by striking "or" at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by inserting after paragraph (3) the following:

(4) provide technical assistance on the range of services available to victim service providers who serve trafficking victims;

(5) develop and distribute materials, including materials identifying best practices in accordance with Federal law and policies, to support victim service providers working with human trafficking victims;

(6) identify and disseminate other publicly available materials in accordance with Federal law to help build capacity of service providers;

(7) provide training at relevant conferences, through webinars, or through other mechanisms in accordance with Federal law; and

(8) assist service providers in developing additional resources such as partnerships.
with Federal, State, tribal, and local law enforcement agencies and other relevant entities in order to access a range of available services in accordance with Federal law.

(2) In subsection (b)(3)(B), by redesignating paragraph (C) and inserting paragraph (D) and (E), respectively, and inserting—

(1) in subparagraph (D), by striking paragraph (C); and

(b) By striking paragraph (C).

SEC. 15. COMBATING SEX TOURISM.

Section 1587 of title 18, United States Code, as amended—

(1) in subsection (b)(2), by striking paragraph (C); and

(2) in subsection (c), by striking paragraph (A) and inserting paragraph (B).

SEC. 16. HUMAN TRAFFICKING JUSTICE COORDINATORS.

Section 801(b) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044h) is amended—

(1) in subsection (b)(1)—

(2) by inserting paragraph (B); and

(3) by redesignating paragraphs (C) and (D) as paragraphs (B) and (C), respectively, and inserting—

(1) in paragraph (b)(2)—

SEC. 17. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT HUMAN TRAFFICKING.

The Attorney General shall designate, no later than 90 days after the date of enactment of the Abolish Human Trafficking Act of 2017, an official who shall coordinate and lead the interagency task force established under section 105(c)(1) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(c)(1)).

(a) Reporting Requirement.—Section 105(d)(3) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(d)(3)) is amended—

(1) by inserting—

(2) by striking—

(3) by inserting—

(4) by striking the following:

(5) by striking—

SEC. 20. STRENGTHENING THE NATIONAL HUMAN TRAFFICKING HOTLINE.

(a) Reporting Requirement.—Section 105(d)(3) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(d)(3)) is amended by striking—

(b) Hotline Information.—Section 107(b)(1)(B)(ii) of such Act (22 U.S.C. 7105(b)(1)(B)(ii)) is amended by adding at the end the following:

SEC. 21. ENDING GOVERNMENT PARTNERSHIPS WITH THE COMMERCIAL SEX INDUSTRY.

No Federal funds or resources may be used for the operation of, participation in, or partnership with any program that involves the provision of funding or resources to an organization that—

SEC. 22. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

(a) In General.—Title VI of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 243) is amended by adding at the end the following:
(SEC. 607. UNDERSTANDING THE PHYSICAL AND PSYCHOLOGICAL EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

(a) In General.—The National Institute of Justice and the Centers for Disease Control and Prevention shall jointly conduct a study on the short-term and long-term physical and psychological effects of serious harm (as that term is defined in section 1580(c)(1)(F) of title IV of the Trafficking Victims Protection Act of 2000) as amended by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457; 122 Stat. 5595) to determine the most effective types of services for individuals who are identified as victims of these crimes, including victims in cases that were received by or prosecuted by a law enforcement agency, and how new or current treatment and programming options should be tailored to address the unique needs and barriers associated with these victims.

(b) Report.—Not later than 3 years after the date of enactment of the Abolish Human Trafficking Act of 2017, the National Institute of Justice and the Centers for Disease Control and Prevention shall make available to the public the results, including any associated recommendations, of the study conducted under subsection (a).

(b) Table of Contents Amendment.—The table of contents in section 1(b) of the Trafficking Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 227) is amended by inserting after the item relating to section 606 the following:

“Sec. 607. Understanding the physical and psychological effects of severe forms of trafficking in persons.”

SEC. 23. COMBATING TRAFFICKING IN PERSONS.

(a) Trafficking Victims Prevention Act of 2000 Programs.—Section 113 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “2014 through 2017” and inserting “2018 through 2022.”; and

(B) in paragraph (2), by striking “2014 through 2017” and inserting “2018 through 2022”;

(2) in subsection (i), by striking “2018 through 2022.”; and

(3) in subsection (j), by striking “2018 through 2022.”

(b) Reinstatement and Reauthorization of Grants To Combat Child Sex Trafficking.—

(1) Reinstatement of expired program.—

(A) In general.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404a) is amended to read as such section read on March 6, 2017.

(B) Informing amendment.—Section 124(b) of the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. 1404a note) is repealed.

(2) Effective date.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

(c) Authorization.—Section 202(1) of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by paragraph (1), is amended to read as follows:

“(1) Funding.—For each of the fiscal years 2018 through 2022, the Attorney General is authorized to allocate up to $3,000,000 of the amounts appropriated pursuant to section 113(d)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110(d)(1)) to carry out this section.”.

SEC. 24. GRANT ACCOUNTABILITY.

(a) Definitions.—In this section—

(1) the term “covered agency” means an agency authorized to award grants under this Act;

(2) the term “covered grant” means a grant authorized to be awarded under this Act; and

(3) the term “covered official” means the head of a covered agency.

(b) Accountability.—All covered grants shall be subject to the following accountability provisions:

(1) Audit requirement.—In this paragraph, the term “unsolved audit finding” means a finding in the final audit report of the Inspector General of a covered agency that the auditor determined that a covered grant for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(B) Audits.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of a covered agency shall conduct audits of recipients of covered grants to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) Mandatory exclusion.—A recipient of a covered grant that is found to have an unsolved audit finding shall not be eligible to receive funds under a covered grant during the first fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) Priority.—In awarding covered grants, a covered official shall give priority to eligible applicants that did not have an unsolved audit finding during the 3 fiscal years before submitting an application for the covered grant.

(E) Reimbursement.—If an entity is awarded funds under a covered grant during the 2-fiscal-year period during which the entity is covered from funds awarded under subparagraph (C), a covered official shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the recipient of the covered grant that was erroneously awarded grant funds.

(2) Nonprofit organization requirements.—

(A) Definition.—For purposes of this paragraph and each covered grant program, the term “nonprofit organization” means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) Prohibition.—A covered grant may not be awarded to a nonprofit organization that—

(i) uses proceeds from a covered grant for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986;

(ii) holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986;

(iii) makes a contribution to any person, nongovernment entity, or any purpose other than carrying out the purpose for which the covered grant was awarded, including the total dollar amount of any duplicate covered grants awarded; and

(iv) fails to comply with the reporting requirements of this paragraph.

(C) Disclosure.—Each nonprofit organization that is awarded a covered grant and uses the proceeds from such grant to—

(i) hold money in offshore accounts;

(ii) fail to provide the financial information required under this paragraph; or

(iii) fail to make the financial information publicly available, shall make the information disclosed under this subparagraph available for public inspection.

(3) Conference expenditures.—

(A) Limitation.—No amounts made available to a covered agency to carry out a covered grant program may be used by a covered official, or by any individual or entity awarded discretionary funds through a cooperative agreement under a covered grant program, to host or support any expenditure for conferences that uses more than $20,000 in discretionary funds, unless the covered official provides prior written authorization that the funds may be expended to host the conference.

(B) Accountability.—Not later than 3 years after the date of enactment of this Act, the Inspector General of each covered agency shall conduct a review of the costs of each conference that is awarded a covered grant, to host or support any expenditure for conferences that uses more than $20,000 in discretionary funds, unless the covered official provides prior written authorization that the funds may be expended to host the conference.

(C) Report.—If a covered official awards duplicate covered grants to the same applicant for the same purpose the covered official shall—

(i) list in a report the duplicate covered grants;

(ii) list the amount of each duplicate covered grant awarded; and

(iii) report the duplicate covered grants to the Inspector General.

SEC. 25. HERO ACT IMPROVEMENTS.

(a) General.—Section 808A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) in subsection (a) —

(A) in paragraph (1), by inserting “Home- land Security Investigations,” after “Customs Enforcement,”; and

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

“(2) Purpose.—The Center shall provide investigatory assistance, training, and equipment and conduct or support domestic and international investigations of cyber-related crimes by the Department.”;

(b) Additional grants.—The Deputy Attorney General shall submit an annual report to the appropriate committees of Congress on all conference expenditures approved under this paragraph.

(c) Annual certification.—Beginning in the first fiscal year beginning after the date of enactment of this Act, each covered official shall submit to the appropriate committees of Congress a report that includes—

(A) a list of all grants awarded to a covered agency for the fiscal year; and

(B) a list of all duplicate grants awarded under this paragraph.

SEC. 26. HUMAN TRAFFICKINGInRange.

(a) General.—Section 501(c)(3) of the Internal Revenue Code of 1986 is amended by inserting “human trafficking in range,” after “organized crime,”; and

(b) Accounting for expenses.—The Deputy Attorney General shall submit an annual report to the appropriate committees of Congress on all conference expenditures approved under this paragraph.
(2) in subsection (b) —
(A) in paragraph (2)(C), by inserting after "personnel" the following: "; which shall in- clude participating in training for Homeland Security investigations, personnel and agreements regarding the subsequent ap- pointment of the participants to permanent positions.
(B) PREFERENCE.—The Secretary shall give a preference to Homeland Security In- vestigations in assignments or details under the guidelines promulgated under paragraph (3).
(4) TERM OF INTERNSHIP.—An appointment to an internship position under this sub- section shall be for a term not to exceed 12 months.
(5) RATE AND TERM OF PAY.—After comple- tion of initial group training and upon begin- ning work at an assigned office, a partici- pant appointed to an internship position under this subsection who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is —
(A) not less than the minimum rate of basic pay payable for a position at level GS- 5 of the General Schedule; and
(B) not more than the maximum rate of basic pay payable for a position at level GS- 7 of the General Schedule.
(6) ELIGIBILITY.—In establishing the paid internship and hiring program required under paragraph (1), the Secretary shall en- sure that the eligibility requirements for participation in the internship program are the same as the eligibility requirements for participation in the HERO Child-Rescue Corps Program.
(7) HERO CORPS HIRING.—The Secretary shall establish within Homeland Security In- vestigations positions, which shall be in ad- dition to any positions in existence on the date of enactment of this subsection, for the hiring and permanent employment of gradu- ates of the paid internship program re- quired to be established under paragraph (1); and
(3) in subsection (c), as so redesignated—
(A) by striking "There are authorized" and inserting the following:
(1) in GENERAL.—There are authorized; and
(B) by adding at the end the following:
(2) ALLOCATION.—Of the amount made available pursuant to paragraph (1) in each of fiscal years 2018 through 2022, not more than $10,000,000 shall be used to carry out subsection (e) and not less than $2,000,000 shall be used to carry out subsection (f).
(c) TECHNICAL AND CONFORMING AMEND- MENT.—Section 302 of the HERO Act of 2015 (Public Law 114-22; 129 Stat. 255) is amended—
(1) by striking subsection (c); and
(2) by redesignating subsection (d) as sub- section (c).
AMENDMENT OFFERED BY MR. MARINO
Mr. MARINO. Mr. Speaker, I have an amendment at the desk.
The SPEAKER pro tempore. The Clerk will report the amendment. The Clerk read as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
(a) SHORT TITLE.—This Act may be cited as the "Abolish Human Trafficking Act of 2017".
(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:
Sec. 1. Short title; table of contents.
Sec. 2. Preserving Domestic Trafficking Vic- tims' Fund.
Sec. 3. Mandatory restitution for victims of commercial sexual exploi- tation.
Sec. 4. Victim-witness assistance in sexual exploitation cases.
Sec. 5. Victim protection training for the Department of Homeland Secu- rity.
Sec. 6. Direct services for child victims of human trafficking.
Sec. 7. Holistic training for Federal law en- forcement officers and prosecu- tors.
Sec. 8. Best practices in delivering justice for victims of trafficking.
Sec. 9. Improving the national strategy to combat human trafficking.
Sec. 10. Specialized human trafficking train- ing and technical assistance for service providers.
Sec. 11. Enhanced penalties for human traf- ficking, child exploitation, and repeat offenders.
Sec. 12. Targeting organized human traf- ficking perpetrators.
Sec. 15. Human Trafficking Justice Coordi- nators.
Sec. 16. Interagency Task Force to Monitor and Combat Human Traf- ficking.
Sec. 17. Additional reporting on crime.
Sec. 18. Strengthening the national human trafficking hotline.
Sec. 19. Ending Government partnerships with the commercial sex indus- try.
Sec. 20. Understanding the effects of severe forms of trafficking in persons.
Sec. 21. Combating trafficking in persons.
Sec. 22. Grant accountability.
Sec. 23. HERO Act improvements.

SEC. 2. PRESERVING DOMESTIC TRAFFICKING VICTIMS' FUND.
(a) SENSE OF CONGRESS.—It is the sense of Congress that the Domestic Trafficking Vict- ims' Fund established under section 3014 of title 18, United States Code—
(1) is intended to supplement, and not sup- plant, any other funding for domestic traf- ficking victims; and
(2) has achieved the objective described in paragraph (1) since the establishment of the Fund.
(b) ENSURING FULL FUNDING.—Section 3014 of title 18, United States Code, is amended—
(1) in subsection (a), in the matter pre- ceeding paragraph (1), by striking "September 30, 2019" and inserting "September 30, 2021"; and
(2) in subsection (e)(1), in the matter pre- ceeding subparagraph (A), by striking "2019" and inserting "2023";
(3) in subsection (i), by inserting "; including the mandatory imposition of civil rem- edies for satisfaction of an unpaid fine as au- thorized under section 3613, where appro- priate" after "criminal cases"; and
(4) in subsection (h) in paragraph (1) and (and child victims of a severe form of trafficking (as defined in section 103 of the Victims of...
Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102))" after "child pornography victims".

SEC. 3. MANDATORY RESTITUTION FOR VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION.

(a) AMENDMENT.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

"§ 2429. Mandatory restitution

"(a) Notwithstanding section 9605 or 3663A, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

"(b)(1) The order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

"(3) As used in this subsection, the term ‘full amount of the victim’s losses’ has the same meaning as provided in section 2259(b)(3).

"(c) The forfeiture of property under this section shall be governed by the provisions of section 2259 of title 18, United States Code, as added by section 101 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20304) and section 107 of title 18, United States Code, as added by section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

"(d) As used in this section, the term ‘victim’ means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated or deceased, the legal guardian of the victim or a representative of the victim’s estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.

(b) TABLE OF SECTIONS.—The table of sections for chapter 117 of title 18, United States Code, is amended by inserting after the item relating to section 2428 the following:

"2429. Mandatory restitution."

SEC. 4. VICTIM WITNESS ASSISTANCE IN SEXUAL EXPLOITATION CASES.

(a) AVAILABILITY OF DOJ APPROPRIATIONS.—Section 524(k)(1)(B) of title 28, United States Code, is amended by inserting "(except subsection (b) of such section) of the Controlled Substances Act (21 U.S.C. 853).

(b) TABLE OF CONTENTS.—The table of contents for chapter 117 of title 18, United States Code, is amended by inserting after "chapter 110 of title 18" chapter "section 111 of title 18".

(a) AMENDMENT TO TITLE 31.—Section 9070(a)(2)(H)(V) of title 31, United States Code, is amended by inserting after the heading of section 2259(b)(3) a new subsection (a) as follows:

"(a) The court may order restitution under this section for the victim of trafficking, if the court finds that the victim has suffered losses because of the act.

(b) RESTITUTION.—The court shall order that the defendant shall pay to the victim the fair market value of the property of the victim which was lost as a result of the defendant’s actions.

(c) FORFEITURE.—If the court finds that the defendant intentionally caused the victim to suffer losses as a result of the defendant’s actions, the court may order that the defendant shall pay to the victim the fair market value of the property which was lost as a result of the defendant’s actions.

(b) T ABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 117 of title 18, United States Code, is amended by inserting after "chapter 110 of title 18" a new section 111 of title 18.

SEC. 5. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

(a)_IN GENERAL.—Title IX of the Justice for Victims of Trafficking Act of 2005 (6 U.S.C. 641 et seq.) is amended by adding at the end the following:

"SEC. 906. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

"(a) Direction.—The DHS Law Enforcement Officials and Task Forces—

"(1) in the heading, by striking "Child Victims of a Severe Form of Trafficking in Persons" and before "Child Victims of Child Pornography";

"(2) by inserting "and in the course of serving their duties under section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(c)(4)), the department shall—

(a) in general.—The Act makes numerous changes to Federal law, including:

(1) extending the definition of "human trafficking" to include sex trafficking, labor trafficking, and other forms of trafficking;

(b) IN GENERAL.—Title IX of the Justice for Victims of Trafficking Act of 2005 (6 U.S.C. 20709) and section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(c)(4)) shall—

(1) require that the Department of Justice make available a training program to law enforcement agencies and other agencies.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 117 of title 18, United States Code, is amended by inserting after "chapter 110 of title 18" a new section 111 of title 18.

SEC. 6. DIRECT SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING.

Section 214(b) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20304) is amended by adding at the end the following:


"(a) Direction.—Section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(c)(4)) shall—

(1) emphasize that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, as a party to a human trafficking offense;

(2) develop specific curriculum for—

(a) under appropriate circumstances, arresting and prosecuting buyers of commercial sex, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(b) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(c) clarify that an inclusive approach to eliminating human trafficking shall include a demand reduction component.

SEC. 7. HOLISTIC TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS AND PROSECUTORS.

All training required under the Combat Human Trafficking Act of 2015 (34 U.S.C. 20709) and section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(c)(4)) shall—

(1) emphasize that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, as a party to a human trafficking offense;

(b) develop specific curriculum for—

(a) under appropriate circumstances, arresting and prosecuting buyers of commercial sex, child labor that is a violation of law, or forced labor as a form of primary prevention; and

SEC. 8. BEST PRACTICES IN DELIVERING JUSTICE FOR VICTIMS OF TRAFFICKING.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall issue guidance to all offices and components of the Department of Justice.

SEC. 9. IMPROVING THE NATIONAL STRATEGY TO COMBAT HUMAN TRAFFICKING.

Section 606(b) of the Justice for Victims of Trafficking Act of 2015 (34 U.S.C. 20711(b)) is amended by adding at the end the following:

"(b) A national strategy to prevent human trafficking and reduce demand for human trafficking victims.

SEC. 10. SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS.

(a) IN GENERAL.—Section 111 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (34 U.S.C. 20706) is amended—

(1) in the heading, by striking "LAW ENFORCEMENT TRAINING PROGRAMS" and inserting "SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS"; and

(b) in subsection (a)(2), by striking "means a State or local government," and inserting the following: "means—

"(A) a State or unit of local government;

(b) a federalally recognized Indian tribal government, as determined by the Secretary of the Interior;

"(C) a victim service provider;
“(D) a nonprofit or for-profit organization (including a tribal nonprofit or for-profit organization); “(E) a national organization; or “(F) an institution of higher education (including tribal institutions of higher education);”;
(3) by striking subsection (b) and inserting the following:
“(b) GRANTS AUTHORIZED.—The Attorney General may award grants to eligible entities to— “(1) provide training to identify and protect victims of trafficking; “(2) improve the quality and quantity of services offered to trafficking survivors; and “(3) improve victim service providers’ partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities;”;
(4) in subsection (c)—
(A) in paragraph (2), by striking “or” at the end;
(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and
(C) by inserting after paragraph (3) the following:
“(4) provide technical assistance on the range of services available to victim service providers who serve trafficking victims; “(5) develop and distribute materials, including identifying best practices in accordance with Federal law and policies, to support victim service providers working with human trafficking victims; “(6) assist other agencies and disseminate other publicly available materials in accordance with Federal law to help build capacity of service providers; “(7) provide training at relevant conferences, through webinars, or through other mechanisms in accordance with Federal law; or “(8) assist service providers in developing additional resources such as partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities in order to access a range of available services in accordance with Federal law.”.
(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 2 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2900) is amended by striking the item relating to section 111 and inserting the following:
“Sec. 111. Grants for specialized human trafficking training and technical assistance for service providers.”.
SEC. 11. ENHANCED PENALTIES FOR HUMAN TRAFFICKING, CHILD EXPLOITATION, AND REPEAT OFFENDERS.
Part I of title 18, United States Code, is amended—
(1) in chapter 77—
(A) in section 1583(a), in the flush text following paragraph (3), by striking “not more than 20 years” and inserting “not more than 30 years”;
(B) in section 1587, by striking “four years” and inserting “10 years”; and
(C) in section 1591(d), by striking “20 years” and inserting “25 years”;
(2) in section 2426—
(A) in subsection (a), by striking “twice” and inserting “3 times”; and
(B) in subsection (b)(1)(B) by striking “paragraph (1)” and inserting “paragraph (A)”.
SEC. 12. TARGETING ORGANIZED HUMAN TRAFFICKING PROFESSIONALS.
Section 521(c) of title 18, United States Code, is amended—
(1) in paragraph (2), by striking “and” at the end; and
(2) by redesignating paragraph (3) as paragraph (4);
(3) by inserting after paragraph (2) the following:
“(3) a Federal offense involving human trafficking, sexual abuse, sexual exploitation, or other conduct or situation or any illegal sexual activity; and”;
(4) in paragraph (4), as so redesignated, by striking “(1) or (2)” and inserting “(1), (2), or (3)”.
SEC. 13. INVESTIGATING COMPLEX HUMAN TRAFFICKING NETWORKS.
Section 2516 of title 18, United States Code, is amended—
(1) in subsection (1)(c)—
(A) by inserting “section 1582 (vessels for slave trade), section 1583 (enticement into slavery),” after “section 1581 (peonage),”;
(B) by inserting “section 1586 (service on vessels in slave trade), section 1587 (possession of slaves aboard vessel), section 1588 (transportation of slaves from United States),” after “section 1584 (involuntary servitude),”;
and
(2) in subsection (2)—
(A) by striking “kidnapping human” and inserting “kidnapping; human”;
(B) by striking “or” and inserting “; or”; and
(C) by inserting “production, prostitution.”.
SEC. 14. COMBATING SEX TOURISM.
Section 2223 of title 18, United States Code, is amended—
(1) in subsection (b), by striking “for the purpose” and inserting “with a motivating purpose”;
(2) in subsection (d), by striking “for the purpose of engaging” and inserting “with a motivating purpose of engaging”.
SEC. 15. HUMAN TRAFFICKING JUSTICE COORDINATOR.
Section 606 of the Justice for Victims of Trafficking Act of 2015 (34 U.S.C. 20711) is amended—
(1) in subsection (b)(1)—
(A) by striking subparagraph (B); and
(B) by redesigning subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively;
(2) by adding at the end the following:
“(c) HUMAN TRAFFICKING JUSTICE COORDINATOR.—The Attorney General shall designate in each Federal judicial district not less than 1 assistant United States attorney to serve as the Human Trafficking Coordinator for the district who, in addition to any other responsibilities, shall coordinate trafficking victim-witness specialist and shall be responsible for—
“(1) implementing the National Strategy with respect to all forms of human trafficking, including labor trafficking and sex trafficking; “(2) prosecuting, or assisting in the prosecution of, human trafficking cases; “(3) conducting public outreach and awareness activities relating to human trafficking; “(4) ensuring the collection of data required to be collected under clause (vii) of section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)), as added by section 17 of the Abolish Human Trafficking Act of 2017, is sought; “(5) coordinating with other Federal agencies, State, tribal, and local law enforcement agencies, victim service providers, and other relevant non-governmental organizations to build partnerships on activities relating to human trafficking; and “(6) ensuring the collection of restitution for survivors is sought as required to be ordered under section 1593 of title 18, United States Code, at the time of sentencing of such individuals, as required by section 3 of the Abolish Human Trafficking Act of 2017.”.
(2) in subsection (d), by striking “production, prostitution, or anti-human trafficking organizations, producing and disseminating, including making publicly available when appropriate, replication guides and training materials for law enforcement officers, prosecutors, judges, emergency responders, individuals working in victim services, adult and child protective services, social services, and public safety, medical personnel, mental health personnel, financial services personnel, and any other individuals whose work may bring them in contact with human trafficking cases, including in administrative, civil, and criminal judicial proceedings; and “(3) carrying out such other duties as the Attorney General determines necessary in connection with enforcing the understanding, prevention, and detection of, and response to, human trafficking.”.
SEC. 16. INEQUITY BASED FORCE TO MONITOR AND COMBAT HUMAN TRAFFICKING.
Section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)) is amended—
(1) in clause (vi), by striking “and” at the end; and
(2) by adding at the end the following:
“(viii) the number of convictions obtained under chapter 77 of title 18, United States Code, aggregated separately by the form of offense committed with respect to the victim, including recruiting, enticing, harboring, transporting, providing, obtaining, acquiring, maintaining, or soliciting a human trafficking victim; and”.
SEC. 17. ADDITIONAL REPORTING ON CRIME.
Section 237(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (29 U.S.C. 534 note) is amended—
(1) in paragraph (2), by striking “and” at the end; and
(2) by paragraph (3), by striking the period at the end and inserting a semicolon; and
(3) by adding at the end the following:
“(4) incidents of assisting or promoting prostitution, child labor that is a violation of law, or forced labor of an individual under the age of 18 as described in paragraph (1); and “(5) incidents of purchasing or soliciting commercial sex acts, child labor that is a violation of a law, or forced labor with an individual under the age of 18 as described in paragraph (2).”.
SEC. 18. STRENGTHENING THE NATIONAL HUMAN TRAFFICKING HOTLINE.
(a) REPORTING REQUIREMENT.—Section 106(3)(C) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(d)(3)) is amended—

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CONGRESSIONAL RECORD — HOUSE

September 28, 2018
SEC. 19. ENDING GOVERNMENT PARTNERSHIPS WITH THE COMMERCIAL SEX INDUSTRY.

No Federal funds or resources may be used for the operation of, participation in, or partnership with any program that involves the provision of funding or resources to an organization that—

(1) has the primary purpose of providing adult entertainment; and

(2) derives profits from the commercial sex trade.

SEC. 20. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

(a) IN GENERAL.—The National Institute of Justice and the Centers for Disease Control and Prevention shall jointly conduct a study on the short-term and long-term physical and psychological effects of serious harm (as that term is defined in section 1589(c)(2) and section 1589(e)(4) of title 18, United States Code) to be amended by the William Wilburforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457; 122 Stat. 5044) in order to determine the most effective types of services for individuals who are identified as victims of these crimes, including victims in cases that were not investigated or prosecuted by any law enforcement agency, and how current treatment and programming options should be tailored to address the unique needs and barriers associated with these victims.

(b) REPORT.—Not later than 3 years after the date of enactment of the Abolish Human Trafficking Act of 2017, the National Institute of Justice and the Centers for Disease Control and Prevention shall make available to the public the results, including any associated recommendations, of the study conducted under subsection (a).

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 237) is amended by inserting after the item relating to section 607 the following:

“Sec. 607. Understanding the physical and psychological effects of severe forms of trafficking in persons.”

SEC. 21. COMBATING TRAFFICKING IN PERSONS.

Section 101(b)(1) of the Victims of Trafficking Protection Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (b)(2), by striking “2014 through 2017” and inserting “2018 through 2021”;

and

(2) in subsection (i), by striking “2014 through 2017” and inserting “2018 through 2021”.

SEC. 22. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section—

(1) the term “covered agency” means an agency authorized to award grants under this Act; and

(2) the term “covered grant” means a grant authorized to be awarded under this Act; and

(3) the term “covered official” means the head of a covered agency.

(b) ACCOUNTABILITY.—All covered grants shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term “unsolved audit finding” means a finding in the final audit report of the Inspector General of a covered agency that the audited grantee has utilized funds under a covered grant for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of a covered agency shall conduct audits of recipients of covered grants to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall also request a reasonable number of grantees to be audited each year.

(C) MANDATORY EXCLUSION.—A recipient of funds under a covered grant that is found to have an unresolved audit finding shall not be eligible to receive funds under a covered grant during the first 2 fiscal years beginning after the 12-month period described in subparagraph (A).

(D) PRIORITY.—In awarding covered grants, a covered official shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for the covered grant.

(E) REMUSSURANCE.—If an entity is awarded funds under a covered grant during the 2-fiscal-year period during which the entity is barred from receiving covered grants under subparagraph (C), a covered official shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantees into the General Fund of the United States; and

(ii) seek to recoup the costs of the repayment to the fund from the recipient of the covered grant that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph, the “covered grant program” means the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—A covered grant may not be awarded to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a covered grant and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonability for the purposes of its offices for directors, trustees, and key employees, shall disclose to the applicable covered official, in the application for the covered grant, the procedures for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous documentation of the deliberation and decision. Upon request, a covered official shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENSES.—

(A) LIMITATION.—No amounts made available for a covered grant program by a covered grant program may be used by a covered official, or by any individual or entity awarded discretionary funds through a cooperative agreement under a covered grant program, to host or support any expenditure for conferences that use more than $20,000 in funds made available by the covered agency, unless the covered official provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Prior to approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, gifts, entertainment, audio-visual equipment, and honoraria for speakers and entertainment.

(C) REPORT.—

(i) DEPARTMENT OF JUSTICE.—The Deputy Attorney General shall submit an annual report to the appropriate committees of Congress on all conference expenditures approved under this paragraph.

(ii) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—The Deputy Secretary of Health and Human Services shall submit to the appropriate committees of Congress an annual report on all conference expenditures approved under this paragraph.

(iii) DEPARTMENT OF HOMELAND SECURITY.—The Deputy Secretary of Homeland Security shall submit to the appropriate committees of Congress an annual report on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this Act, each covered official shall submit to the appropriate committees of Congress an annual certification—

(A) indicating whether—

(1) all audits issued by the Office of the Inspector General of the applicable covered agency under paragraph (1) have been completed and reviewed by the appropriate official;

(2) all mandatory exclusions required under paragraph (1)(C) have been issued; and

(3) all reimbursments required under paragraph (1)(E) have been made; and

(B) that includes a list of duplicate recipients of a covered grant excluded under paragraph (1)(D) from the previous year.

(e) PREVENTING DUPLICATE GRANTS.—

(1) IN GENERAL.—Before a covered official awards a covered grant, the covered official shall compare potential awards under the covered grant program with other covered grants awarded to determine if duplicate grant awards are awarded for the same purpose.

(i) REPORT.—If a covered official awards duplicate covered grants to the same applicant for the same purpose the covered official shall submit to the appropriate committees of Congress a report that includes—

(A) a list of all duplicate covered grants awarded, including the total dollar amount of any duplicate covered grants awarded; and

(B) the reason the covered official awarded the duplicate covered grants.

SEC. 23. HERO ACT IMPROVEMENTS.

(a) IN GENERAL.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) in subsection (a) (—

(A) in paragraph (1), by inserting “Home- land Security Investigations,” after “Cus- toms Enforcement,”; and

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

“10. The Center shall provide inves- tigative assistance, training, and equip- ment to support domestic and international
investigations of cyber-related crimes by the Department.

(2) in subsection (b)—

(A) in paragraph (2)(C), by inserting after "circa 2017" the following: "which shall include participating in training for Homeland Security Investigations personnel conducted by Internet Crimes Against Children Task Forces"; and

(B) in paragraph (3)—

(i) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting "in child exploitation investigations" after "Enforcement"; and

(II) in clause (i), by inserting "child" before "victims";

(ii) in subparagraph (C), by inserting "child exploitation" after "number of"; and

(iii) in subparagraph (D), by inserting "child exploitation" after "number of"; and

(B) in subparagraph (C), by inserting "and emerging technologies" after "forensics"; and

(C) in subparagraph (D), by striking "and the National Association to Protect Children" and inserting "the National Association to Protect Children, and other governmental entities".

(b) HERO CHILD-RESCUE CORPS.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 1177F) is amended—

(1) by redesignating subsection (e) as subsection (g);

(2) by inserting after subsection (d) the following:

"(e) HERO CHILD-RESCUE CORPS.—

"(1) ESTABLISHMENT.—

"(A) IN GENERAL.—There is established within the Center a Human Exploitation Rescue Operation Child-Rescue Corps Program (referred to in this section as the "HERO Child-Rescue Corps Program"), which shall be a Department-wide program, in collaboration with the Department of Defense and the National Association to Protect Children.

"(B) PRIVATE SECTOR COLLABORATION.—As part of the HERO Child-Rescue Corps Program, the National Association to Protect Children shall provide logistical support for program participants.

"(2) PURPOSE.—The purpose of the HERO Child-Rescue Corps Program shall be to recruit, train, equip, and employ members of the Armed Forces, Reserve Components, and the National Guard, law enforcement personnel, and other Federal, State, and local law enforcement personnel, to combat and prevent child exploitation, including in investigative, intelligence, analyst, inspection, and forensic positions or any other positions determined appropriate by the employing agency.

"(3) FUNCTIONS.—The HERO Child-Rescue Corps Program shall—

"(A) provide, recruit, train, and equip participants of the Program in the areas of digital forensics, investigation, analysis, intelligence, and victim identification, as determined by the Center and the needs of the Department; and

"(B) ensure that during the internship period, participants of the Program are assigned to investigate and analyze—

"(i) child exploitation;

"(ii) child pornography;

"(iii) unidentified child victims;

"(iv) human trafficking;

"(v) traveling child sex offenders; and

"(vi) forced child labor, including the sexual exploitation of children.

"(f) PAID INTERNSHIP AND HIRING PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish a paid internship and hiring program for the purpose of placing participating members of the HERO Child-Rescue Corps Program in this subsection, which shall include participating in training for Homeland Security Investigations personnel conducted by Internet Crimes Against Children Task Forces.

"(2) INTERNSHIP POSITIONS.—Under the paid internship and hiring program required to be established under paragraph (1), the Secretary shall assign or detail participants to positions within United States Immigration and Customs Enforcement or any other Federal agency in accordance with the guidelines promulgated under paragraph (3).

"(3) PLACEMENT.—

"(A) IN GENERAL.—The Secretary shall promulgate guidelines for assigning or detailing participants to positions within United States Immigration and Customs Enforcement and other Federal agencies, which shall include requirements for internship duties and agreements regarding the subsequent appointment of the participants to permanent positions.

"(B) PREFERENCES.—The Secretary shall give a preference to Homeland Security Investigations agents in assignments to any Federal, State, or local law enforcement agency.

"(4) TERM OF INTERNSHIP.—An appointment to an internship position under this subchapter shall be for a term not to exceed 12 months.

"(5) RATE AND TERM OF PAY.—After completion of initial group training and upon beginning work at an assigned office, a participant appointed to an internship position under this subchapter who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is—

"(A) not less than the minimum rate of basic pay payable for a position at level GS–5 of the General Schedule; and

"(B) not more than the maximum rate of basic pay payable for a position at level GS–7 of the General Schedule.

"(6) ELIGIBILITY.—In establishing the paid internship and hiring program required to be established under paragraph (1), the Secretary shall ensure that the eligibility requirements for participation in the HERO Child-Rescue Corps Program are the same as the eligibility requirements for participation in the HERO Child-Rescue Corps Program.

"(7) HERO CORPS HIRING.—The Secretary shall establish within Homeland Security Investigations positions, which shall be in addition to those in existence on the date of enactment of this subsection, for the hiring and permanent employment of graduates of the paid internship program required to be established under paragraph (1), and

(3) in subsection (g), as so redesignated—

(A) by striking "There are authorized" and inserting the following:

"(1) IN GENERAL.—There are authorized; and

"(B) by adding at the end the following:

"(2) ALLOCATION.—Of the amount made available pursuant to paragraph (1) in each of fiscal years 2019 through 2022, not more than $10,000,000 shall be used to carry out subsection (e) and not less than $2,000,000 shall be used to carry out subsection (f)."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 104 of the Trafficking Victims Protection Act of 2015 (Public Law 114-22; 129 Stat. 255) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

Mr. MARINO (during the reading).
Title VI—Accountability

Title VII—Public-Private Partnership Advisory Council to End Human Trafficking

Section 701. Short title.
Section 702. Definitions.
Section 703. Public-Private Partnership Advisory Council to End Human Trafficking.
Section 704. Reports.
Section 705. Sunset.

Title VIII—Findings; Sense of Congress

(a) Findings.—Congress finds the following:

(1) The crime of human trafficking involves the exploitation of adults through force, fraud, or coercion, and children for such purposes as forced labor or commercial sex.

(2) Reliable data on the prevalence of human trafficking in the United States is not available, but cases have been reported in all 50 States, the territories of the United States, and the District of Columbia.

(3) Each year, thousands of individuals may be trafficked within the United States, according to recent estimates from victim advocates.

(4) More accurate and comprehensive data on the prevalence of human trafficking is needed to properly combat this form of modern slavery within the United States.

(5) Victims of human trafficking can include men, women, and children who are diverse with respect to race, ethnicity, and national origin.

(6) Since the enactment of the Trafficking Victims Protection Act of 2000 (Public Law 106-386; 114 Stat. 1464), human traffickers have launched increasingly sophisticated schemes to increase the scope of their activities.

(b) Sense of Congress.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

Title I—Frederick Douglass Trafficking Prevention Act of 2017

Section 101. Training for School Personnel.

Section 102. Training for School Resource Officers to Recognize and Respond to Signs of Human Trafficking.

Section 103. Improvement for Missing and Exploited Children.

Title II—Justice for Trafficking Victims

Section 201. Injunctive Relief.

Section 202. SEC. 1595. Civil injunctions after section 1595 the following:

(c) Procedure.—

(1) In general.—A proceeding under this section shall be governed by the Federal Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

(2) Scaled relief.—If a civil action is brought under subsection (a) before an indictment is returned against the respondent or while an indictment against the respondent is under seal:

(A) the court shall place the civil action under seal; and

(B) when the indictment is unsealed, the court shall unseal the civil action unless good cause exists to keep the civil action under seal.

(d) Rule of Construction.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the First Amendment to the Constitution of the United States.

(b) Technical and nongovernmental organizations established under subsection (b)(1)(K)(i) before the semicolon at the end of

Title V—Accountability

Section 501. Grant Accountability.

Section 502. Findings; Sense of Congress.

(a) Findings.—Congress finds the following:

(1) Each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;

(2) by striking paragraphs (4) and (5); and

(3) in paragraph (6), by inserting “child sex trafficking and sextortion” after “exploitation”;

(4) in paragraph (8) by adding “and” at the end;

(5) by striking paragraph (9);

(6) by amending paragraph (10) to read as follows:

(7) by redesigning paragraphs (6), (7), (8), and (10), as amended by this subsection, as paragraphs (4), (5), (6), and (7), respectively.

(b) Definitions.—Section 463 of the Missing Children’s Assistance Act (42 U.S.C. 5772) is amended—

(1) by striking paragraph (1) and inserting the following:

(1) the term ‘missing child’ means an individual less than 18 years of age whose whereabouts are unknown to such individual’s parent;”;

(2) in paragraph (2) by striking “and” at the end;

(3) in paragraph (3) by striking the period at the end and inserting “;”;

(4) by adding at the end the following:

(4) the term ‘parent’ includes a legal guardian or other individual who may lawfully exercise parental rights with respect to the child.”;

(c) Duties and Functions of the Admini—

Section 494 of the Missing Children’s Assistance Act (42 U.S.C. 5773) is amended—

(1) in subsection (a),—

(A) by paragraph (3) by striking “telephone line” and inserting “hotline”;

(B) in paragraph (6)(E)—

(i) by striking “telephone line” and inserting “hotline”;

(ii) by striking “(b)(1)(A)” and inserting “(b)(1)(A)”;

(iii) by inserting, and the number and types of reports to the (a) established under subsection (b)(1)(K)(i)” before the semicolon at the end of

Section 1. Findings; Sense of Congress.

(a) Findings.—Section 494 of the Missing Children’s Assistance Act (42 U.S.C. 5774) is amended—

(1) by striking paragraph (1) and inserting the following:

(2) in subsection (b)—

(A) by paragraph (1) by striking “telephone line” each place it appears and inserting “hotline”;

(B) in subparagraph (C)—

(i) in clause (i)—

(I) by striking “restaurant” and inserting “food”; and

(II) by striking “and” at the end;

(ii) in clause (ii) by adding “and” at the end; and

(iii) by adding at the end the following:

(III) by striking “school system, nongovernmental agencies, local educational agencies, and the general public”;

(iv) in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;

(v) by providing technical assistance and training to families, law enforcement agencies, State and local governments, elements of the criminal justice system, nongovernmental agencies, local educational agencies, and the general public;

(III) by striking “parent”;

(B) in paragraph (6)(E)—

(i) in clause (ii) by adding “and” at the end;

(2) in subsection (b)(1)—

(A) by paragraph (1) by striking “telephone line” each place it appears and inserting “hotline”;

(B) in subparagraph (C)—

(i) in clause (i)—

(I) by striking “restaurant” and inserting “food”; and

(II) by striking “and” at the end;

(ii) in clause (ii) by adding “and” at the end; and

(iii) by adding at the end the following:

(III) by striking “school system, nongovernmental agencies, local educational agencies, and the general public”;

(iv) in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;

(v) by providing technical assistance and training to families, law enforcement agencies, State and local governments, nongovernmental agencies, child-serving professionals, and the general public;

(B) works with the Department of Justice, the Department of Agriculture, the United States Marshals Service, the United States Postal Inspection Service, other agencies, and nongovernmental organizations in the effort to find missing children and to prevent child victimization and

(C) coordinates with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands to transmit images and information regarding missing and exploited children to law enforcement agencies, nongovernmental organizations, and corporate partners across the United States and around the world instantly;”;

and

(7) by redesigning paragraphs (6), (7), (8), and (10), as amended by this subsection, as paragraphs (4), (5), (6), and (7), respectively.
children by searching public records databases to help in the identification, location, and recovery of such children, and help in the location and identification of potential abductors and offenders;

(‘‘K’’) provide forensic and direct on-site technical assistance and consultation to families, law enforcement agencies, child-serving professionals, and other nongovernmental organizations in child abduction and exploitation cases, including facial reconstruction of skeletal remains and similar techniques to assist law enforcement in the identification of unidentified deceased children;’’;

(F) by striking subparagraphs (L) and (M);

(G) by amending subparagraph (N) to read as follows:

‘‘(N) provide training, technical assistance, and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying and locating such individuals;’’;

(H) by striking subparagraph (P);

(I) by amending subparagraph (Q) to read as follows:

‘‘(Q) work with families, law enforcement agencies, electronic service providers, electronic payment service providers, technology companies, nongovernmental organizations, and other entities to reduce the existence and distribution of online images and videos of sexually exploited children—

‘‘(i) by providing education and awareness efforts to reduce the existence and distribution of images and videos of sexually exploited children;

‘‘(I) provide to individuals and electronic service providers an effective means of reporting Internet-related and other instances of child sexual exploitation in the areas of—

‘‘(aa) possession, manufacture, and distribution of child pornography;

‘‘(bb) online enticement of children for sexual access;

‘‘(cc) child sex trafficking;

‘‘(dd) sex tourism involving children;

‘‘(ee) extra familial child sexual molestation;

‘‘(ff) unsolicited obscene material sent to a child;

‘‘(gg) misleading domain names; and

‘‘(hh) misleading words or digital images on the Internet; and

‘‘(II) make reports received through the pipeline available to the appropriate law enforcement IV of the for its review and potential investigation;

‘‘(ii) by operating a child victim identification program to assist law enforcement agencies in locating victims of child pornography and other sexual crimes to support the recovery of children from sexually exploitative situations; and

‘‘(iii) by emerging technologies to provide additional outreach and educational materials to parents and families;’’;

(J) by striking subparagraph (R);

(K) by amending subparagraphs (S) and (T) to read as follows:

‘‘(S) develop and disseminate programs and information to families, child-serving professionals, victims of child pornography and other sexual crimes to support the recovery of children from sexually exploitative situations; and

‘‘(T) provide technical assistance and training to local educational agencies, schools, and local law enforcement agencies, individuals, and other nongovernmental organizations that assist with finding missing and abducted children in identifying and locating such children;’’;

(L) by redesignating subparagraphs (H), (I), (J), (K), (N), (O), (Q), (S), (T), (U), and (V), as amended by this subsection, as subparagraphs (E) through (O), respectively.

(d) GRANTS.—Section 405 of the Missing Children’s Assistance Act (42 U.S.C. 5775) is amended—

(1) in subsection (a)—

(A) in paragraph (7) by striking ‘‘(as defined in section 653(1)(A))’’; and

(B) in paragraph (9), by striking ‘‘(i)’’ by striking ‘‘legal custodians’’ and inserting ‘‘parents’’; and

(ii) by striking ‘‘custodians’’ and inserting ‘‘parents’’; and

(2) in subsection (b)(1)(A) by striking ‘‘legal custodians’’ and inserting ‘‘parents’’;

(e) REPORTING.—The Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(1) by redesignating sections 407 and 408 as sections 406 and 409, respectively; and

(2) by inserting after section 406 the following:

**SEC. 407. REPORTING.**

‘‘(a) REQUIRED REPORTING.—As a condition of receiving funds under section 406(b), the grant recipient shall, based solely on reports received by the grantee and not involving any data collection by the grantee other than those reports, annually provide to the Administrator and make available to the general public, as appropriate—

‘‘(1) the number of children nationwide who are reported to the grantee as missing;

‘‘(2) the number of children nationwide who are reported to the grantee as victims of non-family abductions;

‘‘(3) the number of children nationwide who are reported to the grantee as victims of family abductions; and

‘‘(4) the number of missing children recovered nationwide whose recovery was reported to the grantee.

‘‘(b) INCIDENCE OF ATTEMPTED CHILD ABDUCTIONS.—As a condition of receiving funds under section 406(b), the grant recipient shall—

‘‘(1) track the incidence of attempted child abductions in order to identify links and patterns;

‘‘(2) provide such information to law enforcement agencies; and

‘‘(3) make such information available to the general public, as appropriate.’’.

**SEC. 203. FORENSIC AND INVESTIGATIVE ASSISTANCE.**

Section 205 of title 18, United States Code, is amended—

(1) by inserting ‘‘in conjunction with an investigation’’ after ‘‘local law enforcement agency’’; and

(2) by striking ‘‘in support of any investigation involving missing or exploited children’’.

**TITLE III—SERVICES FOR TRAFFICKING SURVIVORS**

**SEC. 301. EXTENSION OF ANTI-TRAFFICKING GRANT PROGRAMS.**

(a) TRAFFICKING VICTIMS PROTECTION ACT OF 2000 (42 U.S.C. 7101 et seq.) is amended—

(1) in section 122A(b)(4)(2) (42 U.S.C. 7109a(b)(4)), by striking ‘‘2014 through 2017’’ and inserting ‘‘2018 through 2021’’;

(2) in section 113 (22 U.S.C. 7110)—

(A) in subsection (d)—

(1) in paragraph (1), by striking ‘‘$11,000,000 for each of fiscal years 2014 through 2017’’ and inserting ‘‘$45,000,000 for each of fiscal years 2018 through 2021’’; and

(2) in paragraph (2), by striking ‘‘2014 through 2017’’ and inserting ‘‘2018 through 2021’’;

and

(B) in subsection (e)—

(1) in paragraph (1), by striking ‘‘2014 through 2017’’ and inserting ‘‘2018 through 2021’’; and

(ii) in paragraph (2), by striking ‘‘2014 through 2017’’ and inserting ‘‘2018 through 2021’’; and

(C) in subsection (5), by striking ‘‘2014 through 2017’’ and inserting ‘‘2018 through 2021’’.

(b) ANNUAL TRAFFICKING CONFERENCE.—

Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404c(c)(2)) is amended by striking ‘‘2017’’ and inserting ‘‘2021’’.

(c) GRANTS TO STATE AND LOCAL LAW ENFORCEMENT FOR ANTI-TRAFFICKING PROGRAMS.—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404a(e)) is amended by striking ‘‘2017’’ and inserting ‘‘2021’’.

(d) CHILD ADVOCATES FOR UNACCOMPANIED MINORS.—Section 235(c)(6)(F) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (42 U.S.C. 1225c(6)(F)) is amended—

(1) in the matter preceding clause (1), by striking ‘‘Secretary and Human Services’’ and inserting ‘‘Secretary of Health and Human Services’’; and

(2) in clause (1), by striking ‘‘the fiscal years 2016 and 2017’’ and inserting ‘‘fiscal years 2018 through 2021’’.

(e) REINSTATEMENT AND REAUTHORIZATION OF GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

(1) REINSTATEMENT OF EXPERIENCED PROVISION.—

(A) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404a) is amended to read as such section read on March 6, 2017.

(B) CONFORMING AMENDMENT.—Section 1241(b) of the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. 1404a note) is repealed.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

**SEC. 302. ESTABLISHMENT OF OFFICE OF VICTIM ASSISTANCE.**

(a) TECHNICAL AMENDMENTS.—Subtitle D of title II of the Homeland Security Act of 2002 (6 U.S.C. 251 et seq.) is amended—

(1) in section 442—

(A) by striking ‘‘bureau’’ each place such term appears, except in subsection (a)(1), and inserting ‘‘agency’’;

(B) by striking ‘‘the Bureau of Border Security’’ each place such term appears and inserting ‘‘U.S. Immigration and Customs Enforcement’’;

(C) in the section heading, by striking ‘‘BUREAU OF BORDER SECURITY’’ and inserting ‘‘IMMIGRATION AND CUSTOMS ENFORCEMENT’’;

(D) in subsection (a)—

(i) in the heading, by striking ‘‘OF BU- RO’’;

(ii) in paragraph (1), by striking ‘‘a bureau to be known as the ‘Bureau of Border Security’,’’ and inserting ‘‘an agency to be known as ‘U.S. Immigration and Customs Enforcement’,’’;

(iii) in paragraph (3)(C), by striking ‘‘the Bureau of’’ before ‘‘Citizenship and Immigration Services’’ and inserting ‘‘U.S.’’; and

(iv) in paragraph (4), by striking ‘‘the Bureau, and inserting ‘‘the agency’’;

and

(E) in subsection (b)(2)—

(i) in the matter preceding subparagraph (A), by striking ‘‘Bureau of Border Security’’;

(ii) by inserting ‘‘U.S. Immigration and Customs Enforcement’’ after ‘‘U.S. Immigration and Customs Enforcement’’;

and

(iii) in paragraph (3), by striking ‘‘Citizen- ship and Immigration Services’’ and inserting ‘‘U.S. Immigration and Customs Service’’;

and

(iv) in paragraph (4), by striking ‘‘the Bureau’’ and inserting ‘‘the agency’’;

and

(F) in paragraph (5), by striking ‘‘the Bureau of’’ before ‘‘Citizenship and Immigration Services’’ and inserting ‘‘U.S.’’; and
shall compile and disseminate, to all grantees who are awarded grants to provide victims’ services under subsection (b) or (f) of section 107, information about reliable and pertinent sources of information on the identification of victims of human trafficking.

(b) USE OF SCREENING PROCEDURES.—Beginning not later than October 1, 2018, the Attorney General, through the Secretary of Health and Human Services, shall identify recommended practices for the screening of human trafficking victims and shall encourage states and their agencies, and organizations that engage in the care, treatment, and respect for victims’ privacy and dignity; and

(B) to oversee and support specially trained victim assistance personnel through guidance, training, travel, technical assistance, and equipment to support Homeland Security Investigations in domestic and international investigations with a potential or identified victim or witness.

(3) FUNCTIONS.—The Office of Victim Assistance shall—

(A) to provide national oversight to ensure that all employees of the U.S. Immigration and Customs Enforcement and enforcement contractors comply with all applicable Federal laws and policies concerning victims rights, access to information, advisement of legal rights, just and fair treatment of victims, and respect for victims’ privacy and dignity;

(B) to provide comprehensive assistance, and work with special agents to integrate victim assistance considerations throughout the investigation and judicial processes, as needed, by locating such specialists—

(i) where there is a human trafficking task force in which Homeland Security Investigations participates;

(ii) where there is a task force targeting child sexual exploitation in which Homeland Security Investigations participates; and

(iii) the National Institute of Justice to develop training and technical assistance materials for law enforcement officers for a period that is longer than the duration of the grant received.

Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the efforts of the Department of Justice to provide and implement a methodology to assess the prevalence of human trafficking in the United States, including a timeline for completion of the methodology.

(b) INNOCENCE LOST NATIONAL INITIATIVE.—

(i) Before amounts are distributed from the Fund to a department or agency for the purpose described in clause (i), the Director shall solicit requests for funding from departments or agencies of the Federal Government other than the Department of Justice.

(ii) Not later than 1 year after the date of enactment of this Act, the Director shall solicit requests for funding from departments or agencies of the Federal Government other than the Department of Justice.

(iii) Before amounts are distributed from the Fund to a department or agency for the purpose described in clause (i), the Director shall solicit requests for funding from departments or agencies of the Federal Government other than the Department of Justice.

(iv) If the grant funds awarded under this paragraph are used to provide services or otherwise benefit from participation in a venture that has engaged in any act of human trafficking;

(v) to ensure that the data collected by Homeland Security Investigations and Customs Enforcement is used to assist in the prevention of severe forms of trafficking in persons;

(vi) to provide training and other services to victims of human trafficking; and

(vii) shall encourage the use of such practices by Homeland Security Investigations and Customs Enforcement, Federal and local governmental, nongovernmental, and nonprofit entities regarding pol-

SEC. 304. IMPROVING VICTIM SCREENING.

(a) IN GENERAL.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)) is amended by inserting after section 107A the following:

SEC. 107B. IMPROVING DOMESTIC VICTIM SERVICES.

(a) VICTIM SCREENING TOOLS.—Not later than October 1, 2018, the Attorney General shall develop a methodology to assess the prevalence of human trafficking in the United States, including a timeline for completion of the methodology.

(b) INNOCENCE LOST NATIONAL INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the status of the Innocence Lost National Initiative, which shall include, for each of the last 5 fiscal years,

(i) the number of human traffickers who were arrested, disaggregated by—

(ii) the number of human traffickers who were arrested, disaggregated by—

(iii) the number of human traffickers who were arrested, disaggregated by—

(iv) the number of human traffickers who were arrested, disaggregated by—

(v) the number of human traffickers who were arrested, disaggregated by—

(vi) the number of human traffickers who were arrested, disaggregated by—

(vii) the number of human traffickers who were arrested, disaggregated by—

(viii) the number of human traffickers who were arrested, disaggregated by—

(ix) the number of human traffickers who were arrested, disaggregated by—

(x) the number of human traffickers who were arrested, disaggregated by—

(xi) the number of human traffickers who were arrested, disaggregated by—

(xii) the number of human traffickers who were arrested, disaggregated by—

(xiii) the number of human traffickers who were arrested, disaggregated by—

(xiv) the number of human traffickers who were arrested, disaggregated by—

(xv) the number of human traffickers who were arrested, disaggregated by—

(xvi) the number of human traffickers who were arrested, disaggregated by—

(xvii) the number of human traffickers who were arrested, disaggregated by—

(xviii) the number of human traffickers who were arrested, disaggregated by—

(xix) the number of human traffickers who were arrested, disaggregated by—

(xx) the number of human traffickers who were arrested, disaggregated by—

(3) the number of human traffickers who were arrested, disaggregated by—

(4) the number of human traffickers who were arrested, disaggregated by—

SEC. 209. IMPROVING VICTIM RIGHTS AND INTERAGENCY COORDINATION.

SEC. 401. PROMOTING DATA COLLECTION ON HUMAN TRAFFICKING.

(a) PREVALENCE OF HUMAN TRAFFICKING.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the efforts of the National Human Trafficking Resource Center to develop a methodology to assess the prevalence of human trafficking in the United States, including a timeline for completion of the methodology.

(b) INNOCENCE LOST NATIONAL INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the Committee on the Judiciary of the Senate and the Committee on Appropriations of the Senate and the Committee on the Judiciary of the House of Representatives a report on the status of the Innocence Lost National Initiative, which shall include, for each of the last 5 fiscal years,

(i) the number of human traffickers who were arrested, disaggregated by—

(ii) the number of human traffickers who were arrested, disaggregated by—

(iii) the number of human traffickers who were arrested, disaggregated by—

(iv) the number of human traffickers who were arrested, disaggregated by—

(v) the number of human traffickers who were arrested, disaggregated by—

(vi) the number of human traffickers who were arrested, disaggregated by—

(vii) the number of human traffickers who were arrested, disaggregated by—

(viii) the number of human traffickers who were arrested, disaggregated by—

(ix) the number of human traffickers who were arrested, disaggregated by—

(x) the number of human traffickers who were arrested, disaggregated by—

(xi) the number of human traffickers who were arrested, disaggregated by—

(xii) the number of human traffickers who were arrested, disaggregated by—

(xiii) the number of human traffickers who were arrested, disaggregated by—

(xiv) the number of human traffickers who were arrested, disaggregated by—

(xv) the number of human traffickers who were arrested, disaggregated by—

(xvi) the number of human traffickers who were arrested, disaggregated by—

(xvii) the number of human traffickers who were arrested, disaggregated by—

(xviii) the number of human traffickers who were arrested, disaggregated by—

(xix) the number of human traffickers who were arrested, disaggregated by—

(20) the number of human traffickers who were arrested, disaggregated by—

SEC. 203. IMPROVING VICTIM SCREENING.

(a) IN GENERAL.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)) is amended by inserting after section 107A the following:

SEC. 2A. IMPROVING VICTIM SCREENING.

(a) IN GENERAL.—The Violence Against Women Act of 2000 (Public Law 106–585) is amended by inserting after section 503 of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607) by a department or agency of the Federal Government other than the Department of Justice.

(b) INNOCENCE LOST NATIONAL INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the Committee on the Judiciary of the Senate and the Committee on Appropriations of the Senate and the Committee on the Judiciary of the House of Representatives a report on the status of the Innocence Lost National Initiative, which shall include, for each of the last 5 fiscal years,
(A) the number of individuals arrested for patronizing or soliciting an adult;
(B) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining an adult;
(C) the number of individuals arrested for patronizing or soliciting a minor; and
(D) the number of individuals arrested for recruiting, harboring, maintaining, or obtaining a minor;
(2) the number of adults who were arrested on charges of prostitution;
(3) the number of minor victims who were identified;
(4) the number of minor victims who were arrested and formally petitioned by a juvenile or adult charged; and
(5) the placement of and social services provided to each such minor victim as part of each state operation.
(c) AVAILABILITY OF REPORTS.—The reports required under subsections (a) and (b) shall be posted on the website of the Department of Justice.

SEC. 402. CRIME REPORTING.
Section 732(c) of the Uniform Federal Crime Reporting Act of 1988 (28 U.S.C. 534 note) is amended—
(1) in subparagraph (B), by striking “in the form of annual Uniform Crime Reports for the United States” and inserting “not less frequently than annually”;
(2) by adding at the end the following:
“(4) INTERAGENCY COORDINATION.—
“(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Attorney General, Secretary of Homeland Security, and Secretary of Labor shall annually thereafter, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).
“(B) FOR REPORT.—Not later than 6 months after the date of enactment of this Act, the Attorney General, Secretary of Homeland Security, and Secretary of Labor, respectively, after consultation with survivors of human trafficking, or trafficking service providers, and Federal law enforcement agencies responsible for the prevention, detection, and prosecution of offenses involving human trafficking and other individuals serving as, or who have served as, investigators in a Federal agency and who have expertise in identifying human trafficking victims and investigating human trafficking cases.

SEC. 501. ENCOURAGING A VICTIM-CENTERED APPROACH TO TRAINING OF FEDERAL LAW ENFORCEMENT PERSONNEL.
(a) TRAINING CURRICULUM IMPROVEMENTS.—The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall periodically, but no less frequently than once every 2 years, implement improvements to the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, after consultation with survivors of human trafficking, or trafficking service providers, and Federal law enforcement agencies.
(b) ADVANCED TRAINING CURRICULUM.—
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop an advanced training curriculum, to supplement the basic curriculum for investigative personnel of the Department of Justice and the Department of Homeland Security, respectively, that—
(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims;
(B) provides guidance about the recruitment techniques employed by human traffickers to clarify that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or who is subject to labor exploitation that may be in violation of child labor laws; and
(C) by adding at the end the following:
“(f) DEPARTMENT OF JUSTICE VICTIM SCREENING PROTOCOL.—
“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department of Justice is involved.
“(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—
(A) require the individual screening of all adult and child victims who are suspected of engaging in criminal acts as a direct result of severe trafficking in persons; and
(B) require affirmative measures to be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.
“(3) BY DEPARTMENT OF JUSTICE.—The Department of Justice, in consultation with State and local law enforcement agencies.

SEC. 502. VICTIM SCREENING TRAINING.
Section 114 of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044g) is amended—
(1) in subsection (c)(1)(A), by striking “and” and inserting “or”;
(2) in clause (ii), by striking the period at the end and inserting “;”;
(3) by adding at the end the following:
“(iv) a discussion clarifying that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or who is subject to forced, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense.”.

SEC. 503. ENHANCED TRAINING.
Not later than 1 year after the date of enactment of this Act, the Attorney General shall update the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, that—
(A) require the individual screening of all adult and child victims who are suspected of engaging in criminal acts as a direct result of severe trafficking in persons; and
(B) require affirmative measures to be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.

SEC. 504. VICTIM RELIEF.
Not later than 1 year after the date of enactment of this Act, the Attorney General shall update the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, that—
(A) require the individual screening of all adult and child victims who are suspected of engaging in criminal acts as a direct result of severe trafficking in persons; and
(B) require affirmative measures to be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.

SEC. 505. ENCOURAGING A VICTIM-CENTERED APPROACH TO TRAINING OF FEDERAL LAW ENFORCEMENT PERSONNEL.
(a) TRAINING CURRICULUM IMPROVEMENTS.—The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall periodically, but no less frequently than once every 2 years, implement improvements to the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, after consultation with survivors of human trafficking, or trafficking service providers, and Federal law enforcement agencies responsible for the prevention, deterrence, and prosecution of offenses involving human trafficking and other individuals serving as, or who have served as, investigators in a Federal agency and who have expertise in identifying human trafficking victims and investigating human trafficking cases.
(b) ADVANCED TRAINING CURRICULUM.—
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop an advanced training curriculum, to supplement the basic curriculum for investigative personnel of the Department of Justice and the Department of Homeland Security, respectively, that—
(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims;
(B) provides guidance about the recruitment techniques employed by human traffickers to clarify that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or who is subject to labor exploitation that may be in violation of child labor laws; and
(C) by adding at the end the following:
“(f) DEPARTMENT OF JUSTICE VICTIM SCREENING PROTOCOL.—
“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department of Justice is involved.
“(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—
(A) require the individual screening of all adult and child victims who are suspected of engaging in criminal acts as a direct result of severe trafficking in persons; and
(B) require affirmative measures to be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.
“(3) BY DEPARTMENT OF JUSTICE.—The Department of Justice, in consultation with State and local law enforcement agencies.
SEC. 503. JUDICIAL TRAINING.  
Section 223(b)(2) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13023(b)(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 the following: “(D) procedures for improving the judicial response to children who are vulnerable to human trafficking, to the extent an appropriate organization exists.”

SEC. 504. TRAINING OF TRIBAL LAW ENFORCEMENT AND PROSECUTORIAL PERSONNEL.  

The Attorney General, in consultation with the Director of the Office of Tribal Justice, shall carry out a program under which tribal law enforcement officials may receive technical assistance and training on how to pursue a victim-centered approach to investigating and prosecuting severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

TITLE VI—ACCOUNTABILITY

SEC. 601. GRANT ACCOUNTABILITY.  
Section 1236 of the Violence Against Women Reauthorization Act of 2013 (22 U.S.C. 7113) is amended—  
(1) in the matter preceding paragraph (1), by striking “All grants” and inserting the following: “(a) IN GENERAL.—For fiscal year 2013, and each fiscal year thereafter, all grants”; and  
(2) by adding at the end the following: “(b) APPLICATION TO ADDITIONAL GRANTS.—For purposes of subsection (a), for fiscal year 2018, and each fiscal year thereafter, the term ‘grant awarded by the Attorney General under section 105 of this Act amended by this title’ includes a grant under any of the following: (1) Section 223 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13023); (2) the program under section 501 of the Trafficking Victims Protection Act of 2017.”.

TITLE VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

SEC. 701. SHORT TITLE.  
This title may be cited as the “Public-Private Partnership Advisory Council to End Human Trafficking Act”.

SEC. 702. DEFINITIONS.  
In this Act:  
(1) COUNCIL.—The term “Council” means the Public-Private Partnership Advisory Council to End Human Trafficking.  
(2) GROUP.—The term “Group” means the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(g)).  
(3) TASK FORCE.—The term “Task Force” means the President’s Interagency Task Force on Combat Human Trafficking established under section 105(a) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)).

SEC. 703. PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING.  
(a) ESTABLISHMENT.—There is established the Public-Private Partnership Advisory Council to End Human Trafficking, which shall provide advice and recommendations to the Group and the Task Force.  
(b) MEMBERSHIP.—(1) COMPOSITION.—The Council shall be composed of not fewer than 8 and not more than 14 representatives of nongovernmental organizations and nonprofit groups who have significant knowledge and experience in human trafficking prevention and eradication, identification of human trafficking, and services for human trafficking victims.  
(2) REPRESENTATION OF NONPROFIT AND NON-GOVERNMENTAL ORGANIZATIONS.—To the extent practicable, members of the Council shall be representatives of nonprofit groups, academia, and nongovernmental organizations.  
(3) APPOINTMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall appoint—  
(A) 1 member of the Council, after consultation with the President Pro Tempore of the Senate;  
(B) 1 member of the Council, after consultation with the Minority Leader of the Senate;  
(C) 1 member of the Council, after consultation with the Speaker of the House of Representatives;  
(D) 1 member of the Council, after consultation with the Minority Leader of the House of Representatives; and  
(E) the remaining members of the Council.  
(TERM; REAPPOINTMENT.—Each member of the Council—  
(A) shall serve for a term of 2 years; and  
(B) may be reappointed by the President to serve 1 additional 2-year term.  
(5) MEETING.—The Council—  
(A) shall not be considered employees of the Federal Government for any purpose; and  
(B) shall not receive compensation.  
(c) FUNCTIONS.—The Council shall—  
(1) be the nongovernmental advisory body to the Group;  
(2) meet, at its own discretion or at the request of the Group, not less frequently than annually, to review Federal Government policy and programs intended to combat human trafficking, including programs relating to the provision of services for victims;  
(3) serve as a point of contact, with the United States Advisory Council on Human Trafficking, for Federal agencies reaching out to human trafficking nonprofit groups and nongovernmental organizations for input on programming and policies relating to human trafficking in the United States;  
(4) formulate assessments and recommendations to ensure that the policy and programming efforts of the Federal Government conform, to the extent practicable, to the best practices in the field of human trafficking prevention and rehabilitation and aftercare of human trafficking victims; and  
(5) meet with the Group not less frequently than annually, and not later than 45 days before a meeting with the Task Force, to formally present the findings and recommendations of the Council.  
(3) COMPETENCY OF FACA.—The Council shall not be subject to the requirements under the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 704. REPORTS.  
Not later than 1 year after the date of the enactment of this Act and annually thereafter until the date described in section 706, the Council, in coordination with the United States Advisory Council on Human Trafficking, shall submit a report containing the findings derived from the reviews conducted pursuant to—  
(1) the Committee on Appropriations of the Senate;  
(2) the Committee on Foreign Relations of the Senate;  
(3) the Committee on Homeland Security and Governmental Affairs of the Senate;  
(4) the Committee on the Judiciary of the Senate;  
(5) the Committee on Appropriations of the House of Representatives;  
(6) the Committee on Foreign Affairs of the House of Representatives;  
(7) the Committee on Homeland Security of the House of Representatives;  
(8) the Committee on the Judiciary of the House of Representatives; and  
(9) the members of the Group.

SEC. 705. SUNSET.  

AMENDMENT OFFERED BY MR. MARINO  
Mr. MARINO. Mr. Speaker, I have an amendment at the desk. The SPEAKER pro tempore. The Clerk will report the amendment. The Clerk read as follows: Strike all that follows after the enacting clause and insert the following:  

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.  
(a) SHORT TITLE.—This Act may be cited as the “Trafficking Victims Protection Act of 2017”.

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

Sec. 1. Short title; table of contents.  
Sec. 2. Findings; sense of Congress.  
Sec. 3. Intention of Congress.  
Sec. 4. Findings.  
Sec. 5. Definition.  
Sec. 6. Authority.  
Sec. 7. Application.  
Sec. 8. Prohibition.  
Sec. 9. Assistance for victims and families.  
Sec. 10. Violations.  
Sec. 11. Waivers.  
Sec. 12. Appropriations.  
Sec. 13. Authorization of appropriations.  
Sec. 15. Application.  
Sec. 16. finds that the United States Advisory Council on Human Trafficking, for Federal agencies reaching out to human trafficking nonprofit groups and nongovernmental organizations for input on programming and policies relating to human trafficking in the United States;  

IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION  

Sec. 401. Promoting data collection on human trafficking.

Sec. 402. Crime reporting.  
Sec. 403. Human trafficking assessment.  

V—TRAINING AND TECHNICAL ASSISTANCE  

Sec. 501. Encouraging a victim-centered approach to human trafficking.  
Sec. 502. Improving victim screening.  

VI—ACCOUNTABILITY  

Sec. 601. Grant accountability.  

VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

Sec. 701. Short title.  
Sec. 702. Definitions.  
Sec. 703. Public-Private Partnership Advisory Council to End Human Trafficking.
force, fraud, or coercion, and children for such purposes as forced labor or commercial sex.

(2) Reliable data on the prevalence of human trafficking in the United States is not available, but cases have been reported in all 50 States, the territories of the United States, and the District of Columbia.

(3) Thousands of individuals may be trafficked within the United States, according to recent estimates from victim advocates.

(4) An accurate and comprehensive data on the prevalence of human trafficking is needed to properly combat this form of modern slavery in the United States.

(5) Victims of human trafficking can include men, women, and children who are diverse with respect to race, ethnicity, and nationality, among other factors.

(6) Since the enactment of the Trafficking Victims Protection Act of 2000 (Public Law 106-386; 114 Stat. 1464), human traffickers have launched increasingly sophisticated schemes to increase the scope of their activities and the number of their victims.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLIE I—FREDERICK DOUGLASS
TRAFFICKING PREVENTION ACT OF 2012

SEC. 101. TRAINING SCHOOL RESOURCE OFFICERS TO RECOGNIZE AND RESPOND TO SIGNS OF HUMAN TRAFFICKING.

Section 102(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796(d)(b)(12)) is amended by inserting ", including the training of school resource officers in the prevention of human trafficking offenses" before the semicolon at the end.

SEC. 102. TRAINING FOR SCHOOL PERSONNEL.

Section 201(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13010c(c)) is amended by striking "2014 through 2018" and inserting "2019 through 2022."

TITLIE II—JUSTICE FOR TRAFFICKING VICTIMS

SEC. 201. INJUNCTIVE RELIEF.

(a) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by inserting after section 1595A the following:

"1595A. Civil injunctions.

"(a) In General.—Whenever it shall appear that any person is engaged or is about to engage in any act that constitutes or will constitute a crime under this chapter, chapter 110, or chapter 117, or a conspiracy under section 371 to commit a violation of this chapter, chapter 110, or chapter 117, the Attorney General may bring a civil action in a district court of the United States seeking an order to enjoin such act.

"(b) ACTION BY COURT.—The court shall proceed as soon as practicable to the hearing and determination of a civil action brought under subsection (a), and may, at any time before final determination, enter such a restraining order or prohibition, or take such other action, as is warranted to prevent a continuing and substantial injury to the United States or to any person or class of persons for whose protection the civil action is brought.

"(c) PROCEDURE.—

"(1) IN GENERAL.—A proceeding under this section shall be governed by the Federal Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

"(2) SEALED PROCEEDINGS.—If a civil action is brought under subsection (a) before an indictment is returned against the respondent or while an indictment against the respondent is under seal—

"(A) the court shall place the civil action under seal; and

"(B) when the indictment is unsealed, the court shall unseal the civil action unless good cause exists to keep the civil action under seal.

"(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to preclude the exercise of such powers granted under the First Amendment to the Constitution of the United States."

(b) TECHNICAL AND CONFORMING AMENDMENT.

The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1595A the following:

"1595A. Civil injunctions."
‘‘(N) provide training, technical assistance, and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying and protecting such individuals;’’;

(H) by striking subparagraph (P);

(i) by amending subparagraph (Q) to read as follows:

‘‘(Q) work with families, law enforcement agencies, electronic service providers, electronic payment service providers, technology companies, nongovernmental organizations, and others on methods to reduce the existence and distribution of online images and videos of sexually exploited children—

‘‘(i) through an online toll free to—

‘‘(I) provide to individuals and electronic service providers an effective means of reporting Internet-related and other instances of child sexual exploitation in the areas of—

‘‘(aa) possession, manufacture, and distribution of child pornography;

‘‘(bb) online enticement of children for sexual acts;

‘‘(cc) child sex trafficking;

‘‘(dd) sex tourism involving children;

‘‘(ee) extra familial child sexual molestation;

‘‘(ff) unsolicited obscene material sent to a child;

‘‘(gg) misleading domain names; and

‘‘(hh) misleading words or digital images on the Internet; and

(I) make reports received through the tipline available to the appropriate law enforcement agency for its review and potential investigation;

(ii) by operating a child victim identification program to assist law enforcement agencies in identifying victims of child pornography and other sexual crimes to support the recovery of children from sexually exploitative situations; and

(iii) by utilizing emerging technologies to provide additional outreach and educational materials to parents and families;’’;

(J) by striking subparagraphs (R) and (T) to read as follows:

‘‘(S) develop and disseminate programs and information to families, child-serving professionals, law enforcement agencies, State and local governments, nongovernmental organizations, schools, local educational agencies, child-serving organizations, and the general public on—

‘‘(i) the prevention of child abduction and sexual exploitation;

‘‘(ii) Internet safety, including tips for social media and cyberbullying; and

‘‘(iii) sexting and sextortion; and

(T) provide technical assistance and training to local educational agencies, schools, State and local law enforcement agencies, individuals, and other nongovernmental organizations that assist with finding missing and abducted children in identifying and recovering such children;’’; and

(L) by redesignating subparagraphs (H), (I), (J), (K), (N), (O), (Q), (S), (T), (U), and (V), as amended, as subparagraphs, as subparagraphs (E) through (O), respectively.

(d) Grants.—Section 405 of the Missing Children’s Assistance Act (34 U.S.C. 1129a) is amended—

(1) in subsection (a)—

(A) in paragraph (7) by striking ‘‘as defined in section 401(a)’’; and

(B) in paragraph (11) by striking ‘‘legal custodians’’ and inserting ‘‘parents’’; and

(2) in subsection (b)(1)(A) by striking ‘‘legal custodians’’ and inserting ‘‘parents’’; and


(1) by redesignating sections 407 and 408 as section 408 and 409, respectively; and

(2) by inserting after section 406 the following:

‘‘SEC. 407. REPORTING.

‘‘(a) REQUIRED REPORTING.—As a condition of receiving funds under section 404(b), the grant recipient shall, based solely on reports received by the grantee, involving any data collection by the grantee other than those reports, annually provide to the Administrator and make available to the public, as appropriate—

‘‘(I) the number of children nationwide who are reported to the grantee as missing;

‘‘(II) the number of children nationwide who are reported to the grantee as victims of non-family abductions;

‘‘(III) the number of children nationwide who are reported to the grantee as victims of family abductions; and

‘‘(IV) the number of children recovered nationwide whose recovery was reported to the grantee.

‘‘(b) INCIDENCE OF ATTEMPTED CHILD ABDUCTIONS.—As a condition of receiving funds under section 404(b), the grant recipient shall—

‘‘(1) track the incidence of attempted child abductions in order to identify links and patterns;

‘‘(2) provide such information to law enforcement agency for its review and potential investigation;

‘‘(3) make such information available to the general public, as appropriate.’’.

SEC. 203. FORENSIC AND INVESTIGATIVE ASSISTANCE.

Section 305(b) of title 18, United States Code, is amended—

(1) by inserting ‘‘in conjunction with an investigation after ‘local law enforcement agency’’; and

(2) by striking ‘‘in support of any investigation involving missing or exploited children’’.

TITLES III—SERVICES FOR TRAFFICKING SURVIVORS

SEC. 301. EXTENSION OF ANTI-TRAFFICKING GRANT PROGRAMS.

(a) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4)), by striking ‘‘2014 through 2017’’ and inserting ‘‘2018 through 2021’’;

(2) in section 112(d) (22 U.S.C. 7101(d)), in clause (i), by striking ‘‘$11,000,000 for each of fiscal years 2014 through 2017 and inserting ‘‘$77,000,000 for each of fiscal years 2018 through 2021’’; and

(3) in paragraph (3), by striking ‘‘2014 through 2017’’ and inserting ‘‘2018 through 2021’’.

(b) ANNUAL TRAFFICKING CONFERENCE.—

Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404(c)(2)) is amended by striking ‘‘2017’’ and inserting ‘‘2018’’.

(c) GRANTS TO STATE AND LOCAL LAW ENFORCEMENT FOR ANTI-TRAFFICKING PROGRAMS.—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404(e)) is amended by striking ‘‘2021’’ and inserting ‘‘2022’’.

(d) CHILD ADVOCATES FOR UNACCOMPANIED MINORS.—Section 213(c)(6)(P) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)(P)) is amended—

(1) in the matter preceding clause (i), by striking ‘‘Secretary and Human Services’’ and inserting ‘‘Secretary of Health and Human Services’’; and

(2) in clause (i) by striking ‘‘the fiscal years 2016 and 2017’’ and inserting ‘‘fiscal years 2018 through 2021’’.

(e) REAUTHORIZATION OF GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

(1) REAUTHORIZATION OF EXISTING PROVISION.—

(A) IN GENERAL.—Section 203(b) of the Trafficking Victims Protection Reauthorization Act of 2005 (34 U.S.C. 20702) is amended to read as such section read on March 6, 2017.

(B) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

(2) REAUTHORIZATION.—Section 201(b) of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by paragraph (1), is amended by striking ‘‘2014 through 2017’’ and inserting ‘‘2018 through 2021’’.

SEC. 302. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(h)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101(h)(2)) is amended—

(1) in subparagraph (B)(ii), by striking the period at the end and inserting ‘‘; and’’; and

(2) by adding at the end the following:

‘‘(D) PRIORITY.—In selecting recipients of grants under this paragraph that are available for law enforcement operations or task forces, the Attorney General shall give priority to any applicant that files an attestation with the Attorney General stating that—

‘‘(i) the grant funds awarded under this paragraph—

‘‘(I) will be used to assist in the prevention of severe forms of trafficking in persons;

‘‘(II) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

‘‘(III) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of human trafficking for any offense that is the direct result of their victimization; and

‘‘(IV) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

‘‘(ii) the applicant will provide dedicated resources, in a manner that will result in or that encourages the use of law enforcement officers for a period that is longer than the duration of the grant received under this paragraph.’’.

SEC. 303. IMPROVING VICTIM SCREENING.

(a) IN GENERAL.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 107A (22 U.S.C. 7105a) the following:

‘‘SEC. 107B. IMPROVING DOMESTIC VICTIM SCREENING PROCEDURES.

‘‘(a) VICTIM SCREENING TOOLS.—Not later than October 1, 2018, the Attorney General shall develop and disseminate to all grantees who are awarded grants to provide victims’ services under subsection (b) or (f) of section 107, information about reliable and effective tools for the identification of victims of human trafficking.

‘‘(b) USE OF SCREENING PROCEDURES.—Beginning not later than October 1, 2018, the Attorney General, in consultation with the Secretary of Health and Human Services, shall identify recommended practices for the screening of human trafficking victims and shall encourage the use of those practices by grantees receiving a grant to provide victim services to youth under subsection (b) or (f) of section 107.’’.

SEC. 304. VICTIMS’ PROGRAMS.

The Services for Victims of Human Trafficking and Violence Protection Act of 2000 (Public Law 106-386) is amended—

(1) in the title of the Act, by inserting ‘‘and the —‘‘; and

(2) in the table of contents for the Victims of Trafficking and Violence Protection Act of 2000 (Public Law
106–386) is amended by inserting after the item relating to section 107A the following:

“Sec. 107B. Improving domestic victim screening procedures.”.

(c) AMENDMENT TO TITLE 18.—Section 1591A of title 18, United States Code, is amended by striking “section 1581(a), 1592, or 1595(a)” and inserting “this chapter”.

TITLE IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION

SEC. 401. PROMOTING DATA COLLECTION ON HUMAN TRAFFICKING.

(a) PREVALENCE OF HUMAN TRAFFICKING.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on Appropriations of the Senate a report on the status of the Innocence Lost National Initiative, which includes, in each of the last 5 fiscal years, information on—

(1) the number of human traffickers who were arrested, disaggregated by—

(A) the number of individuals arrested for patronizing or soliciting an adult;

(B) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining an adult;

(C) the number of individuals arrested for patronizing or soliciting a minor; and

(D) the number of individuals arrested for recruiting, harboring, maintaining, or obtaining a minor;

(2) the number of adults who were arrested on charges of prostitution;

(3) the number of minor victims who were identified;

(4) the number of minor victims who were arrested and formally petitioned by a juvenile court; and

(5) the placement of and social services provided to each such minor victim as part of each case.

(b) AVAILABILITY OF REPORTS.—The reports required under subsections (a) and (b) shall be posted on the website of the Department of Justice.

SEC. 402. CRIME REPORTING.

Section 7332(c) of the Uniform Federal Crime Reporting Act of 1968 (28 U.S.C. 534 note) is amended—

(1) in paragraph (3), by striking “in the form of annual Uniform Crime Reports for the United States” and inserting “not less frequently than annually”; and

(2) by adding the following:

“(d) INTERAGENCY COORDINATION.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this paragraph, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).

“(2) FOR REPORT.—Not later than 6 months after the date of enactment of this paragraph, the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) shall provide the Director of the Federal Bureau of Investigation such information as the Director determines is necessary to complete the first report required under paragraph (5).

“(5) ANNUAL REPORT BY FEDERAL BUREAU OF INVESTIGATION.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to comply with paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2) and whether each department or agency is in compliance with paragraph (2).”.

SEC. 403. HUMAN TRAFFICKING ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Executive Associate Director of Homeland Security Investigations shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives a report on the status of the Innocence Lost National Initiative, which includes, in each of the last 5 fiscal years, information on—

(1) the number of confirmed human trafficking cases, including—

(A) labor trafficking, sex trafficking, and transnational and domestic human trafficking;

(B) the number of victims by category, including—

(i) whether the victim is a victim of sex trafficking or a victim of labor trafficking; and

(ii) whether the victim is a minor or an adult;

(2) an analysis of the data described in paragraph (1); and

(3) the number of minor victims who were identified; and

(4) the number of minor victims who were arrested and formally petitioned by a juvenile court.

(c) TRAINING COMPONENT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Attorney General shall issue a report to the training programs on human trafficking that includes—

(1) the number of confirmed human trafficking cases, including—

(A) labor trafficking, sex trafficking, and transnational and domestic human trafficking;

(B) the number of victims by category, including—

(i) whether the victim is a victim of sex trafficking or a victim of labor trafficking; and

(ii) whether the victim is a minor or an adult;

(2) an analysis of the data described in paragraph (1); and

(3) the number of minor victims who were identified; and

(4) the number of minor victims who were arrested and formally petitioned by a juvenile court.

(d) ADVANCED TRAINING CURRICULUM.—The Attorney General, in consultation with the Secretary of Homeland Security, shall prepare and submit to the Committee on the Judiciary of the Senate, and the Committee on Appropriations of the Senate, and the Committee on the Judiciary of the House of Representatives, and the Committee on Appropriations of the House of Representatives a report on the status of the Innocence Lost National Initiative, which includes, in each of the last 5 fiscal years, information on—

(1) in a Federal agency and who have expertise in identifying human trafficking victims and investigating human trafficking cases.

(2) the number of confirmed human trafficking cases, including—

(A) labor trafficking, sex trafficking, and transnational and domestic human trafficking;

(B) the number of victims by category, including—

(i) whether the victim is a victim of sex trafficking or a victim of labor trafficking; and

(ii) whether the victim is a minor or an adult;

(3) an analysis of the data described in paragraph (1); and

(4) the number of minor victims who were identified; and

(5) the number of minor victims who were arrested and formally petitioned by a juvenile court.

(e) DEPARTMENT OF JUSTICE VICTIM ASSISTANCE.

SEC. 501. VICTIM SCREENING TRAINING.

(a) TRAINING CURRICULUM IMPROVEMENTS.—The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall, not less frequently than once every 2 years, implement improvements to the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, after consultation with survivors of human trafficking, or trafficking victims service providers, and survivors of human trafficking.

(b) ADVANCED TRAINING CURRICULUM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall issue a training curriculum for investigative personnel of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, who may be involved in the investigation of human trafficking offenses; and

(2) the number of victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of human trafficking offenses.

(2) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall issue a screening protocol for use during all anti-
trafficking law enforcement operations in which the Department of Justice is involved.

“(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

“(A) be designed to—

“(i) take into account the individual screening of all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of Federal child labor laws to determine whether each individual screened is a victim of human trafficking;

“(B) require affirmative measures to avoid arresting or forcibly prosecuting human trafficking victims for any offense that is the direct result of their victimization;

“(C) require all Federal law enforcement officers and personnel of the Department of Justice who participate in human trafficking investigations to receive training on enforcement of the protocol;

“(D) be developed in consultation with State and local law enforcement agencies, the Department of Health and Human Services, survivors of human trafficking, and nongovernmental organizations that specialize in the identification, prevention, and restoration of victims of human trafficking; and

“(E) include—

“(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

“(ii) guidelines on assisting victims of human trafficking in identifying and receiving victim services.’’.

SEC. 503. JUDICIAL TRAINING.

Section 223(b)(2) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20333(b)(2)) is amended—

“(1) in the matter preceding paragraph (1), by striking ‘‘and’’ and inserting the following:

“(a) IN GENERAL.—For fiscal year 2013, and each fiscal year thereafter, the Attorney General shall—

“(1) in the matter preceding paragraph (1), by striking ‘‘and’’ and inserting the following:

“‘(A) shall not be considered employees of the Federal Government for any purpose; and

“(B) shall not receive compensation.

“(c) FUNCTIONS.—The Council shall—

“(1) be a nongovernmental advisory body to the Group;

“(2) meet, at its own discretion or at the request of the Group, not less frequently than annually, to review Federal Government policies and practices relating to human trafficking in the United States; and

“(A) be a nongovernmental advisory body to the Group;

“(B) meet, at its own discretion or at the request of the Group, not less frequently than annually, to review Federal Government policies and practices relating to human trafficking, including programs relating to the provision of services for victims; and

“(C) require all Federal law enforcement officers and personnel of the Department of Justice who participate in human trafficking investigations to receive training on enforcement of the protocol; and

“(D) be developed in consultation with State and local law enforcement agencies, the Department of Health and Human Services, survivors of human trafficking, and nongovernmental organizations that specialize in the identification, prevention, and restoration of victims of human trafficking; and

“(E) include—

“(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

“(ii) guidelines on assisting victims of human trafficking in identifying and receiving victim services.’’.

SEC. 504. TRAINING OF TRIBAL LAW ENFORCEMENT AND PROSECUTORIAL PERSONNEL.

The Attorney General, in consultation with the Director of the Office of Tribal Justice, shall carry out a program under which tribal and local officials may receive technical assistance and training to pursue a victim-centered approach to investigating and prosecuting severe forms of trafficking in persons (as defined in section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

TITLE VI—ACCOUNTABILITY

SEC. 601. GRANT ACCOUNTABILITY.

Section 1236 of the Violence Against Women Reauthorization Act of 2013 (22 U.S.C. 7113) is amended—

“(1) in the matter preceding paragraph (1), by striking ‘‘and all grants’’ and inserting the following:

“(a) IN GENERAL.—For fiscal year 2013, and each fiscal year thereafter, all grants;” and

“(2) in the matter following paragraph (1), by striking ‘‘and’’ and inserting the following:

“(b) APPLICATION TO ADDITIONAL GRANTS.—For purposes of subsection (a), for fiscal year 2018, and each fiscal year thereafter, the term ‘grant awarded by the Attorney General under this title’ includes a grant under any of the following:


“(2) The program under section 504 of the Trafficking Victims Protection Act of 2017.”.

TITLE VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

SEC. 701. SHORT TITLE.

This title may be cited as the “Public-Private Partnership Advisory Council to End Human Trafficking Act”.

SEC. 702. DEFINITIONS.

In this Act—

“(1) COUNCIL.—The term ‘‘Council’’ means the Public-Private Partnership Advisory Council to End Human Trafficking.

“(2) GROUP.—The term ‘‘Group’’ means the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7108(g)).

“(3) TASK FORCE.—The term ‘‘Task Force’’ means the President’s Interagency Task Force to Monitor and Combat Trafficking established under section 105(a) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(a)).

SEC. 703. PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING.

“(a) ESTABLISHMENT.—There is established the Public-Private Partnership Advisory Council to End Human Trafficking, which shall provide advice and recommendations to the Group and the Task Force.

“(b) MEMBERSHIP.—

“(1) COMPOSITION.—The Council shall be composed of not fewer than 8 and not more than 11 representatives of public, private, nongovernmental organizations, academia, and nonprofit groups who have significant knowledge and experience in human trafficking prevention and eradication, identification of human trafficking, and services for human trafficking victims.

“(2) REPRESENTATION OF NONPROFIT AND NON-GOVERNMENTAL ORGANIZATIONS.—To the extent practicable, members of the Council shall be representatives of nonprofit groups, academia, and nongovernmental organizations who accurately reflect the diverse backgrounds related to work in the prevention, eradication, and identification of human trafficking and services for human trafficking victims in the United States and internationally.

“(3) APPOINTMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall (A) name the members of the Council, after consultation with the President Pro Tempore of the Senate; and

“(B) name the members of the Council, after consultation with the Speaker of the House of Representatives; and

“(C) name the members of the Council, after consultation with the Minority Leader of the Senate; and

“(D) be a nongovernmental advisory body to the Group;

“(E) meet with the Group not less frequently than annually, and not later than 45 days before meetings with the Task Force, to formally present the findings and recommendations of the Council.

“(d) NONAPPLICATION OF FACA.—The Council shall not be subject to the requirements under the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 704. REPORTS.

Not later than 1 year after the date of the enactment of this Act and annually thereafter until the date described in section 705, the Council, in coordination with the United States Director of Human Trafficking, shall submit a report containing the findings derived from the reviews conducted pursuant to section 703(c)(2) to—

“(1) the Committee on Appropriations of the Senate;

“(2) the Committee on Foreign Relations of the Senate;

“(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(4) the Committee on the Judiciary of the Senate;

“(5) the Committee on Appropriations of the House of Representatives;

“(6) the Committee on Foreign Affairs of the House of Representatives;

“(7) the Committee on Homeland Security of the House of Representatives;

“(8) the Committee on the Judiciary of the House of Representatives;

“(9) the chair of the Task Force; and

“(10) the members of the Group.

SEC. 705. SUNSET.


Mr. MARINO (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

The amendment was agreed to. 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.

Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017

Mr. MARINO. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 68) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, 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. 88

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 “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”.

SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.


(1) in section 1801(b)—

(A) by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(B) in paragraph (3), by striking “hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates,”;

(C) by striking paragraphs (4) and (7), and redesignating paragraphs (5) through (17) as paragraphs (4) through (15), respectively; and

(D) in paragraph (11), as so redesignated, by—

(i) inserting “cyberbullying, and gang prevention programs”;

(ii) inserting “interventions such as research-based anti-bullying, anti-cyberbullying, and gang prevention programs, as well as mental health services and trauma-informed practices”;

(2) in section 1802—

(A) in subsection (d)(3), by inserting after “individualized sanctions” the following: “, incentives,”;

(B) in subsection (e)(1)(B), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(C) in subsection (f)—

(i) in paragraph (2), by inserting after “Sanction may include the following” the following: “a range of court-approved interventions, such as”; and

(ii) by inserting after “a fine,” the following: “, incentives,”;

(3) in section 1801(b)—

(A) in paragraph (3), by striking “a fine” and inserting “a fine, additional sanctions”;

(B) in paragraph (4), as so redesignated, by—

(i) by inserting after the enacting clause the following: “This Act may be cited as the ‘Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017’."

SEC. 3. SENSE OF CONGRESS.

This Act may be cited as the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”.

SEC. 4. USE OF AMOUNTS MADE AVAILABLE FOR DEPARTMENT OF JUSTICE, GENERAL ADMINISTRATION, AND DEPARTMENT OF JUSTICE, JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.

In each of fiscal years through 2022, the Attorney General shall use up to $25,000,000 of the amounts made available for Department of Justice, General Administration, and Department of Justice, Juvenile Accountability Block Grant Program.

AMENDMENT OFFERED BY MR. MARINO

Mr. MARINO. Mr. Speaker, I have an amendment at the desk. The SPEAKER pro tempore. Will the Clerk report the amendment?

The Clerk read as follows:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”.

SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.


(1) in section 1801(b)—

(A) in paragraph (1), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(B) in paragraph (3), by striking “hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates,”;

(2) in section 1802—

(A) in subsection (d)(3), by inserting after “individualized sanctions” the following: “, incentives,”;

(B) in subsection (e)(1)(B), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(C) in subsection (f)—

(i) in paragraph (2), by inserting after “Sanction may include the following” the following: “a range of court-approved interventions, such as”; and

(ii) by inserting after “a fine,” the following: “, incentives,”;

(3) in section 1801(b)—

(A) in paragraph (3), by striking “a fine” and inserting “a fine, additional sanctions”;

(B) in paragraph (4), as so redesignated, by—

(i) by inserting after the enacting clause the following: “This Act may be cited as the ‘Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017’."

SEC. 3. SENSE OF CONGRESS.

This Act may be cited as the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”.

SEC. 4. USE OF AMOUNTS MADE AVAILABLE FOR DEPARTMENT OF JUSTICE, GENERAL ADMINISTRATION, AND DEPARTMENT OF JUSTICE, JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.

In each of fiscal years through 2022, the Attorney General shall use up to $25,000,000 of the amounts made available for Department of Justice, General Administration, and Department of Justice, Juvenile Accountability Block Grant Program.

AMENDMENT OFFERED BY MR. MARINO

Mr. MARINO. Mr. Speaker, I have an amendment at the desk. The SPEAKER pro tempore. Will the Clerk report the amendment?

The Clerk read as follows:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”.

SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.


(1) in section 1801(b)—

(A) in paragraph (1), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(B) in paragraph (3), by striking “hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates,”;

(2) in section 1802—

(A) in subsection (d)(3), by inserting after “individualized sanctions” the following: “, incentives,”;

(B) in subsection (e)(1)(B), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(C) in subsection (f)—

(i) in paragraph (2), by inserting after “Sanction may include the following” the following: “a range of court-approved interventions, such as”; and

(ii) by inserting after “a fine,” the following: “, incentives,”;

(3) in section 1801(b)—

(A) in paragraph (3), by striking “a fine” and inserting “a fine, additional sanctions”;

(B) in paragraph (4), as so redesignated, by—

(i) by inserting after the enacting clause the following: “This Act may be cited as the ‘Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017’."

SEC. 3. SENSE OF CONGRESS.

This Act may be cited as the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”.

SEC. 4. USE OF AMOUNTS MADE AVAILABLE FOR DEPARTMENT OF JUSTICE, GENERAL ADMINISTRATION, AND DEPARTMENT OF JUSTICE, JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.

In each of fiscal years through 2022, the Attorney General shall use up to $25,000,000 of the amounts made available for Department of Justice, General Administration, and Department of Justice, Juvenile Accountability Block Grant Program.

AMENDMENT OFFERED BY MR. MARINO

Mr. MARINO. Mr. Speaker, I have an amendment at the desk. The SPEAKER pro tempore. Will the Clerk report the amendment?

The Clerk read as follows:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”.

SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.


(1) in section 1801(b)—

(A) in paragraph (1), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(B) in paragraph (3), by striking “hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates,”;

(2) in section 1802—

(A) in subsection (d)(3), by inserting after “individualized sanctions” the following: “, incentives,”;

(B) in subsection (e)(1)(B), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(C) in subsection (f)—

(i) in paragraph (2), by inserting after “Sanction may include the following” the following: “a range of court-approved interventions, such as”; and

(ii) by inserting after “a fine,” the following: “, incentives,”;

(3) in section 1801(b)—

(A) in paragraph (3), by striking “a fine” and inserting “a fine, additional sanctions”;

(B) in paragraph (4), as so redesignated, by—

(i) by inserting after the enacting clause the following: “This Act may be cited as the ‘Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017’."

SEC. 3. SENSE OF CONGRESS.

This Act may be cited as the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”. 
(4) by adding at the end the following:

"SEC. 1811. GRANT ACCOUNTABILITY.

"(a) DEFINITION OF APPLICABLE COMMITTEES.—In this section, the term ‘applicable committees’ means—

"(1) the Committee on the Judiciary of the Senate; and

"(2) the Committee on the Judiciary of the House of Representatives.

"(b) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

"(1) AUDIT REQUIREMENT.—

"(A) DEFINITION.—In this paragraph, the term ‘finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

"(B) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General under this part to prevent waste, fraud, and abuse of grant funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

"(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

"(D) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the fiscal years before submitting an application for a grant under this part.

"(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part, the Attorney General shall give priority to applicants that did not have an unresolved audit finding during the fiscal years before submitting an application for a grant under this part.

"(F) REPEAL.—The provisions of this section shall be deemed a reference to ‘33 years’ or ‘33-year period’ in section to ‘31 years’ or ‘31-year period’ the Parole Commission, each reference in such Commission the amount of any duplicate grants awarded; and under this part, including the total dollar amount of any unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

"(G) REPORT.—If the Attorney General awards duplicate grants under this part to the same applicant for the same purpose, the Attorney General shall submit to the applicable committees a report that includes—

"(A) a list of all duplicate grants awarded under this part, including the total dollar amount of any duplicate grants awarded; and

"(B) the reason the Attorney General awarded the duplicate grants.

"SEC. 3. SENSENTENCE.

"It is the sense of the Congress that the use of best practices is encouraged for all activities for which grants under part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 may be used.

"SEC. 4. EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.


"Mr. MARINO (during the reading).

"Mr. Speaker, I ask unanimous consent to disagree with the reading of the amendment.

"The SPEAKER pro tempore. Is there any objection to the request of the gentleman from Pennsylvania?

"There was no objection.

"The amendment was agreed to.

"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.

"UNITED STATES PAROLE COMMISSION EXTENSION ACT OF 2018

"Mr. MARINO, Mr. Speaker, I ask unanimous consent that the Committee of the Judiciary be discharged from further consideration of the bill (H.R. 6896) to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

"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. 6896

"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 ‘United States Parole Commission Extension Act of 2018’.

"SEC. 2. AMENDMENT OF SENTENCING REFORM ACT OF 1984.

"For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551) and section 236 of such Act (28 U.S.C. 463) as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to ‘2 years’ or ‘2-year period’ shall be deemed a reference to ‘3 years’ or ‘3-year period’, respectively.

"SEC. 3. PAROLE COMMISSION REPORT.

"(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives the following for fiscal year 2018:

"(1) the number of offenders in each type of case over which the Commission has jurisdiction, including the number of Sexual or Violent Offender Registry offenders and Tier Levels offenders.

"(b) REPEAL.—The provisions of this section shall be deemed a reference to ‘33 years’ or ‘33-year period’ in section to ‘31 years’ or ‘31-year period’ the Parole Commission, each reference in such Commission the amount of any duplicate grants awarded; and under this part, including the total dollar amount of any unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

"(c) DISTRICT OF COLUMBIA PAROLE FAILURE RATE REPORT.—Not later than 180 days after the date of enactment of this Act, the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives the following:

"(1) the number of parole failures in the District of Columbia for the last full fiscal year immediately preceding the date of the report.
ADJOURNMENT FROM FRIDAY, SEPTEMBER 28, 2018, TO TUESDAY, OCTOBER 2, 2018

Mr. MARINO. Mr. Speaker, I ask unanimous consent that when the House adjoins today, it adjourn to meet at 12:30 p.m. on Tuesday, October 2, 2018.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania? There was no objection.

NATIONAL RECOVERY MONTH

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to celebrate September being National Recovery Month. Sponsored by the Substance Abuse and Mental Health Services Administration, SAMHSA, I encourage every congressional office to reach out to those who they know are suffering or have suffered from mental and substance abuse disorders.

Currently, 115 people die every day from opioid abuse. Clearly, that is way too many, and, sadly, only one example of numerous types of mental and substance abuse disorders in the United States.

If you or anyone you know is struggling, there are resources available, including a Suicide Prevention Lifeline, SAMHSA’s National Helpline, and more. SAMHSA’s website, www.samhsa.gov, has these phone numbers, treatment center locations, grant applications for local governments, and general health information.

With hard work, smart policy decisions, and a dedicated American public, we can turn these numbers around.

RECOGNIZING STAFF MEMBER AUDRA WILSON

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

Ms. KELLY of Illinois. Mr. Speaker, I rise today to thank a longtime staff member, my deputy chief of staff, Audra Wilson.

After more than 5 years of service to the people of Illinois’ Second Congressional District, Audra is leaving my office to take a leadership role with the League of Women Voters of Illinois.

I first met Audra in 2003 while serving as a State representative. Audra has been with my congressional staff from day one. As my deputy chief of staff and district director, she has played an important role in organizing essential district programming like our jobs and health fairs, our local Black Women & Girls programming, and general health information.

And that is just the way it is.

JUDGE THOMAS-ANITA HILL V. JUDGE KAVANAUGH-CHRISTINE BLASEY FORD

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

Ms. DeLAURO. Mr. Speaker, the United States Senate is about to embark on a misguided journey. How can there be a vote to place Judge Kavanaugh in a lifetime appointment to the Supreme Court under this cloud? To be sure, a person is innocent until proven guilty, but without a full and public hearing about the veracity of these very serious charges of sexual harassment, a decision today to elevate Judge Kavanaugh to the Supreme Court casts doubt on the entire process.

Allegations of sexual harassment are serious charges which deserve serious consideration. The Justices of the Supreme Court must demonstrate respect for the law and for individual rights.

To impugn the integrity of Professor Christine Blasey Ford, to elevate that of Judge Kavanaugh, is not appropriate.
nor is it a credible tactic. The American people deserve more than a dismissal of Professor Ford's charges. They deserve to know the truth. Mr. Speaker, let us take time to uncover the truth. I gave this same exact speech on October 8, 1991. The only difference is the substitution of Clarence Thomas' name for Brett Kavanaugh's and Anita Hill's for Christine Blasey Ford's.

Republicans attempted to censure me for that speech. History is repeating itself before our eyes, and women are once again being ignored instead of being believed. We must do better than that in the United States of America and in the United States Congress.

URGING THE SENATE TO CONFIRM JUDGE BRETT KAVANAUGH

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

Mr. BYRNE. Mr. Speaker, I rise today to urge the Senate to confirm Judge Brett Kavanaugh. Judge Kavanaugh has a clear record as a thoughtful jurist who respects and will defend our Constitution. Those who have worked with him over the years and know him best strongly defend his record as a good man who loves his family and our country.

I am ashamed we find ourselves where we are today. It is shameful the way that Judge Kavanaugh has had his name smeared, just as it is shameful that Dr. Ford has been used as a pawn in a political game. Frankly, my heart hurts for both of them.

Our government is only as good as the people who serve in it, and I am deeply concerned that this whole series of events will encourage fewer good men and women to take up the call of government service.

Mr. Speaker, this circus must end. The Senate must vote on Judge Kavanaugh, approve him to serve on the Supreme Court, and allow our great country to move forward.

THE RULE OF LAW AND THE CONSTITUTION MUST PREVAIL

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

Ms. JACKSON LEE. Mr. Speaker, first, I would like to join my friend from Texas, as the author of the Violence Against Women Act.

In 2018, I encouraged my colleagues to step up and pass this vital legislation that now protects all who have been abused in some way from sexual assault, sexual harassment, stalking, and domestic violence.

I am saddened that the House has not seen fit to join this bill that I have authored with over 35 national non-partisan groups, and, as well, with over 150-plus Members of the United States Congress. It is time now.

Finally, sitting in the United States Senate, listening to the hearings regarding Judge Kavanaugh and Dr. Ford, I became convinced that how our colleagues will yield not to politics but to the rule of law, adhere to the American Bar Association that says pause, to the Jesuits who have taken away their endorsement, and realize that we are not the important factor, but it was the weight of the Supreme Court that requires better.

Finally, I am delighted to note that we are moving forward on juvenile justice, as we have done today—legislation that I have authored—and that we are working on behalf of the people.

But again, Mr. Speaker, it is important in the United States Senate that the rule of law and the Constitution prevail. Advice and consent must be given with knowledge.

NATIONAL URBAN WILDLIFE REFUGE DAY

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

Mr. WITTMAN. Mr. Speaker, I rise today to support my resolution, H. Res. 1088, a resolution recognizing this Saturday, September 29, as National Urban Wildlife Refuge Day.

Across the country, urban wildlife refuges are places for families to gather and enjoy the outdoors. Urban refuges are places where communities can come together to preserve nature, and places to inspire the next generation of hunters and anglers.

I encourage all generations, whether old or young, to go visit one of the 101 national urban wildlife refuges throughout the United States.

Thank Representative HAKEME JEFFRIES for partnering with me on this legislation to help further emphasize the value of our Nation's urban wildlife refuges.

WOOD-PAWCATUCK WATERSHED

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

Mr. LANGEVIN. Mr. Speaker, I rise today to acknowledge the 50th anniversaries of the Wild and Scenic Rivers Act, signed into law on October 2, 1968.

This landmark conservation bill launched a movement. It helped us recognize and protect the free-flowing rivers with "outstandingly remarkable" characteristics.

In Rhode Island and Connecticut, we have just such waterways, including the Wood and Pawcatuck Rivers. Just this week, in cooperation with Senator JACK REED, I introduced legislation to designate the 110 miles of this river system as a Wild and Scenic River. After 3 years of intense study, the National Park Service has found it to have areas of pristine beauty, recreational importance, and untouched wilderness.

I applaud the work of Denise Poyer, the state coordinator at the Wood-Pawcatuck Watershed Association, and all of those who have volunteered their time to protect this river.

Mr. Speaker, I look forward to working with my colleagues on the Natural Resources Committee to complete this designation.

CONGRATULATING JIM PAXTON

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

Mr. COMER. Mr. Speaker, I rise today to congratulate Mr. Jim Paxton of the First District of Kentucky on his retirement from the Paducah Sun newspaper.

Within the first year of his career, he quickly rose through the ranks to serve as the Paducah Sun's editor and publisher. As he and his brothers joined the generations of Paxton family members who have led and managed Paxton Media Group, they began to expand their operations into local television broadcasting with WPSD-TV and radio broadcasts, eventually owning and managing more than 35 daily and weekly newspapers throughout the Southeastern United States.

The Paducah Sun's continued success is a testament to Jim's belief that local newspapers should focus on profoundly featuring news from the community, while also striking the appropriate balance of State and national coverage.

Throughout his career, Jim Paxton has established an outstanding legacy as a revered public servant and titan of western Kentucky media. He is widely respected for his pursuit of meaningful, insightful journalism, and I am thankful for his friendship and guidance throughout the years.

As he begins the next phase of his life, I join with his family and friends, as well as those he has impacted during his career, to express our dedication and gratitude for his contributions to western Kentucky.

NATIONAL URBAN WILDLIFE REFUGE DAY

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

Mr. JEFFRIES. Mr. Speaker, I rise today to support H. Res. 1088, a resolution recognizing September 29 as National Urban Wildlife Refuge Day, authored by Representative WITTMAN.

Earlier this year, my bill, Keep America's Refuges Operational Act, became law. That bipartisan bill authorized a volunteer, community partnership, and education program for our National Wildlife Refuge System.
We believe in the importance of maintaining a system of wildlands throughout this great country. That is why I am proud to join my colleague, Representative Wittman, in sponsoring this resolution to recognize our Nation’s 101 national urban wildlife refuges.

People visit refuges to experience America’s natural beauty. They help to mold the next generation of conservationists and outdoor enthusiasts by providing learning experiences and cherished memories for America’s families.

Refuges have a tremendous impact for communities all over America, even in my hometown of Brooklyn. We must remain vigilant in protecting the breathtaking wildlife and beautiful environment God has given America. Urban refuges are essential in achieving that goal.

HONORING COLONEL ALFRED ASCH

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

Mr. MOOLENAAR. Mr. Speaker, I rise today to thank the members of the Michigan delegation and the House of Representatives for their support and unanimous passage of my legislation earlier this month to rename the Beaverton Post Office in honor of the late Colonel Alfred Asch.

Alfred was born and raised in Beaverton, and, as a young boy, he was fascinated by aviation. In September of 1941, after graduating high school, he entered the Army Corps. He flew more than 70 missions over North Africa and Europe, earning numerous decorations, while documenting his experiences in letters to Naomi, his girlfriend and wife-to-be. He continued to serve in the Air Force until 1968, and he made contributions to military and civilian flight.

His work took him away from Michigan, but he always kept his hometown in his heart. He funded a scholarship at Central Michigan University for students from Gladwin County, and proceeds from his memoir helped fund the Beaverton Activity Center.

I am proud to have the support of Colonel Asch’s family and his two sons, David and Peter, who have said their father’s childhood in Beaverton helped him face life’s early challenges before taking on the world.

Alfred Asch was a great American and a hometown hero for Beaverton, Michigan.

REMEMBERING LOUISE MCINTOSH SLAUGHTER

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

Mr. TONKO. Mr. Speaker, during this 115th session of Congress, the House lost one of its most passionate souls, the late Representative Louise McIntosh Slaughter.

She worked day in and day out with great passion and with great integrity. She understood that it was about trust that was placed into a Member of Congress by the people who have chosen you to do their will in Congress.

To Louise Slaughter it was important to make certain that government was transparent and accountable, so she drove the Stop Trading On Congressional Knowledge Act, which was dubbed the STOCK Act. I am so proud to have sponsored legislation today that has renamed, in her honor, the STOCK Act.

Louise Slaughter worked for transparency in this House. She knew that it was about making lives of the constituents that we represent all the stronger and all the fuller and not enriching our own lives by the trust placed in us.

It is an honor to rename the STOCK Act because of her hard work and because of her integrity.

HONORING LAGRANGE FIRE DEPARTMENT

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

Mr. FERGUSON. Mr. Speaker, I rise today to honor the bravery of the Lagrange Fire Department.

In the early hours on the morning of Labor Day, the department received a call for a house fire. As firefighters battled the blaze, the flames were so hot that their fire hose melted in two.

Firefighters were trapped in the house. Luckily, everyone made it out. But six of those firefighters suffered severe burns and injuries: Pete Trujillo, Jordan Avera, Jonathan Williamson, Josh Williams, Jim Ormsby, and Sean Jordan Avera, Jonathan Williamson, Josh Williams, Jim Ormsby, and Sean Guerrero. All are on the mend, but they suffered very, very severe injuries.

These brave men and women put their lives on the line every single day to keep our loved ones safe in an emergency with no expectation of recognition for their heroism. But today, I would like us all to pause and think about the tough work that they do and the danger that they put their lives in.

I would like us all to thank them and extend our deepest gratitude to these firefighters and all of those around the Nation.

ANGELS IN ADOPTION

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

Mr. RUTHERFORD. Mr. Speaker, I rise today to recognize Mr. Brian Kelly from Jacksonville, Florida, who has been named a 2018 Angels in Adoption honoree. This Congressional Coalition on Adoption Institute award recognizes and honors outstanding individuals who have made contributions to the adoption community.

For more than 25 years, Brian Kelly has worked as an adoption attorney. Through his work at his law firm and at Jacksonville Legal Aid, Brian has touched, literally, thousands of lives promoting adoption in northeast Florida. He has also worked with the Florida bar to encourage the practice of adoption laws across the State.

In addition to his professional work, Brian has devoted his life to serving his community, whether it be serving his church or chairing the board of directors at Angelwood, a center in Jacksonville that provides services to people with developmental disabilities. Brian has dedicated countless hours in service to others.

I have had the opportunity to get to know Brian throughout his work, and I am pleased to honor him today on behalf of the many grateful families of northeast Florida. I commend Brian Kelly for this much-deserved honor of being named a 2018 Angels in Adoption honoree.

TARIFF IMPACTS

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

Mr. CLEAVER. Mr. Speaker, recently, I spent time listening to farmers, large manufacturers, and leaders of smaller companies in my district express their frustrations on how tariffs are affecting their bottom line.

I visited a steel fabrication company, an architectural aluminum design company, and a brewery. Although these companies vary in product, they all shared one common fear: wondering what would be their fate in the presence of these ill-advised tariffs.

I listened to farmers offer feedback on how they are affected. Agriculture is one of Mississippi’s top industries, bringing in about $8 billion a year. Most farmers tell me that the recently announced USDA payments are helpful, but that, ultimately, in their words, “we want trade, not aid.”

I met with local chambers of commerce and business councils, and, for those I didn’t even have a chance to visit, I created a survey on my website. What I learned is this: These tariffs are deeply damaging to these businesses in ways that those who promoted them perhaps never even contemplated.

Hundreds of thousands of jobs may be in jeopardy because of these tariffs. For example, Harley-Davidson, a company that I was able to bring to Kansas City during my term as mayor, suddenly announced that they were closing the plant and moving overseas. They left nearly 1,000 workers unemployed overnight. Now, just imagine, if you multiply that around the country, what kind of instability has been created.

Mr. Speaker, I hope that this administration will recognize that these tariffs are unstable to the community and then move to end this trade war today.
YWCA

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

Ms. JUDY CHU of California. Mr. Speaker, I rise today to congratulate the YWCA USA as they celebrate their 160th anniversary.

With a mission that is dedicated to eliminating racism, empowering women, and promoting peace, justice, freedom, and dignity for all, the YWCA is exactly the kind of organization we need today. It provides leadership development programs for young women in topics ranging from economic empowerment to engaging young girls in STEM fields.

From its humble beginnings, the YWCA now operates 1,300 program sites across 47 States and the District of Columbia, serving over 2 million women, girls, and their families. It has been at the forefront of social progress, from civil rights to voting rights, to equal pay, to healthcare reform.

It is currently the largest network of providers to help victims of domestic violence or sexual assault. In my district, the YWCA in San Gabriel Valley serves nearly 4,000 people, annually, through its domestic violence program called WINGS.

Mr. Speaker, I thank the YWCA for 160 years of great work.

RECOGNIZING CARL WEATHERS

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

Mr. ARRINGTON. Mr. Speaker, I rise today to recognize the life of a remarkable and beloved west Texan, retired Texas Ranger Captain Carl A. Weathers, who passed away recently.

Captain Weathers devoted his life’s work to serving his country and my home State of Texas first as a soldier in the United States Army, and then with an over 40-year career in Texas law enforcement, beginning as a State trooper and rising to the rank of captain in the Texas Rangers.

Throughout their long and storied history, the Rangers have remained the best of the best in Texas law enforcement. Captain Weathers carried out the Texas Rangers’ legacy in true west Texas fashion: with integrity, courage, and service to his fellow man.

Along with his dedication to the Texas Rangers, Carl was a devoted husband and family man.

To Carl’s family, I join you in celebrating a life well-lived and trusting that he has heard those beautiful and powerful words from our glorious creator: “Well done, good and faithful servant.”

RECOGNIZING FORMER U.N. HIGH COMMISSIONER FOR HUMAN RIGHTS PRINCE ZEID RA’AD AL HUSSEIN

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

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the extraordinary work of the former United Nations High Commissioner for Human Rights, Prince Zeid Ra’ad Al Hussein, who left his post on September 1. His tireless efforts enabled him to become a voice for those who fear for their lives and for those who abuse the human rights of others in order to gain and maintain power.

High Commissioner Zeid was very helpful during the debate over the passage of H. Res. 128, supporting respect for human rights and encouraging inclusive governance in Ethiopia. He not only publicly endorsed the resolution, but sent a representative during the critical negotiations to bring H. Res. 128 to the floor of the United States House of Representatives for a vote.

Mr. Speaker, former United Nations High Commissioner Prince Zeid Ra’ad Al Hussein will forever be remembered by the Ethiopian people for his role in the passage of H. Res. 128.

VIOLENCE AGAINST WOMEN ACT

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, as I travel through my district, the women of Orange County have expressed their support for policies that safeguard women and children, including the Violence Against Women Act. As the mother of two daughters, I share their support for this legislation and care deeply about ensuring the safety of all women.

For 24 years, the Violence Against Women Act has provided lifesaving services for survivors of domestic and dating violence, sexual assault, and stalking.

While I am pleased we passed a short-term extension of the Violence Against Women Act, we must work together towards a long-term reauthorization that will allow us to continue to protect and support survivors. We owe it to survivors to ensure this law remains in place, and I will continue to work to make this happen.

RECOGNIZING INDUCTEES OF THE ARKANSAS BLACK HALL OF FAME

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

Mr. HILL. Mr. Speaker, it is my pleasure to rise today to congratulate the six Arkansans in the 2018 class of inductees of the Arkansas Black Hall of Fame. This year’s inductees include:

Kevin Cole, a celebrated painter, printmaker, and sculptor;
Brent Jennings, a prolific award-winning actor and director;
LIEUTENANT GENERAL ANDRE PIGGEE, U.S. Army deputy chief of staff for logistics at the Pentagon;
Darrell Walker, a former NBA player and current men’s basketball coach at the University of Arkansas at Little Rock;
Mary Louise Williams, a legendary educator and political leader; and
Florence Price, an African American woman recognized as a symphonic composer and to have a composition played by a major orchestra.

Mr. Speaker, I am proud to recognize these six Arkansans who will join the Hall of Fame’s more than 140 members for their lasting contributions to our communities and our State. I congratulate these inductees who exemplify the spirit and dedication behind this fine honor.

THANKING ARMY SPECIALIST RYAN WILCOX AND HOMES FOR OUR TROOPS

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

Ms. TENNEY. Mr. Speaker, Army Specialist Ryan Wilcox heroically served our Nation in two combat tours. Specialist Wilcox first deployed to Iraq as a combat engineer with the 479th Engineer Battalion. In 2007, he suffered a gunshot wound to his leg at that time.

In 2012, he returned to Active Duty in Afghanistan with the 444th Engineer Battalion. During this tour, he suffered chronic pain resulting, ultimately, in the amputation of his right leg.

Now retired, Specialist Wilcox is looking to start a new life in upstate New York with his fiancée, Sara, and their two children, Nicholas and Julia.

This Saturday, a terrific organization known as Homes for Our Troops will donate a specially adapted home in Mexico, New York, for Specialist Wilcox and his family. This home will allow him to navigate easily throughout his home so he can focus more on his family, finishing college, and continuing his work to help fellow veterans in need.

Mr. Speaker, please join me in thanking Specialist Wilcox for his heroic service to our Nation, as well as honoring, congratulating, and thanking Homes for Our Troops for helping transform the lives of our Nation’s heroes like Ryan Wilcox and his family.

HONORING MURRAY WATSON

The SPEAKER pro tem (Mr. COFFMAN, a member of the House) asked Mr. FLORES to announce the majority leader.
Mr. FLORES. Mr. Speaker, I rise today to honor Murray Watson, Jr., of Mart, Texas, who passed away on July 24, 2018.

Murray was born in 1932 in Mart, Texas, to Murray Watson, Sr., and Ethel Griswold Watson. He graduated from Mart High School in 1949, from Baylor University with a bachelor’s degree in 1952, and a juris doctorate from Baylor in 1954. In 1957, he was elected to the Texas House of Representatives. In 1963, he was elected to the Texas Senate, where he served for 10 years.

During his lifetime in elected office, Murray was involved in crafting and passing many pieces of influential legislation, including the establishment of what is now known as Texas State Technical College, a vocational school based in Waco, with campuses all across our State. Murray served as the school’s general counsel, and the Watson family’s contributions to the school were significant. Both Murray and his wife have buildings named in their honor on the TSTC campus in Waco.

His passion for education extended long after his retirement from politics. He took a leading role in founding the Brazos Higher Education Authority and Brazos Higher Education Service Corporation, Inc., to help students fund their education. He also served as a trustee of the McLendon Community College Foundation. In 2017, he was named Baylor Lawyer of the Year for his commitment to education and his philanthropic spirit.

Murray was a member of the Rotary Club of Waco, the Austin Avenue Methodist Church, the Baylor Masonic Lodge, the Waco Scottish Rite Consistory, the Order of the Eastern Star, the Baylor Law Alumni Association, the Baylor Beas Foundation, and the Baylor Founders Club.

While Murray was committed to serving others, his role as a family man was the pride of his life. He allowed nothing to come between him and his family. Murray and his wife Greta, his wife of nearly 59 years, two children, a daughter-in-law, and two grandchildren. Murray also owned and operated the family’s ranch and historic feed store in Mart, Texas.

Mr. Speaker, Murray’s life was defined by his service to those all around him. He worked tirelessly to better our community and families all across America. He will be forever remembered as a selfless servant, a husband, a father, a grandfather, and a friend to hundreds.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Watson family. We also lift up the family and friends of Sheriff David Greene of Milam County. We also lift up the family and friends of Olive DeLucia of Bryan, Texas.

Mr. Speaker, I rise today to honor Olive DeLucia of Bryan, Texas, who passed away on August 12, 2018.

Olive was born on June 16, 1924, in Audubon, New Jersey. As a young woman during World War II, she served in the United States Naval Reserve in the Women Accepted for Volunteer Emergency Service, more commonly known as the WAVES program.

In 1945, she married now-retired sheriff and former U.S. senator George W. V. DeLucia. They had 2 children, a daughter and a son. Olive continued to be involved in the Boy Scouts, serving as the leader of their troop and later overseas the Traveling Aggies program, which gave her the opportunity to visit all seven continents. She was thanked for her service to the university with the President’s Distinguished Service Award and was named as a Fish Camp namesake.

Even though she was only about 5 feet tall, she had immense wisdom. I remember the days that she would give me that look and tell me what I had done wrong or how to do things better, and I always paid attention to what Olive DeLucia told me to do.

Mr. Speaker, Olive’s life was defined by her service to those around her. Her life enriched the lives of many. She will be forever remembered as a selfless servant, an Aggie, a mother, a grandmother, and a dear friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to the entire DeLucia family. We also lift up the family and friends of Olive DeLucia in our prayers.

I have requested that a United States flag be flown over the Capitol to honor the life and legacy of Olive DeLucia.

As I close today, I urge all Americans to continue praying for our country, for our military men and women who protect us overseas, and for our first responders who keep us safe at home.

HONORING GEORGE BOYETT

Mr. FLORES. Mr. Speaker, I rise today to honor George Boyett of College Station, Texas, who passed away on September 7, 2018.

George was born in 1935 and was a native of the Brazos Valley. He graduated from Stephen F. Austin High School in 1953 and attended Texas A&M University. At Texas A&M, he was a member of the Corps of Cadets, the Ross Volunteers, and the swim team.

In 1957, he married his wife, Gaytha, at the Texas A&M All Faiths Chapel. Upon graduation in 1958, he served our country in the United States Army for 6 years before returning to College Station while continuing to serve in the Army Reserve.

George was a successful businessman, forming local firms and companies before he was elected as a Brazos County justice of the peace in 1988. His precincts were redistricted and renumbered many times throughout his tenure, but he most recently served as the justice of the peace, precinct 3, which included much of the Texas A&M campus, before retiring in 2015.

During his career as a judge, George taught at the National Judicial College and the Texas Department of Public Safety. He also served as a reserve sheriff’s deputy for the Burleson County Sheriff’s Office and as an associate justice for the city of College Station.

His dedication to public service went far beyond law enforcement and the judiciary system. George was a dedicated volunteer within the Church of Jesus Christ of the Latter-Day Saints and the Boy Scouts of America. After becoming an Eagle Scout as a young man, George continued his involvement in the Boy Scouts, serving at the troop, district, and council levels. He was awarded the Silver Buffalo by the Sam Houston Area Council and the National Outstanding Eagle Scout Award for his work in Boy Scouts.

Mr. Speaker, George’s life was defined by his selfless service to those
around him. He worked tirelessly to better our community through his capacity as a judge and his involvement with the Boy Scouts. He will be forever remembered as a selfless servant, a mentor, a husband, a father, a grandfather, a great-grandfather, and a friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Beamon family. We also lift up the family and friends of George Beoyett in our prayers.

I have requested that a United States flag be flown over the Capitol to honor the life and legacy of George Beoyett.

As I close today, I urge all Americans to continue praying for our country, for our military men and women who serve us, and for our first responders who keep us safe at home.

HONORING BOB BEAMON’S 100TH BIRTHDAY

Mr. FLORES. Mr. Speaker, I rise today to honor James Robert Beamon of Edna, who turned 100 years old on September 15, 2018.

Mr. Beamon, who is known as Bob to his friends, was born in Eufaula, Alabama. His family moved to Goliat, Texas, when he was 2 years old. In true Texas style, he would ride his horse to school with his younger brother.

As a young man in the 1930s, he attended a house dance, where he met Annie Juanita Clifton. Annie and Bob were married on December 13, 1937, and were married for 74 years.

At the outbreak of World War II, Bob was drafted into military service. Although he could have opted to defer, Bob went on to serve in the United States Navy as a gunner for the PB4Y-2 Privateer patrol plane in the 106th Squadron, the Fighting Wolverines. Bob flew 17 missions for the Navy in the war’s Pacific theater before returning to the United States.

After his service, he came home and raised five children with Annie, four sons and one daughter. He worked for more than 60 years in the painting business and eventually owned his own company.

Now retired, Bob enjoys making Wahoo game boards for his family, visiting military museums, and, until recently, enjoyed hunting and fishing.

Recently, Bob celebrated his 100th birthday with dozens of friends and family. He recounted many stories from his military service days and played with his great-grandson, Rage, who turned 1 year old also on September 15.

Mr. Speaker, I am proud to recognize Bob on this joyous occasion, and I know that his family and friends love him and are proud of him. I wish him many more years of health and happiness.

I have requested that a United States flag be flown over the United States Capitol to honor Bob Beamon’s 100th birthday.

As I close today, I urge all Americans to continue praying for our country, for our military men and women who serve us, and for our first responders who keep us safe at home.

HONORING MARY FAY LUCAS ARNOLD

Mr. FLORES. Mr. Speaker, I rise today to honor Mary Fay Lucas Arnold of Bryan, Texas, who passed away on November 29, 2017.

Mary was born in east Texas on November 17, 1920, to William and Cora Terrell. In 1943, in the midst of World War II, Mary decided to serve her nation by joining the Women’s Army Corps. A few months later, she met William Everett “Bill” Lucas, and they married in January of 1944.

After the war, Bill’s work took him, Mary, and their family to live in Haiti, Venezuela, and College Station, Texas. Upon retirement, Bill and Mary moved to Bryan, Texas.

Bill passed away in 1972, and Mary later married T.H. “John” Arnold. Mary was active in serving the Bryan-College Station community. She was the assistant credit manager at Sears in Bryan and was one of the two oldest living members of the First Baptist Church in College Station. She was a member of the Order of the Eastern Star and belonged to the American Legion and the VFW Auxiliary.

Mr. Speaker, Mary’s life was defined by her service to those around her. She was loved by her community and, certainly, left an enduring legacy. She will be forever remembered as a veteran, community leader, wife, mother, grandmother, great-grandmother, great-great-grandmother, and a dear friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Lucas and Arnold families. We also lift up the family and friends of Mary Fay Lucas Arnold in our prayers.

I have requested that a United States flag be flown over the Capitol to honor the life and legacy of Mary Arnold.

As I close today, I urge all Americans to continue praying for our country, for our military men and women who serve us, and for our first responders who keep us safe at home.

HONORING AIR MED 12

Mr. FLORES. Mr. Speaker, I rise today to recognize CHI St. Joseph’s Hospital Air Med 12 team for their outstanding achievements in providing lifesaving services for residents of the Brazos Valley.

In May of 2005, PHI Air Medical formed Air Med 12, the first air medical program to serve the Brazos Valley. With superior medical care, many lives have been saved. The support was available from Houston, with response times of more than an hour.

For patients in the Brazos Valley, such wait times made air medical support an unrealistic solution to their health emergencies. PHI partnered with St. Joseph’s Hospital, which was looking to expand services within their trauma center.

Just a few months later, in August 2005, Air Med 12 had three of its helicopters into New Orleans after Hurricane Katrina. These would be the first civilian medical helicopters in the city after the storm passed. Subsequent hurricane response teams have used Air Med 12’s leadership and example to improve medical care for storm survivors.

Disaster response is not the only way Air Med 12 has revolutionized air medical support. In 2008, three members of the Air Med 12 team were killed accidentally in a helicopter crash on their way to a hospital.

Since that loss, the Air Med 12 team has become involved in improving safety standards for all air medical support that include increased weather minimums, the use of night vision goggles on every flight, and national collaboration among air medical providers.

Air Med 12 has shaped more than just air medical support in the Brazos Valley. Their group values development of clinical education and collaboration with the Texas A&M College of Medicine’s School of Rural Public Health and College of Nursing have brought a high standard of healthcare across central Texas and the Brazos Valley.

The impact of Air Med 12 cannot be understated. In 2018 alone, they have transported 23 critical pediatric patients to specialty hospitals, administered 27 units of blood to patients either directly at the scene or at rural hospitals, and, in August, completed a record number of 48 flights in one month.

Mr. Speaker, I would like to honor Air Med 12 and CHI St. Joseph’s Hospital Air Med 12 for the work they have done to provide the Brazos Valley with improved emergency medical care.

I have requested that a United States flag be flown over the United States Capitol to honor Air Med 12.

As I close today, I urge all Americans to continue praying for our country, for our military men and woman who serve us, and for our first responders who keep us safe at home.

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

D.C. STATEHOOD

The SPEAKER pro tempore. The Speaker’s announced policy of January 3, 2017, the gentleman from the District of Columbia (Ms. Norton) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Mr. Speaker, it is probably appropriate that you will be speaking on this last full day before the midterm elections about statehood for the District of Columbia. I am going to speak about why that is the appropriate way for us to go into midterms, as I represent 700,000 Americans who are number one—please remember this number—one number in taxes paid to support the Federal Government, but also have the distinction of having no final vote on this House floor and having no representation in the Senate of the United States.

It is very clear—if you want a history lesson, I am not going to go that lesson in the time allotted to me this afternoon—but it is absolutely clear...
that the Framers and the Founders of our country did not go to war with the slogan of “Taxation Without Representation” in order to allow that slogan to apply everywhere but in their Nation’s Capital.

For that reason, we want to thank the Democrats, almost the full caucus, who have already become cosponsors of the D.C. statehood bill.

I hasten to add that I do not yet have my Republican friends. I believe that will occur. Meanwhile, Democrats have to play.

I must thank my colleagues for the support they have given me, because we are very close to 100 percent here in the House on our DC statehood bill.

I have to offer my thanks as well to Senator Tom Carper, because he is the lead sponsor in the Senate, and he has gotten more than 60 percent of the Democrats in the Senate to support D.C. statehood.

If I could mention the last Democrat before we go home—and there will still be time before the end of this session for the few who remain off the bill—I do want to thank Eric Swalwell, because he is the last one before we go home. I had sent out a message: Don’t go home without signing for D.C. statehood. He heard that message.

There will be a few stragglers. I mention stragglers because when I meet people who aren’t on the bill, they say: Oh, my goodness, I thought I was on the bill.

So that doesn’t mean that because we don’t have 100 percent, we can’t get 100 percent. It just means Members overlook it and haven’t yet come onto the bill. So we will get to you before the end of the 115th Congress.

I also want to explain, particularly since we don’t have Republican cosponsors yet, that signing onto the bill is going to help the District of Columbia, in any case, because we are the first to concede, with no Republican sponsors yet, that D.C. statehood is an uphill climb.

I am here today to say we are prepared to make that climb. I think we are showing that, as I so indicate.

Getting cosponsors is going to help us in the next Congress. We are almost sure it is going to help us to get what the Congress can give us now, even without statehood, as more people awaken to the injustice of Americans who don’t have democratic representation—a small “d”—in their Congress.

It is going to help us get incrementally to statehood. For example, the District of Columbia, even its final budget raised entirely in the District of Columbia, have to come here and be signed off by the Congress.

That is an insult to us, frankly. Most Members aren’t interested, don’t know anything about DC’s local laws or budgets, spend their time in Washington.

That is the kind of thing that, even without statehood, I think we can get in the short run and getting more co-

sponsors for statehood can only help us get that.

I do want to mention what my colleagues already know. There is not a poll, not a single poll, that does not show that Democrats will, in fact, be in the majority in the next Congress. That means, at the very least, the uphill climb will begin, even if statehood is not around the corner.

If ever there was an incentive for District residents to keep going in the streets, going to the Congress to get statehood, co-sponsors, this chart shows it. This chart illustrates what I have just said about the District of Columbia’s paying the highest Federal taxes in the United States.

If you live in California, to name a big State, if you live in New York—and I can go down the line—we do have a chart that shows where each State ranks. They are all beneath the District of Columbia.

What am I talking about? Almost $12,000 more in taxes paid by the people I represent to support the government that does not give them full representation.

I don’t have all the States listed here, but you can see how the line goes down until you get to Mississippi, which has the lowest Federal taxes, whose citizens pay the lowest Federal taxes in the United States. Yet Mississippi has two Senators. I don’t remember how many Representatives. But Mississippi has one Representative, just like any other State.

There are now some interest in statehood by Puerto Rico. But the reason why it is important that that threshold is met is to help the residents of the territories. They are our sisters in many ways, but they pay the lowest Federal taxes, the Virgin Islands, and the rest don’t pay Federal income taxes, so note that difference. Some of them—in fact, almost none of them—have come forward to request statehood.

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In exchange for not paying Federal taxes, they don’t have the votes in Congress. We pay Federal taxes, and we have no vote in Congress, making us unique in the union. That is an insult to us, frankly. Most Members aren’t interested, don’t know anything about DC’s local laws or budgets, spend their time in Washington.

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What am I talking about? Almost $12,000 more in taxes paid by the people I represent to support the government that does not give them full representation.

I don’t have all the States listed here, but you can see how the line goes down until you get to Mississippi, which has the lowest Federal taxes, whose citizens pay the lowest Federal taxes in the United States. Yet Mississippi has two Senators. I don’t remember how many Representatives. But Mississippi has one Representative, just like any other State.

There are now some interest in statehood by Puerto Rico. But the reason why it is important that that threshold is met is to help the residents of the territories. They are our sisters in many ways, but they pay the lowest Federal taxes. They have come forward to request statehood.

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States, I even point to how the House does its appropriation. The District gets a per capita appropriation, in other words, based on our population. So if our population is 700,000, we will get the same as others who have that population.

It is not true for the territories. Their basic complaint is that they do get Federal funding, but they don’t get the per capita funding that States get.

There is a reason D.C. gets that per capita funding. It is because of tax funding we give to support our government.

So the government has recognized the District’s contributions in some ways. It simply has not given us the representation that a democratic country owes all its citizens.

Some may believe that the reason the District does not have statehood is that it needs help from the Federal Government. Far from it. It is the District that helps the Federal Government. It is the Territory that every State of the United States is a part of.

Moreover, the District is one of the few local governments that have their own tax base. That is because it is made up of people who live there.

That is why the District is able to tax itself. The District’s per capita income is higher than the per capita income of any State. This is not a poor city asking for help from the Federal Government. This is a city that helps the Federal Government with taxes paid without representation.

That taxation without representation is the real grievance. But it is also true that Republicans, who fancy themselves the local control party in the Congress, try their very best here in the House and in the Senate to take away what home rule or self-government that the District now has.

The District, in 1974, after almost 100 years, got the right to elect its own Mayor and city council. The last time it had that right, Republicans were in charge. The Civil War ended, and the Republicans gave the District what it had that right. Republicans were in power, and they were often in control of this territory. It is the Democratic Party that took away what the Republicans gave. It is the Democratic Party that took it away.

It is Democrats who took away that local self-government. It is the Democrats, my party, who were in charge most of the years we were without local government, that took it away. Many of them were more conservative or Southern Democrats. But there is no escaping that they were Democrats, and they were often in control of this House.

So, Republicans who come to this floor on both sides to argue even against Federal intervention even that is authorized by the Constitution and by Federal law. Isn’t it amazing that the party of local control would persistently interfere with the local control that the District of Columbia has had since 1973, but that is what we see.

I just want to cite not all but to give examples of some of this interference and to indicate why I think this interference takes place, because it doesn’t take place as to the laws of the District of Columbia. What this does mean is that the Congress uses the fact that the District does not have statehood to intrude into issues that, under the law, are determined by the local government.

For example, the District’s own local budget is more than $12 billion. That is larger than the budget of 12 States that already have full representation in this Congress. These days it is hard to find a sizable surplus in the States, but the District’s surplus is almost $200 billion. That is money that the District puts away in taxes, and other revenue it gets, mostly from its own citizens. That would make it, just that surplus, the envy of the country.

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Talking about a private matter. I don’t know where most Americans stand on this. I am told that most approve it, by the way. But I know where the people I represent stand, and I know it is up to them and only them, and I have another reason why we fight for statehood.

Look, I have been able to keep this attempt to take away our law, our D.C. Death with Dignity Law from, in fact, becoming law. But it does give you an indication of the kind of control that has to be made here for the District of Columbia, and this is in addition for all the work that I, like other Members, have to do on the national bills, the bills that are legitimately introduced in this House. I suppose at least one more ought to be mentioned. How could I not? That is, the District has a local budget autonomy law. Republicans tried to abolish it. It gives the District the ability to have its local law go into effect without coming here to the Congress where they do nothing about it except try to use it as a bill allowing them to attack what we call ‘riders.’ If you want to do an amendment, there has to be a bill. So they want our budget over here so that they can do amendments like the one I just discussed on marijuana. Well, we want to get rid of that by giving the District budget autonomy so that its local laws will not have to come here in the first place.

The Congress has tried to overturn the budget autonomy law and has been unsuccessful. The District went to court. The court saw our local budget autonomy law was, in fact, constitutional and legal. Although the Congress has not overturned it—and we are grateful for that—the Congress does pass a law saying the District’s local budget law is unconstitutional. Anyway.

So you see how redundant that is? They don’t do anything about it, but they pass a provision and say, ‘We made it law. DC says it is already law.’ Anyway.

But, as we get to the point where they don’t have anything to say about our local budget, we will not be the equal of the States.

What makes all of this interference particularly painful to the District of Columbia is how the District is viewed by those who have no axe to grind, and the best examples of those would be the rating agencies. For example, Moody’s has given the District a AAA rating. I would like to quote what Moody’s says about the District of Columbia and its economy and how its government is run.

‘The dynamism of the District’s economy has led to the largest population growth and strong growth in the tax base. Financial governance’—I repeat the words—‘financial governance is exemplary. Reserves are robust.’

Talking about people who have nothing to gain except seeing it as the data reports it. That was Moody’s speaking about how the District’s financial governance rates.

Let me quote Standard & Poor’s. Here is what Standard & Poor’s has to say. This is very important because it is a critique, in effect, of this Congress. By the way, they have given DC a AAA rating.

‘We continue to have concerns about the role of the Federal Government in future District budgets. We view this as an ongoing factor that has a negative effect on the District’s finances and as a slight offset to the District’s otherwise very strong management practices.’

In effect, what Standard & Poor’s is saying is it costs the District money—money in how the District pays—and I use that word advisedly—the District pays in dollars and cents because of congressional interference. And how the Congress interferes affects how investors view the District’s economy.

It is a price to be paid, literally, in dollars and cents by the residents of the District of Columbia.

Now, I do not want to be misunderstood. I do not stand here and say, if you don’t give us statehood, there is nothing we can do to illustrate what we have to do. Yes, we have been successful sometimes in being treated equally with the States. For example, just look at last year. We had to defeat 15 attempts to overturn the District’s local autonomy so that its local laws will not have to come here in the first place.

The Congress has tried to overturn the budget autonomy law and has been unsuccessful. The District went to court. The court saw our local budget autonomy law was, in fact, constitutional and legal. Although the Congress has not overturned it—and we are grateful for that—the Congress does pass a law saying the District’s local budget law is unconstitutional. Anyway.

Imagine what that would mean in the country and the world are seen on our streets, in our restaurants, and public places, if anybody can come in with a gun.

Well, we have tight gun laws in this town. I have had to fight very hard, and, yes, we have succeeded even without statehood. That is no argument against statehood. That reinforces the notion that we need statehood because those things should not have happened, should not have taken my time on the floor or the time of residents to come here to say, please, don’t do this to us.

There is another favorite of the Republicans: to put private school vouchers on the District of Columbia. Let me indicate why that is particularly outrageous. The District of Columbia does, in fact, have its public school system, and it has an almost equal number of students in what are called charter schools, which are not a part of the D.C. public schools. DC has done that on their own.

When an education bill comes before the Congress, and a national charter school bill is, in fact, on the floor, some Members of Congress vote against charter schools while others favor them, except there are Members who don’t have charter schools.

We have charter schools. We have improved our public schools as well, but they are our public schools. They are paid for by our tax dollars.

However, there always is an education bill that has private school vouchers in it that we very much oppose private school vouchers because the jurisdiction has no control on how well the children are even doing in private schools. We do not have that kind of control over how well children are doing in charter schools and in public schools. But if they go to any private schools—and some of these private schools are fly-by-night schools, but even those that are not are private and, therefore, not subject to regulation and oversight.

So, when vouchers are a part of the education bill that comes before us every few years, vouchers for schools in the United States, that bill is voted on every time. At every time the District of Columbia the only jurisdiction that does have private school vouchers; and we do have school vouchers, but they are for a very small number of students because most students choose our charter schools and our public schools.

As I speak, I hope I will be successful. I believe I will be successful again in getting D.C. tuition access grants. The Constitution because the District does not have a university system. It simply has one public university. I have been able to get tuition assistance grants so that our youngsters go to universities and colleges in every State, all 50 States. And it is interesting, I do have a lot of support for this bill because there is not a Member that doesn’t have D.C. students going to college in their States.

The Federal Government pays for the difference between what the student pays and the full price that would otherwise be charged as out-of-state tuition. DC students pay the same in-state tuition, and that has been a help. And it is help from the Federal Government, and it is supported by many Members in this Congress who know that their own public universities have benefited from it.

I don’t maintain that we don’t get anything from the Federal Government. I have already indicated that we get the same per capita as the States, and I don’t indicate that if I don’t have statehood I can’t get any bills passed. People will come to the District of Columbia today and they will find, on both waterfronts, the Southwest waterfront, the Wharf. There are, essentially, whole new neighborhoods on those waterfronts. And, yes, I got those without statehood.

But I dare Republicans to say, well, since you can get things like that for your District without statehood, what are you crying about? I am crying...
about taxes without representation is what I am crying about.

Yes, I know we can get funds, for example, for things my legislation for the Arlington Memorial Bridge, which brings people from the south to the Nation’s Capital.

Yes, I am grateful that, even in a Republican Congress, I have been able to get the Wharf bill passed. I have been able to get the Southeast waterfront bill, or Capital Riverfront as it is called, passed, that we got money for the Arlington Memorial Bridge.

And I bring those up because I don’t want to hear, well, if you are able to get things done, what is your problem?

My problem is what I have been discussing here. It is undoing what our city has done, undemocratically, and it is failure to give us the same representation in the Congress of the United States as every other taxpaying American.

Yes, sometimes I have to do the very unusual. There is a tax bill, for example, that just went through here. It is interesting to note it is not very popular with the American people, and I certainly was against it. I couldn’t vote for it or against it.

But if the bill is going through here and I can find a way to get my District in it, I am going to try and get in it. So there are parts of this bill that promote incentives and investment in some of our low-income parts of the city, that make the private and affordable housing in the District of Columbia, so I am in the tax bill.

But I opposed the tax bill. In that way, I am like many other Democrats who voted “no” on this floor but, yet, tried to get in the bill and did get in the bill. That is how the Congress works.

Finally, nothing makes the case for D.C. statehood better than this chart showing the District war casualties in the 20th century, when we fought our major wars: in World War I, more casualties than three States, Korean War, by that time it had gone up to more casualties than 8 States. By World War II, we were seeing more casualties than four States. Remember, the District is smaller than most States. And the Vietnam War, perhaps the very worst, more casualties than 10 States.

Since then, we have eliminated the draft, but this chart and these tombstones mark the best case for equal treatment for the residents of the District of Columbia. Even as I speak, the residents of this city have volunteered and serve in a volunteer army.

These statistics illustrate the United States why we had a draft. So we don’t have a draft now, and, yet, District residents are found in every part of the country—forgive me—every part of the world where our troops are.

It is time that our country recognized our city and its residents and, particularly, those who now serve, those who served before them, and those who have died in service of their country.

We are now in the 21st century. It seems impossible we have gotten here: 217 years since the District of Columbia has been the Nation’s Capital; 217 years of inequality in your own country; 217 years of paying taxes without representation; 217 years of going to war without benefit of equal treatment even by those who served.

This is why, for those reasons, the residents, the American citizens I represent, cannot possibly give up on seeking equal treatment; first, by perfecting what is called home rule, or self-government; but certainly, by becoming a State like every other State, by no longer being treated, as Frederick Douglass said, as aliens, not citizens, but subjects.

We are Americans. That is why we insist that the American citizens in the District of Columbia become citizens of the 51st State of the United States of America.

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

APPOINTMENT OF INDIVIDUALS TO THE LIBRARY OF CONGRESS TRUST FUND BOARD

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 U.S.C. 154), and the order of the House of January 3, 2017, of the following individuals on the part of the House to the Library of Congress Trust Fund Board for a 5-year term:

Mr. Lawrence Peter Fisher, Chevy Chase, Maryland  
Mr. Gregory Paul Ryan, Hillsborough, California

APPOINTMENT OF MEMBER TO THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to 20 U.S.C. 2004(b) and the order of the House of January 3, 2017, of the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation:

Ms. Granger, Texas

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

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


Speaker Paul Ryan,  
House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: After a great deal of thought and prayer, I have decided to accept West Virginia Governor Jim Justice’s appointment to immediately take the oath of office to serve as a Justice on the West Virginia Supreme Court of Appeals. During this time of crisis, I hope to help restore the public’s trust and confidence in our state’s highest court.

In order to ensure Justice is administered fairly and without bias or conflict, I must resign my seat in the “People’s House” of the United States Congress so I may begin serving the citizens of West Virginia as a Justice on the People’s Court.

I wish to sincerely thank the people of West Virginia’s 3rd Congressional District for the distinct honor and opportunity they provided me to serve and represent them these past four years.

My outstanding congressional staff, district field staff and constituents service representatives are available, ready and committed to continue assisting the citizens of southern West Virginia until a new Member of Congress is elected.

Please accept this letter as my resignation effective at midnight, September 30, 2018.

Sincerely,

Evan H. Jenkins,  
Member of Congress.


Governor Jim Justice,  
State of West Virginia, Charleston, WV.

DEAR GOVERNOR JUSTICE: After a great deal of thought and prayer, I have decided to accept West Virginia Governor Jim Justice’s appointment to immediately take the oath of office to serve as a Justice on the West Virginia Supreme Court of Appeals. During this time of crisis, I hope to help restore the public’s trust and confidence in our state’s highest court.

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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. 1768. An act to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes; to the Committee on Science, Space, and Technology; in addition, to the Committee on Natural Resources; and 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.

S. 3170. An act to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes; to the Committee on the Judiciary.
ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported to have found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4854. An act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

SENEATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

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. 1686. An act to rename a waterway in the State of New York as the "Joseph Sanford Jr. Channel".
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 extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.
S. 1668. An act to rename a waterway in the United States, transmitting designation by the Congress, pursuant to Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, div. A, Sec. 2003 (H. Doc. No. 115—158); to the Committee on Appropriations and ordered to be printed.

6394. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes (Docket No.: FAA-2018-0815; Product Identifier 2018-NM-045-AD; Amendment 39-13678; AD 2018-17-21) (RIN: 2120-AA46) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6395. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (Docket No.: FAA-2018-0384; Product Identifier 2017-SW-041-AD; Amendment 39-19401; AD 2018-19-03) (RIN: 2120-AA46) received December 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6401. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines (Docket No.: FAA-2017-0225; Product Identifier 2016-NE-08-AD; Amendment 39-13067; AD 2018-17-13) (RIN: 2120-AA46) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 27, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 6157. 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.

ADJOURNMENT

Ms. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; according (at 2 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until Tuesday, October 2, 2018, at 12:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6392. A communication from the President of the United States, transmitting designation of funding as an emergency requirement, pursuant to Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, div. C, Sec. 113(b) (H. Doc. No. 115—158); to the Committee on Appropriations and ordered to be printed.

6393. A communication from the President of the United States, transmitting designation of funding as an emergency requirement, pursuant to Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, div. A, Sec. 2003 (H. Doc. No. 115—158); to the Committee on Appropriations and ordered to be printed.

6400. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines (Docket No.: FAA-2018-0384; Product Identifier 2017-SW-041-AD; Amendment 39-13678; AD 2018-17-21) (RIN: 2120-AA46) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

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6402. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus Helicopters (Docket No.: FAA-2018-0384; Product Identifier 2017-SW-041-AD; Amendment 39-19401; AD 2018-19-03) (RIN: 2120-AA46) received December 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6404. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly Known as Saab AB, Saab Aerosystems) Airplanes (Docket No.: FAA-2018-0384; Product Identifier 2017-SW-041-AD; Amendment 39-19401; AD 2018-19-03) (RIN: 2120-AA46) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6405. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus Helicopters (Docket No.: FAA-2018-0384; Product Identifier 2017-SW-041-AD; Amendment 39-19401; AD 2018-19-03) (RIN: 2120-AA46) received December 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6406. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Fokker Services B.V. Airplanes (Docket No.: FAA-2018-0384; Product Identifier 2017-SW-041-AD; Amendment 39-19401; AD 2018-19-03) (RIN: 2120-AA46) received December 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.
H.R. 6970. A bill to amend the Internal Revenue Code of 1986 to require public disclosure of individual tax returns of candidates for President and Vice President of the United States, and to the Committee on Ways and Means.

By Mr. FITZPATRICK:

H.R. 6971. A bill to prohibit immediate family members of heads of certain agencies and departments from soliciting or otherwise raising funds from certain foreign entities; to the Committee on Oversight and Government Reform.

By Ms. MAXINE WATERS of California (for herself, Mrs. CAROLYN B. MALONEY of New York, Mr. CLAY, Mr. AL GREEN of Texas, Ms. MOORE, and Mr. CLEAVER):

H.R. 6972. A bill to require the Consumer Financial Protection Bureau to meet its statutory purpose, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce.

By Mr. CHABOT (for himself, Mr. SCHUYLER, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. GRIJALVA, and Ms. MCCOLLUM):

H.R. 6973. A bill to establish the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes; to the Committee on Foreign Affairs.

By Ms. Waters of California, Mr. JONES, and Ms. STRAPANSKI:

H.R. 6974. A bill to provide a safe harbor for reporting of hard forks of convertible virtual currency in the absence of administrative guidance; to the Committee on Ways and Means.

By Ms. MAXINE WATERS of California (for herself, Mr. GREGORY of New York, Mr. COLE of West Virginia, Mr. POLIACK, Mr. HERNANDEZ, Mr. JONGHEE, Mr. CUNNINGHAM, Mr. RODRIGUEZ-PERZ, Mr. GONZALEZ, Mr. DENT, Mr. ROJAS, Mr. JONES, Mr. STEFANIK, Mr. LOPEZ, and Mr. GRIJALVA):

H.R. 6975. A bill to amend title 10, United States Code, to allow States and units of local government to purchase equipment suitable for school security activities through the Department of Defense; to the Committee on Armed Services.

By Mrs. WATSON COLEMAN:

H.R. 6976. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for executive compensation unless the employer maintains a plan providing certain retirement benefits to employees; to the Committee on Ways and Means.

By Mr. GATANIA:

H.R. 6977. A bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals; to the Committee on Education and the Workforce.

By Mr. CHABOT (for himself and Mr. SCOTT of Virginia):

H.R. 6978. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. RISHOP of Utah (for himself, Mr. CURTIS, and Mr. STEWART):

H.R. 6979. A bill to approve the settlement of the water rights claims of the Navajo Nation in the state of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. BLUM (for himself and Ms. ESCH of California):

H.R. 6980. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy, to the Committee on Energy and Commerce, 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. BUDD:

H.R. 6981. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts received as penalties for persons who volunteer as school resource officers, to the Committee on Ways and Means.

By Mr. CHABOT (for himself, Mr. SHEPPARD, Mr. PARKER, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. GRIJALVA, and Ms. MCCOLLUM):

H.R. 6982. A bill to inform the National Commission for the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BISHOP of Utah (for himself, Mr. JONES, and Ms. STRAPANSKI):

H.R. 6983. A bill to amend the Internal Revenue Code of 1986 to make public the names and addresses of persons contributing $50,000 or more to certain tax-exempt organizations and to require disclosure of foreign campaign contributions; to the Committee on Ways and Means.

By Mr. CORREA:

H.R. 6984. A bill to add suicide prevention resources to school identification cards; to the Committee on Education and the Workforce.

By Mr. CURTIS:

H.R. 6985. A bill to establish an Inter-country Adoption Advisory Committee, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DUFFY:

H.R. 6986. A bill to amend titles XVIII and XIX of the Social Security Act with respect to nursing facility requirements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHISHO:

H.R. 6987. A bill to amend the Communications Act of 1934 to provide for certain requirements relating to charges for internet, television, and voice services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mr. HURD, Mr. MCKINLEY, and Mr. LANGE):

H.R. 6988. A bill to reauthorize the Museum and Library Services Act; to the Committee on Education and the Workforce.

By Mr. GATANIA:

H.R. 6989. A bill to restrict certain Federal assistance benefits to individuals verified to be citizens of the United States; to the Committee on Oversight and Government Reform.

By Mr. HIMES:

H.R. 6990. A bill to create portable retirement and investment accounts for all Americans, and for other purposes; to the Committee on Ways and Means.

By Mr. HUFFMAN (for himself, Mr. WILLIAMS of Tennessee, Mr. JACKSON LEE of Texas, Mr. CARBAJAL, and Mr. McGOVERN):

H.R. 6991. A bill to provide for the upgrade of the vehicle fleet of the United States Postal Service, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Mr. MOOLENAAR, and Mr. CUELLAR):

H.R. 6992. A bill to reauthorize the Chemical Activity Standards Program of the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDREE (for himself and Mr. BRENDAN F. BURGESS of Virginia):

H.R. 6993. A bill to amend title 38, United States Code, to provide for the Secretary of Veterans Affairs to come of certain amounts received as penalties; to the Committee on Veterans' Affairs.

By Mr. KILDREE (for himself and Mr. THOMPSON of Pennsylvania, and Mr. KIND):

H.R. 6995. A bill to direct the Secretary of Education to establish a prize competition on programs to prepare high school students for careers in in-demand industry sectors or occupations; to the Committee on Education and the Workforce.

By Mr. LATTI (for himself, Mr. STIVER of Ohio, Mr. TIPPIN, and Mr. RENACCI):

H.R. 6996. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to deliver notice of the denial of claims for benefits under the laws administered by the Secretary by certified mail, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCaul:

H.R. 6997. A bill to amend the Homeland Security Act of 2002 to provide for a presumption to a foreign government of financial assistance for foreign country operations to address individuals who may pose a national security, foreign intelligence, or law enforcement threat to the United States before such a threat reaches the United States, and for other purposes; to the Committee on Foreign Affairs, 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. MEADOWS (for himself, Mr. LABURN, Mr. SCHNEIDER, Mr. DONOVAN, Mr. FITZGERALD, Mr. HAYLEY of West Virginia, Mr. RATCLIFFE, Mr. WEBER of Texas, Mr. DESJARLAIS, Mr. GAZZETTI, and Mr. ZELDIN):

H.R. 6998. A bill to provide for national security and law enforcement training and cooperation between the United States and Israel; to the Committee on Foreign Affairs.

By Mr. MEADOWS:

H.R. 6999. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the sale of qualified real property interests in sales for conservation purposes; to the Committee on Ways and Means.

By Mr. NOEM:

H.R. 7000. A bill to amend the Internal Revenue Code of 1986 to provide for increased
economic opportunities for Native American tribes, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'HALLERAN: H. R. 7001. A bill to amend title XVIII of the Social Security Act to provide for a combined Medicare Part B and D drug out-of-pocket costs limitation; to the Committee on Energy and Commerce, 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. SCHWEIKERT: H. R. 7002. A bill to amend the Electronic Signatures in Global and National Commerce Act to clarify the applicability of such Act to electronic records, electronic signatures, and smart contracts created, stored, or secured on or through a blockchain, to provide uniform national standards regarding the legal effect, validity, and enforceability of such records, signatures, and contracts, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEBSTER of Florida, Mr. MISSISSEY, and Mr. FORTENBERRY: H.R. 7003. A bill to amend the Public Health Service Act to establish a health insurance Federal Invisible Risk Sharing Program; to the Committee on Energy and Commerce.

By Mr. AUSTIN SCOTT of Georgia: H.R. 7004. A bill to amend the Motor Carrier Safety Improvement Act of 1999 with respect to the definition of agricultural commodities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SHEA-PORTEER (for herself, Mr. CARTWRIGHT, Mr. DEFAZIO, Mr. NOLAN, and Mr. THOMPSON of Mississippi): H.R. 7005. A bill to authorize the Secretary of the Interior to identify and declare wildlife disease emergencies and to coordinate rapid response to such emergencies; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, 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. SCHERER: H.R. 7006. A bill to address the concept of “Too Big To Fail” with respect to certain financial entities; to the Committee on Financial Services.

By Mrs. TORRES: H.R. 7007. A bill to require the Administrator of the Environmental Protection Agency to study State efforts to regulate certain uses of nitrous oxide, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. WAGNER (for herself and Ms. BASS): H.R. 7008. A bill to amend the Trafficking Victims Protection Act of 2000 to modify the Trafficking in Persons report to include research on the relationship between human trafficking in national or subnational populations in which there is evidence of sex-selective practices, including, but not limited to, infanticide, gender-based neglect, or other forms of gender-based violence or discrimination; to the Committee on Foreign Affairs.

By Mr. ROYCE: H. Res. 789. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment; considered and agreed to.

By Ms. BONAMICI (for herself, Mr. GUTHRIE, Mr. KRISHNAMOORTHY, Mr. BASS, Mr. RAHALL, Ms. BOWMAN, Ms. SANFORD, Ms. VAN BUREN, Ms. COURTNEY, Mr. VECA, Mr. FITZPATRICK, Mr. BROWN of Maryland, Ms. JACKSON LEE, Mr. LOWENTHAL, Mr. WEISS, Ms. KANJORSKI, Mr. WATERS, and Mr. IRING): H. Res. 1100. A resolution designating September 2018 as “National Workforce Development Month” and recognizing the necessity of investing in workforce development to support workers and to help employers succeed in a global economy; to the Committee on Education and the Workforce.

By Mr. WILSON of South Carolina (for himself, Mr. CONNOLLY, and Mr. CURRIBONE): H. Res. 1101. A resolution affirming the historical relationship between the United States and the Kingdom of Morocco, condemning the recent provocative actions of the Polisario Front and its foreign supporters, and encouraging efforts by the United Nations to reach a peaceful resolution of the Western Sahara conflict; to the Committee on Foreign Affairs.

By Mr. EMMER (for himself, Mr. SOTO, Mr. SCHWEIKERT, Mr. POLIS, and Mr. MURDOCH): H. Res. 1102. A resolution expressing support for digital currencies and blockchain technologies; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, 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. GREEN (for himself and Mr. AL GREEN of Texas): H. Res. 1103. A resolution expressing support for designation of July as National Sarcoma Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas (for himself, Mr. PORTE OF Texas, Mrs. DINGELL, Mr. MEKES, Mr. VELAZQUEZ, Ms. NOLTON, Mr. JOHNSON of Georgia, Ms. CLARKE of New York, Ms. JACKSON LEE, Ms. MOORE, Mr. BROWN of Maryland, Ms. COOK of New Hampshire, Ms. TITUS, Mr. VECA, Mr. THOMPSON of Mississippi, Ms. BEATTY, Mrs. LAWRENCE, Mrs. WARNER, Mrs. EVANS, Mr. ELLISON, Mr. HASTINGS, Mr. JEFFRIES, Ms. KELLY of Illinois, Mr. LAWSON of Florida, Mr. LEWIS of Georgia, Mr. RICHMOND, Mr. RUSH, Mr. SHERWOOD of Alabama, Mr. VEASEY, Mrs. BUSTOS, Mr. MCNERNY, Ms. CLARK of Massachusetts, Mr. GIJALVA, Mr. PAYNE, Mr. CARDENAS, Mr. ENGEL, Ms. JAYAPAL, Mr. RASKIN, Ms. LEE, Mr. PLASKETT, and Mr. VARGAS): H. Res. 1104. A resolution supporting the goals and ideals of October as “National Domestic Violence Awareness Month” and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence and its devastating effects on individuals, families, and communities, and support programs designed to end domestic violence in the United States; to the Committee on Education and the Workforce.

By Mrs. LOVE (for herself, Mr. STEWART, Mr. CURTIS, and Mr. BISHOP of Utah): H. Res. 1105. A resolution designating Salt Lake City, Utah, as the western center of the centennial commemoration of the 19th amendment to the Constitution, in coordination with Better Days 2020, and designating Cheyenne, Wyoming, Denver, Colorado, Helena, Montana, and Seneca Falls, New York, as sister cities in those celebrations; to the Committee on the Judiciary.

By Mr. PAYNE (for himself, Mr. CLARKE of New York, Ms. JACKSON LEE, Mr. MC Excell, Mr. RASKIN, Mr. MEERES, Mr. TAKANO, and Mr. THOMPSON of Mississippi): H. Res. 1106. A resolution supporting the designation of October 6, 2018, as National Ostomy Awareness Day; to the Committee on Oversight and Government Reform.

By Mr. REICHERT (for himself and Mr. PASCRELL): H. Res. 1107. A resolution supporting the designation of National Secure Your Load Day; to the Committee on Transportation and Infrastructure.

By Mr. SCHWEIKERT (for himself, Mr. POLIS, and Mr. EMMER): H. Res. 1108. A resolution expressing the sense of the House of Representatives that blockchain has incredible potential that must be nurtured through support for research and development of thoughtful and innovation-friendly regulatory approach; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, 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. SUOZZI: H. Res. 1109. A resolution expressing support for the designation of the second Monday in October as “Columbus Day” to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LEWIS of Minnesota: H.R. 6964. Congress has the power to enact this legislation pursuant to the following:

By Mr. TIPTON: H.R. 6965. Congress has the power to enact this legislation pursuant to the following:

By Mr. PALAZZO: H.R. 6966. Congress has the power to enact this legislation pursuant to the following:

By Mr. LIPINSKI: H.R. 6967. Congress has the power to enact this legislation pursuant to the following:

By Mr. BISHOP of Utah: H.R. 6968. Congress has the power to enact this legislation pursuant to the following:

By Mr. EMMER: H.R. 6969. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clauses 1 and 18

By Mr. FITZPATRICK:
H.R. 6970.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
By Mr. FITZPATRICK:
H.R. 6971.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
By Mr. MAXINE WATERS of California:
H.R. 6972.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (the Commerce Clause).
By Mr. EMMER:
H.R. 6973.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.
By Mr. EMMER:
H.R. 6974.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.
By Mr. MAST:
H.R. 6975.
Congress has the power to enact this legislation pursuant to the following:

The Necessary and Proper Clause in Article I, Section 8, Clause 18 of the United States Constitution.
By Mrs. WATSON COLEMAN:
H.R. 6976.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.
By Mr. NOLAN:
H.R. 6977.
Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8, Clause 18 of the United States Constitution, “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. CHABOT:
H.R. 6978.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation rests is enumerated in Article I, Section 8, Clause 18 of the Constitution, which gives Congress 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. RISHOP of Utah:
H.R. 6979.
Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defense and general welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; and Article I, Section 8, Clause 3, the Congress shall have the power to regulate Commerce with foreign nations, and among several States, and with the Indian Tribes.

By Mr. BISHOP of Utah:
H.R. 6980.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18.
By Mr. BLUM:
H.R. 6981.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8
By Mr. BUDDE:
H.R. 6982.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
By Mr. CHABOT:
H.R. 6983.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 18.
By Mr. CONAWAY:
H.R. 6984.
Congress has the power to enact this legislation pursuant to the following:

(1) The U.S. Constitution including Article I, Section 8.
By Mr. CURTIS:
H.R. 6985.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.
By Mr. DUFFY:
H.R. 6986.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.
By Ms. ESPHO:
H.R. 6987.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.
By Mr. GRIJALVAlA:
H.R. 6988.
Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.
By Mr. GROTHMAM:
H.R. 6989.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.
By Mr. HIMES:
H.R. 6990.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, as this legislation provides for the general welfare of the United States.
By Mr. HUFFMAN:
H.R. 6991.
Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 8, Article I of the U.S. Constitution.
By Mr. KATKO:
H.R. 6992.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make 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. KILDEE:
H.R. 6993.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.
By Mr. KILMER:
H.R. 6994.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.
By Mr. KILMER:
H.R. 6995.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.
By Mr. LATTA:
H.R. 6996.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.
By Mr. SCHWEIKERT:
H.R. 6997.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution which reads:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts, and provide for the common Defence and general Welfare of the United States; and Article I, Section 8 Clause 1:

By Mr. SCHWEIKERT:
H.R. 6998.
Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 11:

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;
And Article I Section 8 Clause 1:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;
By Mr. MEADOWS:
H.R. 6999.
Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads:

The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. CORREA:
H.R. 7000.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12 of the United States Constitution.
By Mr. SCHWEIKERT:
H.R. 7001.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.
By Mr. SCHWEIKERT:
H.R. 7002.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, in that the legislation concerns the legislative powers granted to Congress by that clause to “regulate commerce . . . among the several States, Article 1, 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. KILDEE:
H.R. 7003.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 18.
By Mr. AUSTIN SCOTT of Georgia:
H.R. 7004.
### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

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<td>H.R. 1612</td>
<td>Mr. Smith of Washington</td>
<td>Mr. H. 1661</td>
<td>Mr. Rothfus and Mr. Mr. New Jersey and Mr. New York</td>
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<td>H.R. 1986</td>
<td>Mr. Takanak</td>
<td>Mr. H. 1986</td>
<td>Mr. Clay, Mr. Thompson of New Jersey, Mr. Larson of Connecticut, Mr. Richmond, and Mr. O’Rourke</td>
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<td>H.R. 2015</td>
<td>Mr. McGovern</td>
<td>Mr. H. 2119</td>
<td>Mr. Clay, Mr. Richmond, Mr. Michael F. Doyle of Pennsylvania, Mr. Payne, and Mr. Larson of Connecticut</td>
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<td>H.R. 2212</td>
<td>Mr. Groatman and Mr. Lipinski</td>
<td>Mr. H. 2212</td>
<td>Mr. Groatman and Mr. Lipinski</td>
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### Article I, Section 8, Clause 18

Congress has the power to enact this legislation pursuant to the following:

- By Mrs. Wagner:
  - Article I, Section 8, Clause 8

- By Mrs. Torres:
  - Article I, Section 8, Clause 10

- By Mr. Sherman:
  - Amendment XIII (relating to slavery and involuntary servitude)
H. Res. 1043: Ms. SHAYS-PORTER, Mr. RENACCI, and Mrs. DAVIS of California.
H. Res. 1055: Mr. PERRY.
H. Res. 1065: Mr. POLIS.
H. Res. 1087: Mr. BUCHANAN.
H. Res. 1093: Ms. MCSALLY and Mr. VALADAO.
H. Res. 1095: Mr. Swalwell of California and Mr. McNERNEY.
The Senate met at 2 p.m. and was called to order by the Honorable JOHN BOOZMAN, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Infinite Spirit, Creator of Heaven and Earth, the sea, and all that lives in it, thank You for the gift of another day. We praise You that You are the same yesterday, today, and forever. Remind us of the foolishness of seeking security apart from You.

Bless our lawmakers. Protect them in their work as You give them Your peace. Be for them a light in the darkness and a shelter from life’s storms. Lord, give them the wisdom to make decisions that will bring glory and honor to Your Name.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
President pro tempore,
To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN BOOZMAN, a Senator from the State of Arkansas, to perform the duties of the Chair.

OREN G. HATCH,
President pro tempore.

Mr. BOOZMAN 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.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. WICKER. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION OF BRETT KAVANAUGH

Mrs. MURRAY. Mr. President, like millions of people across the country, I watched the hearing yesterday with a mix of so many strong emotions.

First, I watched Dr. Ford with tears in my eyes. She was so brave, so compelling, so real. The memories that she recounted—the memories that she will never forget—were heartbreaking: the living room, the stairs, the bedroom, the music turned up loud, the bed, Brett Kavanaugh drunk and on top of her, the feeling she had when he covered her mouth to stop her from screaming, the raucous laughter between Brett Kavanaugh and Mark Judge.

She remembered the way she felt it then and told it now: two boys laughing and having a good time while a scared 15-year-old girl lay pinned down on a bed, worried that she may die; the bathroom, listening for Brett and Mark to leave, hearing them bounce off the walls as they went back downstairs; leaving the house; the sense of relief that she escaped; and something anyone who has been a 15-year-old girl can understand, not wanting to tell her parents that she had been at a house with no adults, older boys, and beer. It was gutting.

Dr. Ford spoke for herself, but she was channeling the voice of millions of women and survivors across the country who are too often ignored, interrupted, bullied, or swept aside.

She was an inspiration, and I hope every one of my colleagues watched her speak and answer questions. She made it clear she was not there because she wanted to be but because she felt she had to be. She shared her story not because she wanted to create a spectacle or embarrass anyone but because she felt she was channeling the voice of millions of people making the decision about whether or not he should be on our Nation’s highest Court.

The Republicans on that committee were too afraid to ask her anything themselves, but she did an amazing job keeping her composure under cross-examination by the prosecutor Republicans hired to question Dr. Ford on their behalf, and Dr. Ford made it clear over and over, politely but firmly, that she knew about Judge Kavanaugh with the people making the decision about whether or not he should be on our Nation’s highest Court.

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The Republicans on that committee were too afraid to ask her anything themselves, but she did an amazing job keeping her composure under cross-examination by the prosecutor Republicans hired to question Dr. Ford on their behalf, and Dr. Ford made it clear over and over, politely but firmly, that she knew about Judge Kavanaugh with the people making the decision about whether or not he should be on our Nation’s highest Court.
I thought she was telling the truth. But I want to set that aside to make one more point because maybe some of my colleagues watched that hearing yesterday and didn’t see it the same way I did. Maybe they saw that hearing and thought Dr. Ford was credible, and they also thought Judge Kavanaugh was credible. Maybe they thought: This is a he said, she said, and I just don’t know whom or what to believe.

Here is my message to those colleagues of mine. Yesterday’s hearing does not mark a final word.

There is absolutely no rush—none, zero. We have an opportunity to take a breath and slow down and let this process work the way it is supposed to.

The 11 Republicans on the Judiciary Committee may have scrambled to rush through this phase of the investigation. We can have the FBI investigation. We can continue our own investigations. We can bring in additional, relevant witnesses in the most appropriate ways or hold additional hearings.

I know we all want this to be over. Trust me, I wish we didn’t have to go through this, but we simply cannot allow the Supreme Court to be jammed through like this right now. It would be a disgrace. It would damage the integrity of the Supreme Court, and it would shatter whatever integrity we have left here in the Senate.

So I say to those colleagues: Even if you hate how this process has gone so far, even if you wish this had been done differently and that the information had come out about these allegations sooner, even if you think this was bungled completely, even if you want to point fingers and blame Democrats for that—fine, but we are right here, right now. We are facing one of our most important jobs as Senators, laid out in article II, section 2 of our Constitution, to provide advice and consent on Supreme Court nominations.

We can litigate how this went later. I am sure there are ways it could have gone better. We can figure that out. We should figure that out so we can do better next time, but we should not—we cannot—let anger and pique over processes and politics cloud what is clearly the right thing to do here.

I hear there are conversations going on in the Judiciary Committee right now about slowing down and starting investigations. I am happy that those who speak with genuine and raw emotion about being sexually assaul ted by Brett Kavanaugh. Even though it was more than 30 years ago, her memory of the assault was clear and vivid. This kind of recall is typical of sexual assault survivors. She was sincere and authentic. She was 100 percent credible, and I believe her.

By contrast, Brett Kavanaugh came to this committee and refused to give us straight answers. He would not call for an FBI investigation. He repeatedly stated that the other people who were at the gathering where Dr. Ford was attacked had “rebutted her testimony.” That is not true. His alleged accomplice in the attack, Mark Judge, claimed he didn’t remember—a far cry from rebutting her statement. He claimed he didn’t remember, refused to testify, and then went into hiding. Patrick Smyth and Leland Keyser said they simply don’t remember—again, hardly a rebuttal.

Dr. Ford said yesterday: I don’t expect that P.J. and Leland would remember this evening. It was a very remarkable party. It was not one of their more noteworthy parties and nothing remarkable happened to them that evening.

In fact, even though she doesn’t remember, Leland Keyser said she believes Dr. Ford’s account.
In addition to making misleading statements—which is a pattern with Judge Kavanaugh—he accused Democratic Senators of coordinating a plot to sabotage his nomination. Clearly, he was speaking to an audience of one: President Trump. A nominee to the Supreme Court should not be so smugly certain that he will have the power and influence. There will be no consequences. It won’t even preclude him from becoming a Supreme Court Justice.

Yesterday, accusations flew from the other side of the aisle about deliberate efforts to make up accusations and undermine Judge Kavanaugh’s nomination, but Democrats didn’t need to manufacture additional reasons to oppose Judge Kavanaugh’s nomination. As I have maintained before, his record demonstrates a pattern of misstating the facts. He wasn’t candid yesterday. He wasn’t candid in his testimony to the committee when he testified at his 2004 and 2006 confirmation hearings or when he testified at his confirmation hearing for this nomination in 2018.

I also found his candor lacking in the judicial opinions and legal arguments he authored. For example, as my colleagues have talked about in the past, Judge Kavanaugh was not honest with the committee in 2004 and 2006 when oral arguments in Rice. I know what the Supreme Court based its decision on, and he totally misstated the Supreme Court’s decision.

Advocates for our Native communities are stepping up and taking notice. The Council for Native Hawaiian Advancement and the Alaska Federation of Natives have come forward to express their objection to the nomination of Brett Kavanaugh. They and other groups representing indigenous peoples have come forward to explain how Judge Kavanaugh’s views of the rights of indigenous peoples are deeply flawed. These are the kinds of attitudes that he expressed in his amicus brief in Rice v. Cayetano.

Madam President, I ask unanimous consent that the following statements in opposition to Judge Kavanaugh’s nomination or that criticize his views be printed in the RECORD. They are from the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and the Alaska Federation of Natives.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEMBER FEINSTEIN: Having reviewed his writings and his statements in public proceedings, we find that Judge Kavanaugh neglected to recognize the history of actions by the United States government that has clearly established a trust responsibility not only on the part of the United States, but also the State of Hawaii for the lands that were set aside under the 1891 Act to provide for a permanent homeland for native Hawaiians (Hawaiian Homes Commission Act of 1920) and for the betterment of the conditions of native Hawaiians (Hawaii Admissions Act of 1959).

The Hawaiian Homes Commission Act set aside approximately 203,500 acres of land in what was then a Territory of the United States, the Territory of Hawaii, to assure that the indigenous, native people of Hawaii could be returned to their lands.

In the ensuing years under exercise of its constitutional authority, the U.S. Congress enacted more than 160 Federal laws designed to address the conditions of native Hawaiians. Additionally, upon the United States and the State of Hawaii agreed that the provisions of the Constitution of the State of Hawaii should reflect their respective responsibilities, including trust responsibilities, for the lands and resources designated to provide for the betterment of the conditions of native Hawaiians.

The lands and resources authorized under Federal law to be reserved for native Hawaiians in 1921 are today administered by the Hawaiian Homes Commission and the Department of Hawaiian Home Lands.

Our fiduciary duties and responsibilities to the beneficiaries of the Hawaiian Homes Commission Act are of paramount importance to existing and future generations of the indigenous, native people of Hawaii, to the State of Hawaii, and to the United States.

We cannot embrace nor endorse the views of those, like Judge Kavanaugh, who would deny our history, the Federal and State laws that have been enacted on the basis of that history, including the right of the indigenous, native people of Hawaii to exercise self-determination under Federal law and policy.

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least a thousand years prior to recorded con-
tact with the Western world. Congress has ac-
nowledged that “... prior to the ar-
ival of the first Europeans in 1778, the Na-
tive Hawaiians lived in a high degree of con-
certized, self-sufficient, subsistent social sys-
tem based on communal land tenure with a
sovereign state. This constitution was con-
genized out of a constitution of moderate so-
ciety, at all stages under the leadership of
a Native Hawaiian head of state.
Judge Kavanaugh’s description of the
decision not to adopt arguments made by
committee Members and observers with another
impression, Senator Hirono asked the nominee
about an amicus brief he submitted in 2016,
as well as an op-ed he wrote for The Wall
Street Journal, in which he argued that
OHA’s purpose was inconsistent with the
purpose and mission.

The extreme nature of Judge Kavanaugh’s
arguments, both his examples and his con-
cussions, may have played a role in the ma-
jority’s failure to incorporate them in
Rice. For example, he compared OHA’s mission of
serving Hawaii’s Indigenous people to an
interracial marriage ban to maintain white
supremacy. He argued that allowing Native
Hawaiians to elect their own trustees to
trustees were elected under the Fifteenth
Amendment, we learned that he continued
beyond the framework of the U.S.
Constitution, in recognizing the unique sta-
tus of Native Hawaiians. During his hearing,
Judge Kavanaugh acknowledged Congress’s
“substantial” authority to deal with matters
concerning Native Hawaiians. He offered a few
specifics beyond that statement. Judge
Kavanaugh may find it interesting that in
the years following Rice, Congress and the
Executive have passed legislation and
established programs to benefit Native Ha-
awaiians, regularly with the acknowledge-
ment of the legal and political relationship
OHA has articulated throughout this letter.
In closing, OHA hopes that this letter has
brought some clarity to questions raised as
part of the process of considering Judge
Kavanaugh for the Supreme Court because
the federal government has a special trust relation-
ship with federally recognized Indian tribes.
The relationship commands the highest
level of legal obligations, used in early federal-tribal treaties, the U.S.
Constitution, federal statutes, and opinions of
the U.S. Supreme Court. Judge Kavanaugh’s
writings demonstrate a limited view of the
federal government’s power to deal with Na-
vie peoples under this relationship. Specifi-
cally, he would only extend the special trust
relationship to Indigenous people in
Alaska Natives share with the federal gov-
ernment, and the fact that they do not
have reservations or enclaves, if he re-
ferred to a view that the relationship
position of Native Hawaiians, and who
could weaken the special trust relationship
Alaska Native shares with the federal gov-
ernment, and the fact that they do
have reservations or enclaves, if he re-
ferred to a view that the relationship
would likely survive the scrutiny he
would apply to a case concerning Native
Hawaiians to an
Alaska. Our membership includes 186 feder-
alized recognition of Native Hawaiians as an Indigenous people
and not based on race.
Throughout the hearing, we believe it is
important to consider the relationship between
these two groups. The Supreme Court has
clear legislative understanding that its relationship
with Native Hawaiians is based on its recognition of Native Hawaiians as an Indigenous people and
not based on race.

The Alaska Federation of Natives (AFN)
OPPOSES KAVANAUGH APPOINTMENT
The Alaska Federation of Natives is the oldest and largest representative organization in
Alaska. Our membership includes 186 feder-
ally recognized Indian tribes, 177 for-profit
corporations, 12 for-profit regional Native
corporations, and a number of tribal consortia
that compact and contract to run federal and
state programs. AFN has been the principal
voice for Alaska Natives in addressing critical issues of
Alaska Natives’ concerns with
Native Hawaiians. It is a violation of
the laws. The relationship between
the two groups is based on
the recognition of Native Hawaiians as an Indigenous people
and not based on race.

Kavanaugh’s decision not to adopt arguments against the
constitutional validity of
Native Hawaiian rights after Rice. Dis-
gregation. The relationship between
these two groups is based on
the recognition of Native Hawaiians as an Indigenous people
and not based on race.
established legal doctrine. Confirming a nominee who is unable to grasp the necessity of federal programs based on the political classification doctrine, and articulate why they would, would be unwise.

AFN strongly urges the U.S. Senate to vote against Judge Kavanaugh. The documents that have been released so far in relation to his supreme Court nomination demonstrate that his confirmation would be for Native peoples, particularly Alaska Natives and Native Hawaiians.

Ms. HIRONO. It is deeply troubling to have a Supreme Court nominee for a lifetime position who isn’t candid with us about the facts or straight with us about the law.

In Garza v. Hargan, he did it again. In that 2017 case, he wrote a dissent in which he misapplied the law and treated the case as if it were about parental consent. It was not. The case, which was about whether a 17-year-old undocumented young woman could be released from immigration custody to have an abortion, did not involve the question of parental consent. But he sat there at his nomination hearing, and when I asked him about it, he said that was a case involving parental consent—a total misstatement of the issue in that 2017 case. This is clearly demonstrated both the seriousness of her allegations of assault by Judge Brett Kavanaugh. It is very clear that this nomination should be withdrawn.

At the hearing, I also asked him about the pattern that was revealed in his numerous dissents. In several of those cases, his own colleagues called him out for misrepresenting the facts and the law. Just last year, in United States v. States v. Anthem, the majority said that Judge Kavanaugh “applies the law of the applicable law altogether. It is now clear that the nomination should be withdrawn.”

The Editors: It is time for the Kavanaugh nomination to be withdrawn.

The Editors

Dr. Christine Blasey Ford’s testimony before the Senate Judiciary Committee today clearly demonstrated both the seriousness of her allegation of assault by Judge Brett M. Kavanaugh for the whole country. Judge Kavanaugh denied the accusation and emphasized in his testimony that the opposition of Democratic senators to his nomination and their consequent willingness to attack him was established long before Dr. Blasey’s allegation was known.

Evaluating the credibility of these competing accounts is a question about which people of good will can and do disagree. The editors of this review have no special insight into who is telling the truth. If Dr. Blasey’s allegation is true, the assault and Judge Kavanaugh’s denial of it mean that he should not be seated on the U.S. Supreme Court. But even if the credibility of the allegation has not been established beyond a reasonable doubt and even if further investigation is warranted to determine its validity or veracity, we recognize that this nomination is no longer in the best interests of the country. While we previously endorsed Judge Kavanaugh on the basis of his legal credentials and his reputation as a committed textualist, it is now clear that the nomination should be withdrawn.

Ms. HIRONO. In addition, Robert Carlson, president of the American Bar Association, the ABA, issued a letter urging the Judiciary Committee of the Senate to not vote on Judge Kavanaugh’s nomination until there is an FBI investigation into Dr. Ford’s account of sexual assault. The ABA explained that “deciding to proceed without conducting an additional investigation would not only have a lasting impact on the Senate’s reputation, but it will also negatively affect the great trust necessary for the American people to have in the Supreme Court.”

I agree. Brett Kavanaugh does not have the credibility, candor, character, or, I would say, as we saw yesterday, the temperament to be on the Supreme Court. His presence on the Court under this kind of cloud will weaken the Court. I cannot support this nomination.

I would like to end the remarks I would have given at the markup but am giving on the floor now. I would like to say that my colleague Senator JEFF FLAKE has said that he would not be able to vote on the confirmation of Judge Kavanaugh without an FBI investigation into Dr. Ford’s allegations. I support that. I have no idea whether the Republican leadership is going to allow a timeout for that kind of investigation to occur—an investigation that I and other Democratic members of the Judiciary Committee have been calling for, for what seems like months.

Of course, I would want an FBI investigation to be thorough. I do not want some kind of a peripheral investigation to give cover to Senators who are wavering. I would want an investigation by the FBI to be thorough, to be real, to provide us with the kind of information that we need to make a determination as to the credibility, candor, and character of Judge Kavanaugh.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, the Judiciary Committee had an extraordinary meeting this morning, and each of us spoke at some length about our reservations or support for the nomination of Brett Kavanaugh to be a U.S. Supreme Court Justice. At the end of that meeting, as we were about to vote, my colleague, JEFF FLAKE, our colleague, announced his decision that he would request and seek a 1-week extension of the vote so that there could be an FBI investigation of some of the unanswered questions that still very seriously and urgently demand responses in fact and evidence.

That is a very promising and important step. It has to be a real investigation, not a sham or show. It has to be penetrating and impartial, which the two people mentioned before can do.

I have a lot of confidence that the FBI will do its job and answer those very serious and urgent questions. The answers are all the more pressing after the extraordinary hearing we held yesterday at the Judiciary Committee. The entire Nation watched as two people told their stories; two very, very different stories and also told in very, very different ways, but let’s be very clear. The roles of these individuals and their responsibilities were also very different.

Judge Brett Kavanaugh came before us for a job interview. He has no right to be on the U.S. Supreme Court. It is a privilege of extraordinary magnitude and significance. The position is one of the most important we senators—or a lifetime appointment to the highest Court in the land.

Our responsibility in the Judiciary Committee is not to approve just anyone for that job. We should be seeking the best person into the current court and integrity and temperament who will be fair and impartial, objective, and considerate.
I concluded well before the hearing yesterday—it is no secret—that I would oppose Judge Brett Kavanaugh for the U.S. Supreme Court.

My opposition was based on his extreme ideological views and judicial philosophy which we amply demonstrated at the previous hearing we had with him. My concern is, he would be a fifth vote to cut back or even overturn Roe v. Wade and stop women from making decisions about when they will become pregnant or have children; stop people from exercising their right to do so with the person they love; cutting back on consumer rights and workers' rights and environmental objectives; and permitting an imperial Presidency—a President who could decide unilaterally that he believes the law is unconstitutional, and therefore it should not be enforced, meaning that laws protecting millions of Americans who suffer from pre-existing conditions like diabetes and heart disease, cancer, or mental illness, and, yes, pregnancy would go unprotected, and other rights under the Affordable Care Act. An imperial Presidency giving the power of that kind of unilateral authority is an anathema.

What we saw yesterday went beyond views on substantive issues, and I will be very blunt. What we saw was a man filled with anger, even rage, and self-pity, someone of arrogance, highly intensely partisan, and someone, in my view, totally unfit for the U.S. Supreme Court. In fact, I fear his rancor and animus, his partisan bitterness, which came across so clearly and explicitly in his reference to a left-wing conspiracy; Democrats organized to fight him and dredge dirt to destroy his family, a conspiratorial view of the world that is not only factually totally false but also deeply dangerous and unprecedented in anything we have ever heard from any nominee for any judicial position as long as I have been here and I believe unprecedented in the Senate's consideration of Supreme Court nominees. He indicated a partisanship that was disrespectful and dangerous.

We saw also a woman who came before us as a sexual assault survivor who was temperamentally almost exactly the opposite. Instead of hostile, she was helpful. Instead of angry, she was calm. Instead of rancorous and arrogant, she was modest and humble.

Like Judge Kavanaugh, her family has been harmed by death threats and other vile, vicious behavior that has no tolerance in a democratic society, and my heart goes out to both families. We should reject threats to both of those families, as we do to anyone else in our society, and I have sympathy for the children and the families on both sides and others who may have been affected in coming forth with truth that relates to this nomination.

The other woman, Professor-Dr. Christine Blasey Ford was completely distinct and different. She was mesmerizing. Even now, her visage haunts me in her profound honesty. She was credible and powerful in recounting events that caused her untold terror and anguish; events she hid because of the trauma she experienced then and because of many of the fears that cause other survivors of sexual assault to hide their assaults; the fears of blame and public shaming and character assassination and threats of retaliation and sometimes self-blame or stigma or embarrassment.

In her case, coming forward has made many of the fears a reality, tragically and unfortunately. She has endured the nightmare befal her and her family simply to serve the public with facts and evidence she believes we should know—we in the Senate, we in America—should take into account before we make a decision on Brett Kavanaugh as the nominee.

So there are profound questions raised by her powerful testimony that need to be answered in the FBI investigation. They may resolve the dispute that statement.

The FBI must talk to Mark Judge, who was allegedly in that room with Brett Kavanaugh when he assaulted Dr. Blasey Ford.

We asked Judge Kavanaugh to call for an investigation by the FBI. A person who is innocent would want the FBI to investigate their claims and clear their name. That is what Dr. Blasey Ford wanted. She said so publicly.

When Brett Kavanaugh was asked, he refused to make that same call. The question is, Why? What is he hiding? What is the administration concealing in refusing to disclose more than a million pages of documents that relate to Brett Kavanaugh's service in the Bush White House as Staff Secretary? They bear on his credibility, maybe not on these specific allegations, but on his credibility.

Judge Kavanaugh claimed that polygraphs are not reliable; that the polygraph Dr. Blasey Ford took and passed was meaningless. Yet, on the DC Circuit as a judge, Brett Kavanaugh ruled otherwise. He wrote "law enforcement agencies use polygraphs to test the credibility of witnesses and criminal defendants."

As a former U.S. attorney, I know how polygraphs are used to test credibility of witnesses and criminal defendants. They may sometimes be inadmissible. They may be inadmissible generally, but they have a use. Judge Kavanaugh claimed that all four witnesses Dr. Ford identified as being present at the party have said that the sexual assault "didn't happen," but in fact, only one person has said the sexual assault didn't happen. That one person is Brett Kavanaugh. The other three parties identified Dr. Blasey Ford said they do not remember. There is a big difference between "do not remember" and "it didn't happen."

The other woman, Dr. Blasey Ford named who was there has since publicly said that she believes Dr. Ford's account. She believes Dr. Ford, and I do too. Judge Kavanaugh tried to give himself an alibi by making it sound like he never drank on weeknights. His own high school calendar, which he provided the committee as evidence, disputes that statement.

During the hearing, he admitted that one of the entries on his calendar from background check six times. The FBI never investigated Dr. Blasey Ford's allegations. It never investigated Deborah Ramirez's allegations. It never investigated Julie Swetnick's allegations. In fact, the ABA highlights this point.

Senator Grassley said that committee investigators were willing to talk to the witnesses about their allegations, but committee investigators are no substitute for the FBI. The FBI should send those trained professionals to talk to these brave survivors who have come forward, and it must talk to Mark Judge.

I offered a motion to subpoena Mark Judge this morning before our committee. The motion was voted down.

The FBI must talk to Mark Judge, who was allegedly in that room with Brett Kavanaugh when he assaulted Dr. Blasey Ford.
a Thursday signified that he went to a friend’s house to drink.

Judge Kavanaugh repeatedly said that he had never in his life had so much to drink that he couldn’t remember everything that happened, but numerous people who spent time with him during his high school, college, and law school years confirmed that he frequently drank to excess and sometimes became belligerent.

Judge Kavanaugh also claimed that he always treated women “with dignity and respect”—his words—and yet he and his football friends from high school named one of his constituents, Renate Dolphin, in their yearbook pages, saying they were her “alumnae,” in effect, boasting of sexual conquests and objectifying her, demeaning her. That is hardly treating a woman with dignity and respect. Judge Kavanaugh said this reference meant nothing sexual, but Renate Dolphin disagrees. In a quote to the New York Times, she said:

“The insinuation is horrible, hurtful, and simply untrue. I pray their daughters are never treated this way.”

He said the allegations against him were “a calculated and orchestrated political hit fueled with apparentpent-up anger about President Trump and the 2016 election.” He called it “revenge on behalf of the Clintons.” He issued a warning—more like a threat—that “what goes around comes around.” That threat to the Judiciary Committee of the U.S. Senate is a threat to America. It is profoundly and deeply dangerous to think that ligitants may store his courts in the event that their political views will determine how he decides their cases. That is antithetical to the basic fundamental principles of this country. It contravenes the entire concept of an independent judiciary. President Trump has demonstrated his contempt for the rule of law and an independent judiciary, but a member of one of the highest courts in the country doing so is chilling. It is stunning. It is staggering.

My Republican colleagues, unfortunately, followed that example. They said we leaked her letters to the press at the last minute to derail Judge Kavanaugh’s nomination. They called the allegation against Judge Kavanaugh a coordinated smear campaign. That contention is false. It implies that these courageous survivors of sexual assault are puppets or pawns orchestrated by politicians who heard and saw Dr. Blasey Ford yesterday knows that is blatantly false. She came forward on her own initiative. She did it reluctantly, foreseeing the nightmare that would befall her and her family. She did it in the face of insurmountable encouragement from any Member of the U.S. Senate or any other political figure. That contention is an insult to her and all survivors of this horrific crime. Is Deborah Ramirez’s story, too, a fabrication designed to take down Judge Kavanaugh?

When Senator Harris asked Judge Kavanaugh if he had listened to Dr. Ford’s testimony, he said: “I did not.” He should have. He should have listened to her testimony. He should have heard and heeded what Deborah Ramirez said about his sexual misconduct toward her and, likewise, Julie Swetnick, about the chilling acts that she alleged that he was involved in performing.

Judge Kavanaugh and my Republican colleagues say they don’t dispute that Dr. Blasey Ford may have been sexually assaulted at some point but by someone other than Brett Kavanaugh. Maybe she was mixed up. Maybe she was confused. Those kinds of words used to describe her and other sexual assault victims demonstrate the disrespect and disregard that has shamed and silenced so many sexual assault survivors from coming forward to tell their truth, seek prosecution, and consult their parents or loved ones and seek healing. It is the reason that sexual assault is one of the most underreported crimes. One out of every three women is a survivor, but so very few come forward because of the public shaming, character assassination, and threats and rejections they fear and, in fact, they rightly foresee.

To my friends on the other side of the aisle, you cannot have it both ways. You either believe Dr. Blasey Ford or you reject her testimony. Either you accept her veracity or you don’t. Dr. Blasey Ford was asked whether it was possible that she confused her attacker, whether there was mistaken identity, or whether there was maybe someone else other than Brett Kavanaugh. Firmly, unequivocally, repeatedly, she said no. Before us and the entire country, she said she was “100 percent” sure that Brett Kavanaugh was her attacker.

This detail is seared in her memory. There is no mistaken identity here. A person so brutally attacked at the age of 15 would never admit to these details and also the details that she doesn’t remember and insists on the details she does remember doesn’t make something like that up out of whole cloth. She came forward at great personal sacrifice. I believe her. I think America believes her.

She testified that she was terrified—that is her word, “terrified”—to come forward. She was very nearly silenced by her fear. She worried if she told her story that she would be shamed and silenced and vilified by Judge Kavanaugh’s defenders and that he would never be held accountable. That fear silences too many survivors. We must prove them wrong. We must hold him accountable.

As I said at the very start, a lifetime appointment and promotion to the Supreme Court is not an entitlement. It is a privilege for the person who is best for that position.

Last Friday, President Trump said about Dr. Blasey Ford’s story on Twitter:

“I have no doubt that, if the attack on Dr. Ford was as bad as she says, charges would have been immediately filed by local Law Enforcement Authorities by either her or her loving parents. I ask that she bring those filings forward so we can learn the date, time, and place!”

President Trump knows better. I hope he knows better. Psychologists have noted, and it is widely known, that there are a number of reasons why survivors opt for silence, such as fear of retaliation and repercussions in the workplace or at home. Feeling self-blame. They are told to dismiss it. They are told by their parents they will be blamed, not the perpetrators. They fear they will not be believed, and they want to forget. They want to put this trauma somewhere deep and dark where it will be a source of less pain.

So Dr. Ford did not share the details of her abuse until a therapy session in 2012. She told her husband early in their relationship, but even he did not know the details of this incident until the therapy session.

That is not uncommon for people who have experienced trauma. In the last few weeks, numerous survivors of sexual assault have stepped forward with their stories to explain why they hid their own trauma. They take this opportunity to express my admiration for the survivors who are coming forward now with stories of terrible crimes, of impulses to stay silent, and of fears that they have conquered in coming forward.

Madam President, I ask unanimous consent that these stories be printed in the RECORD.

I will not read them all now, but I wish for the statements of Lindsey Jones of Connecticut; Tara, who asked that her last name not be used, also of Connecticut; and survivors from other parts of the country who have contacted me just over the past few days be printed in the RECORD.

Where being no objection, the material was ordered to be printed in the RECORD, as follows:

**LINDSEY JONES FROM CONNECTICUT**

Pain, sadness, shame, self-doubt, loyalty, guilt, fear. These are some of the reasons I decided not to file a police report when I was assaulted at a house party in my teens.

The main reason, however, was that as a teenage girl I had spent my life in a culture that told me I was the least important character in the story of my life. My pain, my truth, my future were all less important than the futures and reputations of the people who assaulted me.

I believed that I must bear at least some of the responsibility for the assault because I had been drinking underage.

I made a brief visit to a victim services office of my college only confirmed that belief. I believed that the symptoms of depression and post-traumatic stress following the assault as my own personal failings.

I told myself I was being dramatic, that my inability to just get on with things shouldn’t negatively impact the futures of my friends.

I even, in a desperate attempt to convince myself that nothing truly terrible had happened, apologized for inconveniencing them and privately accusing myself of assault.

You see, I could deal with what happened to me if I was at fault. If it was my fault, I
could change my behavior to make sure it never happened again.

If I stayed silent, I could pretend everything was fine and deal with my emotions in private, but I knew people wouldn’t look at me and see either a victim or a liar.

No one would have to choose sides, everyone would have been spared of what side to take, my side, or the side of my rapist.

If I stayed silent and accepted all the blame, I spared myself the additional trauma of watching friends and loved ones choose the sides of the person who assaulted me.

Most importantly, if I convinced myself that nothing illegal had taken place, that it was merely a misunderstanding, understanding than an assault, if I convinced myself that it didn’t matter anyway, that I didn’t really care, then I wouldn’t have to face my biggest fear—that no one else would really care, that I didn’t really matter.

I was convinced that I could find safety in my silence, but to paraphrase the poet and activist Audre Lorde, my silence did not protect me.

It’s been 15 years, and I’m still in pain. And the people who assaulted me have not faced a single consequence.

And meanwhile, especially over the last two years, I continued to find evidence that my teenage self was right—no one cared.

It’s been 15 years, and I’m still in pain. And my silence did not protect me.

And I needed to stop him from doing it again.

I froze. I panicked. I gave in and just let it happen.

I just—I really think we all need to stick together and demand what she deserves.

EMILY MALLOY FROM NORTH CAROLINA

I remember what I was wearing like it was yesterday.

Like a broken record on repeat.

I’ll never forget that outfit and what happened to me in those clothes that unforgettable night.


It was senior year. I was with one of my high school friends and we had just gotten invited to a after game party.

I wish I would have listened to my gut that night, but I followed that voice in my head like the plague.

I was pressured into going to this party by my friend and I was staying at her house that night. . . . little did I know I’d never get to her house. There we were.

Beer and loud rap music. I was surrounded by people I knew.

Yes I drank. Yes I got drunk. What happened later that night ISN’T my fault and it took me 11 years so believe that.

Three guys. Three guys I trusted. Three guys lured me into a dark room. One of those guys took my innocence without my consent that night on the cold floor.

When I finally told my mom this past fall. I remember mom saying “I wish you would have told me we could have prosecuted those guys.”

I just hugged her and cried . . . I knew that my chances of justices were slim to none.

It’s been 15 years, and I’m still in pain. And none of us can change the things that happened and why I didn’t report them. And I know there are millions of un-written stories and unspoken memories just like mine—from all over the world.

We haven’t been heard, but we exist. And since the #metoo movement, I realized that we’re not alone. We’re not voiceless. We’re not powerless. We’re finally learning to tell our story.

My name is Blumenthal. Madam President, let me conclude with this thought. Dr. Blasey Ford is a profile in courage. Her name will be remembered long after many of ours are forgotten. She will be in the history books as a teacher—she is a teacher by profession for this teaching moment for young men—high school juniors and seniors, like Brett Kavanaugh was. When he put into his yearbook that hurtful, horrible phrase about Ravenol Delphi—in effect, laughing at her and ridiculing that young woman, just as he laughed and ridiculed Dr. Blasey Ford, then 15 years old, as he allegedly was on top of her, groping and trying to undress her—that laughter was the detail that continued to ring in the ears of Dr. Blasey Ford. It was the most identifiable fact about that incident, as she said yesterday. That laughter is what I hear when I see that entry in the yearbook.

So to all of us men and women in America, her profile in courage should send a message. We should be proud of her, and no one should be prouder than her parents. I support Ford’s court, as I did this morning in the Judiciary Committee meeting: You should be proud of your mom. She is an American woman who stood strong and spoke out and fearlessly and relentlessly insisted on America hearing her story. She had fear, but she conquered it. That is the definition of courage—not to be without fear but to act courageously in
Mr. WHITEHOUSE. Mr. President, yesterday was a rather bit-ter day in the Judiciary Committee. As the Acting President pro tempore may know, yesterday was a rather bit-ter day in the Judiciary Committee, with there being a lot of anger and tribal belligerence and a nominee who was full of partisanship and conspiracy theory and invective. It really was not a good day. Yet this is a funny place, and sometimes right after we have been at our worst, something breaks that turns things in the right direction.

Something happened in the Judiciary Committee today, much due to the concerns and the fortitude of Senator Flake, so I want to give him primary credit. I understand the Republican leadership has agreed there will be a withdrawing delay of the Kavanaugh vote on that floor and that the FBI will be given a chance to do its job and take a look at the allegations that are out there about his conduct.

This is not only a good thing for the Senate—because let’s be honest, it releases a lot of pent-up pressure and anxiety and hostility—but it is also a really good thing for the process because the worst possible outcome would be that we would push this candidate through, yet the Supreme Court, and it would be subsequently shown that these allegations would have been, in fact, true and that he would not have been truthful with us about it and would have lied to the Senate. To clear that cloud off of him as possible, I think, is good for us, good for the Court, good for the country—good for all. So, after a grim and battering day yesterday, I think we had a productive day today. I feel I earned my pay in the Senate over in the Judiciary Committee.

MISINFORMATION

Mr. WHITEHOUSE. Mr. President, I want to talk about is a new form of political weapon that has emerged onto the political battlefield in America, and it is a political weapon for which the American system is not very prepared yet. The new political weapon we see is systematic and deliberate misinformation, what you might call weaponized fake news.

Vladimir Putin’s regime, in Russia, uses weaponized fake news all the time for political influence in the former Soviet Union and the modern European Union. Our intelligence agencies caught them using misinformation to help Trump win the 2016 American election. Some also is homeland. In America, the original weaponized fake news was climate denial, spun up by the fossil fuel industry. The fossil fuel industry used systematic, deliberate disinformation to propagandize our politics and fed the accountability for its pollution of our atmosphere and oceans.

So, for both national security and political integrity reasons, we need to better understand this misinformation weapon. Guess what. Science is on the case. A comprehensive array of peer-reviewed articles appeared last year in the Journal of Applied Research in Memory and Cognition and, I am sure, is on the Acting President pro tempore’s bedside table for light reading. Dozens of scientists contributed to this report, and I list their names in an appendix to the speech.

Mr. President, I ask unanimous consent that my appendix be added at the end of my speech.

What they found is interesting. One piece—tellingly subtitled “Understanding and Coping with the ‘Post-Truth Era’”—describes how “the World Economic Forum ranked the spread of misinformation online as one of the 10 most significant issues facing the world”—the top 10. An obvious hallmark of a post-truth world is that it empowers people to choose their own reality, where facts and objective evidence are trumped by existing beliefs and prejudices.”

In plain English, this is not just error; there is something bigger going on. Scientists from Duke University agreed.

“Rather than a series of isolated falsehoods, we are confronted with a growing ecosystem of misinformation.” In this ecosystem, misinformation is put to use by determined factions.

“The melange of anti-intellectual appeals, conspiratorial thinking, pseudo-scientific claims, and sheer propaganda circulating within American society seems unrelenting,” write Aaron M. McCright of Michigan State and Riley E. Dunlap of Oklahoma State.

They note: “Those who seek to promote systemic lies” are “backed by influential economic interests or powerful state actors, both domestic and foreign.” Let me highlight those key phrases—“systemic lies . . . backed by influential economic interests.” Like I said, it is not your grandfather’s misinformation.

An author from Ohio State writes that this creates artificial polarization in our politics that is not explained by our tribal social media habits. His subtitle, too, is telling: “Disinformation Campaigns are the Problem, Not Audience Fragmentation.” He notes these disinformation campaigns “are used by political strategists, private interests, and foreign powers to manipulate people for political gain.”

“Strategically deployed falsehoods have played an important role in shaping Americans’ attitudes toward a variety of high-profile political issues,” reads another article.

In a nutshell, Americans are the subjects of propaganda warfare by powerful economic interests.

So how is all of this misinformation deployed?

“The insidious fallouts from misinformation are particularly pronounced when the misinformation is packaged as a conspiracy theory,” they tell us—“indeed, by wrapping deliberate misinformation in conspiracy theory, the propagandist degrades the target’s defenses against correction by
legitimate information. Conspiracy theories, the articles notes, “tend to be particularly prevalent in times of economic and political crises.”

Pulling emotional strings is another technique. Emotionally weaponized fake news is reflected in “the prevalence of untrue discourse on political blogs, talk radio, and cable news.”

These powerful interests also take advantage of “the institutionalization of ‘false equivalence’ in so-called mainstream media.” They sophisticatedly leverage media conventions to their private advantage.

Another tactical observation: To be effective, the misinformation campaign does not have to convince you. It can simply barrage, confuse, and stun you. One of these articles related the Bangor Daily News assessment of falsehoods coming from the Trump White House: “The idea isn’t to convince people of untrue things, it is to fatigue them, so that they will stay out of the political discourse; obviously, a way of looking at the world that aligns with their economic interests.

This, of course, is a well-known political propaganda strategy. What the Bangor Daily News saw, the researchers note, is “mirrored by analysts of Russian propaganda and disinformation campaigns.”

McCright and Dunlap describe how weaponized fake news—what they call “the intentional promotion of misinformation because it is systematically amplified by what they call the ‘powerful conservative echo chamber.’” It is systematic, it is deliberate, and it is supported by a purposeful private apparatus.

This brings us back to what the authors call the “utility of misinformation . . . to powerful political and economic interests.” What they conclude, basically, is that the weaponization of fake news is done for profit and with purpose. It has an apparatus of amplification. It needn’t convince but simply stun or confuse. Like an insidious virus, it can carry its own conspiracy theory and emotional payload countermeasures against the ordinary antibodies that ordinarily protect us from being misled.

The scientists urge that we must examine these systematic campaigns of false misinformation “through the lens of political drivers that have created an alternative epistemology that does not conform to conventional standards of evidentiary support.”

Let’s unpack that language for a minute. Let’s begin with the fact that it is “political drivers” that are behind the scheme. This is a tool in a larger battle for political supremacy.

To help win this battle, political actors have “created an alternative epistemology,” a separate way of looking at the world; obviously, a way of looking at the world that aligns with their economic interests.

That “alternative epistemology” is untethered from the truth. It “does not conform to conventional standards of evidentiary support.” It stands on falsehood, on prejudice, and on emotion, not on fact.

What the authors call “post-truth politics” has motive and purpose. They write: It is “a rational strategy that is deployed in pursuit of political objectives.”

In these propaganda campaigns by powerful economic interests, some stuff right now happens a lot more on one political side. Scientists track an propelled the fake news virus predominantly infects the political rightwing and modern conservatism.

McCright and Dunlap write: “The Right seems especially adept at using Orwellian language to promote their ideological and material interests via what we would argue are systemic lies.”

So who does this? Weaponized fake news is not cheap. It is not cheap to test. It is not cheap to manufacture, and it is not cheap to distribute. It is also not cheap to maintain a network to weaponize fake news “out there” in a way that masks the identity of the economic forces behind the network. This takes money, motive, and persistence, and that means big industrial players.

What authors call the “800-pound gorilla in the room” is “a political system that is driven by the interests of economic elites rather than the people.” That is big economic elites playing a game of masquerade and manipulation. The scheme may look like populism. Indeed, part of the masquerade is, it is designed to look like populism, but that is what is going on.

The disinformation campaign is “largely independent of the public’s wishes but serves the interests of economic elites.” The populist masquerade is part of the disinformation exercise.

These economic elites take methods developed years ago by one industry to use for another industry today. We see this in the fossil fuel industry—weaponized fake news about climate change—climate denial we call it.

The stakes are very high, with the International Monetary Fund calculating that fossil fuel exacts a subsidy from the American people of $700 billion per year. To protect an annual subsidy of $700 billion per year, you can cook up a lot of mischief.

Where did that $700 billion climate denial misinformation begin? It began in the tobacco industry’s fraudulent schemes to deny the health risks of tobacco. Did Big Oil shy away from those tobacco tactics, knowing those tactics were actually found in court to be fraud? No.

Indeed, to quote an article: “The oil industry has worked to promote doubt about climate change science using tactics pioneered by cigarette manufacturers in the 1960s and 1970s.”

To protect a $700 billion annual subsidy, you can build a bigger denial scheme even than Big Tobacco, and they did. McCright and Dunlap call this the “climate change denial countermovement.”

The phrase “countermovement” is “the political rightwing and modern conservatism. The Right seems especially adept at using Orwellian language to promote their ideological and material interests via what we would argue are systemic lies.”

They continue: Briefly, this countermovement uses money and resources from industry and conservative foundations to mobilize an array of conservative think tanks, lobbying organizations, media outlets, front groups, and Republican politicians to ignore, suppress, obfuscate, and cherry-pick scientists and their research to deny the reality and seriousness of climate change.

Other authors write that “the current polarized distribution of the debate is the result of a concerted effort by conservative political operatives and think tanks to cast doubt on the overwhelming scientific consensus that the earth is warming from human greenhouse gas emissions.”

“To cast doubt” is the key phrase in that last quote. The authors emphasize that “climate science denial does not present a coherent alternative explanation of climate change; on the contrary, the arguments offered by climate denial are intrinsically incoherent. Climate-science denial is therefore best understood not as an alternative knowledge claim but as a political operation aimed at generating uncertainty in the public’s mind in order to preserve the status quo.”

How did that play out in Republican policymaking? “[W]hile climate change used to be a bipartisan issue in the 1980s, the Republican party has arguably moved from a profound concern to industry-funded denial.”

Let’s be clear. Climate denial is not a search for truth. As the evidence piled up that early climate change warnings were accurate, the climate denial campaign did not relent in the face of those facts. Indeed, the scientists relate, “the amount of misinformation on climate change has increased in proportion to the strength of scientific evidence that human greenhouse gas emissions are altering the Earth’s climate.”

It is a fossil fuel upgrade of the fraudulent Big Tobacco strategy. One example is the so-called Oregon Petition, a bogus petition urging the U.S. Government to reject the 1997 Kyoto Protocol on global warming. One article points out that “the Oregon Petition is an example of the so-called ‘fake-experts’ strategy that was pioneered by the tobacco industry in the 1960s and 1970s.”

Of course, since this scheme isn’t real science, it doesn’t use real scientific outlets. “[M]uch of the opposition to
mainstream climate science, like any other form of science denial, involves non-scientific outlets such as blogs. Another article notes that this is done on “websites that obfuscate their sponsor by mimicking the trappings of non-profit and other more legitimate sites.” Again, masquerade—even camouflage—is part of the problem. I think it goes without saying that in real science it is not necessary to mask the real proponent.

Another signal of the scheme is repetition of falsehood. “Dozens of studies document an illusory truth effect whereby repeated statements are judged truer than new ones.” In real science, when someone realizes what they are saying is wrong, they stop saying it. In the weaponized disinformation scheme, you just keep saying it. You may even say it more to capitalize on this “illusory truth effect.”

“This, of course, recalls the infamous Big Tobacco declaration: ‘Doubt is our product.’ That is a quote from a tobacco memo.”

“The heart of the fossil fuel industry’s scheme is to undermine legitimate science with false doubts. To chip away at the consensus on climate change, they chip away at the foundations of truth itself.”

One author sees this as the “willingness of political actors to promote doubts of the opposite kind that they are ultimately unknowable”—think of the president’s lawyer, Giuliani, saying “truth isn’t knowable”—or “whether empirical evidence is important”—think of climate denial trying to drown out the truth through repetition of false statements—third, “whether the fourth estate has value”—think of the President attacking the legitimate media as “fake news” and the “enemy of the people.”

The scientific paper concludes: “Undermining public confidence in the institutions that produce and disseminate knowledge is a threat to which scientists must respond.”

Sadly, real science is poorly adapted to defending itself against weaponized disinformation in the public arena.

Let me conclude with what one article calls a case study in the spread of misinformation. Last year’s “Unite the Right” rally in Charlottesville, VA, which led to the murder of Heather Heyer, killed by a White supremacist speeding into a crowd, a witness recorded on film the car plowing into a crowd of people. The authors wrote: “Within hours, conspiracy theories began floating around the internet among people associated with the alt-right,” attempting to undermine and discredit the witness. Social media posts then appeared “suggesting [the driver] staged the attack, was trained by the CIA, and funded by either George Soros, Hillary Clinton, Barack Obama or the Jewish mafia….” Those conspiracy theories migrated into more mainstream media. Variations appeared on info wars and Fox News, by the way, is a common venue for fake news.

Here is what the scientists chronicle as the “Fox News effect”: It has repeatedly been shown that people who turn to Fox News for their news, public broadcasters become better informed the more attention they pay to the news, whereas, the reverse is true for self-reported consumers of Fox News. (For self-reporting viewers of Fox News… increasing frequency of news consumption is often associated with an increased likelihood that they are misinformed about various issues.)

In a nutshell, the more you watch real news, the more you know; the more you watch Fox News, the less you know—great for the elite merchants of doubt.

The effects of misinformation become measurable by looking at provable falsehoods that are made to believe.

[A] 2011 poll showed that 51 percent of Republican primatologists that then-president Obama had been born abroad. (Twenty percent) of respondents in a represented-U.S.-sample have been found to endorse policies that change the upper limit on climate change. It is a hoax perpetrated by corrupt scientists. The idea that the Democratic Party was running a child sex ring was at one point believed or accepted as being possibly true by nearly one-third of Americans and nearly one-half of Trump voters. All provably false. All propagated until significant numbers of people believed.

So how do we fight back? The researchers offer an array of approaches. “Russian propaganda can be ‘digitally contained’ by supporting media literacy and source criticism,” says one. “Our recommendation,” wrote another, “is to begin by generating a list of the skills required to be a critical consumer of information.” In essence, we have to adapt new citizenship skills to protect ourselves from weaponized fake news.

Another recommendation is to teach people about the tactic of sewing doubt through disinformation. Where “typical cues for credibility have been hijacked,” understanding the tactics will help inoculate people against being taken in by the scheme.

The researchers reported: Participants read about how the tobacco industry in the 1970s used “fake experts”—people with no scientific background, or doctors who disagree with the rest of the scientific community— to create the illusion of an ongoing debate about smoking’s negative health consequences. Participants who read about the “fake experts” type of argument were less affected when later reading a passage on climate change that quoted a scientist who rejected the climate change position. As [still hotly debated among scientists.]

Other authors argued that a comprehensive approach will be needed to debunk climate denial. They note that “climate denial typically masquerades as ‘pro-science’ skepticism and paints the actual science of climate change as being ‘corrupt’ or ‘post-moderate.’ It is possible that those carefully crafted forms of misinformation will require continued human debunking as well as increased media literacy.”

Last, there is a role for the media. At present,” authors point out, “many representatives of think tanks and corporate front groups appear in the media without revealing their affiliations and conflicts of interest. This practice must be tightened, and rigorous disclosure of all affiliations and interests must be required in media reporting.” Again, once you out the participants and show the scheme, people can figure it out for themselves.

Recommended media reforms include a “counter fake news editor” and “a Disinformation Charter.”

Science itself is beginning to examine the growing threat of weaponized misinformation campaigns. Disinformation impacts science to a degree that is often studied by scientists. Scientists who study disinformation have read this volume. I am probably the only one in Congress. But its message is important, and that is why I came to the floor to share it today.

Campaigns of lies are dangerous things, like an evil virus in the body politic, and if we want to be a healthy country, we will have to defeat the weaponized disinformation virus. Curbing our body politic of the ongoing flood of climate denial would be a very good start.

I note the deputy majority leader is here on the floor. I apologize for continuing my speech while he is here. I appreciate his productive role in the happy events that I described at the beginning of these remarks.

Before the Senator from Texas takes the floor, I ask unanimous consent that the appendix I referenced be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Sources: Journal of Applied Research in Memory and Cognition, Volume 6, Issue 4 (December 2017)

Letting the Gorilla Emerge From the Mist: Getting Past Post-Truth By Stephan Lewandowsky (George Mason University, University of Bristol), John Cook (George Mason University) & Ulrich Ecker (University of Western Australia)

Call to Think Beyond About Information Literacy By Elizabeth J. Marsh & Brenda W. Yang (Duke University)

Combating Misinformation Requires Recognizing Its Types and the Factors That Facilitate Its Spread and Resonance By Aaron Seder (Columbia University)
M. McCright (Michigan State) Riley E. Dunlap (Oklahoma State)

Beyond Misinformation: Understanding and Coping with the ‘Post-Truth’ Era By Stephen Lowandowsky (GMU, University of Bristol), Ulrich Ecker (University of Western Australia), and John Cook (George Mason University)

Misinformation and Worldviews in the Post-Truth Information Age: Commentary on Lewandowsky, Ecker, and Cook By David N. Rapp & Amalia M. Donovan (Northwestern University)

The “Echo Chamber” Distraction: Disinformation Campaigns are the Problem. Not Audience Fragmentation By R. Kelly Garrett (Ohio State University)

Leveraging Institutions, Educators, and Networks to Correct Misinformation: A Commentary on Lewandowsky, Ecker, and Cook By Emily K. Vraga (George Mason University) & Leticia Bode (Georgetown University)

Mr. WHITEHOUSE. Mr. President, I yield the floor.

NOMINATION OF BRETT KAVANAUGH

Mr. CORNYN. Mr. President, as the world knows by now, yesterday we had another hearing on the nomination of Judge Brett Kavanaugh to be a member of the U.S. Supreme Court. It was necessary to do so because an allegation had been made by Dr. Christine Ford to the ranking member, our friend Senator Feinstein from California, dated July 30, but because Dr. Ford requested confidentiality and she wanted to remain anonymous, none of this was brought to anybody’s attention until some time after the judge’s original confirmation hearing occurred. The judge visited with 60-plus Members of the Senate, including the ranking member, and it was never mentioned to him. No questions were asked about it.

Contrary to her wishes, Dr. Ford was thrust into the national spotlight. She said she didn’t agree to have her letter released to the press. She did not consent to having her identity revealed. She did not want to be part of what has turned into a three-ring circus. But, once there, when she asked to tell her story, we consented to doing that, and yesterday we heard from Dr. Ford as well as Dr. Kavanaugh.

Judge Kavanaugh asked to be heard to clear his good name and speak directly to the American people, and he did so forcefully yesterday.

Now we have heard Dr. Ford’s story, and we have heard Judge Kavanaugh’s rebuttal. What we have learned is that there is no evidence to corroborate Dr. Ford’s allegation. All of the people she said were there on the occasion in question said they have no memory of it or it didn’t happen—no corroboration.

As we all watched Judge Kavanaugh defend his personal integrity in front of the Nation, we saw his righteous indignation. He choked back his tears and aimed his fury not at Dr. Ford—none of us did that—but, rather, at this unfair confirmation process, which, frankly, is an embarrassment to me and should be an embarrassment to the U.S. Senate. We are saying to Dr. Ford, who has requested confidentiality and leak that information to the press and then to thrust her into the national spotlight under these circumstances, I think, is an abuse of power. But having made that request, what Mr. Kavanaugh referred to as the spotlight, we felt it was very important to treat her respectfully and to listen to her story.

I told anybody who would listen that I wanted to treat Dr. Ford the same way I would expect that my mother or my sister or my daughters would be treated under similar circumstances. Conversely, I thought that we should treat Judge Kavanaugh fairly, too, just the same way I would expect that my mother or my sister or my daughters would be treated under similar circumstances.

Still, I am glad we held the hearing, and I am grateful to Rachel Mitchell for participating father, our brother, or our son. In other words, this is more than just about Dr. Ford; this is about Dr. Ford and Judge Kavanaugh.

We heard the judge respond with quite a bit of righteous indignation, as I said, talking about how his family having been exposed to the vilest sorts of threats, including his two young daughters. I know it was a hard pill for many of our Democratic colleagues to swallow to hear the truth of what this terrible process has resulted in, both for Judge Kavanaugh and Dr. Ford, but too much was on the line for Judge Kavanaugh to withhold his defense of his good name. After all, his reputation is on the line, his family is on the line, and his family, including his wife and his two daughters, are all caught up in what must be a miserable experience.

As I said, this hearing was not easy for either Dr. Ford or for Judge Kavanaugh. It has been painful for everybody involved.

Thankfully, we are much closer to a resolution on this nomination. Today, there was a markup in the Judiciary Committee, and I am glad we were able to pass that nomination out of the committee to the Senate floor.

Some are saying this confirmation is moving too fast. To them, I would say that it is pretty clear what the objective of the opponents of the nomination is. Their objective is delay, delay, delay. Some have said that their goal is to delay this confirmation past the midterm election, hope that the election turns out well for them, and essentially defeat the nomination and keep the Supreme Court vacancy open until President Trump leaves office.

First, there was the paper chase; they needed more documents or, perhaps, they said there were too many. But the question I always had is this: If you have already announced your opposition to the nominee, why do you need more information? Unless, of course, you are open to changing your mind—but it is clear that is not the game that they are engaging in here.

Now there are those who demand that the background investigation be opened into two new allegations that appeared following Dr. Ford’s. Today, the majority leader and some of our colleagues have announced an agreement to extend the background investigation for up to another week for these witnesses to be interviewed by the FBI. But I would note that the most recent allegations are so absurd, are so fantastic that not even the New York Times would run a story about Judge Kavanaugh’s time in college as reported by Ms. Ramirez. They worked hard to try to corroborate her story by interviewing dozens of potential witnesses. None of them would confirm or corroborate Ms. Ramirez’s story, but they did find, as Ms. Ramirez was talking to one of those individuals who was interviewed, that she admitted that she may have misidentified Judge Kavanaugh. In other words, she admitted that she may have the wrong guy—not credible, not serious, but dangerous.

It is dangerous in the sense that some of our colleagues take the position that all you need to do is listen to an accusation, and that is enough to make up your mind. You don’t need to listen to the other side. As Judge Kavanaugh said, in essence, it didn’t happen; he wasn’t there. If you listen to just one side of the argument, I guess it does make making up your mind a lot easier because you don’t actually have to think about it and you don’t have to think about what a fair process is in order to decide whose arguments you believe or whether somebody has met the burden of showing evidence that their claim is actually true.

This has become so ridiculous that the newest claims made by a young woman named Julie Swetnick, who is represented by Stormy Daniels’ lawyer, are riddled with holes. Why would a
woman continue to go to parties with high schoolers when she was in college, and why in the world would she go to not 1, not 2, but 10 of these alleged drug- and alcohol-infused parties where gang rape occurred? It is just outrageous.

We have encouraged all of these individuals, no matter how incredible the allegation may be, to work with the Judiciary Committee and submit to an interview with the bipartisan representation of the Judiciary Committee there. This is standard operating procedure for the Judiciary Committee. The basic background investigation is done by the FBI. But they are not investigating a crime; it is a background investigation in which they take notes on their conversations with witnesses. They don’t tell you which witness to believe or what conclusions to draw from that. They send that to the Judiciary Committee, and the Judiciary Committee follows up with additional questions, if necessary. Lying to the FBI—just like lying to the committee—is actually a crime punishable by a felony, so both carry serious consequences and a serious warning to those who might try to lie their way into a background check.

What is so ridiculous about where we find ourselves is that in addition to Dr. Ford’s confidential letter to the ranking member being released against her wishes and without her consent, contributing to this circus atmosphere as we continue to try to investigate some of these claims, the Democratic professional staff have been refusing to cooperate or participate, even as they continue to make more and more demands. It is clear that their appetite for delay is insatiable, and delay is the name of any participation in anything that none of this is in the character of Judge Kavanaugh. We have heard that from people dating all the way back to 1982. Indeed, Ms. Mitchell—a professional prosecutor, sex crimes in Arizona—told us last night that with her more than two decades of experience and the kind of case brought forward by Ms. Ford, she would not file those charges against a defendant because there simply is not enough evidence. In fact, the only witnesses identified by Dr. Ford denied the event actually occurred. As a matter of fact, she said that she couldn’t even get a search warrant or arrest warrant in a case like this. If you can’t identify the time or the place, you are not even going to be able to get a search warrant. You certainly can’t show probable cause, which is required by law.

Kavanaugh has been through six FBI background investigations just as it did on the Old Testament. That is established by the testimony of two or three eyewitnesses—other people present. It is a matter of he said, she said, and if you don’t do that, your accusation is not enough to meet that burden.

Usually what we have are corroborating witnesses—other people present at the time who can corroborate what the alleged victim is. But all of the witnesses who have been identified by Dr. Ford cannot corroborate or confirm her allegation. They say that they have no memory of that or it simply didn’t happen.

Even the Bible talks about the importance of corroborating witnesses. I didn’t find this, but I vaguely remembered it, and someone on my staff pointed out Deuteronomy 19:15:

One witness is not enough to convict anyone accused of any crime or offense they may have committed. A matter must be established by the testimony of two or three witnesses.

So this is a rule of ancient origin dating back to the Old Testament. That is established by the testimony of two or three eyewitnesses. When Dr. Ford comes with an accusation 35 or 36 years after the fact, and no one else can confirm her story, it is not enough to carry the day.

The other thing we need to be wary of is false choices. This is not a matter of he said, she said. Someone said this is a matter of he said, she said, they said: Dr. Ford said one thing; Judge Kavanaugh said another; the so-called corroborating witnesses said another. But what they said did not corroborate Dr. Ford’s story. Just the contrary, they confirmed Judge Kavanaugh’s denial of any participation in anything remotely like that which Dr. Ford alleges.

So after 36 years, as Ms. Mitchell was able to develop, we know, for perhaps obvious reasons, that Dr. Ford’s account has some inconsistencies and some gaps regarding the timing, location, and details regarding these events. I think we need to listen to her. We need to take her story into account. As I said, I want to treat her the same way I would want my mother, sister, or daughters treated under similar circumstances. But we can’t ignore the inconsistencies and the gap in her story and the fact that she has tried to tell it 36 years after the fact.

We also can’t ignore the full-throated defense and the heartfelt denial of Judge Kavanaugh or the testimony that none of this is in the character of Judge Kavanaugh. We have heard that from people dating all the way back to 1982. Indeed, Ms. Mitchell—a professional prosecutor, sex crimes in Arizona—told us last night that with her more than two decades of experience and the kind of case brought forward by Ms. Ford, she would not file those charges against a defendant because there simply is not enough evidence. In fact, the only witnesses identified by Dr. Ford denied the event actually occurred. As a matter of fact, she said that she couldn’t even get a search warrant or arrest warrant in a case like this. If you can’t identify the time or the place, you are not even going to be able to get a search warrant. You certainly can’t show probable cause, which is required by law.

This is not just about Dr. Ford; it is about the subsequent allegations by Ms. Ramirez and additional allegations by Ms. Swetnick, each more salacious, each more incredible, and each more out of character with what we know about Brett Kavanaugh. And it is going to continue. The longer this nomination is unresolved, there are going to be more and more people coming out of the woodwork to make accusations that are uncorroborated and unprovable. You can imagine what this does to Judge Kavanaugh and his family as he is left hanging like a pinata, where people just come by and take an- other whack at him and his family.

We also can’t establish a precedent by which a nominee can be derailed by a mere accusation that is unproven. We are never going to get good people to agree to serve in these important offices, and we can’t allow the nomination process to be a drive-by character assassina-
need in order to shoot down any figure at any time would be innuendo—inunendo, speculation, suspicion, unproven allegations, nothing more. We are not going to let that happen. We are not going to establish that precedent. It would be bad for the Senate. It would be bad for the United States of America.

Please don't misunderstand me. I am glad Dr. Ford had a chance to have her say. We owed her that much. I know it took some courage, and it is a reminder that all Americans that victims can and should be heard. As I said, I myself have two daughters. We all have a mother. Some are fortunate to have sisters or a spouse. This can be a very personal matter to every one of us. Yet we all know that all of us have fathers, and many of us have brothers. Some have husbands and sons. In other words, my point is, if this kind of uncorroborated allegation would seem so manipulated in exploiting vulnerable people to make accusations like this and we tolerate that, I think it will forever poison the confirmation process and discourage good people from coming forward.

We must always be fair to both the victims and those who stand accused. It has to be a two-way street. I have supported Judge Kavanaugh's nomination because I have known him since the year 2000. In my experience, he has always been an upstanding and certainly he is an incredibly well-qualified individual.

We have heard everybody—from his fellow lawyers to his law clerks, to women he has worked with, to former Presidents of the United States—say that. We know he has an incredible record on the DC Circuit Court of Appeals, where many of his decisions have been affirmed by the U.S. Supreme Court. I know he will judge fairly and carefully. I believe he belongs on the Court. I know he will judge fairly and carefully. I believe he belongs on the Court. I know he will judge fairly and carefully.

I yield the floor.

I suggest the absence of a quorum.

The clerk will call the roll.

The ACTING PRESIDENT pro tem. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that my Amendment No. 1323, which has engaged in extensive political activity, what I call the dark money rule, it submitted the rule to Congress for review under the CRA, which allows Congress to disapprove rules after they have been issued. The administration’s submission to Congress specifically states it was a “Submission of Federal Rules under the Congressional Review Act.” Senator Tester and I were determined to invoke this process in order to overturn the dark money rule.

There was, however, a procedural problem. The CRA includes a “clock,” limiting the period for challenging a new rule, and, under the terms of the CRA, that clock begins on the later of the rule’s submission to Congress and the date it is published in the Federal Register, “if so published.” In this case, apparently for the first time, we were dealing with a rule that had been submitted to Congress for review under the CRA by the IRS and was not published in the Federal Register because this is the sort of material that the IRS publishes in the Internal Revenue Bulletin IRB, rather than in the Federal Register. This created a technical question about how to apply the CRA clock to the IRS rule. To be clear, the question was not whether the CRA applied to the dark money rule, but rather, when the clock for congressional review began.

After consulting with the Parliamentarian, who advised that the CRA process would be clarified if the IRS would confirm, in writing, that the rule would not be published in the Federal Register, I sent Acting Commissioner David Kautter a brief letter asking him to do so. This seemed to me to be a very straightforward request. The IRS’s own internal procedure manual makes clear that matters that are issued as “revenue procedures” are published in the IRB rather than the Federal Register. Further, an IRS official had informally confirmed by email that would be the case here. On top of that, the dark money rule was in fact published in the IRB.

I ask unanimous consent that my August 21, 2018, letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
Washington, DC, August 21, 2018.

Hon. David Kautter,
Acting Commissioner and Assistant Secretary of the Treasury for Tax Policy, Internal Revenue Service, Washington, DC.

Dear Commissioner Kautter: As you know, on July 26, the Treasury Department and IRS submitted to the Senate,
under the Congressional Review Act (CRA), Rev. Proc. 2018–38, which modifies the information to be reported to the IRS by certain organizations exempt from tax under section 501(a)(3) of the Internal Revenue Code.

Under the CRA, the period for potential congressional review begins on the later of the date of submission to Congress or publication in the Federal Register, "if so published." My understanding is that revenue procedures are not published in the Federal Register but instead are published in the Internal Revenue Code.

In light of this, it would facilitate the Congressional review process if the IRS would confirm in writing that Revenue Procedure 2018–38 was published in the Federal Register. I would appreciate it if you would do so.

Please call me or have a member of your staff contact Tiffany Smith or Mike Evans of the Finance Committee Democratic staff if you have any questions. Thank you for your assistance with this.

Sincerely,

RON WYDEN,
Ranking Member, Committee on Finance.

Mr. WYDEN. Mr. President, my letter went unanswered for almost 5 weeks. Eventually, the Parliamentarian indicated to both Democratic and Republican staff that she was prepared to allow Senator Tester and me to move forward with a disapproval resolution under the CRA without an IRS response to my letter, so that we would not lose our right to challenge the rule on a timely basis. Based on this, on Monday, September 24, Senator Tester submitted an IRS disapproval resolution, S.J. Res. 64. That same day, I finally received a reply from Acting Commissioner Kautter. In it, he confirmed, at long last, the elementary proposition that the dark money rule would not be published in the Federal Register. In addition, he went on to discuss an issue I had not raised in my original letter. He stated that, despite the fact that the administration had formally submitted the rule to the House and Senate for review under the CRA, understanding now that Senator Tester and I intended to challenge the rule under the CRA, the Treasury Department intended to reverse its previous decision and argue that Rev. Proc. 2018–38 was somehow not subject to congressional review.

There being no objection, the material was ordered to be printed in the Record, as follows:

DEPARTMENT OF THE TREASURY, Internal Revenue Service.


Hon. Ron Wyden,
Ranking Member, Committee on Finance.
U.S. Senate, Washington, DC.

Dear Commissioner Kautter: Thank you for your inquiry regarding whether the IRS will submit Revenue Procedure 2018–38 for publication in the Federal Register.

Revenue procedures are not published in the Federal Register; rather, they are published in the Internal Revenue Bulletin (IRB). Revenue Procedure 2018–38 was published in IRB 2018–34 and will not be published in the Federal Register.

Not all revenue procedures, including many from the Treasury, are pending in Congress along the form prescribed by the Office of Management and Budget (OMB), meet the definition of a revenue procedure under the Congressional Review Act (CRA). We define a revenue procedure as "an official statement of a procedure by the Service that affects the rights or duties of taxpayers or other members of the public under the Internal Revenue Code, related statutes, tax treaties, and regulations, or information that, although not necessarily affecting the rights or duties of the public, should be a matter of public knowledge." Chief Counsel Directives Manual (CCDM) section 32.2.2.3.2 (emphasis added). Procedures that do not rely on the rights or duties of the public are not subject to the CRA. See 5 U.S.C. Section 804(3)(C).

We generally submit revenue procedures to Congress and to the Government Accountability Office (GAO) out of an abundance of caution and in the interest of keeping Congress fully informed. This longstanding practice serves two goals. First, it allows Congress to consider whether a revenue procedure is subject to the CRA by requesting advice from GAO. Second, if a revenue procedure meets the definition of a rule under the CRA, the consequences of failing to submit it when required need not follow the CRA. Consequently, our submission of a revenue procedure using the standard CRA form prescribed by OMB does not necessarily indicate that the revenue procedure is subject to the CRA.

We do not believe Revenue Procedure 2018–38 is a "rule" within the meaning of the CRA, and we will notify GAO on this matter. See 5 U.S.C. Section 804(3)(C). In this revenue procedure, we exercised our discretion under existing regulations to limit the revenue procedure to information that is not necessary for efficient tax administration. The revenue procedure did not alter the substantive standards or criteria that apply to tax exempt organizations, nor did it alter the requirement that organizations maintain donor information and submit the information to the IRS upon request. The revenue procedure imposed no new substantive burdens and in no way limited public access to return information that was previously open to public inspection. For these reasons, Revenue Procedure 2018–38 is exempt from the CRA.

I hope this information is helpful. If you have questions, please contact me, or a member of your staff may contact Leonard Oueiler, Director, Legislative Affairs.

Sincerely,

DAVID J. KAUTTER,
Acting Commissioner.

Mr. WYDEN. Mr. President, acting Commissioner Kautter’s response is deeply troubling, for several reasons. First, why did it take so long? Every bureaucracy has potholes, but almost 5 weeks, on a time-sensitive matter, the answer to which should be clear in 5 minutes? As I said on the Senate floor last week: "It looks to me like the administration has a policy on their hands that they know is corrupting the rights and duties of the public. And so they’re playing hide the ball. Because the more the public hears about this dark money rule, the less they like it."

Further, the argument Acting Commissioner Kautter makes in the letter is utter nonsense. In the first place, he mischaracterizes the CRA, in a way that would render the entire law unworkable. For over 20 years, here is how the CRA has worked: If the administration submits something to Congress under the CRA, that is that; it is subject to congressional review under the terms of the CRA. In the Senate, that means the clock starts and the period for the consideration of a disapproval resolution begins. If, on the other hand, the administration does not submit a matter under the CRA, but a Senator or Representative believes that the matter nevertheless should be subject to the CRA, that Senator or Congressman can ask the Government Accountability Office to review whether the CRA applies. This has happened about 20 times since 1996. Congress has never required the GAO to opine on the applicability of the CRA to a rule formally submitted by an agency to the Congress for review under the CRA. In Acting Commissioner Kautter’s position is inconsistent with the administration practice. In submitting the dark money rule to the Senate, the administration practice. In submitting the dark money rule to the Senate, the administration takes the position that the administration’s submission of the rule under the CRA is not dispositive. It is, instead, just a starting point, to, as he writes, allow[ ] Congress to consider whether a revenue procedure is subject to the CRA by requesting advice from GAO."

This is unprecedented because all previous requests to GAO related to matters that had not been submitted under the CRA. It is inconsistent with the practice of the IRS, one of the longstanding practice, in which we only resort to a GAO opinion for matters that have not already been submitted under the CRA. It also is completely unworkable because it would require GAO to review every rule submitted under the CRA, to confirm that it is indeed subject to the CRA. Said another way, it would require the Senate to look behind all 4,271 rules submitted by agencies to the Senate in this Congress under the CRA. Determining if the CRA, in fact, applied. We cannot have “do-overs” here.

Second, Acting Commissioner Kautter’s position is inconsistent with administration practice. In submitting the dark money rule to the Senate, the administration was not simply trying to be courteous and transparent, making sure the Senate was aware of the latest developments at the IRS. It was, instead, complying with the CRA. After describing the CRA general rule and three exceptions, the IRM says, "Revenue rulings, revenue procedures, notices, and announcements that are made after the CRA takes effect, or that means the clock starts, and the period for the consideration of a disapproval resolution begins. If, on the other hand, the administration does not submit a matter under the CRA, but a Senator or Representative believes that the matter nevertheless should be subject to the CRA, that Senator or Congressman can ask the Government Accountability Office to review whether the CRA applies. This has happened about 20 times since 1996. Congress has never required the GAO to opine on the applicability of the CRA to a rule formally submitted by an agency to the Congress for review under the CRA. In Acting Commissioner Kautter’s position is inconsistent with the administration practice. In submitting the dark money rule to the Senate, the administration takes the position that the administration’s submission of the rule under the CRA is not dispositive. It is, instead, just a starting point, to, as he writes, allow[ ] Congress to consider whether a revenue procedure is subject to the CRA by requesting advice from GAO."

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rule subject to reporting is determined on a case-by-case basis. Ministerial revenue rulings and revenue procedures; notices and announcements relating to error corrections, personnel matters, or proposed rules; and press releases will not be considered rules under [the CRA].

Thus, the IRS’s own process requires the agency to determine, on a case-by-case basis, whether a document issued by the IRS constitutes a rule for purposes of the CRA. The IRS in fact exercises judgment about whether to submit a revenue procedure as a rule under the CRA: As of September 10, the IRS had issued 45 revenue procedures in 2018, only 27 of which were submitted to the Senate. Specifically, in this case, on July 26, over the signature of the Chief of the IRS Publications and Regulations Branch, the IRS and the Treasury Department submitted, to Vice President Pence, as President of the Senate, a copy of Rev. Proc. 2018–38, Submission of Federal Rules under the Congressional Review Act. The submission was docketed in the Senate as EC–6097, and it was referred to the Finance Committee.

Finally, even if the administration had not issued the dark money rule under the CRA, there is no question the rule is subject to the CRA. The CRA applies to rules as defined under the Administrative Procedure Act, which states, in relevant part that a rule is ‘‘the whole or part of an agency statement of general . . . applicability and future effect designed to implement, interpret, or prescribe law or policy.’’ with three exceptions: rules of particular applicability; rules relating to agency management or personnel; and rules of agency organization, procedure, or practice that does not substantively affect the rights or obligations of nonagency parties.

The dark money rule is clearly a statement of general applicability and future effect. The only real question, then, is whether it is subject to one of the exceptions, particularly the exception for ‘‘rules of agency organization, procedure, or practice that [do] not substantially affect the rights or obligations of nonagency parties.’’

Here, it is clear that the rule has a substantial effect on nonagency parties. Under the provisions of IRC section 6103, State tax administrators may obtain donor information for State tax administration purposes. As a result of Rev. Proc. 2018–38, State tax administrators will no longer have the right to obtain donor information from the IRS, undermining States’ ability to enforce tax-exempt rules on organizations operating within their borders. Further, as the Treasury Department clearly stated in a July 16 press release, Rev. Proc. 2018–38 will reduce the burden of disclosure and filing obligations of tax-exempt donors because it no longer will be required to disclose the identities of large donors. This is a big deal. It will significantly inhibit IRS enforcement efforts, and it will make it easier for dark money to continue to flood in. Indeed, that is why so many groups have been urging that the disclosure requirement be repealed.

As a final note, the IRS may argue that this is a mere tax procedure rule is insignificant because the IRS doesn’t systematically cross-check this data against other sources of tax information. This is a large part of the problem of IRS failing to enforce existing laws relating to political activity of tax-exempt organizations. To my mind, the IRS should be using this information in order to maintain the integrity of our tax-exempt rules and election laws. If, for example, an organization named Russian Oligarchs, LLC made large contributions to a tax-exempt organization, it seems to me that this is something the IRS should want to know. At a time when foreign actors are actively attempting to interfere in American elections, law enforcement, the Treasury Department clearly recognizes that nonagency parties need to have visibility into the financial flows of political nonprofits. The argument that we should no longer collect this information because the IRS is failing to use the information to enforce the law gets things precisely backward.

I urge my colleagues to support Senator Tester and me as we work to overturn this outrageous dark money rule.

MALNUTRITION AWARENESS WEEK

Mrs. MURRAY. Mr. President, I rise today in recognition of this week as Malnutrition Awareness Week. Malnutrition Awareness Week is a multi-organizational, multipronged campaign that aims to educate healthcare professionals on how to identify and treat malnutrition, encourage patients to discuss their nutrition status with healthcare providers, and increase awareness of nutrition’s role in patient recovery.

While we know malnutrition can severely impact patients’ health outcomes, we do not currently know the full extent of malnutrition plaguing our senior population. This is because national health surveys and indicators do not include screening measures for malnutrition. National surveys and indicators are crucial not only for identifying key issues, such as malnutrition, but also for shaping public health programs and guiding healthcare professionals. By fully understanding the health problem, we can refine these tools to better address health issues affecting older adults.

Similarly, older adults and their families need guidance on how to meet seniors’ unique nutrition needs. National dietary guidelines, developed every 5 years by the Departments of Health and Human Services and of Agriculture, provide valuable information that could be tailored to reflect the nutritional needs of specific populations, such as older adults.

Since malnutrition can lead to greater risk of chronic disease, frailty, disability, and increases in health care costs, it is important to properly identify cases and provide adequate interventions, even in settings, even across care settings. To strive toward this goal, we must consider options within the healthcare system and our Federal programs to improve care and nutritional support for older adults.

This week is an important opportunity to remember the nutritional challenges facing people of all ages, and I hope my colleagues will join me in working to understand and address these challenges.

NATIONAL RICE MONTH

Mr. KENNEDY. Mr. President, I want to take a moment to honor the more than 125,000 hard-working men and women who work in America’s rice industry. September is National Rice Month, and it is also the start of our domestic rice harvest. This year, roughly 23 billion pounds of rice will be grown on 3 million acres of farmland. 85 percent of the rice eaten in America comes from just 6 States: Arkansas, California, Mississippi, Missouri, Texas, and my home State of Louisiana.

Rice isn’t just delicious in jambalaya or seafood gumbo; it is an indispensable part of Louisiana’s economy. The 4,500 members of the Louisiana rice industry generate more than $700 million in economic benefits for the State. These small businesses not only put food on the table of America’s families, but they also employ tens of thousands of workers. Altogether, America’s rice crop has a $34 billion impact on our national economy.

Rice farmers are also careful stewards of our Nation’s precious natural resources. Over the past 20 years, rice farmers have been able to increase their yields by as much as 50 percent. They have achieved this while using less land, less water, and less energy. American rice shines as a bright example of sustainable agriculture and the benefits of effective agricultural research.

America was born on a farm. The importance of farming to the U.S. economy cannot be overstated; agriculture provides jobs for nearly 1 in 7 Americans. While rice is a valuable export, I am pleased to say that nearly all of our domestic rice crop is consumed right here. For these and many other reasons, I am proud to celebrate National Rice Month and the world’s most popular grain. I also want to extend my heartfelt support and gratitude to all American rice farmers, particularly those in the great State of Louisiana. Keep up the good work.

S6382 CONGRESSIONAL RECORD — SENATE September 28, 2018
MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:02 p.m. a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

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. 1668. An act to rename a waterfront in the State of Massachusetts as the "Joseph Sanford Jr., Channel".

S. 2554. An act to ensure that health insurance issuers and group health plans do not prohibit pharmacists 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.

H.R. 4854. An act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. Hatch).

At 4:48 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, without amendment:

S. 3508. An act to reauthorize and amend the National Action to Reduce Marine Debris Act to promote intergovernmental collaboration and training for small businesses, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1093. An act to require the Federal Railroad Administration to provide appropriate congressional notification of comprehensive safety assessments conducted with respect to intercity or commuter rail passenger transportation.

H.R. 6756. An act to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes.

The following enrolled bills were subsequently signed by the President pro tempore (Mr. Hatch):

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. 1668. An act to rename a waterfront in the State of Massachusetts as the "Joseph Sanford Jr., Channel".

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EXECUTIVE MESSAGESREFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawal which were referred to the appropriate committees.

The messages received today are printed at the end of the Senate proceedings.

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-6624. A communication from the Chief of the Recruiting Policy Branch, Department of the Army, Department of Defense, transmitting a report pursuant to a rule entitled "Recruiting and Enlistment" (RIN 0702-AA78) (32 CFR Part 571) received on December 3, 2018, by the Senate, the concurrence of the Senate was requested.

H.R. 46. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

H.R. 2299. An act to amend the Peace Corps Act to expand services and benefits for volunteers, and for other purposes.

H. R. 1551. An act to modernize copyright law, and for other purposes.

H. R. 4958. An act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 1093. An act to require the Federal Railroad Administration to provide appropriate congressional notification of comprehensive safety assessments conducted with respect to intercity or commuter rail passenger transportation.

H.R. 6756. An act to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes.

H.R. 6757. An act to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3532. A bill to authorize the United States Postal Service to provide certain nonpostal property, products, and services on behalf of State, local, and tribal governments.

ENROLLED BILLS PRESENTED

The Senate presents to the President the following enrolled bills:

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. 1668. An act to rename a waterfront in the State of New York as the "Joseph Sanford Jr., Channel".

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.
in the Office of the President of the Senate on September 26, 2018; to the Committee on Armed Services.

EC–6625. A communication from the Secretary of the Senate on September 22, 1995; in reference to a rule entitled “Suspension of Community Eligibility; South Carolina: Camden, City of, Kershaw County, et al” ((44 CFR Part 64) (Docket No. FEMA–94–0063)) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6626. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Protection Against Malevolent Use of Vehicles at Nuclear Power Plants” ((NRC–2018–0286) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Environment and Public Works.

EC–6627. A communication from the Director of Public Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Maritime Standards: Joint Antarctic Disposal Facility; Access to Port Facilities” ((68 FR 59096) (RIN 1042–AC01) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Environment and Public Works.

EC–6628. A communication from the Director of Public Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Procedures for Making Determinations of the Effectiveness of Maintenance at Nuclear Power Plants” ((Reg. Guide 1.160, Revision 4) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Environment and Public Works.

EC–6629. A communication from the Director of Public Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “National Nuclear Security Administration Facility Design, Safety and Security Requirements” ((73 FR 78633) (RIN 1042–AC02) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Environment and Public Works.

EC–6630. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Quality of Care in Long Term Care Medicare Provider Reside” ((51 FR 25396) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Finance.

EC–6631. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance under Section 132(g) for the Exclusion from Income” ((49 CFR Part 228) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Finance.

EC–6632. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “A rule relating to the treatment of statement periods” ((Rev. Proc. 2018–44) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Finance.

EC–6633. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Employer Credit for Paid Family and Medical Leave” ((Notice 2018–7) ((RIN 1545–AC91) (FAC 2005–0059) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Finance.

EC–6634. A communication from the Assistant Secretary of Health and Human Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Changes in Assistance Programs between Multiplier Plans” ((RIN1212–AB51) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6635. A communication from the Senior Procurement Executive, Office of Acquisitions, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Small Entity Compliance Guidance” ((51 FR 29010) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6636. A communication from the Senior Procurement Executive, Office of Acquisitions, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation: System for Award Management Registration” ((RIN9000–AN19) (FAC 2005–101) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6637. A communication from the Senior Procurement Executive, Office of Acquisitions, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation: Introduction” ((49 CFR Part 1) (FAC 2005–101)) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6638. A communication from the Senior Procurement Executive, Office of Acquisitions, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation: Introduction” ((49 CFR Part 1) (FAC 2005–101)) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6639. A communication from the Assistant Secretary of Health and Human Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Increasing Charter Air Transportation Options” ((RIN2120–AA64) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6640. A communication from the Attorney–Advisor, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Automated Recordkeeping” ((RIN2130–AC41) (49 CFR Part 228) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6641. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Capital Leases” ((RIN2130–AB34) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6642. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0766) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6643. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0300) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6644. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0411) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6645. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0361) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6646. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0360) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6647. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0361) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6648. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0360) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6649. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0361) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6650. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” ((RIN2120–AA64) (Docket No. FAA–2018–0766) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.
received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6652. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0554) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6653. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Defense and Space S.A. (CASA) Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0483) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6654. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Defense and Space S.A. (Formally Known as Construcciones Aeronauticas, S.A.) Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0416) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6655. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc., Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0273) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6656. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc. Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0273) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6657. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc., Aircraft ATR–72” (RIN2120-AA64) (Docket No. FAA–2018–0754) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6658. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc. Aircraft ATR–72” (RIN2120-AA64) (Docket No. FAA–2018–0754) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6659. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc., Aircraft ATR–72” (RIN2120-AA64) (Docket No. FAA–2018–0754) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6660. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc., Aircraft ATR–72” (RIN2120-AA64) (Docket No. FAA–2018–0754) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6661. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc., Aircraft ATR–72” (RIN2120-AA64) (Docket No. FAA–2018–0754) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6662. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0416) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6663. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0416) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6664. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0416) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.
Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turbofan Engines" (RIN2120-AA64) (Docket No. FAA–2018–0777) received in the Office of the President on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6683. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Bloomington, IL" (RIN2120–AA64) (Docket No. FAA–2018–1050) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6684. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Lyons, KS" (RIN2120–AA66) (Docket No. FAA–2018–0139) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6685. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Milpitas, CA and Novato, CA" (RIN2120–AA66) (Docket No. FAA–2018–0632) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6686. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Eastover, SC and Sumter, SC" (RIN2120–AA66) (Docket No. FAA–2018–0138) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6687. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Eastover, SC and Sumter, SC" (RIN2120–AA66) (Docket No. FAA–2018–0131) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6688. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Eastover, SC and Sumter, SC" (RIN2120–AA66) (Docket No. FAA–2018–0131) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.

EC–6689. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Mortgage, CA" (RIN2120–AA66) (Docket No. FAA–2018–0134) received in the Office of the President of the Senate on September 25, 2018, to the Committee on Commerce, Science, and Transportation.
of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6695. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled—‘‘Establishment of Class E Airspace; Washington Island, WI’’ (RIN2120-AA66) (Docket No. FAA–2018–0018)) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6694. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled—‘‘Establishment and Modification of Airway Navigation Routes, Florida Metroplex Project; South eastern United States’’ (RIN2120-AA68) (Docket No. FAA–2015–3338)) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6708. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled—‘‘Airspace Designations: Incorporation by Reference’’ (RIN2120-AA68) (Docket No. FAA–2016–0979)) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6709. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled—‘‘Airspace Designations: Incorporation by Reference’’ (RIN2120-AA68) (Docket No. FAA–2017–0776)) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6707. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled—‘‘Standard Instrument Approach Procedures; Miscellaneous Amendments (29)’’ (RIN2120-AA66) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6706. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled—‘‘Standard Instrument Approach Procedures: Miscellaneous Amendments (28)’’ (RIN2120-AA65) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 1209. A bill 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. 1203. A bill to designate the facility of the United States Postal Service located at 901 North Francisco Avenue, Mission, Texas, as the ‘‘Friendswood Post Office Building’’.

H.R. 4662. A bill to designate the facility of the United States Postal Service located at 300 West 5th Street in San Bernardino, California, as the ‘‘Jack H. Brown Post Office Building’’.

S. 322. A bill to designate the facility of the United States Postal Service located at 120 12th Street Lobby in Columbus, Georgia, as the ‘‘Richard W. Williams Chapter of the Triple Nickles (55th) P.L.A. Post Office’’.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3414. A bill to designate the facility of the United States Postal Service located at 20 Ferry Road in Saugerties, Rhode Island, as the ‘‘Captain Matthew J. August Post Office’’.

S. 3442. A bill to designate the facility of the United States Postal Service located at 36101 Rockwell Street in Warrenville, Illinois, as the ‘‘Arla W. Harrell Post Office’’.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments and an amendment to the title:

H.R. 4067. A bill to designate the facility of the United States Postal Service located at 165 Duffy Street in Macon, Missouri, as the ‘‘Arla W. Harrell Post Office’’.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 4680. A bill 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. 5487. A bill 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. 4916. A bill to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the ‘‘Sgt. Maj. Wardell B. Turner Post Office Building’’.

H.R. 5494. To designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the ‘‘Judge Russell B. Sugarman Post Office Building’’.

H.R. 5509. A bill to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the ‘‘Dietrich Schmielean Post Office Building’’.

H.R. 5737. A bill to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the ‘‘Specialist Trevor A. WinE Post Office’’.

H.R. 5690. A bill 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. 5740. 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. 5905. A bill to designate the facility of the United States Postal Service located at 530 Clarendon Avenue in Ashland, Ohio, as the ‘‘Bill Harris Post Office Building’’.

H.R. 5969. A bill to designate the facility of the United States Postal Service located at 1355 North Meridian Road in Harriettown, Illinois, as the ‘‘Logan S. Palmer Post Office’’.

H.R. 5993. A bill 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’’.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

S6387
INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON (for himself and Mr. RUHRO):

S. 3529. A bill 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"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 3526. A bill to amend title II of the Social Security Act to replace the windfall elimination provision with a formula equalizing benefits for certain individuals with non-covered employment, and for other purposes; to the Committee on Finance.

By Mr. MARKKAY (for himself and Ms. WARREN):

S. 3527. A bill to extend the authorization for the Cape Cod National Seashore Advisory Commission; to the Committee on Energy and Natural Resources.

By Ms. STABENOW:

S. 3528. A bill to amend title 38, United States Code, to furnish hospital care and medical services to veterans, members of the reserve components of the Armed Forces, and dependents who were stationed at Wurtsmith Air Force Base in Oscoda, Michigan, and were exposed to volatile organic compounds, to provide for a presumption of service connection for those veterans and members of the reserve components, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. STABENOW:

S. 3529. A bill to amend title 38, United States Code, to establish hospital care and medical services for veterans, members of the reserve components of the Armed Forces, and dependents who were stationed at military installations at which they were exposed to perfluorooctanoic acid or other per- and polyfluoroalkyl substances, to provide for a presumption of service connection for those veterans and members of the reserve components, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REED (for himself, Ms. COLLINS, Mr. HARRIS, Mr. KENNEDY, Mr. MURKOWSKI, Mr. WHITEHOUSE, Ms. WARREN, Mr. KING, Mr. JONES, Mr. KAINE, Ms. HASSAN, Mr. BLUMENTHAL, and Mr. CASSEY):

S. 3530. A bill to authorize the Museum and Library Services Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY:

S. 3531. A bill to amend titles XVIII and XIX of the Social Security Act to provide coverage under Medicare and Medicaid of services furnished by freestanding emergency centers; to the Committee on Finance.

By Mr. HATCH:

S. 3532. A bill to authorize the United States Postal Service to provide certain non-postal products, and services on behalf of State, local, and tribal governments; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON (for himself, Mr. TRUDE, Mr. PETERS, and Mrs. FISCHER):

S. Res. 660. A resolution expressing support for the designation of September 2018 as "Sickle Cell Disease Awareness Month" in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to sickle cell disease, complications from sickle cell disease, and conditions related to sickle cell disease; considered and agreed to.

By Ms. COLLINS (for herself and Mr. CARPER):

S. Res. 662. A resolution designating September 2018 as "Campus Fire Safety Month"; considered and agreed to.

By Ms. STABENOW:

S. Con. Res. 49. A concurrent resolution providing for a correction in the enrollment of S. 2553; considered and agreed to.

ADDITIONAL COSPONSORS

At the request of Mr. BOOKER, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 793, a bill to prohibit sale of shark fins, and for other purposes.

At the request of Mr. MENENDEZ, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 1364, a bill to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.

At the request of Mr. MURKOWSKI, the name of the Senator from Delaware (Mr. Coons) was added as a cosponsor of S. 2127, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

At the request of Mr. BROWN, the name of the Senator from Tennessee (Mr. Alexander) was added as a cosponsor of S. 2568, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

At the request of Mr. CASEY, the name of the Senator from Illinois (Ms. Duckworth) was added as a cosponsor of S. 2532, a bill to reauthorize certain programs under the Pandemic and All-Hazards Preparedness Reauthorization Act.

At the request of Ms. HARRIS, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from New Jersey (Mr. Booker) were added as cosponsors of S. 2918, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2971, a bill to amend the Animal Welfare Act to prohibit animal fighting in the United States territories.

At the request of Mr. WYDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 3049, a bill to amend the Help America Vote Act of 2002 to require paper ballots and risk-limiting audits in all Federal elections, and for other purposes.

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 3063, a bill to delay the re-imposition of the annual fee on health insurance providers until after 2026.

At the request of Ms. KLOBUCHAR, the names of the Senator from Kansas (Mr. MORAN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3181, a bill to direct the Secretary of Defense to include in periodic health assessments, separation history and physical examinations, and compensation an evaluation of whether a member of the Armed Forces has been exposed to open burn pits or toxic airborne chemicals, and for other purposes.

At the request of Mr. GRASSLEY, the names of the Senator from Utah (Mr. LEE), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Texas (Mr. Cruz) were added as cosponsors of S. 3339, a bill to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court.

At the request of Ms. HARRIS, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 3359, a bill to posthumously award a Congressional Gold Medal to Aretha Franklin in recognition of her contributions of outstanding artistic and historical significance to culture in the United States.

At the request of Mr. SCHUMER, the name of the Senator from Maine (Mr.
At the request of Mr. MENENDEZ, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 527, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights because of their belief in Falun Gong practices and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 527

At the request of Mr. PERDUE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 526, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights because of their belief in Falun Gong practices and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 526

At the request of Mrs. M CASKILL, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), the Senator from Hawaii (Mr. SCHATZ) and the Chairman of the Homeland Security Committee (Mr. CASEY) were added as cosponsors of S. Res. 633, a resolution expressing the sense of the Senate that Congress should take all appropriate measures to ensure that the United States Postal Service remains an independent establishment of the Federal Government and is not subject to privatization.

S. RES. 633

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Ms. COLLINS, Mrs. GILLIBRAND, Ms. MURKOWSKI, Mr. WHITEHOUSE, Ms. WARREN, Mr. KING, Mr. JONES, Mr. KAINE, Ms. HASSAN, Mr. BLUMENTHAL, and Mr. CASEY):

S. 3350. A bill to reauthorize the Museum and Library Services Act; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to be here today by a group of members on both sides of the aisle and in both bodies in introducing legislation today to renew the law that expands the reach of libraries and museums and enables them to better serve their communities. These vital institutions educate, inform, engage, and connect people from all walks of life.

Our legislation, the Museum and Library Services Act of 2018, is similar to legislation I also introduced on a bipartisan basis in December. That legislation was developed with input and insights from the library and museum communities. Since that time, it became apparent in the library community that a vital change was needed to ensure that funding increases for the State formula grant program would be more broadly shared by States around the Nation. Under the current formula, smaller States have seen little in the way of new funding even as funding significantly increased the last few years. The last time we addressed this issue was in 2003, and an update, while ensuring no State would lose funding, is needed today so that more communities can benefit from increased investments in our Federal library program.

I am grateful our revised bill has the support of the American Library Association, the American Alliance of Museums, and many of their affiliated associations. I thank Senators COLLINS, GILLIBRAND, MURKOWSKI, and our many colleagues who are joining us in introducing this bill today. I look forward to working with them and the entire Senate on moving this bill swiftly to passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 660—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF SEPTEMBER 23 THROUGH SEPTEMBER 29, 2018, AS RAIL SAFETY WEEK IN THE UNITED STATES, AND SUPPORTING THE GOALS AND IDEALS OF RAIL SAFETY WEEK TO REDUCE RAIL-RELATED ACCIDENTS, FATALITIES, AND INJURIES

Mr. NELSON (for himself, Mr. THUNE, Mr. PETERS, and Mrs. FISCHER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. Res. 660

Whereas the first Rail Safety Week was held from September 24 through September 30, 2017, by the national education safety nonprofit Operation Lifesaver, the Department of Transportation, and other organizations;

Whereas Rail Safety Week was launched to raise awareness about the need for increased education on how to be safe around highway-rail grade crossings and railroad tracks, and to highlight efforts to further reduce collisions, injuries, and fatalities;

Whereas highway-rail grade crossing and trespassing accidents constituted approximately 56 percent of all rail related fatalities in fiscal year 2017;

Whereas the number of public crossings has declined 8 percent, while the number of gates increased by 30 percent, since 2005;

Whereas, in 2017, 49 percent of all grade crossing collisions and 61 percent of all fatal grade crossing collisions occurred at gated crossings;

Whereas while grade crossing injuries are 16 percent lower, grade crossing fatalities are 9 percent lower, and grade crossing collisions are 15 percent lower since 2008, challenges remain;

Whereas, in 2017, there were 824 rail-related fatalities and 8,122 rail-related injuries in the United States;

Whereas preliminary Federal statistics show that more than 2,117 highway-grade crossing crashes occurred during 2017, resulting in 272 persons killed and another 833 injured across the United States;

Whereas trespassing incidents on railroad property resulted in 513 persons killed and another 506 injured across the Nation in 2017;

Whereas many collisions between trains and motor vehicles or pedestrians could have been avoided by increased education, engineering, and enforcement;

Whereas Operation Lifesaver, the foremost public information and education program for rail safety, administers a public education program about grade-crossing safety and prevention of trespassing;

Whereas during Rail Safety Week, from September 23 through September 29, throughout the year, everyone is encouraged to observe added caution as motorists or pedestrians approach tracks or trains;

Whereas, for the first time, the United States and Canada will observe Rail Safety Week concurrently; and

Whereas this important observance should lead to greater safety awareness and a reduction in highway-rail grade crossing crashes and pedestrian and railroad incidents: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of Rail Safety Week;

(2) expresses strong support for the goals and ideals of Rail Safety Week and efforts to reduce rail-related accidents, fatalities, and injuries; and

(3) encourages the people of the United States to participate in Rail Safety Week events and activities and to educate themselves and others on how to be safe around railroad tracks.

SENATE RESOLUTION 661—EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2018 AS ‘SICKLE CELL DISEASE AWARENESS MONTH’ IN ORDER TO EDUCATE COMMUNITIES ACROSS THE UNITED STATES ABOUT SICKLE CELL DISEASE AND THE NEED FOR RESEARCH, EARLY DETECTION METHODS, EFFECTIVE TREATMENTS, AND PREVENTATIVE PROGRAMS WITH RESPECT TO SICKLE CELL DISEASE, COMPlications FROM SICKLE CELL DISEASE, AND CONDITIONS RELATED TO SICKLE CELL DISEASE

Mr. SCOTT (for himself, Mr. BOOKER, Mr. RUBIO, Mr. BROWN, Mr. ISAKSON, Ms. WARREN, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. Res. 661

Whereas sickle cell disease (referred to in this preamble as “SCD”) is an inherited blood disorder that is a major health problem in the United States and worldwide;

Whereas SCD causes the rapid destruction of sickle cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, restricted blood flow, damaged tissue in the liver, spleen, and kidneys, and death;

Whereas SCD causes episodes of considerable pain in the arms, legs, chest, and abdomen of an individual;

Whereas SCD affects an estimated 100,000 individuals in the United States;

Whereas approximately 1,000 babies are born with SCD each year in the UnitedStates;
Whereas the life expectancy of an individual with SCD is currently only the cure for SCD and advances in treating the associated complications of SCD have occurred, more research is needed to find widely available treatments and cures to help patients with SCD; and

Whereas September 2018 has been designated as Sickle Cell Disease Awareness Month in order to educate communities across the United States about SCD, including early detection methods, effective treatments and curative care programs with respect to SCD, complications from SCD, and conditions related to SCD; Now, therefore, be it

Resolved, That the Senate—

(A) to provide educational programs about fire safety to all college students in September and throughout the school year; and

(B) to evaluate the level of fire safety being provided in both on-campus and off-campus student housing; and

(C) to ensure a State living environments through fire safety education, installment of fire suppression and detection systems and smoke alarms, and the development and enforcement of applicable codes relating to fire safety.

SENATE CONCURRENT RESOLUTION 49—PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF S. 2553

Ms. STABENOW submitted the following concurrent resolution; which was considered and agreed to:

S. Con. Res. 49

Amend the title so as to read: "A bill to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding prices for certain drugs and biologicals.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4026. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

Strike "1 day" and insert "2 days"

SA 4027. Mr. MCCONNELL proposed an amendment to amendment SA 4026 proposed by Mr. MCCONNELL to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

Strike "1 day" and insert "2 days"

SA 4028. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

At the end add the following:

"This Act shall take effect 3 days after the date of enactment."

SA 4029. Mr. MCCONNELL proposed an amendment to amendment SA 4028 proposed by Mr. MCCONNELL to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

Strike "3 days" and insert "4 days"

SA 4030. Mr. MCCONNELL proposed an amendment to amendment SA 4029 proposed by Mr. MCCONNELL to the amendment SA 4028 proposed by Mr. MCCONNELL to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

Strike "4" and insert "5"

MEASURE READ THE FIRST TIME—S. 3532

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading; TO EXTEND THE AUTHORIZATIONS OF FEDERAL AVIATION PROGRAMS, TO EXTEND THE FUNDING AND EXPENDITURE AUTHORITY OF THE AIRPORT AND AIRWAY TRUST FUND

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6897, which was received from the House.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be read for the second time on the next legislative day.

The senior assistant legislative clerk read as follows:

A bill (S. 3532) to authorize the United States Postal Service to provide certain non-postal property, products, and services on behalf of State, local, and tribal governments.

Mr. MCCONNELL. 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 ACTING PRESIDENT pro tempore. The clerk will report the bill by title.
The senior assistant legislative clerk read as follows:

A bill (H.R. 6897) to extend the authorization of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

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

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed.

The bill (H.R. 6897) was ordered to a third reading, was read the third time, and passed.

PRACTICAL REFORMS AND OTHER GOALS TO REINFORCE THE EFFECTIVENESS OF SELF-GOVERNANCE AND SELF-DETERMINATION FOR INDIAN TRIBES ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 567, S. 2515.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 2515) was passed, as follows:

The senior assistant legislative clerk read as follows:

A bill (S. 2515) to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian Tribes, and for other purposes.

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

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The ACTING PRESIDENT pro tempore. Is there further debate?

Hearing none, the question is, Shall the bill pass?

The bill (S. 2515) was passed, as follows:

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Practical Reforms and Other Goals To Reinforce the Effectiveness of Self-Governance and Self-Determination for Indian Tribes Act of 2018” or the “PROGRESS for Indian Tribes Act”.

(b) Table of Contents.—The table of contents of this Act is as follows:

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SEC. 101. TRIBAL SELF-GOVERNANCE.

(a) Effect of Provisions.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(i) to modify, limit, expand, or otherwise affect—

(A) the authority of the Secretary of the Interior, as provided for under the Indian Self-Determination and Education Assistance Act (as in effect on the date of enactment of this Act), regarding—

(i) the inclusion of any non-BIA program (as defined in section 401 of the Indian Self-Determination and Education Assistance Act) in a self-determination contract or funding agreement under section 403(c) of such Act (as so in effect); or

(ii) the implementation of any contract or agreement described in clause (i) that is in effect on the day described in subparagraph (A);

(B) the meaning, application, or effect of any Tribal water rights settlement, including the performance required of a party thereto or any payment or funding obligation thereunder;

(C) the authority, jurisdiction, or responsibility of the States, the State water control, or of a State, or the United States, or any political subdivision thereof, to regulate fish and wildlife under State law (including regulations on land or water in the State, including Federal public land; or

(D) except for the authority provided to the Secretary as described in subparagraph (A), the applicability or effect of any Federal law related to the protection or management of fish or wildlife on tribal lands; or

(E) any treaty-reserved right or other right of any Indian Tribe as recognized by any other means, including treaties or agreements with the United States, Executive orders, statutes, regulations, or case law; or

(2) to authorize any provision of a contract or agreement that is not consistent with the terms of a Tribal water rights settlement.

(b) Definitions.—Section 401 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5361) is amended to read as follows:

“SEC. 401. DEFINITIONS.

‘In this title:

(1) COMPACT.—The term ‘compact’ means a self-governance compact entered into under section 404.

(2) CONSTRUCTION PROGRAM; CONSTRUCTION PROJECT.—The term ‘construction program’ or ‘construction project’ means a project undertaken relating to the administration, planning, environmental determination, design, construction, repair, improvement, or expansion of roads, bridges, buildings, structures, systems, or other facilities for purposes of housing, law enforcement, detention, sanitation, water supply, education, administration, transportation, or port facilities, or for other Tribal purposes.

(3) DEPARTMENT.—The term ‘Department’ means the Department of the Interior.

(4) FUNDING AGREEMENT.—The term ‘funding agreement’ means a funding agreement entered into under section 403.

(5) GROSS MISMANAGEMENT.—The term ‘gross mismanagement’ means a significant violation, shown by a preponderance of the evidence, of any contract or agreement, or statutory or regulatory requirement applicable to Federal funds for a program administered by an Indian Tribe under a compact or funding agreement.

(6) INHERENT FEDERAL FUNCTION.—The term ‘inherent Federal function’ means a Federal function that may not legally be delegated to an Indian Tribe.

(7) NON-BIA PROGRAM.—The term ‘non-BIA program’ means all or a portion of a program, function, service, or activity that is administered by any bureau, service, office, or agency of the Department of the Interior other than—

(A) the Bureau of Indian Affairs;

(B) the Office of the Assistant Secretary for Indian Affairs; or

(C) the Office of the Special Trustee for American Indians.

(8) PROGRAM.—The term ‘program’ means any program, function, service, or activity (or portion thereof) the Department does not include in a funding agreement.

(9) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

(10) SELF-DETERMINATION CONTRACT.—The term ‘self-determination contract’ means a self-determination contract entered into under section 102.

(11) SELF-GOVERNANCE.—The term ‘self-governance’ means the Tribal Self-Governance Program established under section 402.

(12) TRIBAL SHARE.—The term ‘Tribal share’ means the portion of all funds and resources of an Indian Tribe that—

(A) support any program within the Bureau of Indian Affairs, the Office of the Special Trustee for American Indians, or the Office of the Assistant Secretary for Indian Affairs; and

(B) are not required by the Secretary for the performance of an inherent Federal function.

(13) TRIBAL WATER RIGHTS SETTLEMENT.—The term ‘Tribal water rights settlement’ means any settlement, compact, or other agreement expressly ratified or approved by an Act of Congress that—

(A) includes an Indian Tribe and the United States as parties; and

(B) quantities or otherwise defines any water right of the Indian Tribe.

(14) ESTABLISHMENT.—Section 402 of the Indian Self-Determination and Education Assistance Act (20 U.S.C. 5362) is amended to read as follows:

“SEC. 402. TRIBAL SELF-GOVERNANCE PROGRAM.

(a) Establishment.—The Secretary shall establish and carry out a program within the Department to be known as the ‘Tribal Self-Governance Program’.

(b) Selection of Participating Indian Tribes.

(1) IN GENERAL.—

(A) Eligibility.—The Secretary, acting through the Director of the Office of Self-Governance, may select not more than 50 new Indian Tribes per year from those tribes eligible under subsection (c) to participate in self-governance.

(2) Joint Participation.—On the request of each participating Indian Tribe, two or more otherwise eligible Indian Tribes may be treated as a single Indian Tribe for the purpose of participating in self-governance.

(3) Joint Participation as Organization.—If an Indian Tribe authorizes another Indian Tribe or a Tribal organization to plan for or carry out a program on its behalf under this title, the authorized Indian Tribe or Tribal organization shall have the rights and responsibilities of the authorizing Indian Tribe or Tribal organization.

(4) Other Authorized Indian Tribe or Tribal Organization.—An Indian Tribe may authorize another Indian Tribe or a Tribal organization to plan for or carry out a program on its behalf under this title.

(5) Joint Participation as Organization.—Two or more otherwise eligible Indian Tribes may be treated as a single Indian Tribe for the purpose of participating in self-governance.
in the Tribal organization, is eligible under subsection (c).

"(4) Tribal withdrawal from a Tribal organization.—

"(A) in general.—An Indian Tribe that withdraws from participation in a Tribal organization in whole or in part, shall be entitled to participate in self-governance if the Indian Tribe is eligible under subsection (c).

"(B) Effect of withdrawal.—If an Indian Tribe withdraws from participation in a Tribal organization, the Indian Tribe shall be entitled to have its Tribal share of funds and resources supporting the programs that the Indian Tribe is entitled to carry out under the current and funding agreement of the Indian Tribe.

"(C) Participation in self-governance.—The withdrawal of an Indian Tribe from a Tribal organization shall not affect the eligibility of the Tribal organization to participate in self-governance on behalf of one or more other Indian Tribes, if the Tribal organization still qualifies under subsection (c).

"(D) Withdrawal process.—

"(i) in general.—An Indian Tribe may, by Tribal resolution, fully or partially withdraw its Tribal share of funds and resources supporting the programs that the Indian Tribe is eligible under subsection (c).

"(ii) Notification.—The Indian Tribe shall provide a copy of the Tribal resolution described in clause (i) to the Secretary.

"(iii) Effective date.—

"(I) in general.—An Indian Tribe seeking to withdraw shall notify the Tribal association with the request to begin participation in self-governance as set forth in a funding agreement with the Tribal organization.

"(II) no specified date.—In the absence of a Tribal resolution, the withdrawal shall become effective on the date that is specified in the Tribal resolution and mutually agreed upon by the Secretary, the withdrawing Indian Tribe, and the Tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian Tribe or Tribal organization.

"(D) Distribution of funds.—If an Indian Tribe or Tribal organization, on the request of an Indian Tribe or Tribal organization, does not withdraw its Tribal share of funds and resources supporting the programs that the Indian Tribe is eligible under subsection (c), the Tribal share of funds and resources supporting the programs that the Indian Tribe is eligible to carry out under the current and funding agreement of the Tribal organization, is eligible under subsection (c).

"(E) Distribution of funds.—If an Indian Tribe or Tribal organization, on the request of an Indian Tribe or Tribal organization, does not withdraw its Tribal share of funds and resources supporting the programs that the Indian Tribe is eligible under subsection (c), the Tribal share of funds and resources supporting the programs that the Indian Tribe is eligible to carry out under the current and funding agreement of the Tribal organization shall be returned by the Tribal organization to the Secretary for operation of the programs included in the withdrawal.

"(F) Request participation in self-governance.—If an Indian Tribe elects to operate all or some programs carried out under a compact or funding agreement under this title through a self-determination contract under title I, at the option of the Indian Tribe, the resulting self-determination contract shall become effective on the date that is specified in the Tribal resolution and mutually agreed upon by the Secretary, the withdrawing Indian Tribe, and the Tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian Tribe or Tribal organization.

"(G) Eligibility.—To be eligible to participate in self-governance, an Indian Tribe shall—

"(i) successfully complete the planning phase described in subsection (d);

"(ii) request participation in self-governance by resolution or other official action by the Tribal governing body; and

"(iii) demonstrate, for the 3 fiscal years preceding the date on which the Indian Tribe requests participation, financial stability and financial management capability as evidenced by the Indian Tribe having no uncorrected material misstatement in the required annual audit of its self-determination or self-governance agreements with any Federal agency.

"(H) Plan for participation.—

"(I) in general.—An Indian Tribe seeking to begin participation in self-governance shall complete a planning phase as provided in subsection (d).

"(ii) Activities.—The planning phase shall—

"(A) be conducted to the satisfaction of the Indian Tribe;

"(B) include—

"(aa) legal and budgetary research; and

"(bb) internal Tribal government planning, training, and organizational preparation;

"(C) Grants.—

"(1) in general.—Subject to the availability of appropriations, an Indian Tribe or Tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants—

"(A) to plan for participation in self-governance and

"(B) to negotiate the terms of participation by the Indian Tribe or Tribal organization in self-governance, as set forth in a compact and a funding agreement.

"(2) Receipt of grant not required.—Receipt of a grant under paragraph (1) shall not be a requirement of participation in self-governance.

"(I) in general.—A funding agreement shall specify—

"(A) the services to be provided under the funding agreement; and

"(B) the functions to be performed under the funding agreement; and

"(C) the responsibilities of the Indian Tribe and the Secretary under the funding agreement.

"(3) Base budget.—

"(A) in general.—A funding agreement shall provide for a stable base budget specifying the recurring funds which may include funds available under section 1127 of the Education Amendments of 1978 (25 U.S.C. 3307) and any other program, service, function, or activity (or portion thereof) that is provided through the Bureau of Indian Affairs, the Office of the Assistant Secretary for Indian Affairs, or the Office of the Special Trustee for American Indians with respect to which Indian Tribes or Indians are primary or significant beneficiaries;

"(B) limitations.—Notwithstanding subparagraph (A), a funding agreement shall not specify funding associated with a program designated by the Secretary as a "special trust responsibility."
Tribes and individual Indians that exists under treaties, Executive orders, court decisions, and other laws.

"(n) AMENDMENT.—The Secretary shall not revise or add any additional terms in a new or subsequent funding agreement without the consent of the Indian Tribe, unless such terms are required by Federal law.

"(o) RIGHTS.—A funding agreement shall become effective on the date specified in the funding agreement.

"(p) EXISTING AND SUBSEQUENT FUNDING AGREEMENTS.—

"(1) SUBSEQUENT FUNDING AGREEMENTS.—Absent notification from an Indian Tribe that the Indian Tribe is withdrawing or retroceding the operation of one or more programs identified in a funding agreement, or unless otherwise agreed to by the parties to the funding agreement or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement—

"(A) a funding agreement shall remain in full force and effect until a subsequent funding agreement is executed, with funding paid annually for each fiscal year the agreement is in effect; and

"(B) the term of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement for the period during which the amount of funding to which the Indian Tribe is entitled.

"(2) DISPUTES.—Disputes over the implementation of paragraph (1)(A) shall be subject to the Act.

"(3) EXISTING FUNDING AGREEMENTS.—An Indian Tribe that was participating in self-governance under this title on the date of enactment of the PROGRESS for Indian Tribes Act shall have the option at any time after that date—

"(A) to retain its existing funding agreement (in whole or in part) to the extent that the provisions of that funding agreement are not directly contrary to any express provision of this title; or

"(B) to negotiate a new funding agreement in a manner consistent with this title.

"(4) MULTIPLE FUNDING AGREEMENTS.—An Indian Tribe may, at the discretion of the Indian Tribe, negotiate with the Secretary for a funding agreement with a term that exceeds 1 year.

"(e) GENERAL REVISIONS.—Title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 3301 et seq.) is amended by striking sections 404 through 406 and inserting the following:

"SEC. 404. COMPACTS.

"(a) IN GENERAL.—The Secretary shall negotiate and enter into a written compact with each Indian Tribe participating in self-governance in a manner consistent with the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian Tribes and the United States.

"(b) CONTENTS.—A compact under subsection (a) shall—

"(1) specify and affirm the general terms of the government-to-government relationship between the Indian Tribe and the Secretary; and

"(2) include such terms as the parties intend shall control during the term of the compact.

"(c) AMENDMENT.—A compact under subsection (a) may be amended only by agreement of the parties.

"(d) EFFECTIVE DATE.—The effective date of a compact under subsection (a) shall be—

"(1) the date of the execution of the compact by the parties; or

"(2) such date as is mutually agreed upon by the Secretary and the Indian Tribe.

"(e) DURATION.—A compact under subsection (a) shall remain in effect—

"(f) for so long as permitted by Federal law; or

"(2) until termination by written agreement, retrocession, or reapportionment.

"(g) EXISTING COMPACT.—An Indian Tribe participating in self-governance under this title, as in effect on the date of enactment of the PROGRESS for Indian Tribes Act, shall have the option at any time after that date—

"(1) to retain its negotiated compact (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; or

"(2) to negotiate a new compact in a manner consistent with this title.

"SEC. 405. GENERAL PROVISIONS.

"(a) APPLICABILITY.—An Indian Tribe and the Secretary shall include in any compact or funding agreement provisions that reflect the requirements of this title.

"(b) CONTRACTS OF INTEREST.—An Indian Tribe participating in self-governance shall ensure that internal measures are in place to address, pursuant to Tribal law and procedures, conflicts of interest in the administration of programs.

"(c) AUDITS.—

"(1) SINGLE AGENCY AUDIT.—Chapter 75 of title 31, United States Code, shall apply to a funding agreement under this title.

"(2) COST PRINCIPLES.—An Indian Tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by—

"(A) any provision of law, including section 106; or

"(B) any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget.

"(d) FEDERAL CLAIMS.—Any claim by the Federal Government against an Indian Tribe relating to funds received under a funding agreement or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement—

"(1) IN GENERAL.—An Indian Tribe may redesign or consolidate programs, or reallocate funds for programs, in a compact or funding agreement in any manner that the Indian Tribe determines to be in the best interest of the Indian community being served—

"(i) so long as the redesign or consolidation does not have the effect of denying eligibility for services to population groups otherwise eligible to be served under applicable Federal law; and

"(ii) except that, with respect to the reallocation of programs described in subsection (b)(2) or (c) of section 403, a joint agreement between the Secretary and the Indian Tribe shall be required.

"(e) RETROCESSION.—

"(1) IN GENERAL.—An Indian Tribe may fully or partially retrocede to the Secretary any program under a compact or funding agreement.

"(2) EFFECTIVE DATE.—

"(A) AGREEMENT.—Unless an Indian Tribe rescinds a request for retrocession under paragraph (1), the retrocession shall become effective on the date specified by the parties in the compact or funding agreement.

"(B) NO RETROCESSION.—In the absence of any agreement, the retrocession shall become effective on—

"(1) the earlier of—

"(i) the later of the date of expiration of the term of the preceding funding agreement; and

"(ii) the date on which the agreement not expires;

"(2) the date on which the agreement not expires upon the Secretary and the Indian Tribe.

"(f) NONDUPICLATION.—A funding agreement shall provide that, for the period for which, and to the extent to which, funding is provided to an Indian Tribe under this title, the following—

"(1) shall not be entitled to contract with the Secretary for funds under section 102, except that the Indian Tribe shall be eligible to receive funds under this title, and

"(2) shall be responsible for the administration of programs on the same basis as other Indian Tribes; and

"(g) RECORDS.—

"(1) IN GENERAL.—Unless an Indian Tribe specifies otherwise, a funding agreement, records of an Indian Tribe shall not be considered to be Federal records for purposes of chapter 5 of title 5, United States Code.

"(2) RECORDKEEPING.—An Indian Tribe shall—

"(A) maintain a recordkeeping system; and

"(B) ensure that the period of retention of records exceeds 30 days, provide the Secretary with reasonable access to the records to enable the Department to meet the requirements of sections 109 through 116 of title 44, United States Code.

"SEC. 406. PROVISIONS RELATING TO THE SEC- TRET.

"(a) TRUST EVALUATIONS.—A funding agreement shall include a provision to monitor the performance of trust functions by the Indian Tribe through the annual trust evaluation.

"(b) REASSUMPTION.—

"(1) IN GENERAL.—A compact or funding agreement shall include provisions for the Secretary to reassume a program and associated funding if there is a specific finding relating to that program.

"(2) RETROCESSION.—If an Indian Tribe has made a finding of imminently jeopardizing a trust asset, natural resource, or public health and safety that—

"(i) is caused by an act or omission of the Indian Tribe; and

"(ii) arises out of a failure to carry out the compact or funding agreement; or

"(iii) gross mismanagement with respect to funds transferred to an Indian Tribe under a compact or funding agreement, as determined by the Secretary in consultation with the Inspector General, the Secretary shall provide written notice and a hearing on the record to the Indian Tribe and

"(B) the Indian Tribe does not take corrective action to remedy the mismanagement of the funds or programs, or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

"(c) EXCEPTION.—

"(A) IN GENERAL.—Notwithstanding paragraph (2), the Secretary may, on written notice to the Indian Tribe, immediately reassume operation of a program if—

"(i) the Secretary makes a finding of imminent and substantial jeopardy and irreparable harm to a trust asset, a natural resource, or the public health and safety caused by an act or omission of the Indian Tribe; and

"(ii) the imminent and substantial jeopardy and irreparable harm to the trust asset, natural resource, or public health and safety arises out of a failure by the Indian Tribe to carry out the terms of an applicable compact or funding agreement.

"(B) REASSUMPTION.—If the Secretary re-"
(c) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—

(1) FINAL OFFER.—If the Secretary and a participating Indian Tribe are unable to agree on a final offer, or on the terms of a compact or funding agreement (including funding levels), the Indian Tribe may submit a final offer to the Secretary.

(2) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer by one or more of the officials designated pursuant to paragraph (4), the Secretary shall review and make a determination with respect to the final offer, except that the 60-day period may be extended for up to 30 days for circumstances beyond the control of the Secretary, upon written request by the Secretary to the Indian Tribe.

(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian Tribe and the Secretary.

(4) DESIGNATED OFFICIALS.—

(A) IN GENERAL.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the final offer described in paragraph (1).

(B) NO DESIGNATION.—If no official is designated, the Director of the Office of the Executive Secretary and Regulatory Affairs shall be the designated official.

(5) NO TIMELY DETERMINATION.—If the Secretary fails to make a timely determination with respect to a final offer within the period specified in paragraph (2), including any extension agreed to under paragraph (3), the Secretary shall be deemed to have agreed to the offer, except that with respect to any compact or funding agreement provision concerning a program described under section 403(c), the Secretary shall be deemed to have rejected the offer with respect to such provision and the terms of clauses (ii) through (iv) of paragraphs (6)(A) shall apply.

(6) PANEL OFFER.—

(A) IN GENERAL.—If the Secretary rejects a final offer (or one or more provisions or funding levels in a final offer), the Secretary shall—

(i) provide timely written notification to the Indian Tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—

(I) the amount of funds proposed in the final offer exceeds the applicable funding level under section 106(a); and

(II) the program that is the subject of the final offer is an applicable Federal function or is subject to the discretion of the Secretary under section 406(b); and

(III) the Indian Tribe cannot carry out the program in a manner that would not result in significant danger or risk to the public health or safety, to natural resources, or to trust resources;

(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i);

(iii) provide the Indian Tribe with a hearing on the record with the right to engage in full discovery relevant to any issue raised in the matter, and the opportunity for appeal on that issue by appropriate Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal guidelines regarding design, structural and engineering standards, and applicable Federal

(b) TRIBAL OPTION TO CARRY OUT CERTAIN FEDERAL ENVIRONMENTAL ACTIVITIES.—In carrying out a construction project under this title, an Indian Tribe may, subject to the agreement of the Secretary, elect to assume some Federal responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), division A of subtitle III of title 54, United States Code, and related provisions of other laws and regulations that would apply if the Secretary were to undertake a construction project, by adopting a resolution—

(1) designating a certifying Tribal official to represent the Indian Tribe and to assume the status of a responsible Federal official under those Acts, laws, or regulations; and

(2) accepting the jurisdiction of the United States court for the purpose of enforcing the responsibilities of the certifying Tribal official assuming the status of a responsible Federal official under those Acts, laws, or regulations.

(c) SAVINGS CLAUSE.—Notwithstanding subsection (b), nothing in this section authorizes the Secretary to enter into any compact or funding agreement duties of the Secretary under the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), and other related provisions of law that are inherent Federal functions.

(d) CODES AND STANDARDS.—In carrying out a construction project under this title, an Indian Tribe shall—

(1) adhere to applicable Federal, State, local, and Tribal building codes, architectural and engineering standards, and applicable Federal guidelines regarding design, space, and operational standards, appropriate for the particular project; and

(2) use only architects and engineers who—

(A) are licensed to practice in the State in which the facility will be built; and

(B) certify that—

(i) they are qualified to perform the work required by the specific construction involved;

(ii) upon completion of design, the plans and specifications meet or exceed the applicable construction and safety codes.

(e) TRIBAL ACCOUNTING.—

(1) IN GENERAL.—In carrying out a construction project under this title, an Indian Tribe shall assume responsibility for the successful completion of the construction project and for a facility that is usable for the purpose for which the Indian Tribe received funding.

(2) REQUIREMENTS.—For each construction project carried out by an Indian Tribe under this title, the Indian Tribe and the Secretary shall negotiate a provision to be included in the funding agreement that identifies—

(A) the approximate start and completion dates for the project, which may extend over a period of one or more years;

(B) a general description of the project, including the scope of work, references to design criteria, and other terms and conditions;

(C) the responsibilities of the Indian Tribe and the Secretary for the project;

(D) how project-related environmental considerations will be addressed; and

(E) the amount of funds provided for the project;
“(F) the obligations of the Indian Tribe to comply with the codes referenced in subsection (d)(1) and applicable Federal laws and regulations;

(G) by the Secretary, that the Indian Tribe has secured upon completion the review and approval of the plans and specifications, inspections, and other factors that do not exceed the funding formula criteria for comparable buildings.

Sec. 2.1

(a) IN GENERAL.—At the request of the governing body of an Indian Tribe and under the terms of an applicable funding agreement, the Secretary shall provide funding to the Indian Tribe to carry out the funding agreement.

(b) ADVANCE ANNUAL PAYMENT.—At the option of the Indian Tribe, a funding agreement shall provide for an advance annual payment to an Indian Tribe.

(c) AMOUNT.—(1) IN GENERAL.—Subject to subsection (e) and sections 403 and 405, the Secretary shall provide funds to the Indian Tribe under a funding agreement in an amount that is equal to the amount that the Indian Tribe would have been entitled to receive under contracts and grants under this Act (including amounts for direct program and contract support costs and, in addition, any funds that are specifically or functionally related by the Secretary to services and benefits to the Indian Tribe or its members) without regard to the organization within the Department at which the programs are carried out. (2) SAVINGS CLAUSE.—Nothing in this section reduces programs, services, or funds of, or provided to, another Indian Tribe.

(d) TIMING.—(1) IN GENERAL.—Pursuant to the terms of any compact or funding agreement entered into under this title, the Secretary shall transfer to all funds provided for in the funding agreement, pursuant to subsection (c), and provide funding for periods covered by joint resolution adopted by Congress, to the extent permitted by such resolution.

(2) TRANSFERS.—Not later than 1 year after the date of enactment of the PROPOSED ACT, any Indian Tribe shall not retain interest or income earned on any funds paid under a compact or funding agreement to carry out governmental purposes.

(f) FEDERAL RESOURCES.—If an Indian Tribe elects to carry out a compact or funding agreement under this Act or self-governance under this Act that replaces, displaces, or resources to the Indian Tribe under a compact or funding agreement shall remain available until expended.

(g) LIMITATIONS ON AUTHORITY OF THE SECRETARY.—(1) In general.—The Secretary shall not—

(a) change the amount of pass-through funds subject to the terms of the funding agreement;

(b) change the amount of funds transferred under a program for which the funds were provided;

(c) to pay for Federal functions, including—

(i) Federal pay costs;

(ii) Federal employee retirement benefits;

(iii) automated data processing;

(iv) technical assistance; and

(v) monitoring of activities under this title;

(d) to pay for Federal personnel displaced by self-determination contracts under this Act or self-governance under this title.

(h) FEDERAL RESOURCES.—If an Indian Tribe elects to carry out a compact or funding agreement with the use of Federal personnel, Federal supplies (including supplies available from Federal warehouse facilities), Federal services (including those provided by qualified, licensed, and independent architects and engineers).

(i) Promt Payment Act.—Chapter 39 of title 31, United States Code, shall apply to the transfer of funds due under a compact or funding agreement authorized under this title.

(j) INTEREST OR OTHER INCOME.—(1) IN GENERAL.—An Indian Tribe may retain interest or income earned on any funds paid under a compact or funding agreement.

(k) CARRYOVER OF FUNDS.—Notwithstanding any provision of an appropriations Act, all funds paid to an Indian Tribe in accordance with a compact or funding agreement shall remain available until expended.

(l) LIMITATION OF COSTS.—(1) IN GENERAL.—An Indian Tribe shall not be obligated to continue performance that requires an expenditure of funds in excess of the amount of funds transferred under a compact or funding agreement.

(2) NOTICE OF INSUFFICIENCY.—If at any time the Indian Tribe has reason to believe that the total amount provided for a specific activity under a compact or funding agreement is insufficient, the Indian Tribe shall provide written notice under notice under paragraph (2), the Secretary shall provide notice of such insufficiency to the Secretary.

(3) SUSPENSION OF PERFORMANCE.—If, after notice under paragraph (2), the Secretary shall provide notice of such insufficiency to the Secretary.

(4) SAVINGS CLAUSE.—Nothing in this section reduces any programs, services, or funds of, or provided to, another Indian Tribe.
funds provided under this title unless otherwise agreed by the parties to an applicable funding agreement.

(n) APPLICABILITY.—Notwithstanding any other provision of this section, section 101(a) of the PROGRESS for Indian Tribes Act applies to subsections (a) through (m).

SEC. 409. FACILITATION.

(a) In General.—The Secretary shall—

(1) consider any request for the inclusion of programs, facilities, procedures, or requirements in regulations that may be incorporated into a funding agreement under this title.

(b) REGULATION WAIVER.—

(1) REQUEST.—An Indian Tribe may submit to the Secretary a written request for a waiver of applicability of a Federal regulation, including—

(A) an identification of the specific text in the regulation sought to be waived; and

(B) the basis for the request.

(2) DETERMINATION BY THE SECRETARY.—Not later than 120 days after receipt by the Secretary and the designated officials under subsection (c) of any request described in paragraph (1), the Secretary shall approve or deny the requested waiver in writing to the Indian Tribe.

(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian Tribe and the Secretary.

(4) DESIGNATED OFFICIALS.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the waiver request described in paragraph (1).

(5) GROUNDS FOR DENIAL.—The Secretary may deny a request under paragraph (1) upon a specific finding by the Secretary that the identification of the regulation in the request may not be waived because such a waiver is prohibited by Federal law.

(6) FAILURE TO MAKE DETERMINATION.—If the Secretary fails to make a determination with respect to a waiver request within the period specified in paragraph (2) including any extension agreed to under paragraph (3), the Secretary shall be deemed to have agreed to the request, except that for a waiver request relating to programs eligible under section 409(b)(2) or section 409(c), the Secretary shall be deemed to have denied the request.

(7) FINALITY.—A decision of the Secretary under this section shall be final for the Department.

SEC. 410. DISCRETIONARY APPLICATION OF OTHER SECTIONS.

(a) In General.—Except as otherwise provided in section 201(d) of the PROGRESS for Indian Tribes Act, at the option of a participating Indian Tribe or Indian Tribes, any of the provisions of title I may be incorporated in any section of this title in a manner that the Secretary determines, in consultation with an Indian Tribe participating in self-governance under this title, will result in a programmatic benefit to the participating Indian Tribe.

(b) SUPPLEMENT OR REPLACEMENT.—If the Secretary determines that a provision of title I may not be incorporated under this section, the inclusion of any such provision shall be subject to, and shall not conflict with, section 101(a) of such Act.

(c) EFFECT.—Each incorporated provision under subsection (a) shall—

1. have the same force and effect as if set out in full in this title; and

2. supplement or replace any related provisions in this title; and

3. apply to any agency otherwise governed by this title.

(d) EFFECT.—If an Indian Tribe requests incorporation at the negotiation stage of a compact or funding agreement, the incorporation shall—

1. be effective immediately; and

2. control the negotiation and resulting compact and funding agreement.

SEC. 411. ANNUAL BUDGET LIST.

The Secretary shall list, in the annual budget request submitted to Congress under section 1105 of title 31, United States Code, any funding agreements authorized under this title.

SEC. 412. REPORTS.

(a) IN GENERAL.—

(1) REQUIREMENT.—On January 1 of each year, the Secretary shall submit to Congress a report regarding the administration of this title.

(2) ANALYSIS.—Any Indian Tribe may submit to the Office of Self-Governance and to the appropriate committees of Congress a detailed annual analysis of unmet Tribal needs for funding agreements under this title.

(b) CONTENTS.—The report under subsection (a) shall—

1. be accompanied by information contained in funding agreements, annual audit reports, and data of the Secretary regarding the disposition of Federal funds;

2. identify—

(A) the relative costs and benefits of self-governance;

(B) with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to self-governance Indian Tribes and members of Indian Tribes;

(C) the transfers funded to each Indian Tribe and the corresponding reduction in the Federal employees and workload; and

(D) the funds for individual Tribal shares of all Central Office funds, together with the comments of affected Indian Tribes, developed under subsection (d); before being submitted to Congress, be distributed to the Indian Tribe for comment (with a comment period of not less than 30 days);

3. include the separate views and comments of each Indian Tribe or Tribal organization; and

4. include a list of—

(A) all such programs that the Secretary determines, in consultation with Indian Tribes participating in self-governance, are eligible for negotiation to be included in a funding agreement at the request of a participating Indian Tribe; and

(B) all such programs which Indian Tribes have formally requested to include in a funding agreement under section 403(b) or section 403(c), the Secretary shall be deemed to have denied the request.

(3) USE OF FUNDS.—If funds are proposed to be included in the annual Federal budget request submitted to Congress under section 1105 of title 31, United States Code, to negotiate and promulgate such regulations as are necessary to carry out this title.

(4) APPLICABILITY.—Notwithstanding any other provision of this title, the Office of Self-Governance for Indian Tribes Act, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5, United States Code, to negotiate and promulgate such regulations as are necessary to carry out this title.

(5) EFFECT.—Each report required by this section shall be published in the Federal Register, after consultation with Indian Tribes participating in self-governance, revised lists and programmatic targets.

(b) CONTENTS.—In preparing the revised lists and programmatic targets, the Secretary shall consider all programs that were eligible for contracting in the original list published in the Federal Register in 1996, except that any program that was determined not to be contractible as a matter of law.

(c) REPORT ON CENTRAL OFFICE FUNDS.—Not later than January 1, 2019, the Secretary shall—

1. develop a funding formula to determine the individual Tribal share of funds controlled by the Central Office of the Bureau of Indian Affairs and the Office of the Special Trustee for inclusion in thecompacts.

SEC. 413. REGULATIONS.

(a) IN GENERAL.—

(1) PROMULGATION.—Not later than 90 days after the date of enactment of the PROGRESS for Indian Tribes Act, the Secretary shall promulgate such regulations as are necessary to carry out this title.

(b) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this title shall be published in the Federal Register not later than 21 months after the date of enactment of the PROGRESS for Indian Tribes Act.

(c) EXPANSION OF AUTHORITY.—The authority to promulgate regulations under paragraph (1) shall expire on the date that is 30 months after the date of enactment of the PROGRESS for Indian Tribes Act.

(d) COMMITTEE.—

1. Membership.—A negotiated rule-making committee established pursuant to section 565 of title 5, United States Code, to carry out this section shall have as its membership representatives of the Federal Government and Tribal government.

2. LEAD AGENCY.—Among the Federal representatives described in paragraph (1), the Office of Self-Governance shall be the lead agency for the Department.

(e) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rule-making procedures to the context of self-governance and the government-to-governance relationship between the United States and Indian Tribes.

(f) EFFECT.—

1. REPEAL.—The Secretary may repeal any regulation that is inconsistent with this Act.

2. CONFLICTING PROVISIONS.—Subject to section 101(a) of the PROGRESS for Indian Tribes Act and except with respect to programs described under section 403(c), this title shall supersede any conflicting provision of law (including any conflicting regulations).

SEC. 414. EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCE, AND RULES.

(a) IN GENERAL.—Except as otherwise provided in section 201(d) of the PROGRESS for Indian Tribes Act, at the option of a participating Indian Tribe or Indian Tribes, any of the provisions of this title may be incorporated in any section of this title in a manner that the Secretary determines, in consultation with Indian Tribes participating in self-governance under this title, will result in a programmatic benefit to the participating Indian Tribe.

(b) EFFECT.—Each incorporated provision under subsection (a) shall—

1. have the same force and effect as if set out in full in this title; and

2. supplement or replace any related provision in this title; and

3. apply to any agency otherwise governed by this title.

(c) EFFECT.—If an Indian Tribe requests incorporation at the negotiation stage of a compact or funding agreement, the incorporation shall—

1. be effective immediately; and

2. control the negotiation and resulting compact and funding agreement.
made by the Secretary under this title, the Secretary shall have the burden of proof of demonstrating by a preponderance of the evidence—

the validity of the grounds for the decision; and

the consistency of the decision with the requirements and policies of this title.

SEC. 416. APPLICATION OF OTHER PROVISIONS.

Section 314 of the Department of the Interior and Related Agencies Appropriations Act, 1991 (Public Law 101–512; 104 Stat. 1959), shall apply to compacts and funding agreements entered into under this title.

SEC. 417. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

TITLE II—INDIAN SELF-DETERMINATION

SEC. 201. DEFINITIONS; REPORTING AND AUDIT REQUIREMENTS; APPLICATION OF PROVISIONS.

(a) Definitions.—

(1) IN GENERAL.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304) is amended by striking subsection (j) and inserting the following:

(1) ‘‘self-determination contract’’ means a contract entered into under title I (or a grant or cooperative agreement used under section 9) between a Tribal organization and the appropriate Secretary for the planning, conduct, and administration of programs or services that are otherwise provided to Indian Tribes and members of Indian Tribes pursuant to Federal law, subject to the condition that, except as provided in section 105(a)(3), no contract entered into under title I (or grant or cooperative agreement used under section 9) shall—

(1) be considered to be a procurement contract; or

(2) except as provided in section 107(a)(1), subject to any Federal procurement law (including regulations);’’;

(b) Technical Amendments.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), as amended by paragraph (1), is further amended—

(A) in subsection (e), by striking ‘‘Indian tribe’’ means and inserting ‘‘Indian tribe’’ or ‘‘tribal organization’’ means; and

(B) in subsection (l), by striking ‘‘tribal organization’’ means and inserting ‘‘tribal organization’’ means;’’.

SEC. 202. CONTRACTS BY SECRETARY OF THE INTERIOR.

Section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5321) is amended—

(1) in subsection (c)(2), by striking ‘‘economic enterprises’’ and all that follows through ‘‘except that’’; and inserting ‘‘economic enterprises (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452), except that’’; and

(2) by adding at the end the following:

‘‘(f) Effect of Indian Tribes Act.—In the negotiation of self-determination contracts and funding agreements, the Secretary shall—

‘‘(1) at all times negotiate in good faith to maximize implementation of the self-determination policy; and

‘‘(2) carry out this Act in a manner that maximizes the policy of Tribal self-determination, in a manner consistent with—

‘‘(A) the purposes specified in section 3; and

‘‘(B) the progress for Indian Tribes Act.’’.

(g) Rule of Construction.—Subject to subsections (a) and (b) of section 102, the Secretary shall—

(A) the purposes specified in section 3; and

(B) carry out this Act in a manner that facilitates, to the maximum extent practicable, implementation of self-determination contracts and funding agreements of—

(A) applicable programs, services, functions, and activities (or portions thereof); and

(B) funds associated with those programs, services, functions, and activities;

(2) the implementation of self-determination contracts and funding agreements; and

(3) the achievement of Tribal health objectives.

(h) Technical Assistance for Internal Controls.—In considering proposals for, or in the course of, a contract under this title and compacts under title IV-C of this Act, the Secretary determines that the Indian Tribe lacks adequate internal controls necessary to manage the contractor program or programs, the Secretary shall, as soon as practicable, provide the necessary technical assistance to assist the Tribe in developing adequate internal controls. As part of that technical assistance, the Secretary and the Tribe shall develop a plan for assessing the subsequent effectiveness of such technical assistance. The inability of the Secretary to provide technical assistance or lack of a plan under this subsection shall not result in the re- assumption of an existing agreement, contract, or compact, or declination or rejection of a new agreement, contract, or compact.

(i) The Secretary shall prepare a report to be included in the information required for the reports under sections 405(b)(1) and 514(b)(2)(A). The Secretary shall include in this report, in the aggregate, a description of the internal controls that were inadequate, the technical assistance provided, and a description of Secretarial actions taken to address any remaining inadequate internal controls after the assessment of technical assistance and implementation of the plan required by paragraph (1).’’.

SEC. 203. ADMINISTRATIVE PROVISIONS.

Section 105 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324) is amended—

(1) in subsection (c)(2), by striking ‘‘puruant to’’ and in- structing ‘‘pursuant to sections 102 and 103’’; and

(2) by adding at the end the following:

‘‘(p) Interpretation by Secretary.—Except as otherwise provided by law, the Secretary shall—

(A) interpret all Federal laws (including regulations and Executive orders in- cluding regulations) and Executive orders in a manner that facilitates, to the maximum extent practicable—

(1) the negotiation in self-determination contracts and funding agreements of—

(A) applicable programs, services, functions, and activities (or portions thereof); and

(B) funds associated with those programs, services, functions, and activities;

(2) the implementation of self-determination contracts and funding agreements; and

(3) the achievement of Tribal health objectives.

(q)(1) Technical Assistance for Internal Controls.—In considering proposals for, or in the course of, a contract under this title and compacts under title IV-C of this Act, the Secretary determines that the Indian Tribe lacks adequate internal controls necessary to manage the contractor program or programs, the Secretary shall, as soon as practicable, provide the necessary technical assistance to assist the Indian Tribe in developing adequate internal controls. As part of that technical assistance, the Secretary and the Tribe shall develop a plan for assessing the subsequent effectiveness of such technical assistance. The inability of the Secretary to provide technical assistance or lack of a plan under this subsection shall not result in the re- assumption of an existing agreement, contract, or compact, or declination or rejection of a new agreement, contract, or compact.

(2) The Secretary shall prepare a report to be included in the information required for the reports under sections 405(b)(1) and 514(b)(2)(A). The Secretary shall include in this report, in the aggregate, a description of the internal controls that were inadequate, the technical assistance provided, and a description of Secretarial actions taken to address any remaining inadequate internal controls after the assessment of technical assistance and implementation of the plan required by paragraph (1).’’.

SEC. 204. CONTRACT FUNDING AND INDIRECT COSTS.

Section 106(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5329(a)(3)) is amended—

(1) in subparagraph (A) in clause (i), by striking ‘‘one performance agreement contained in subsection (c), in the aggregate, a description of the internal controls that were inadequate, the technical assistance provided, and a description of Secretarial actions taken to address any remaining inadequate internal controls after the assessment of technical assistance and implementation of the plan required by paragraph (1).’’.

SEC. 205. CONTRACT OR GRANT SPECIFICATIONS.

Section 108 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5329) is amended—

(1) in subsection (a)(2), by inserting ‘‘subject to subsections (a) and (b) of section 102’’ before ‘‘contain’’;

(2) in subsection (f)(2)(A)(ii) of the model agreement contained in subsection (c), by inserting ‘‘subject to subsections (a) and (b) of section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5321),’’ before ‘‘such other provisions’’; and

(3) in subsection (b)(7)(C) of the model agreement contained in subsection (c), in the second sentence of the matter preceding clause (1), by striking ‘‘on one performance monitoring visit’’ and inserting ‘‘two performance monitoring visits’’.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL WORKFORCE DEVELOPMENT MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 632 and the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 632) designating September 2018 as ‘‘National Workforce Development Month.’’

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

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

The ACTING PRESIDENT pro tem-
pore. Without objection, it is so or-
dered.

The resolution (S. Res. 632) was
agreed to.
The preamble was agreed to.
(The resolution, with its preamble, is
printed in today’s RECORD under “Sub-
mitted Resolutions.”)

SICKLE CELL DISEASE
AWARENESS MONTH

Mr. McCONNELL. Mr. President, I
ask unanimous consent that the Sen-
ate proceed to the consideration of S.
Res. 661, submitted earlier today.
The ACTING PRESIDENT pro tem-
pore. The clerk will report the resolu-
tion by title.

The senior assistant legislative clerk
read as follows:
A resolution (S. Res. 661) expressing sup-
port for the designation of September 18,
2018, as “Sickle Cell Disease Awareness Month”
in order to educate communities across the
United States about sickle cell disease and
the need for research, early detection meth-
ods, effective treatments, and preventative care
programs with respect to sickle cell dis-
ease, complications from sickle cell disease,
and conditions related to sickle cell disease.

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

Mr. McCONNELL. Mr. President, I
ask unanimous consent that the resolu-
tion be agreed to, the preamble be agreed to, and the motions to recon-
sider be considered made and laid upon
the table with no intervening action or
debate.

The ACTING PRESIDENT pro tem-
pore. Without objection, it is so or-
dered.

The resolution (S. Res. 661) was
agreed to.
The preamble was agreed to.
(The resolution, with its preamble, is
printed in today’s RECORD under “Sub-
mitted Resolutions.”)

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I
ask unanimous consent that at a time to be
determined by the majority leader
In consultation with the Demo-
cratic leader, the Senate proceed to the
consideration of the House message to
accompany H.R. 6, the opioid bill. I
further ask consent that the majority
leader or his designee be recognized to
make a motion to concur; that there be
up to 4 hours of debate on the motion,
equally divided in the usual form; and
that following the use or yielding back
of that time, the Senate vote on the
motion to concur with no further inter-
vening action or debate.

The ACTING PRESIDENT pro tem-
pore. Without objection, it is so or-
dered.

NOMINATION OF BRETT
KAVANAUGH

Mr. McCONNELL. Mr. President, for
the information of all of our col-
leagues, there were two very signif-
icient developments today.

This morning, the Judiciary Com-
mittee reported out Judge Kavanaugh
favorably. All 11 Republican members
of the Judiciary Committee voted in
favor of reporting him out with a fa-
vorable recommendation. No. 2, we will
shortly move to proceed to the
Kavanaugh nomination, and I am
pleased to announce that all 51 Repub-
lican Members of the Senate support
the motion to proceed to the nomina-
tion. One hundred percent of the Re-
publican conference supports pro-
ceding to the Kavanaugh nomination.

Now, in committee, they reviewed
the most pages of documents ever pro-
duced pertaining to any Supreme Court
nomination—literally, hundreds of ju-
dicial opinions from his tenure on the
Court of Appeals for the DC Circuit and
5 days of hearings during which Judge
Kavanaugh testified for nearly 40
hours. Judge Kavanaugh testified on
every topic, from complicated legal
issues to sensitive personal matters;
and he testified with clarity and testi-
mony from countless personal friends,
classmates, coworkers, former clerks,
and other associates.

So the picture that has emerged from
all of this is clear: Judge Kavanaugh is
one of the most qualified and most im-
pressive Supreme Court nominees in
the history of our country.

He has excelled at the highest levels
of legal scholarship. He holds two de-
grees from Yale and, for years, has lec-
tured at Harvard Law School. He has
issued more than 300 legal opinions
from what is widely considered the sec-
ond highest court in the Nation. Sev-
eral have subsequently been cited in
the Supreme Court’s own majority
opinions. Along the way, he has built
an outstanding reputation within the
legal community for his clear and
thoughtful writing and his exemplary,
fairminded judicial temperament.

Judge Kavanaugh’s qualifications
have been affirmed by his peers and by
renowned legal scholars from across
the ideological spectrum. One self-de-
scribed liberal Democrat who advised
him at Yale Law School said that
Judge Kavanaugh “commands wide and
depth respect among scholars, lawyers,
and jurists.”

This praise has been echoed by hun-
dreds of character witnesses who have
testified before the Senate or written
letters to praise Judge Kavanaugh’s
personal character and his integrity in
the strongest terms.

The committee has also thoroughly
investigated the last-minute allega-
tions that have been brought forward.

The evidence that has been produced
either fails to corroborate these accu-
ssions or, in fact, support Judge
Kavanaugh’s unequivocal denial, and,
in some cases, the accusers have even
recanted their baseless allegations.

All in all, this is a nominee who has
received what many have considered
the gold standard of judicial qualifica-
tion—a rating of unanimously “well
qualified” from the American Bar As-
sociation.

So this is a nomination that deserves
to move forward, and that is precisely
what is happening.

I commend our colleagues on the
committee for sending this impressive
nominee here to the floor with a favor-
able recommendation.

Now we will keep the process moving.
The full Senate will begin consider-
ation of Judge Kavanaugh’s nomina-
tion today.

SPORTS MEDICINE LICENSURE
CLARITY ACT OF 2017

Mr. McCONNELL. Mr. President, I
understand the Senate has received a
message from the House to accompany
H.R. 302.

The ACTING PRESIDENT pro Tem-
pore. The Senator is correct.

Mr. MCCONNELL. I move that the
Chair lay before the Senate the mes-
sic to accompany H.R. 302.

The ACTING PRESIDENT pro tem-
pore. The question is on agreeing to
the motion.

The motion was agreed to.

The ACTING PRESIDENT pro tem-
pore laid before the Senate the fol-
lowing message from the House of Rep-
resentatives:

Resolved, that the House agree to
the amendment of the Senate to the bill (H.R.
302) entitled “An Act to provide protections
for certain sports medicine professionals
who provide certain medical services in a sec-
ondary State,” with an amendment to the
Senate amendment.

MOTION TO CONCUR

Mr. McCONNELL. I move to concur
in the Senate amendment to the House
amendment.
The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] moves to concur in the House amendment to the Senate amendment to H.R. 302.

CLOTURE MOTION

Mr. McConnell. I send a cloture motion to the desk on the motion to concur.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 302, an act to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.


MOTION TO REFER WITH AMENDMENT NO. 4028

Mr. McConnell. I move to concur in the House amendment with a further amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] moves to concur in the House amendment to the Senate amendment to H.R. 302, with an amendment numbered 4026.

Mr. McConnell. I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the end add the following:

"This Act shall take effect 2 days after the date of enactment.''

Mr. McConnell. I ask for the yeas and nays on my motion.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4029

Mr. McConnell. I have an amendment to the instructions.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 4029 to the instructions of the motion to refer H.R. 302.

Mr. McConnell. I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

Strike "1 day" and insert "2 days"

Mr. McConnell. I ask unanimous consent that the mandatory quorum call be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—HOUSE MESSAGE TO ACCOMPANY H.R. 302

Mr. McConnell. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 5 p.m. on Monday, the Senate vote on the motion to invoke cloture on the motion to concur; further, that if cloture is invoked, the Senate remain in executive session and the postcloture time continue to run as otherwise under the rule; finally, that upon the use or yielding back of the postcloture time, the Senate vote, as if in legislative session, on the motion to concur.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McConnell. Mr. President, I move to proceed to executive session to consider Calendar No. 119.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is on agreeing to the motion.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States.

AUTHORITY TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. McConnell. Mr. President, I ask unanimous consent that the majority leader and the senior Senator from Arkansas be authorized to sign duly enrolled bills or joint resolutions during the upcoming recess of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR MONDAY, OCTOBER 1, 2018

Mr. McConnell. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 3 p.m., Monday, October 1; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day.

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

RECESS UNTIL MONDAY, OCTOBER 1, 2018, AT 3 P.M.

Mr. McConnell. Mr. President, if there is no further business to come before the Senate, I ask that it stand in recess under the previous order.
NOMINATIONS

Executive nominations received by the Senate:

FEDERAL RESERVE SYSTEM

JEAN NELLIE LIANG, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FIFTEEN YEARS FROM FEBRUARY 1, 2010, VICE JANET L. YELLEN, RESIGNED.

TRADE AND DEVELOPMENT AGENCY

DARRELL E. ISSA, OF CALIFORNIA, TO BE DIRECTOR OF THE TRADE AND DEVELOPMENT AGENCY, VICE LEOCADIA IRINE ZAK.

UNITED NATIONS

ANDREW P. BREMBRODO, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA, WITH THE RANK OF AMBASSADOR.

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

To be ambassador extraordinary and plenipotentiary of the United States of America to the Republic of Armenia.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on September 28, 2018 withdrawing from further Senate consideration the following nomination:

ANTHONY KURTA, OF MONTANA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, VICE LAURA JUNIOR, RESIGNED, WHICH WAS SENT TO THE SENATE ON JULY 25, 2017.
Mr. Gold was an avid pursuer of local establishments, pubs, and high-end dining. Most food critics were focused on haute cuisine and experiences. While he is best known for his passion for Los Angeles' ethnic food and Los Angeles' people who prepared it, he frequently wrote about ethnic food and Los Angeles' many immigrant communities, in an effort he described as "celebrating the glorious mosaic of the city." His deep love of Los Angeles showed in the rich map he created of the city and its people, crisscrossing the San Gabriel Valley in his pickup truck, always in search of new and exciting places to eat and new people with whom to share a meal. Mr. Gold is survived by his wife, Laurie Ochoa, and their two children, Isabel and Leon. It is my distinct honor to commemorate the life and writing of Jonathan Gold and his lasting impact on Los Angeles and the San Gabriel Valley. Mr. Gold was the presence of John Hooten who passed away in March. John served as Scoutmaster for more than 20 years, motivating many to attain that highest rank—Eagle Scout. His contributions will never be forgotten. There is little question of this reporter—not about his family and not about whether he enjoyed living in America—the one question he asked was “Why do so many Chinese students and faculty living in the United States become Christians?” Whatever was behind that question, religious freedom conditions in China have not improved because of it. Quite the opposite, in fact, as Xi has personally launched efforts to “sinicize religion” and the central government has issued commands to each provincial Party Secretary, making them responsible to bring religion in line with Communist Party ideology. The Chinese government is an equal opportunity abuser of religious freedom. As U.S. Commission on International Religious Freedom Chair Tenzin Dorjee testified, Xi Jinping’s stated goal of “sinicizing religion” affects all religious communities in China—Tibetan Buddhists, Falun Gong practitioners, Daoists, Muslims, and Christians. Over the past year, the Chinese government has intensified the most severe crackdown on religious activities since the Cultural Revolution. Regulations on religious affairs issued in
February tightened existing restriction and new
draft regulations are being circulated to clamp
down on religious expression online. Church-
es, mosques, and temples have been demol-
hed, crosses destroyed, children have been
prohibited from attending services, and surveil-
ance cameras are being installed in churches.

Xi Jinping talks about realizing the “China
Dream”—but when Bibles are burned, when a
simple prayer over a meal in public may be an
illegal religious gathering, and when over a
million Uyghur and Kazakh Muslims are in-
terned in “reeducation camps” and forced to
renounce their faith—that dream is a night-
mare.

Much in the news lately has been the Chi-
nese government’s targeting of Christians. The
“sincrization campaign” has affected both
state-controlled and unregistered churches—
Protestant and Catholic. Clergy remain in pris-
on and the human rights lawyers who defend
religious believers have been jailed, dis-
appeared, or tortured into silence. Xi Jinping
views the fast-growing Chinese churches,
particularly the Protestant “house church”
movement that does not belong to the state-
sanctioned Protestant entities, as a threat to
the dominance of the Chinese Communist
Party. One of our witnesses yesterday, my
good friend the Rev. Dr. Bob Fu, has detailed
on countless occasions the Communist Party’s
terrible war on independent house churches.

Underground Catholics—meaning those
who do not belong to the state-sanctioned Pa-
triotic Association—have faced tremendous
persecution for decades, including Bishop Su
Zhirun who I met with in 1994. Bishop Su
Bereau was a bore witness to the bru-
tality of China’s Communist Party. He was
beaten, starved, and tortured for his faith and
spent some 40 years in prison. Yet, he prayed
not just for the persecuted church, but for the
conversion of those who hate, torture and kill.
Unfortunately, only a couple of years later
Bishop Su was arrested again and dis-
appeared. He has not been heard from since.

Today, efforts to forcibly close underground
parishes expanded this year, China’s Ethnic
and Religion Bureau told the state propaganda
arm Gagets that “activities of illegal, il-
legally-built parishes will be prohibited” and
underground Catholic churches were being
shuttered this very summer.

Recent reports indicate that a deal has been
struck by the Holy See and the Chinese gov-
ernment whereby the Pope will have veto
power over Chinese government-approved
candidates to be ordained as bishops. In ex-
change, seven previously excommunicated
bishops, ordained without papal mandate and
appointed by the Chinese government, will be
welcomed back into full communion with
Rome. Already, the Vatican has asked two
validly ordained bishops to step aside to make
way for two formerly excommunicated
bishops. Cardinal Joseph Zen, bishop emer-
itus of Hong Kong, has questioned whether
Vatican officials making these decisions “know
what true suffering is.”

The reports are that this deal is provisional
and full details are yet unknown. The devil
will be in the details—including the fate of under-
ground churches and relations with Taiwan.
But with all the efforts underway to forcibly sin-
crize religion, it certainly seems an odd time
to strike a deal with Xi Jinping’s China. I
hope and pray this agreement will bring true
religious freedom for Catholics in China—who
have suffered so much to maintain their faith.
We will continue to monitor the situation close-
ly to see if force is used by the Chinese gov-
ernment to close all “underground” or unregis-
tered Catholic churches as a result of this
deal.

We heard from Dr. Tom Farr on what the
implications of this deal would be and his rec-
ommendations for U.S. religious freedom
diplomacy.

U.S.-China tensions are high at the moment
on many fronts and the Chinese government
previously is searching for ways to reduce
Underground Catholics—meaning those
who do not belong to the state-sanctioned Pa-
triotic Association—have faced tremendous
persecution for decades, including Bishop Su
Zhirun who I met with in 1994.

HONORING REP. H.M. “MICKEY”
MICHUAH

HON. DAVID E. PRICE
OF NORTH CAROLINA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 2018

Mr. PRICE of North Carolina. Mr. Speaker, I
rise today to honor the leadership and serv-
ices provided by H.M. “Mickey” Michaux, who
retiring from the North Carolina General Assembly after nearly five
decades of distinguished and impactful public
service.

For many residents of Durham and the
State of North Carolina, Mickey Michaux’s life
has been synonymous with our growth and progress as a region as well as
the challenges we have faced as a state and
nation. A native of Durham, Michaux spent his childhood in segregated schools and public
establishments, attending the prestigious
boarding school, Palmer Memorial Institute,
and graduating from North Carolina Central
University (NCCU) in 1952. He went on to
serve his county in the United States Medical
Corps and Army Reserves from 1952 until
1960.

As a young business and civic leader,
Michaux was at the forefront of the civil rights
movement as it swept through the South. Dr.
Martin Luther King, Jr.’s first visit to Durham in
1956 came at Michaux’s invitation, building on
a friendship that would extend until King’s un-
timely death. His early involvement in local
civil rights struggles led him to pursue a ca-
eer in law; he earned his Juris Doctor from
N.C. Central in 1964 and was appointed as the
Chief Assistant District Attorney for Dur-
ham County in 1969.

In 1972, Michaux was elected to the North
Carolina House of Representatives, becoming
just the third African American to hold a seat
in the State of North Carolina. He
made his cause a less lonely one.

Mickey Michaux has not hesitated to take
on difficult causes. My wife Lisa greatly ad-
mired his introduction in the early 1990s of
legislation designed to keep guns out of the
wrong hands; her hope in founding North
Carolinians Against Gun Violence was to
make his cause a less lonely one.

Lisa and I have known Mickey for the 45
years we have been constituents in North Carolina. I
worked with him as state Democratic chairman
and then benefited from his counsel and en-
couragement when I decided to seek office
myself. He was especially welcoming and
helpful when my district was redrawn to in-
clude Durham in 1997. I had a lot to learn,
and I will always be grateful for Mickey’s gen-
erosity in easying my way.

Mickey has received countless awards
and recognitions for his service, including the
Order of the Long Leaf Pine earlier this year.
He has been a mainstay of numerous bar and
real estate associations, the Durham Com-
mittee on the Affairs of Black People, and St.
Joseph’s AME Church. He is a member of the
Black College Alumni Hall of Fame, served as
an NCCU Trustee, and was National President
of the N.C. Central Alumni Association for
three terms. The H. M. Michaux, Jr. School of
Education at NCCU was dedicated in
his honor in 2007.

On behalf of North Carolina’s Congressional
delegation and my constituents in the Fourth
District, I join Mickey’s many friends, col-
leagues, and constituents in thanking him for
his commitment and service to the city of
Durham and the State of North Carolina. He
leaves his community stronger than he found it,
better equipped to nurture future genera-
tions of conscientious and effective leaders.
All North Carolinians are in his debt. We wish
him, his wife June, and their family well as he
begins the next chapter in his life.

FRANK REWOLD AND SON, INC.

IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 2018

Mr. BISHOP of Michigan. Mr. Speaker, I rise
today to congratulate Frank Rewold and Son,
as this year marks the business’ 100th anni-
versary in my hometown of Rochester, Michi-
gan.

In 1918, the widow of John Francis Dodge,
of Dodge Motor Car Company, a co-founder of
Oakland University, hired an established car-
penter by the name of Frank Rewold. This
marked the beginning of decades of building,
fixing, and problem solving by this incredible family. Frank Rewold passed the legacy onto his apprentice and son Roy Rewold. Over the last 100 years, generations of Rewolds have designed and built countless structures in our community—everything from higher education buildings to manufacturing facilities. I’m proud of the heritage and reputation this company has maintained since 1918—their integrity, relationship focused, and honest outlook have resulted in historical connections that span generations.

In their 4th generation of leadership, Frank Rewold and Son has continued to be family-owned and operated business. I’m grateful to have the incredible Frank Rewold and Son team investing and thriving in our community for the last 100 years.

Again—congratulations to Frank Rewold and Son on achieving this enormous milestone. I wish them continued success in the future.

HONORING THE 125TH ANNIVERSARY OF WHEELER MISSION MINISTRIES

HON. TODD ROKITA
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute an exceptional ministry in the State of Indiana. This year Wheeler Mission Ministries is celebrating its 125th anniversary.

In 1893, a small group of women from the Women’s Christian Temperance Union recognized a tragedy in their city: “friendless women” in Indianapolis were regularly abandoned at Union Station, having no place to go and no one to care for them. As a response, these pioneering women opened a small refuge and residence for women in need, a refuge known today as Wheeler Mission. One hundred twenty-five years later, Wheeler Mission has expanded to become the oldest continuous operating ministry of its kind in the state of Indiana. Offering the Indianapolis and Bloomington communities homeless shelters, residential programming, addiction recovery services, and social enterprises, Wheeler has continuously operating ministry of its kind in the state of Indiana. Offering the Indianapolis and Bloomington communities homeless shelters, residential programming, addiction recovery services, and social enterprises, Wheeler has expanded to 9 locations and dozens of ministries. While its programs and services have adapted to meet the ever-changing needs of the community, Wheeler remains focused and unwavering in its commitment to Christ and the transformation that is possible through the Gospel.

PERSONAL EXPLANATION

HON. STEVE KING
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. KING of Iowa. Mr. Speaker, on September 25, 2018, I voted against H.R. 6369, the Expanding Contracting Opportunities for Small Business Act, as amended (Roll Call No. 401). H.R. 6369 was brought to the floor for a vote under suspension of the Rules of the House of Representatives. H.R. 6369 increases the dollar cap of sole-source awards under the HUBZone Program, Service-Disabled Veteran-Owned Small Business (SDVOSB) Program, and Women-Owned Small Business (WOSB) Program. Although I support increasing the dollar cap of sole-source awards for our nation’s service-disabled veterans, I reject the equivocation between women and disabled veterans. When it comes to being a small business owner, it is easy to understand that our nation’s service-disabled veterans may need and definitely deserve an assist. However, women are just as qualified and able to succeed as anyone. We must also recognize and salute an exceptional ministry among whom I am privileged to count myself.

The Saint Ambrose Episcopal Church: 150 Years of Faithful Witness

HON. DAVID E. PRICE
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to commemorate the 150th anniversary of Saint Ambrose Episcopal Church, located in the district I represent in Raleigh, North Carolina.

Saint Ambrose was founded in 1868 as a ministry to the emancipated persons of African ancestry. At its founding, Saint Ambrose Church was the worshiping community associated with Saint Augustine’s College. Reverend Jacob Brinton Smith was the first pastor, and the first building was placed on a tract authorized by the North Carolina legislature in downtown Raleigh.

In 1896, under the leadership of Rev. James E. King, St. Ambrose became a free-standing congregation. Shortly thereafter, parishioners moved the entire building one mile, to the corner of South Wilmington and Cabarrus Streets, and renovated the church to include education rooms and a rectory. In the 1950’s, under the leadership of Rev. George A. Fisher, the church attained parish status, becoming the first historically African American mission in the Episcopal Diocese of North Carolina to do so.

My own ties to St. Ambrose date to the long tenure (1959–98) of a wonderful pastor, Rev. Arthur Calloway, who also served three terms on the Raleigh City Council. Father Calloway oversaw the construction of the church’s present facility on Darby Street in 1965 and the addition of an education wing in 1987. He was a civil rights leader, a prophetic voice in the community, and a mentor to many—among whom I am privileged to count myself.

Today, Saint Ambrose continues in this strong tradition of ministry and service, led by an inspiring young pastor, Rev. Robert Jermonde Taylor. He was preceded by Rev. Kimberly Lucas, the first female rector and the first African American woman ordained priest in the diocese.

As we look back at the legacy of Saint Ambrose, we give thanks for the church’s positive impact on the lives of countless citizens in Raleigh and the surrounding communities. The congregation has set a powerful example by proclaiming the gospel faithfully and ministering to the community in multiple ways—ranging from tutoring at-risk youth to partnering with Raleigh Urban Ministries, Alcoholics and Narcotics Anonymous, and Partners for Environmental Justice. On behalf of North Carolina’s congressional delegation and the people of the Fourth District, I am pleased to offer my congratulations to the leaders, congregants, and friends of Saint Ambrose Episcopal Church as they celebrate their 150th Anniversary and look forward to the decades of ministry and service to come.

RECOGNIZING SEPTEMBER AS DYSTONIA AWARENESS MONTH

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to join those who have participated in public activities and forums this month to mark September as Dystonia Awareness Month. Public awareness events and campaigns help raise funds for improved research and treatment to one day find a cure.

Dystonia is a neurological movement disorder that causes muscles to contract and spasm involuntarily. It affects men, women, and children. Dystonia can be generalized, affecting all major muscle groups, and resulting in twisting, repetitive movements and abnormal postures. It can also be focal, affecting a specific part of the body such as legs, arms, hands, neck, face, mouth, eyelids, or vocal cords.

Dystonia is a chronic disorder producing symptoms that vary in degrees of frequency, intensity, disability, and pain depending on the type of dystonia. The inability to predict or control the movements of body parts vital to mobility and communication has a profound impact on an individual’s life, and the lives of their loved ones.

I am proud to represent the Nachbar Family of Freehold, New Jersey. Janice and Len Nachbar are the incredibly devoted parents of Joanna—a beautiful, smart woman who is affected by dystonia. In their role as leaders of the Central New Jersey Dystonia Support and Action Group, they are active advocates on behalf of their daughter and the dystonia community. The Nachbars are just one of the thousands of families nationwide who are part of the Dystonia Medical Research Foundation which raises awareness for dystonia and provides support to patients, families, and caregivers.

Since I first met the Nachbars and learned of dystonia, I have repeatedly requested adequate appropriations for important research funded by the National Institutes of Health and the Department of Defense, and in 2015 I hosted a Congressional briefing where the Nachbars and other members of the dystonia community testified to the importance of funding and awareness for this terrible disorder.

Despite the prevalence of dystonia, awareness and proper diagnosis of this disorder is currently limited. Many patients report that it took visits to numerous physicians over the course of years to get a correct diagnosis. Currently there is no single test to confirm the diagnosis of dystonia. Instead, the diagnosis...
rests in a physician’s ability to observe symptoms of dystonia and obtain a thorough patient history.

In order to correctly diagnose dystonia, doctors must be able to recognize the physical signs and be familiar with the symptoms. In certain instances, tests may be ordered to rule out other conditions or disorders. The kind of specialist who typically has the training to diagnose and treat dystonia is a movement disorder neurologist. Awareness and recognition of dystonia is crucial.

I encourage my colleagues to learn more about dystonia and how it impacts the livelihood of their constituents, and honor the important work the Dystonia Medical Research Foundation, and families like the Nachbars, do to raise awareness and give hope to patients across the country.

HONORING CONNOR FRANTZ FOR HIS WORK WITH VETERANS

HON. BRAD R. WENSTRUP
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. WENSTRUP. Mr. Speaker, I rise in recognition of Connor Frantz, a remarkable young man from Cincinnati.

Connor has a heart for serving our veterans. As early as the age of 9, he was thinking up ways to make a difference in the lives of those who served our great nation.

He recently created his own nonprofit, called “Heroes Are Never Alone,” Connor’s organization partners with the Cincinnati Department of Veterans Affairs to most efficiently connect community support to veterans in need. Connor has helped raise more than $8,000 so far.

Just this past winter, Heroes Are Never Alone had a tangible impact on Cincinnati’s homeless population. Connor’s donations were used to purchase winter clothing for veterans on the streets, in shelters, and temporary housing. His donations were also used to purchase hundreds of bus passes that allowed veterans to secure employment, access to housing, and services at food pantries. Connor’s organization even donated a storage unit that is now used to store furniture that can be provided to veterans moving into permanent housing.

Mr. Speaker, we cannot end veteran homelessness on our own from Washington. We all benefit from initiatives by private citizens like Connor, who have a passion for helping veterans transition out of this condition. I hope you’ll join me in thanking Connor for his efforts. We look forward to following young Connor Frantz’s continued good work.

RECOGNIZING THE 2018 BEST OF BRADDOCK AWARD RECIPIENTS

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of the annual Best of Braddock Awards. These awards are the result of collaboration between the Braddock District Council and Braddock District Supervisor and are presented to individuals and organizations whose extraordinary efforts make our community a better place.

I have been proud to represent this community since my days as Chairman of the Fairfax County Board of Supervisors. The level of civic engagement celebrated by these awards is a testament to the community spirit of the Braddock District. I have often said that civic engagement is a key indicator of a healthy community and tonight’s event proves that Braddock District continues to be one of the healthiest communities in all of Northern Virginia. That is due in no small part to the actions of those honored here this evening. I extend my congratulations to all of tonight’s honorees and commend them for their efforts on behalf of others and in making our community one of the best places in the country in which to live, work and raise a family.

It is my honor to include in the RECORD the following recipients of the 2018 Best of Braddock Awards:

Marlynn Sitts—Olde Forge/Surrey Square Civic Association, Hospitality Chairperson
Donna Fricas—Olde Forge/Surrey Square Civic Association, Little Free Library Project Coordinator
Sarah Lennon—Kings Park West Civic Association, Parks and Lake Chairperson, Leader of the Road Runners Cleanup Team
Cathy DeLoach and Mary Hovland—Long and Foster Mary and Cathy Team, Kings Park West Tour of Homes Coordinators
Judy Nitsche—Friends of Kings Park Library, Book Sale Chair
Evan Brown—Forest City Woods—Fairfax County Neighborhood and Community Services, Neighborhood College Coordinators

Mr. Speaker, I ask my colleagues to join me in congratulating the 2018 Best of Braddock honorees for their tremendous contributions to Fairfax County and Northern Virginia. I thank them for their service to our community and wish them great success in all their future endeavors.

CELEBRATING THE YEAR OF THE BIRD

HON. JOHN J. FASO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. FASO. Mr. Speaker, I rise today to recognize and celebrate the Year of the Bird, recognizing the tremendous value of our country’s migratory birds to our constituencies and all Americans and our natural world, and one hundred years of migratory bird conservation. Within my own district in Upstate New York, birds contribute to the rich and beautiful scenery of the region, including globally recognized Important Bird Areas like the Catskills and the Upper Delaware River Basin, home to iconic species such as the Bald Eagle and Osprey. Areas like the Delaware River Basin not only provide a home for wildlife, they also serve as crucial economic drivers. The Basin contributes $21 billion annually in ecotourism goods and services and provides water for millions of people in the region.

Greater than one-third of North American bird species continue to be in need of conservation action. That means that our action is key to their survival, through supporting the Land and Water Conservation Fund and Delaware River Basin Restoration Program, programs that conserve public lands which are important to both birds and people.

The best way we can honor the past century of successfully conserving our birds and their habitat is to continue to do so. We owe our children and grandchildren the joy of experiencing the rich bird life in this great country. Mr. Speaker, I ask you and my colleagues to join me in celebrating this monumental year marking a century of protecting birds. My hope is that we continue to advance sound policies and proper funding on behalf of the nation’s migratory birds and all Americans, so that our proud conservation legacy will live on.

RECOGNIZING THE 25TH ANNIVERSARY OF ST. MARY’S ETHIOPIAN ORTHODOX TAWAHEDO CHURCH

HON. MIKE COFFMAN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the 25th anniversary of St. Mary’s Ethiopian Orthodox Tawahedo Church located in my home town of Aurora, Colorado. This landmark anniversary is a significant milestone for St. Mary’s not only an important religious institution, it is an important part of our community.

I am proud to represent the largest Ethiopian community in the State of Colorado in the United States House of Representatives. These Ethiopian immigrants are welcome and valued members of our community. They have opened small businesses, become homeowners, and become vital members of our

APPRECIATION FOR THE WORK OF CONGRESSIONAL STAFFER MATT POWELL

HON. TOM MARINO
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. MARINO. Mr. Speaker, I rise today to acknowledge and thank a longtime staffer of mine, Matt Powell, who recently left my office to pursue a Master’s Degree in Public Health.
community. St. Mary’s is an important foundation in the lives of these Ethiopian-Americans where they can come together, as promised in the First Amendment to the U.S. Constitution, to practice their shared faith and help those within their community in times of need. St. Mary’s became the first Ethiopian Orthodox Tewahedo Church in Colorado when it was established in 1993. The church has experienced both triumphs and setbacks, but it has nevertheless always maintained its commitment to the community and willingness to serve. This is why St. Mary’s continues to grow and thrive as its members celebrate their successes, their sorrow, and support in time of distress. I offer my warmest and best wishes to the people and the leadership of St. Mary’s Ethiopian Orthodox Tewahedo Church on their 25th anniversary. I know St. Mary’s will continue to grow, to thrive, to serve its members, and to be a part of our community that is both a welcoming and diverse place.

CLARITY ON SMALL BUSINESS PARTICIPATION IN CATEGORY MANAGEMENT ACT OF 2018

SPREAD OF

HON. BENNIE G. THOMPSON
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 25, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 6382, the “Clarity on Small Business Participation in Category Management Act,” a bill which seeks to improve participation in federal contracting by small businesses.

The “Clarity on Small Business Participation in Category Management Act,” requires that the Small Business Administration report to Congress on the total amount of government-wide spending under the Category Management approach, and more importantly, the number of small businesses awarded contracts under Category Management and the dollar amount of such contracts.

This information will allow Congress to determine whether Category Management is negatively impacting the participation of small businesses—including, minority-owned, women-owned, and veteran-owned companies—in the federal marketplace.

While I appreciate that the rationale behind Category Management is to save taxpayer dollars by reducing contract redundancies and costs and shrink administrative burdens, I share the concerns of many that the expanded use of Category Management, as proposed by the Trump Administration, will result in fewer opportunities for small businesses to secure federal contracts.

Research published in a Federal News Radio article has shown that past contract consolidation efforts by the federal government have decreased the amount of small prime contractors obtaining federal work. As such, we must exercise vigilance to guard against the diminution of small business participation in the federal marketplace under Category Management. As a longtime advocate for small businesses, I am pleased to be an original co-sponsor on this legislation, and I thank the gentlelady from North Carolina, Ms. ADAMS, for bringing the bill forward.

With that, I urge my House colleagues to support small businesses by voting in favor of this legislation.

IN REMEMBRANCE OF MARGARET BRADFORD-MATTHEWS

HON. ROBERT A. BRADY
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. BRADY of Pennsylvania. Mr. Speaker, it is with a heavy heart that I rise today in remembrance of Margaret Bradford-Matthews.

Margaret was born in Philadelphia on September 26, 1949. She spent much of her youth in service to the A.M.E. Union Church. Shortly after graduating from William Penn High School in 1967, Margaret became one of the first African-American Pathology Technicians at the former Metropolitan Hospital in Philadelphia. She met her soon-to-be husband Herman Matthews, Jr., known to friends as Pete, that same year. Pete and Margaret married in the spring of 1970, at which point Margaret left her job at the hospital to raise their family.

Pete and Margaret were blessed with four children: Peter, Mark, Allan, and Heather. Of course, the challenges of raising four young children didn’t keep Margaret from staying involved in the community. She was a Boy Scouts Den Mother, community organizer, volunteer school advisor, and more. She loved animals, most of all her dogs Bo and Squirt, and would often volunteer at the Camden County Animal Shelter. Margaret also had a renown edge for fashion. Pete’s reputation as one of the sharpest-dressed men in Philadelphia stems from Margaret’s influence.

While Pete may hold the title of President, Margaret’s input played a vital role in shaping the contracts AFSCME District Council 33 reached with the City of Philadelphia. Her importance was recognized when she was selected from PA AFL-CIO Women’s Committee as a delegate to the 2000 Democratic National Convention. Margaret leaves behind a legacy that will live on in the countless lives she touched. Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring the life and memory of Margaret Bradford-Matthews.

IN CELEBRATION OF THE INWOOD CANOE CLUB TO THE UPPER MANHATTAN COMMUNITY ON ITS 116TH ANNIVERSARY

HON. ADRIANO ESPAILLAT
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ESPAILLAT. Mr. Speaker, I include in the Record the following Proclamation:

Whereas, the Inwood Canoe Club has been an integral part of the Upper Manhattan Community since its founding in 1913; ushering the introduction and growth of this sport and recreation with this generation as well as the generation of our parents and that of our grandparents before;

Whereas, the Inwood Canoe Club continues to eagerly welcome with open arms persons of all ages from different parts of New York City, and around the world for over a century;

Whereas, the Inwood Canoe Club has given New Yorkers a chance to discover new activities that enable us to enjoy the natural beauty that is such a tremendous point of pride that we share and are fortunate to celebrate with the Inwood Canoe Club;

Whereas, the Inwood Canoe Club places a priority on community engagement and instills a lifelong passion for outdoor recreation through programs highlighting water sports to educate the youth about the ecology of the Hudson river and the importance of the environment;

Now, therefore I, Adriano Espaillat, Representative of the Thirteenth Congressional District of New York in the United States House of Representatives, do hereby recognize Inwood Canoe Club on its 116th anniversary for its contribution to the Northern Manhattan Community and New York City.

AMERICANS WHO DIED FROM GUN VIOLENCE

HON. ROBIN L. KELLY
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Ms. KELLY of Illinois. Mr. Speaker, I rise today because Americans continue to die from gun violence while this White House and this Congressional majority does nothing to stop it. Instead of working to pass commonsense, lifesaving legislation that keeps guns out of the hands of people who should never have them, Republican Congressional leadership is already eyeing the door to campaign before the November election.

We are already hearing rumors that the next two weeks could be cancelled. Instead of running off to campaign, we should remain in Washington to debate any number of bipartisan commonsense gun safety proposals that will save American lives.

Sadly, this Republican majority is too beholden to the NRA and gun lobby to do the right thing.

Speaker Ryan and Congressional Republicans will head out to hit the campaign trail while Americans will continue to die because of their criminal inaction.

These are the names of 156 Americans that this Republican majority has failed by their inaction on gun violence:

1. Highlands County Sheriff’s Deputy William Gentry Jr.
2. Hinsel Estripet
3. Trent Bartol-Thomas, 19
4. Anthony Mathison
5. Rhiannon W. Layendecker
6. Samuel Jones, 22
7. Eric Young, 18
8. Matthew Eugene Collins
9. Joshua Jordan, 23
10. Guy Jr. Alabre, 16
11. Steven Gonzalez
12. Kehsawn Souvenir
13. Ivan Garcia
14. Maria “Angeles” Delosangeles Evaristo Bautista

Bautista
CELEBRATING THE MOUNTAIN LAKES JUNIOR FIRE DEPARTMENT’S 50TH ANNIVERSARY

HON. RODNEY P. FREILINGHUYSEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. FREILINGHUYSEN. Mr. Speaker, I rise today to celebrate the Mountain Lakes Junior Fire Department located in the Borough of Mountain Lakes, New Jersey, on the occasion of its 50th anniversary.

The Mountain Lakes Junior Fire Department (MLJFD) was first established in 1941 to supplement manpower during World War II. It was disbanded in 1945 and reestablished in 1968 and has been a strong force in the community ever since. The department is made up of high school students ranging from 16–18 years in age. Currently there are 22 members serving in the junior department, with an active waiting list.

The juniors receive much of the same training as the senior members. The juniors drill two to three Sundays a month and they also attend monthly senior drills and meetings. The junior department currently has four officers: chief, deputy chief, and two captains. The officers are appointed by the senior advisors for a one year term. The junior officers are responsible for the supervision of the other junior members at drills, fires and other emergencies.

The department presents an annual service award to three graduating seniors who have served in the junior fire department. The award is named in memory of Firefighter Thomas Taylor. Tom was a long time resident of Mountain Lakes and served in the department for 53 years. The recipient of the award will be a member of the junior department and selected by the junior board of officers.

On March 25, 2003, a ceremony was held for the Mountain Lakes Junior Fire Department for placing first in the 2002 Junior Emergency Service Excellence Award sponsored by Volunteer Fire Insurance Service. Hundreds of applications were received from junior fire departments and junior ambulance squads from across the country. The juniors received a $1,000 check, a plaque and were listed as the recipient of the award in national fire publications.

The Mountain Lakes Junior Fire Department serves as a model for other departments. The department has been integral in establishing other junior fire departments in Morris, Passaic, Essex, and Sussex counties.

Mr. Speaker, I ask that you and our colleagues join me in congratulating the Mountain Lakes Junior Fire Department, on the occasion of its 50th Anniversary.

INTRODUCTION OF A BILL TO ADD SUICIDE PREVENTION RESOURCES TO SCHOOL IDENTIFICATION CARDS

HON. J. LUIS CORREA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. CORREA. Mr. Speaker, unfortunately, in 2016, there were nearly 45,000 suicides nationwide, making it the tenth-leading cause of death.
Tragically, among teenagers and young adults, the suicide rate is particularly alarming, with suicide the second-leading cause of death for people between the ages of 10 and 24.

For people experiencing suicidal thoughts or emotional distress, the National Suicide Prevention Lifeline and Crisis Text Line provide free and confidential round-the-clock support. Many colleges and universities also offer mental health resources on campus.

To raise awareness of these available resources, my legislation simply requires colleges and universities to provide the contact information for the National Suicide Prevention Lifeline; Crisis Text Line; and a campus mental health center, if applicable, on student identification cards. For colleges and universities that do not provide identification cards to their students, schools must ensure that the information is available on their website.

Suicide is a major public health problem. Providing information on existing suicide prevention resources can help students experiencing suicidal thoughts or emotional distress and potentially save lives.

IN RECOGNITION OF DR. RANDALL L. O’DONNELL

HON. EMANUEL CLEAVER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. CLEAVER. Mr. Speaker, I rise today to commemorate Dr. Randall L. O’Donnell as a champion of pediatric health and wellness in the greater Kansas City community for his work in improving the quality of care for children both in the Kansas City region and beyond. In 1995, two sisters, Dr. Allan Berry Graham and Dr. Katharine Berry Richardson, began treating children at no cost to families and without public assistance or donations. What began with the treatment of one little girl soon grew to a dozen children and then to hundreds more. Over 120 years later, Children’s Mercy Hospital is a pillar in Missouri’s Fifth Congressional District and has been working diligently to try to help reunite Edith’s family, her advocates, and I are focused on precisely that here in Washington and back home.

To list just a few highlights from the past few weeks for me:

- Fighting to keep Central Ohio families together, including members of our vibrant Mauritianian, Somali, Latin American, and Central American communities;
- Families like those of Edith Espinal, who has been forced to take sanctuary, in Columbus Menomine Church or face deportation. In the nearly 365 days that have passed since Edith took refuge, my staff and I have been working diligently to try to help reunite Edith and her family.
- We have met Edith’s family, her advocates, legal representation and will do so again in the coming days, as well as with other stakeholders.
- I have spoken directly with Edith. My District staff just last month met with another group of Edith’s advocates, and we contacted USCIS and ICE officials requesting assistance.
- Our efforts continue to keep her from being deported.
- Her story and the countless like it are a direct result of our broken immigration system that no wall will ever fix.

In addition to standing up for Central Ohio families, I also hosted a Community Conversa-

STANDING UP FOR THE PEOPLE

HON. JOYCE BEATTY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. BEATTY. Mr. Speaker, Americans want a government “For The People.” They want Congress and a president that listens, speaks, and works for them. My Democratic colleagues and I are focused on precisely that here in Washington and back home.

To list just a few highlights from the past few weeks for me:

- Fighting to keep Central Ohio families together, including members of our vibrant Mauritianian, Somali, Latin American, and Central American communities;
- Families like those of Edith Espinal, who has been forced to take sanctuary, in Columbus Menomine Church or face deportation. In the nearly 365 days that have passed since Edith took refuge, my staff and I have been working diligently to try to help reunite Edith and her family.
- We have met Edith’s family, her advocates, legal representation and will do so again in the coming days, as well as with other stakeholders.
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- Our efforts continue to keep her from being deported.
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In addition to standing up for Central Ohio families, I also hosted a Community Conversa-

WHY WE SHOULD ALL GET ALONG

HON. JOHN J. DUNCAN, JR.
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. DUNCAN of Tennessee. Mr. Speaker, at the height of the Bill Clinton-Monica
Lewinsky and other sex scandals years ago, I was speaking to an assembly program at Fort Loudon Middle School telling the students about my job.

During the question-answer session, in front of the approximately 1,000 students, one girl asked me if I had ever had an affair. I told her no, I had not and that I bet that almost none of their fathers had either.

I have found over the years that the men who cannot be satisfied with and loyal to one woman are almost always repeat offenders with many women—such as President Clinton. I have been concerned during the publicity and controversy about Judge Kavanaugh that some young women may think all men are sexual predators in the worst meaning of those two words.

I really believe that the great majority—the overwhelming majority—of men are good and kind people who have no desire to force themselves on anyone.

I believe that most women are good and kind people who do not want to be in an adversarial relationship with most men.

Men and women are different, and that does not imply that women should be held back in some way.

My wife and I have two daughters and two sons and now five granddaughters and four grandsons.

My biggest desire is for all of them to be wonderful at whatever they want to do.

But we all need to get along. We certainly don’t need to be enemies.

I told them no, I had not and that I bet that all of their male constituents think about that.

The editor of a gender studies journal asks in an op-ed in The Washington Post, “in this land of legislatively legitimated toxic masculinity, is it really so illogical to hate men?” After cataloging global realities where women are treated badly, from low pay to gun violence, Suzanna Danuta Walters, a professor at Northeastern University, says American men can only be #WithUs if they follow a rigorous prescription for passivity. Men must not run for office, decline opportunities to be in charge of anything, step away from power, and vote feminist. If they don’t, “we have every right to hate you.”

Her stunted attitude obviously doesn’t reflect the attitudes of all women—there’s still a lot of fraternizing with the enemy in the war between the sexes—but reflects the thinking of a large swath of vocal feminism. The turnaround of cultural assumptions is poisoning the relationships of a generation of men and women. Fox News interviewer Jon Meacham struck a poignant note when she asked Brett Kavanaugh’s wife, Ashley, how their daughters were dealing with the dreadful noise raised against their father. “It’s very difficult,” she replied. “But they know Brett.”

Many women know their fathers, their brothers, their husbands, lovers and friends, who live beyond the malicious male stereotypes, but find it ever more intimidating to speak out in defense of men unjustly accused. Men are presumed guilty when accused by a woman. Even asking for due process and fair play for men is asking for trouble.

I closed my book a generation ago with Loretta Lynn’s country hymn to the fate of our fathers: “They don’t make ‘em like my daddy anymore.” But her message has been drowned out by Helen Reddy’s “I am woman—hear me roar.” When anger Trumps love and hearing trumps reason, we all, female no less than male, pay for it.

Suzanne Fields is a columnist for The Washington Times and is nationally syndicated.
the press, and freedom of religion. And they are a bulwark against Chinese aggression in East Asia.

In December 2016, then President-elect Trump spoke on the telephone with Taiwanese President Tsai Ing-wen. This marked the first time a U.S. President or President-elect had spoken with a ROC President since 1979. It was the right thing to do then, and it's the right thing to do now. I urge both Congress and the Trump Administration to continue its efforts to advance ties between Taiwan and the United States. America must not give in to pressure to distance ourselves from Taiwan. We have much more work to do.

I would like to thank the government and the people of Taiwan for their friendship, and I wish them a very Happy Double Ten Day.

CONGRATULATING THE YWCA FOR 160 YEARS OF DEDICATED SERVICE

HON. RYAN A. COSTELLO
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to offer my heartiest congratulations to the YWCA for 160 years of dedicated service and steadfast advocacy on behalf of women, girls, and their families in communities throughout the country.

Throughout its distinguished history, YWCA has been a catalyst for expanding economic and educational opportunities, promoting civil rights and social justice, and preventing violence against women and girls. Each year YWCA faithfully serves over 2 million women, girls and their families through 210 local associations throughout 46 states and the District of Columbia.

One of those local associations has been serving communities in Pennsylvania's Sixth District for 110 years. YWCA Tri-County Area in Pottstown is a tremendous community asset, providing childcare, adult education and career counseling, health and wellness programs, and a variety of community events such as the Color Run to Eliminate Racism.

Therefore, Mr. Speaker, I ask my colleagues to join me in recognizing the significant contributions of YWCA in empowering women, aiding families, advancing equality and strengthening communities as well as extending sincere congratulations as YWCA commemorates this most memorable milestone.

RECOGNIZING THE 107TH NATIONAL DAY OF TAIWAN

HON. EARL L. "BUDDY" CARTER
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. CARTER of Georgia. Mr. Speaker, I rise today in recognition of the 107th national day of Taiwan. The United States and Taiwan have enjoyed a fruitful partnership for decades, and I would like to wish the people of Taiwan a very Happy National Day.

Taiwan has been a strong partner of the United States. Over the last decade, Taiwan has shown that true democracy can be successful even in the face of challenging circumstances. Taiwan embodies strong economic growth and a respect for its people.

Our partnership has flourished thanks to a mutual commitment to democratic values and constitutional government. Through its commitment to a peaceful election process, Taiwan serves as a strong example of democracy for not only the Indo-Pacific region, but also the world. We have also made great progress in trade and economic policies. In 2017, Taiwan was ranked as the 11th largest trading partner of the United States, the 11th largest U.S. export market overall and the 7th largest market for U.S. agricultural products.

Last year, trade missions culminated in the signing of letters of intent to purchase approximately $2.8 billion in U.S.-produced grains between 2018 and 2019. In September, another trade mission from Taiwan visited the United States to purchase even more agricultural goods. In fact, Taiwan is Georgia's 6th largest export market in Asia, with over $420 million in trade. With such a long history, we look forward to continuing to connect more people.

It is my privilege to congratulate the celebrants of the "Double Tenth Day." I am proud of our cooperation and wish Taiwan the best on this notable day.

HONORING SAVE THE REDWOODS LEAGUE

HON. JARED HUFFMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. HUFFMAN. Mr. Speaker, I rise today with my colleagues MIKE THOMPSON, JACKIE SPEIER, SALUD CARBAJAL, ANNA ESHOO, JIMMY PANETTA, BARBARA LEE, RO KHAANNA, and ZOE LOFGREN, in recognition of the Save the Redwoods League's centennial anniversary. Filling its ongoing mission to protect and restore California redwoods and connect people to the peace and beauty of redwood forests, the League's work epitomizes these iconic symbols of our great state can be treasured for generations to come.

Founded in March of 1918, the Save the Redwoods League was started by a small group of conservationists disturbed by the accelerating rate of destruction of the primeval redwood forests in northern California that held the tallest trees on earth. In response, the League committed to protecting the coast redwood and giant sequoia forests by purchasing multiple ancient groves and establishing a state or national park to protect them. Following its incorporation as a nonprofit organization in 1920, the League established a memorial redwood grove on the South Fork Eel River in 1921, the first of more than 1,000 memorial groves in California.

In addition to raising millions of dollars to establish redwood preserves, the Save the Redwoods League was a leader in the grassroots movement to create a California state park system, lobbying for legislation and campaigning for funding of the acquisition of park lands. Fifty years after the League's inception, Redwood National Park was created in 1968, in part due to the tireless advocacy of the League and its partners to protect some of the last remaining stands of uncut redwoods.

Over the last century, the Save the Redwoods League has protected more than 200,000 acres of redwood forests and helped create 66 redwood parks and reserves that inspire millions of annual visitors from around the world. Today, the League is a respected voice in science-based research and a pioneer of innovative forest restoration work that is accelerating the transformation of young, harvested stands into the old-growth forests of the future. Through its Redwoods and Climate Change Initiative, the League's research established that old-growth redwoods store more carbon per acre than any other ecosystem in the world and play a critical role in the fight against climate change.

Save the Redwoods League, now celebrating its hundredth anniversary, has played a critical role in protecting the majestic redwood forests of California that fill us with wonder and provide a living link to the past. Throughout its next century, the League will build upon this legacy by advancing its efforts to protect the remaining old-growth redwood forests, restore younger forests to a healthier dome, and connect more people to the beauty and uniqueness of California's redwoods.

Mr. Speaker, after a century of achievement and operational stability, the continuing success of the Save the Redwoods League has preserved a part of California's heritage and touched the lives of millions around the world. It is therefore and appropriately that we stand together in recognition of this momentous occasion.

AMERICANS BLAME MEDIA BIAS

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. SMITH of Texas. Mr. Speaker, several Rasmussen Reports recently polled Americans on perceptions of bias in the media on specific subjects. Their surveys found the following:

The majority (52 percent) of U.S. Voters believe reporters are trying to block the president from passing his agenda, up from 44 percent a year ago.

Voters also say politics, not issues, are driving the Kavanaugh opposition. Forty-five percent, a plurality, think the opposition to Kavanaugh is “mostly due to partisan politics.”

“Half of voters (47 percent) say reporters aim to defeat the Kavanaugh confirmation.”... Just eight percent think most reporters are trying to help Kavanaugh win the Senate confirmation. ...

The polls’ figures speak for themselves. The American people feel strongly that the media is biased. And that is not good for our country.

IN MEMORY AND CELEBRATION OF MS. JOHNNIE MAE JOHNSON

HON. ADRIANO ESPAILLAT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize Ms. Johnnie Mae Johnson. Ms. Johnson was the District Leader of the 70th Assembly District in New York City. But
this office is only one small part of her tremendous legacy.

Ms. Johnson became a PTA president at PS 133—a diverse elementary school in Harlem.

Ms. Johnson was a founding member of the Addie Mae Collins Head Start Program. This program has expanded education services for many students in the area and remains an invaluable resource.

Ms. Johnson was a vigorous advocate for social justice and demonstrated an unceasing devotion to fair and equitable living conditions.

As an enduring testament to her spirit and commitment, our NYC community came together one year ago and renamed East 130th Street and Lexington Avenue in her name.

Johnnie Mae Johnson brought persuasive leadership and unshakable determination to Harlem when it needed it most. And for that, I reason I rise today to recognize Ms. Johnson.

CONGRATULATIONS TO TERESA HAAS

HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to congratulate Teresa Haas on her retirement as Director of Government and Community Relations at Savannah River Nuclear Solutions.

Ms. Haas’ career at SRS has spanned close to 28 years. Prior to SRS; she managed political campaigns and worked on Capitol Hill as chief of staff and legislative director for members of the U.S. Congress. Her service with U.S. Congressman Tommy Hartnett of Charleston will always be appreciated.

Ms. Haas is Chair of the Aiken County Commission on Higher Education; Past Chair of the Greater Aiken Chamber of Commerce Board of Directors (first woman chair); is a past member of the Aiken County United Way Campaign Cabinet; and former board member of the Aiken Center for the Arts. She is a member of Aiken’s First Baptist Church and a graduate of Aiken University, where she serves on the Clemson Board of Visitors. Theresa and her husband Dale reside in Aiken. Godspeed for a productive and meaningful retirement.

IN HONOR OF THE RETIREMENT OF CHIEF THOMAS LEWIS "TOMMY" THOMPSON, JR.

HON. MIKE ROGERS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ROGERS of Alabama. Mr. Speaker, I rise to recognize Chief Thomas Lewis “Tommy” Thompson, Jr. on his retirement from public service with the Jacksonville Police Department.

Tommy began his career as a law enforcement officer with the Jacksonville Police Department under the command of Chief J. Ross Tipton in October 1971. In July of 1974, he earned his first promotion to Sergeant later rising to rank of Lieutenant in April of 1977.

In June of 1988, Tommy was appointed as Chief of Police at Jacksonville Police Department and has served in that role ever since.

Tommy is married to Diane and has two sons: Thomas L. Thompson, III and David R. Thompson. He has also been blessed with two grandchildren: Dylan Thompson and Baylee Thompson.

Mr. Speaker, please join me in recognizing Chief Thompson and thanking him for his steadfast service to the City of Jacksonville.

TRIBUTE TO WILLIAM (BILL) HILL, PIONEER RADIO DISC JOCKEY AND BLUES PROMOTER

HON. DANNY K. DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, when I came to Chicago in 1961, one of the first radio shows that I listened to was the Big Bill Hill’s Shopping Bag Show on WOPA Radio. Being a native Arkansan, anything or anybody connected to Arkansas gets my attention and perks me up. Such has been the cause with Big Bill Hill, born in England, Arkansas.

True to form, Big Bill Hill was a big man, 250 lbs. and over 6 feet tall. He was born in England, Arkansas in 1914 and rolled into Chicago in 1932 looking for work. He found work at a steel mill, but he wanted to be on the radio. Nobody would hire him so he saved his money and bought air time on brokered stations. He started on WLDT–AM in Elmhurst, and later WCRW–AM. He had his shuckin’ by the time he started his program “Shopping Bag Show” in 1995 on WOPA–AM in Oak Park.

WOPA–AM signed on in 1950. It’s call letters the Oak Park Arms, a hotel on Oak Park Avenue, where his studio was originally installed. Their 250 watt signal was strongest on the west side of Chicago, and William Klein’s Village Broadcasting Company wisely targeted those black demographics so the schedule was full of blues, jazz, R&B, and gospel. Most of their day was brokered time so it was also peppered with ethnic programming of every stripe. But 1490 was short spaced between WXRT–AM and WMOR–AM, so it was never going to have much juice. The solution in 1953 was 102.3 WOPA–AM. WMOR had gone bankrupt and they bought the license at 3,600 watts. This signal had solid Chicago coverage. Though FM listenerhip was low in the 50s, it grew steadily. Initially, the stations just simulcast all programming. But in 1966, the FCC mandated that FM simulcasts carry 50 percent originating programming. The brokered ethnic moved to the FM side, but Big Bill Hill remained simulcast in the evening, even after the station bumped the wattage up to 6,000 watts.

His career changed forever in 1963. He already owned a booking agency, a dry cleaner, a management company and he owned his own club, the Copa Cabana. Supposedly, he did remotes from all locations, even the dry cleaner. In 1967, it looked like it was all going to fall apart. WOPA–AM began as a free form FM station full of underground music and hippies. His already floundering club, the Copa Cabana, closed. However, Bill defined all odds and started a R&B TV dance show on WCU–TV. The “Red Hot and Blues” show ran until 1971. It was overtaken by another R&B dance program . . . Soul Train.

MALNUTRITION AWARENESS WEEK

HON. SUZANNE BONAMICI
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Ms. BONAMICI. Mr. Speaker, this week is Malnutrition Awareness Week, a week when advocates, healthcare professionals, and communities around the country will focus on the issue of malnutrition and hunger. As the co-founder of the Elder Justice Caucus, and as a caregiver, I know how important proper nutrition is for aging Americans to stay healthy. Malnutrition can lead to greater risk of chronic disease, frailty, and increases in healthcare costs. Unfortunately, malnutrition often goes undiagnosed in senior citizens. While healthcare providers and family members do not know how to identify and treat it. We can, and must, do more to protect vulnerable populations who suffer from malnutrition, and I am committed to working with my colleagues on both sides of the aisle to support efforts to reduce hunger and malnutrition. I also encourage the federal agencies tasked with combating hunger to do all they can to reduce malnutrition. I urge the Department of Health and Human Services to include malnutrition screening measures in their national health surveys of older adults, and to include malnutrition among the national key health indicators for older adults. Additionally, I am calling on the Departments of Health and Human Services and Agriculture to work together to include dietary guidance for the prevention and treatment of older adult malnutrition in the 2020 Dietary Guidelines for Americans.

I applaud the work of the advocates at Defeat Malnutrition Today, a coalition of eighty organizations and stakeholders who are committed to ending malnutrition through rigorous screening and intervention initiatives, and the Academy of Nutrition and Dietetics, an organization of food and nutrition professionals who are spearheading efforts to reduce hunger worldwide. Together, we can reduce malnutrition and strengthen outcomes for our senior population.

CELEBRATING THE 50TH ANNIVERSARY OF THE GLASSELL PARK IMPROVEMENT ASSOCIATION

HON. JIMMY GOMEZ
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. GOMEZ. Mr. Speaker, I rise today to recognize and congratulate the Glassell Park Improvement Association (“GPIA”) on their 50 years of continued leadership in and dedication to making Glassell Park the vibrant and prosperous community it is today.

Founded in 1968, the GPIA was established to promote community values and improve the quality of life for residents of Glassell Park, a neighborhood located north of Dodger Stadium in Northeast Los Angeles. Today, GPIA
is one of the oldest neighborhood improvement associations in the City of Los Angeles. The GPIA is committed to safeguarding and enhancing the quality of life for those who live, work, and play in Glassell Park. Members of the GPIA serve their community by contributing their time and energy into planting trees, hosting community clean-ups, and beautification projects year-round. One of the GPIA’s most noteworthy projects is the planting of a small pine. Since 1968, this pine has become a centerpiece of the community.

To that end, I ask all Members to join with me in supporting the Glassell Park Improvement Association for their unwavering commitment to improving this wonderful community over the past 50 years.

HON. LOU BARLETTA
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. BARLETTA. Mr. Speaker, I would like to recognize the Valley Chiefs Mini-Football League as the organization celebrates its 50th Anniversary.

The Valley Chiefs Mini-Football League is an integral part of the Sugarloaf Valley community. Throughout the years, thousands of lives have been changed through participation in this program. With the goal of teaching children the value of sportsmanship, hard work, and dedication, this organization has impacted the lives of participants, parents, and volunteers alike.

As a father and former athlete, I know how influential youth sports are in childhood development and in shaping the future minds of our country. Today, as we recognize the founders, alumni, and current participants of the Valley Chiefs Mini-Football League, I am honored to represent such an organization in Congress. I know this program will continue to grow and be successful for many years to come.

Mr. Speaker, please join me in recognizing the Valley Chiefs Mini-Football League and congratulate this organization on an incredible 50 years of service to the community.

HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to celebrate the Bethel Church of Morristown, New Jersey, on the occasion of its 175th Anniversary.

In 1841, several families left the Presbyterian Church of Morristown to form the Bethel Mite Society, which was later incorporated as Bethel African Methodist Episcopal Church in 1843. Bethel’s first Pastor was Bishop Willis Nazery, who was born a slave in 1803 in Isle of Wight County in Virginia. For eight years the congregation met in each other’s homes until funds were raised to construct the Carpenter Gothic church on Spring Street in 1849. Bethel’s first building was dedicated with Bishop Paul Quinn officiating, assisted by Pastor Thomas Oliver.

Bethel served as the only school for Colored and Native American children in Morris County and needed to expand its facilities. In 1874, a new lot on Spring Street was purchased from John R. and Cornelia Piper for the sum of $2,000. A new church was constructed at an estimated cost of $3,000. Gifts from Mrs. Mary Anne Cobb of pews, doors and windows from the old Methodist Church, on the Morristown Green, helped in this great work. The existing house on the lot was moved next door and used as a parsonage. The church remained in that building for nearly 100 years.

Under the leadership of Pastor A. Lewis Williams, a ground breaking ceremony was held for a new church on August 12, 1967. The congregation worshipped in the Lafayette School auditorium for two and one half years until the construction of the church was completed. After numerous setbacks and financial difficulties, the present church was completed and dedicated November 8, 1970. Rev. A. Lewis Williams subsequently served as the Editor of the Christian Recorder from 1973 to 1976.

In 2010, Pastor Sidney Williams became the 51st pastor in the church’s history. Prior to that, he served as a missionary with his family in Cape Town, South Africa. The church was not having the impact on the community that its membership desired. To increase the impact on the community, Pastor Sidney Williams, with his wife Teresa, and the leadership team of Bethel discerned a new vision for community outreach, spiritual growth and evangelism. The church became more “community oriented” to serve both believers and unbelievers. Bethel Church was also working to transition from a small family church to a growing church with decentralized ministries, focusing on newcomers, small groups, and discipleship. The goal was to give people biblically rooted that they could Live the Mission.

In 2014, Bethel Church introduced a set of core values: prayer, love, and respect. These ideals serve to inspire Bethel Members to make its congregation the most loving and spirit filled congregation in the world.

Mr. Speaker, I ask that you and our colleagues join me in congratulating the Bethel Church of Morristown, on the occasion of its 175th Anniversary.

HONORING PASTOR BOYD AND THE ZION UNITY BAPTIST CHURCH
HON. TIM WALBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. WALBERG. Mr. Speaker, I rise today in recognition of the 150th anniversary of Bethel Gilead Community Church in Bronson, Michigan.

After the end of the Civil War, Jacob Patch was commissioned to organize a church in Branch County, and in 1868, the Zion Congregational Church of Gilead and Bethel began meeting in homes and schools. In 1874, Luman Rose was commissioned as its first full-time minister, and in 1882, the church’s first building was completed.

Over the years, many faithful pastors have served and led the church through a number of transformative events, including name changes, mergers with other congregations, a devastating fire, building expansions and improvements, and the development of local and worldwide ministries.

In 1996, Pastor Jim Erwin accepted Bethel Gilead’s invitation to serve as pastor and is still faithfully shepherding the congregation.

In 2004, Zion Unity Baptist Church moved to 3855–59 East 10th Street, purchasing two buildings. Pastor Boyd was instrumental in bringing some of the area churches together with the intent of unifying efforts to reach the community for Christ. The church continued its services through the Mission and prison, expanded its outreach to support over 20 missionaries throughout the world, and began evangelistic efforts in the local community.

In 2005, Zion Unity began a ministry to expose the fallacies connected to the Darwinian theory of evolution which undermines God’s creation and the Holy Bible. Conferences which permitted scientists and ministers to examine this subject were organized and made available free to the public, as “Creation Expo”. These conferences have been conducted annually in Indianapolis, in many cities throughout Indiana, ten other states, and in six countries. This work continues to be accomplished with a small congregation, other committed volunteers, and with limited resources.

Zion Unity Baptist Church achieved another milestone when on July 29, 2018, the mortgage for its current location was burned in a celebration attended by many friends from a variety of backgrounds: business, social agencies, Christian media, education, and government, as well as churches and ministerial service organizations.

The first and final word from Pastor Fredrick Boyd, Jr. and the members of Zion Unity Baptist Church, in full belief in the power of the Gospel of Jesus Christ, a commitment to His Word and the promises therein, is: “The best is yet to come!”
Under his leadership, the church has grown exponentially, expanding their vision, attendance, facilities, staff, and outreach.

The congregation supports missionaries across the globe, hosts annual community events, and focuses on developing programs for all age groups within the congregation.

As Bethel Gilead Community Church celebrates 150 years of history, I pray it continues to be a faithful witness of God’s love in the Bronson community and beyond.

H.R. 6886, HEALTH EQUITY AND ACCESS FOR RETURNING TROOPS AND SERVICEMEMBERS ACT OF 2018 (HEARTS ACT)

HON. FRANK PALLONE, JR. OF NEW JERSEY IN THE HOUSE OF REPRESENTATIVES Friday, September 28, 2018

Mr. PALLONE. Mr. Speaker, I want to state my concerns regarding H.R. 6886 and the process for considering this bill, and the potential unintended consequences for the Medicare program.

The bill seeks to address the unfortunate circumstances under which a servicemember who becomes eligible for Medicare by reason of disability cannot easily return to the TRICARE program if and when the servicemember becomes able to work again.

I am concerned because this bill did not go through regular order, and was not marked up or considered in any committee of the House of Representatives. It represents a significant change to current law and has impacts on both our healthcare system for active and retired service members, and on the Medicare program. To pass such legislation without an open, transparent, and measured process is disservice to the institution of the House of Representatives and to the American people.

The problem with a failure to adhere to regular order is not just a philosophical one but a practical one. Legislation that has not been vetted properly often has unforeseen or unexpected consequences. We have seen that time and time again. I am concerned that this will also be the case with H.R. 6886. I am concerned about disabled servicemembers moving in and out of the Medicare program, and whether they will be fully informed about the implications of their decision not to enroll in Medicare when they become eligible. I am concerned about the precedent for the Medicare program of folks being able to decline Medicare coverage for other coverage, and how that may undermine the universality of the Medicare program.

I might have been able to be convinced that these concerns could be addressed if we had had a full process with a legislative hearing and a markup, but unfortunately, that is not the case. For these reasons, I must state my concerns regarding this bill and the process we undertook for considering it.

PROTECTING CRITICAL INFRASTRUCTURE AGAINST DRONES AND EMERGING THREATS ACT

SPREAD OF HON. MICHAEL T. McCaul OF TEXAS IN THE HOUSE OF REPRESENTATIVES Tuesday, September 25, 2018

Mr. McCaul. Mr. Speaker, the following cost estimate for H.R. 6742, the Secure Border Communications Act prepared by the Congressional Budget Office was not available to the Committee at the time of filing of the legislative report.

DEPARTMENT OF HOMELAND SECURITY LEGISLATION

As passed by the House of Representatives on September 25, 2018

On September 25, the House of Representatives passed the following three pieces of legislation:

H.R. 6620, the Protecting Critical Infrastructure Against Drones and Emerging Threats Act, which would require the Department of Homeland Security (DHS) to prepare assessments of the threats presented by unmanned aircraft systems (often called drones) and other emerging threats associated with such technologies.

H.R. 6735, the Public-Private Cybersecurity Cooperation Act, which would require DHS to establish procedures for people or organizations to report vulnerabilities in the department’s information systems.

H.R. 6740, the Border Tunnel Task Force Act, which would direct DHS to establish task forces to combat threats from cross-border tunnels; the task forces could include personnel from federal, state, local, and tribal agencies.

CBO estimates that enacting the legislation would not significantly affect spending by DHS in any fiscal year because the department could largely implement each act with existing personnel.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

None of the acts contain intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.


Hon. Michael McCaul, Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6620, H.R. 6735, and H.R. 6740, three bills concerning the Department of Homeland Security that were ordered reported by the Committee on Homeland Security on September 13, 2018.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

Keith Hall

Enclosure.

IN RECOGNITION OF AN EXTRAORDINARY PUBLIC SERVANT, SERENA R. “RENNY” MANUEL

HON. BARBARA COMSTOCK OF VIRGINIA IN THE HOUSE OF REPRESENTATIVES Friday, September 28, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize an extraordinary public servant, Serena R. “Renny” Manuel, whose management of the Winchester Regional Airport in the northern Shenandoah Valley has established the airport as a critically important asset of the region’s dynamic economy. This region of the 10th Congressional District, that includes Frederick County, the City of Winchester and Clarke County, is growing rapidly and the Winchester Regional Airport has become a catalyst for this growth by supporting business aviation, law enforcement, agricultural and lifesaving services, air ambulance operations and organ transports, freight and package delivery, as well as recreational activities.

All of these benefits were developed, improved upon and managed by Executive Director Renny Manuel, with the able guidance of the board of directors of the Winchester Regional Airport Authority. Starting as an Office Assistant at the airport in 1991, Renny Manuel’s extraordinary conscientiousness and reliability, coupled with her humility, humor, and cooperative spirit, caused her to be given progressively greater responsibility. In 1999, the Authority officially appointed her Airport Director, in which role she served with distinction until her retirement on July 30th of this year. In addition to skillfully overseeing the day to day operations of the airport and complying with numerous federal and state regulations and orders, Mrs. Manuel’s excellence as a team leader was most apparent as she managed numerous complicated capital and airport redevelopment projects, such as the runway rehabilitation design and construction project, the general aviation terminal building renovation, the airfield lighting upgrade, airport perimeter security fencing, the T-hangar apron rehabilitation, land acquisition, relocation and rehabilitation of Taxiway “A”, the snow removal plan and equipment project, the wetland mitigation project, and oversight of construction of a second corporate hangar facility.

Airport Director Manuel’s reputation for effectiveness and reliability was acknowledged by her colleagues throughout the Commonwealth of Virginia when they asked her to serve as Secretary of the Virginia Airport Operators Council. And in further recognition of the high regard that those in the aviation industry have for her, she was recently presented with the prestigious Lifetime Achievement Award by the Virginia Department of Aviation.

Mr. Speaker, I take great pride in recognizing and thanking Winchester Regional Airport Director Renny Manuel for her extraordi- narily dedicated service to the people of the northern Shenandoah Valley and ask you and our colleagues to join me in recognizing and thanking Mrs. Manuel and her husband much happiness, as they spend more time with family and have more time to travel, in their retirement years.
H.R. 68, TIFFANY JOSLYN JUVENILE ACCOUNTABILITY BLOCK GRANT REAUTHORIZATION AND BULLYING PREVENTION AND INTERVENTION ACT

HON. SHEILA JACKSON LEE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Ms. JACKSON LEE. Mr. Speaker, I am pleased to report that the House of Representatives has passed my bill H.R. 68, the Tiffany Joslyn Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act.

Passage of H.R. 68 came about as a result of hard and great teamwork amongst our amazing staff on both sides of the aisle. I am heartened by the work done on this bill along with the other four bills up for unanimous consent. I commend Chairman Goodlatte’s leadership on this effort to help pass H.R. 68. And after 5 years of this bill not being reauthorized, I am pleased to say that I waged on behalf of Juvenile Justice Reform has been brought to House passage with the support of my Judiciary and House Colleagues.

This bill was named for Tiffany May Joslyn, a champion for criminal justice reform, who served as my Deputy Chief Counsel of the Crime Subcommittee and whose life tragically was cut short on March 5, 2016, in a car accident that sadly also claimed the life of her brother, Derrick. She was just 33 years old.

So today’s passage of H.R. 68 is both bitter and sweet because what we witnessed today is a champion who made this bill and a champion that was cut short on March 5, 2016, in a car accident that claimed the life of her brother, Derrick.

H.R. 68 will help to stem this epidemic of Juvenile incarceration by reauthorizing the Juvenile Accountability Block Grant program (JABG) and providing funding to state and local governments for the creation of bullying and gang prevention programs.

It will authorize such appropriations as may be necessary, which is anticipated to be at least $37 million for the next fiscal year. In addition to reauthorizing juvenile justice programs, H.R. 68 clarifies how to address the occurrences of bullying through developmentally appropriate intervention and prevention techniques, which center on evidence-based models and best practices that rely on schools and communities rather than involvement from law enforcement and the justice system.

H.R. 68 is designed to help both the victims and perpetrators of bullying. Research studies have shown that approximately 25 percent of school bullies will be convicted of a criminal offense in their adult years. It also includes provisions for gang prevention programs, which will help guide our children towards socially beneficial paths. If we want our children to learn, we must be able to maintain a safe and healthy school environment. Bullying is a massive issue in our nation’s schools.

The National Center for Educational Studies reports show that 14 percent of 12- to 18-year-olds surveyed report being victims of direct or indirect bullying, 1 out of 4 kids is bullied.

Bullying is not just in a schoolyard anymore; it is a crisis that’s taking over our nation. Gone are the days that children can come home and seek solace and escape from their bullies; technological advances have made it easy for young people to be tormented on social networks at any time from any place.

They are never out of harm’s reach. This needs to end. Americans children should be protected, and no child should be persecuted for exercising their American right to be themselves. It is time for us to come to a conclusive solution to America’s bullying crisis. My bill, H.R. 68, the Tiffany Joslyn Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act, provides the solution that we need.

This is why I urge my colleagues in the Senate to take up and pass H.R. 68 so that we may keep all of our children safe.


HON. PAUL RYAN, Speaker, House of Representatives, Washington, DC.
HON. ROBERT W. GOODLATTE, Chair, Judiciary Committee, House of Representatives, Washington, DC.
HON. NANCY PELOSI, Minority Leader, House of Representatives, Washington, DC.
HON. JERROLD NADLER, Ranking Member, Judiciary Committee, House of Representatives, Washington, DC.
DEAR SPEAKER RYAN, LEADER PELOSI, CHAIRMAN GOODLATTE, AND RANKING MEMBER NADLER: As the House of Representatives considers critical aspects of criminal justice reform, the Campaign for Youth Justice encourages you to support H.R. 68, the “Tiffany Joslyn Juvenile Accountability Block Program Grant Reauthorization Act of 2017.”

The Juvenile Accountability Block Grant expired in 2013 and in the past five years has gone unfunded by the federal government. The expiration of this block grant program has greatly limited state’s abilities to implement effective, age appropriate accountability and prevention measures to ensure children get needed services and that communities remain safe.

H.R. 68 updates the Juvenile Accountability Block Grant (JABG) to reflect current research and practice. Key provisions in the bill include incentives for states to use graduated sanctions and incentives grounded in positive youth development, providing enhanced anti-bullying measures, and youth violence prevention and intervention services.

It also updates the JABG to include evidence-based practices such as trauma-informed practices and mental health care.

Federal support for juvenile justice programing has suffered greatly in the past decade, with funding decreasing nearly 50% to states. Reauthorizing this important program, with recommended funding levels of $30 million, would make a tremendous difference to youth, families and communities.

We thank you for your consideration of this important bill.

Sincerely,

MARCY MISTRETTE, CEO, Campaign for Youth Justice.

FAA REAUTHORIZATION ACT OF 2018
SPEECH OF
HON. BRUCE WESTERMAN
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 26, 2018

Mr. WESTERMAN. Mr. Speaker, I am pleased that Congress included Section 131, subsection (1) in the final version of H.R. 302, the FAA Reauthorization Act of 2018.

This provision amends section 47107(a)(17) of title 49, United States Code, to ensure that Qualifications Based Selection (QBS) is used for any contracts and subcontracts for program management and cost management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services for projects that use Airport Improvement Program (AIP) funds if the QBS process is or was not used in the selection of professional service providers for the above activities.

This provision is intended to ensure that high-quality design, engineering, and architectural services are procured through a QBS process, including when an airport sponsor uses AIP for construction activities. QBS has long been used by the federal government and federal-aid grant programs to ensure the best-qualified companies are selected for pre-construction designs and activities that will result in high-quality, cost-saving construction projects.

I was pleased to work with my colleague Congressman DAN LIPINSKI from Illinois on the important measure and we look forward to its implementation.

TRIBUTE TO EAGLE SCOUT JASON GERHARDT
HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jason Gerhardt of Glenwood, Iowa for achieving the rank of Eagle Scout. Jason is a member of Boy Scout Troop No. 243 in Glenwood and he attends Glenwood Community High School.

The Eagle Scout designation is the highest achievement rank in scouting. Approximately 5 percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Jason decided to renovate the bleachers at Lil’ Rams football field as his Eagle Scout project. Jason was a former football player and he could see how the bleachers had deteriorated and were in need of repair. Jason and his parents, Janet and Jason Gerhardt, the Lil’ Rams football team, the Glenwood Rotary Club, and a local welder helped financially and with the new construction. The work ethic Jason has shown in his Eagle Project and every other project leading to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Jason and his family in the United States Congress. I know that all of my colleagues in the House...
of Representatives join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

RECOGNIZING DR. GARY BRANCH ON HIS RETIREMENT

HON. BRADLEY BYRNE
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. BYRNE. Mr. Speaker, I rise today in recognition of my friend, Dr. Gary Branch, on his retirement as President of Coastal Alabama Community College (CACC). Dr. Branch leaves a legacy of deep devotion to his staff and students, exceptional leadership by example, and has had an immeasurable impact on the lives of countless members of our community.

Dr. Branch inherited an institution waiting for a leader such as himself. At the start of his tenure in 1981, he had to make the difficult decision to let go thirteen employees from then-Faulkner State College in the midst of a financial crisis. In true form, Dr. Branch was able to hire nearly all of them back to the college and has never faced another such crisis since.

Moving ever upward from his start, Dr. Branch oversaw immense growth in enrollment by nearly 100 students at one location in 1981 to now nearly 8,000 students in ten counties. Not only has he spearheaded increased opportunity for students in south Alabama, he also instituted the annual Student Leadership Retreat, Gatlquin Getaway; the Black Ministerial Dinner and scholarship Leadership Retreat, Gatlinburg Getaway; and has overseen the creation of a women’s intercollegiate softball league, leading to an impressive softball stadium benefiting our entire community.

Throughout his entire time as President, Dr. Branch has constantly pushed for greater access to secondary education for all students in Alabama. To this end, he was chairman of the committee that created the Statewide Transfer Articulation and Reporting System, allowing associate-degree-holding students to transfer to four-year universities in Alabama, and fought for CACC to benefit from state sales tax in Baldwin County. Possibly most notable, he oversaw the consolidation of Faulkner State and other institutions into Coastal Alabama Community College.

From my personal experience with him during my time as Chancellor of Alabama’s Community College system, I can attest to Dr. Branch’s steadfast commitment to Southwest Alabama, our students, and our economy. His impact will undoubtedly live on for many, many years to come.

Mr. Speaker, please join me in recognizing the incredible service of Dr. Gary Branch as he leaves a legacy of 37 years to a grateful community. It is difficult to express our gratitude in words, but on behalf of Alabama’s First Congressional District and the United States House of Representatives, we simply say: thank you.
EOD Warrior Foundation, Ken visited many fellow EOD veterans at Veterans Administration facilities and was dismayed at how many of them were continuing to struggle with the PTSD that their medications had not cured. As a result, Ken and Julia began a program called Warrior PATH, or “progressive and alternative training for healing heroes.” The 18-month program that starts with a weeklong boot camp at the Boulder Crest Retreat, where days begin at 7 am with physical conditioning and end at 8:30 pm with discussion around a campfire, by other combat veterans, has allowed the 120 vets accepted for PATH to explore their past, make greater sense of their struggles, and develop a realization that their preparedness and leadership skills can be carried from the battlefield to the home front. As an indication of the program’s success, over the past three years, 95 percent of combat vets who have participated in the program continue to participate in monthly video chats that help the Falkes keep track of their emotional health and keep them setting and accomplishing goals.

Mr. Speaker, it is my privilege to ask you and our colleagues to join me in thanking two great patriots, Ken and Julia Falk, for the extraordinary difference they are making in the lives of our nation’s combat veterans, ensuring that they have the opportunity to succeed in their new mission—a life of passion, purpose and service here at home.

RECOGNIZING PRIVATE FIRST CLASS JOSEPH PALAZZOLO

HON. PAUL MITCHELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. MITCHELL. Mr. Speaker, I rise today to recognize Vietnam veteran, Private First Class Joseph Palazzo of Imlay City, Michigan. I recently had the honor of presenting Mr. Palazzo with his long overdue Bronze Star with Valor Device for his heroic actions 52 years ago. On November 16, 1966, while serving near Pleiku in Vietnam, Joe’s unit came under heavy enemy fire. Joe dropped his pack and set a line of fire to protect others when he was shot in the shoulder. Even after being wounded himself, Joe refused to be evacuated, and instead stayed inside the line of fire to help others. By the end of the fire fight, Joe carried a half-dozen wounded soldiers to safety. His selflessness and bravery were evident in his actions that day. Mr. Palazzo’s devotion to his fellow soldiers and his duty reflects distinction upon him, the 25th Infantry Division and the United States Army. It was an honor to meet Private First Class Palazzo to present him with a Bronze Star, and I wish him the best of luck in the future.

RECOGNIZING RED ARNDT FOR HIS LIFETIME OF SERVICE AND COMMITMENT

HON. STEVE KING
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. KING of Iowa. Mr. Speaker, today I rise to recognize Red Arndt for his many years of service to the Lewis & Clark Regional Water System, as well as his lifetime commitment to bringing safe and reliable water to the rural corners of this country.

Born Lennis Arndt on May 1, 1948, he earned the nickname, Red, while in grade school because of his red head of red hair. The name stuck and most people only know him today as Red Arndt.

Red grew up in Springfield, Minnesota, about 90 minutes from his current hometown, Luverne where he first started working in 1989 as their public service manager. Shortly after beginning his new position, Red heard about a proposal to bring water from the Missouri River in South Dakota to the surrounding states. A major undertaking with more people doubting the idea than supporting, Red saw the opportunity and potential, recommending to the mayor and city council that Luverne join and become one of the first members of the corporation that would later become the Lewis & Clark Regional Water System.

Seeing Lewis & Clark develop from conception to construction was a labor of love for Red, who fought hard to achieve. Red, one of only two original directors from 1990 still on the board, held a shovel when the ground was first broke in 2003. He has probably made over 60 trips to Washington, DC and many more to the state capitals and attended countless county, city and community meetings.

Fighting to get Lewis & Clark off the ground was just a starting point for Red. He has worked tirelessly on behalf of the project, serving as the vice-chairman of the board beginning in 1994 until becoming the board chairman in 2006, a position he still holds. Lewis & Clark has experienced ups and downs during those years, yet under Red’s leadership over 200 miles of pipeline have been laid in the ground currently delivering much needed water to 14 member communities and rural water projects, reaching over 300,000 people across South Dakota, Minnesota and Iowa. He has seen over $470M in funding to Lewis & Clark, including $57M in advancement funding from the three states.

Red’s indomitable dedication was demonstrated when he participated in the ribbon cutting ceremony for the water treatment plant in August 2012, a mere two weeks after having open heart surgery. His fellow directors surprised him at the ceremony by presenting him with the Lewis & Clark Trailblazer Award, which is the organization’s highest honor.

In May 2016, Luverne was finally able to celebrate their connection to Lewis & Clark, with Red reveling in taking the first swig of water. It was at this ceremony that the meter building was dedicated in Red’s name. As Red mission was to acknowledge that this endeavor, benefitting generations to come in the tristate area, has been a true team effort. But, there is no question Red’s vision for the future, dogged dedication and strong leadership have been a driving force through the years.

When he is not dedicating his time to Lewis & Clark, Red is a proud father of three boys (all sharing his red hair) and grandfather of three red-headed little girls. His family is his pride-and-joy. You will often find Red wearing a pin honoring his son, who served in the United States Air Force.

As a dessert first type of guy, Red lives life to the fullest, enjoying travel, fishing and numerous other outdoor activities in his free time, as well as hanging out in his “man cave”. I am grateful for his commitment to public service, his hard work on behalf of Lewis & Clark, and, more importantly, I am proud to call him a friend.

Mr. Speaker, I commend Red Arndt for his many great contributions and wish him as best he continues to make the most out of the life God has given.

IN HONOR OF THE 130TH ANNIVERSARY OF SOLENBERGER HARDWARE

HON. BARBARA COMSTOCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize and celebrate the 130th anniversary of Solenberger Hardware of Winchester, Virginia. Solenberger Hardware is truly the classic story of American entrepreneurialism, a story of humble beginnings, of overcoming adversity and adapting to new circumstances.

On the occasion of the company’s anniversary celebration, a large, beautiful historical mural that the company has commissioned that includes portraits of past company leaders and an illustration of the original store. The mural highlights one biblical expression to summarize those 130 years: “Do to Others What You Would Have Them Do to You.” This high standard of trustworthiness and loyalty, that was developed by each of the company’s leaders, is what has set Solenberger Hardware apart. John S. Solenberger, the founder of the store in 1888, made a significant contribution to this corporate culture when, during the Great Depression, he promised his employees that he would keep them working and on the payroll, and paid in cash. Herbert Solenberger, of the following generation, treated the store’s customers with such integrity that, if he found that the store had shortchanged a customer, he would personally seek out the customer to return the money, or her. And Herbert’s brother, Hugh, developed a standard of customer service that involved training employees to be experts about the store’s products and services, always approaching their work with the customer’s best interest in mind.

Such extraordinary loyalty and trustworthiness have always been extended to the larger community, as well. The 1960s and 1970s were times of racial unrest in Winchester and John T. Solenberger, Hugh’s son, expressed loyalty to and showed the customer to return the money, or her. And Herbert’s brother, Hugh, developed a standard of customer service that involved training employees to be experts about the store’s products and services, always approaching their work with the customer’s best interest in mind.

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The attitude of the Solenberger family has been that adversity generates change and that change is to be welcomed and encouraged.

After 130 years, can the Solenberger legacy be continued? John, Jr. and Cyndi consider themselves stewards of a business that they want to pass on to the next generations, and they are very excited in expressing Selby McManigle and Jaime Solenberger-McManigle as leadership partners of the future. Mr. Speaker, I ask that you and our colleagues join me in congratulating the owners and employees of Solenberger Hardware for celebrating 130 years of success and express the hope that, with God's grace, the company will continue its legacy of success as an extraordinary corporate citizen, serving the northern Shenandoah Valley, for many years to come.

GEORGETTE MAGASSY DORN
HON. JOSÉ E. SERRANO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Georgette Magassy Dorn, Chief of the Hispanic Division of the Library of Congress.

Georgette Magassy Dorn was born in Hungary and was raised in Spain and Argentina. She immigrated to the United States in 1956. She has a bachelor’s degree from Creighton University, a master’s degree from Boston College and a doctorate degree from Georgetown University, which she completed while working at the Library of Congress. For twenty years, she was visiting lecturer at Georgetown University. She published books and articles on Latin American culture and served as an officer in many professional organizations including the Latin American Studies Association.

Ms. Dorn has been leading the Hispanic Division since 1994 and will be retiring on October 12, 2018 after more than a century of distinguished service to the Library of Congress. She started working at the Hispanic Division in 1964 as a Latin American Area Specialist and in 1968 became the Curator of the Archive of Hispanic Literature on Tape succeeding Francisco Aguilera. In her role as curator, she recorded over 400 poets and novelists from Latin America, the Iberian Peninsula, including the Latin American Studies Association.

Her other important contributions include developing the Hispanic collections in all formats and securing valuable historical items from donors for the Library. In recent years, she succeeded in acquiring visual materials by Latino artists for the Library’s Prints and Photographs Division.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Georgette Magassy Dorn for her distinguished service and extensive contributions to the Library of Congress.

TRIBUTE TO STEVE MCCANN
HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Steve McCann. Mr. McCann was inducted into the Creston High School Hall of Fame as Distinguished Alumni and Contributor on Thursday, September 20, 2018.

Steve graduated from Creston High School in 1967 after participating in basketball, track and chorus. Steve was also active with plays and participated in the school’s first musical production, Bye Bye Birdie. He was named CHS Thespian of the Year in both 1966 and 1967. After attending Creighton University, Steve returned to Creston to live and work. In addition to farming, and owning and operating Family Shoe Store, Steve has been an active sports official since 1971. He was inducted into the IHSAA Athletic Officials Hall of Fame in 2012.

Mr. Speaker, I am honored to recognize Steve McCann for this award, and for providing the youth in Iowa’s Third District the support that they will need to be successful. I am proud to represent him and Creston Community Schools in the United States Congress.

I ask that my colleagues in the United States House of Representatives join me in congratulating Steve and wishing him nothing but continued success.

RECOGNIZING TAIWAN’S NATIONAL DAY, DOUBLE TEN DAY
HON. STEVE CHABOT
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. CHABOT. Mr. Speaker, I rise today in recognition of the upcoming Double Ten Day, the national day of the Republic of China, or as many of us like to call it, Taiwan, which is celebrated every October 10th. I would like to extend to the people of Taiwan and its government my best wishes for continued prosperity and security.

Over many decades, Taiwan and the United States have stood together against numerous challenges, and time and again have displayed a steadfast commitment to one another’s mutual security and prosperity. The Taiwanese people deeply appreciate the fundamental truth that people everywhere long to be free, and that representative government is essential to realizing this dream and the true prosperity, peace, and stability it brings. They’ve done the hard work of transitioning to democracy, with all the sacrifice and compromise that entails. This story shines as a beacon of hope to people all over Asia that democracy is not only possible but preferable.

In March, President Trump signed the Taiwan Travel Act. This legislation, which I introduced in 2017, will further strengthen and enhance our bilateral strategic partnership with Taiwan. It is generally accepted that high level official communication is an essential part of any alliance. I strongly urge the Trump Administration to follow through on the act soon. Our partnership with Taiwan will only be strengthened through such implementation.

In conclusion, Mr. Speaker, I reiterate my support and admiration for the people of Taiwan and their vibrant democracy, and offer my best wishes to them for a very happy Double Ten Day celebration.

RECOGNIZING THE LIFE AND SERVICE OF MARTIN NELIS
HON. MARK DeSaulnier
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. DeSaulnier. Mr. Speaker, I rise today to recognize the life and service of a longtime Pleasant Hill resident, Mr. Martin Nelis. Martin was born in Northern Ireland, and graduated with a degree in engineering from Queen’s University, Belfast. He immigrated to the United States in 1989, and worked in the information technology field before working as a Congressional aide.

During his free time, Martin was a soccer player, coach, and cyclist. He was also an avid outdoorsman and often went hiking in the Redwood forests. Martin enjoyed an active lifestyle and was always willing to take up a cause.

In 2007, he began serving as a Public Information officer for the Pleasant Hill High Trail, and was pivotal in supporting community development efforts. He assisted with coordinating the summer concert series and the local farmer’s market. Martin also led efforts to raise funds for a new public library. He continued to play an active role in his community until his unexpected passing on August 2, 2018.

Martin was preceded in death by his father Billy, and his brother Peter. He is survived by his seven siblings, Donncha, Liam, John, Patrick, Cathy, Declan and Frank, his 3 children whom he adored, Aidan, Fiona and Deirdre. To Martin will be remembered for his service to the community, his sarcastic wit, and those who had the pleasure of knowing him. He will be sincerely missed.
COST ESTIMATE ON H.R. 6447, DEPARTMENT OF HOMELAND SECURITY CHIEF DATA OFFICER AUTHORIZATION ACT

HON. MICHAEL T. MCCaul OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. McCaul. Mr. Speaker, the following cost estimate for H.R. 6447, Department of Homeland Security Chief Data Officer Authorization Act, prepared by the Congressional Budget Office was not available to the Committee at the time of filing of the legislative report.

SEPTEMBER 4, 2018.

HON. MICHAEL MCCaul,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6447, the Department of Homeland Security Chief Data Officer Authorization Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowsic. Sincerely, Keith Hall, Director. Enclosure.

H.R. 6447—Department of Homeland Security Chief Data Officer Authorization Act

As ordered reported by the House Committee on Homeland Security on July 24, 2018

H.R. 6447 would require the Department of Homeland Security (DHS) to designate a current career appointee as the chief data officer of the department. The bill would reuire each of the seven operational components within DHS (such as Customs and Border Protection and the Transportation Security Administration) to designate current appointees as chief data officers. Those offices would coordinate the integration of data among DHS agencies, oversee the storage of records, and manage other tasks related to the use of DHS data systems.

Two DHS operational components currently have a chief data officer while a third component has a vacant position. We expect that the other four components and the department would have to hire five additional people to assist in carrying out the formal role of chief data officer established by the bill at an annual cost of around $150,000 per person. Thus, CBO estimates that implementing H.R. 6447 would cost about $1 million annually; such spending would be subject to the availability of appropriated funds.

Enacting H.R. 6447 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 6447 would not increase net direct spending or on-budget deficits in any of the four successive 10-year periods beginning in 2023.

H.R. 6447 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

TRIBUTE TO LINDA AND MICHAEL JONES
HON. DAVID YOUNG OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Linda and Michael Jones of West Des Moines, Iowa on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on September 28, 2018.

Linda and Michael's lifelong commitment to each other truly embodies our Iowa values. As they reflect on their 50th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating Linda and Michael Jones on this meaningful occasion and in wishing them both nothing but continued happiness.

SECURE BORDER COMMUNICATIONS ACT
SPEECH OF HON. MICHAEL T. MCCaul OF TEXAS IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 25, 2018

Mr. McCaul. Mr. Speaker, the following cost estimate for H.R. 6742, the Secure Border Communications Act prepared by the Congresional Budget Office was not available to the Committee at the time of filing of the legislatove report.


HON. MICHAEL MCCaul,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6742, the Secure Border Communications Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowsic. Sincerely, Keith Hall, Director. Enclosure.

H.R. 6742—Secure Border Communications Act

H.R. 6742 would require Customs and Border Protection (CBP) in the Department of Homeland Security (DHS) to equip CBP officers and border patrol agents with radios or similar devices that permit secure and effective communication with DHS personnel and with other federal and nonfederal law enforcement entities. According to CBP, it outfits its officers and agents with radios that largely satisfy the act's requirements, so CBO estimates that implementing H.R. 6742 would have no significant effect on agency spending.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 6742 would not increase net direct spending or on-budget deficits in any of the four successive 10-year periods beginning in 2023.

H.R. 6742 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

RECOGNIZING BESPOKE GROUP LLC’S CONTINUED EXPORTING EXCELLENCE
HON. KENNY MARCHANT OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. MARCHANT. Mr. Speaker, I rise today to recognize a small business in my district, the Bespoke Group LLC. As an exporter of pulse crops, such as lentils, dry peas, and chickpeas, the Bespoke Group was recognized in 2015 by the U.S. Commerce Department with the prestigious President’s “E” Award. This honor was founded in 1961 by President John F. Kennedy, who wanted to recognize exporters who were making tremendous contributions to the U.S. employment level and strengthening our economy.

Today, the Commerce Department reserves this accolade for those small companies that demonstrate sustained export sales increases over a four-year period, making it the highest recognition that any U.S. entity can receive for making a significant contribution to the expansion of American exports. Small businesses are vital to a healthy and growing American economy, and companies such as Bespoke Group LLC are helping to boost our economy to new heights. I look forward to other Texas small businesses receiving similar national acclaim for their exemplary work in promoting American economic growth.

Mr. Speaker, I ask all of my distinguished colleagues to join me in recognizing the Bespoke Group LLC, and all small businesses across the U.S., for their continued and vital efforts to promoting American prosperity and strengthening our economy.

HONORING THE WESTCHESTER COUNTY PRESS
HON. ELIO T. ENGEL OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ENGEL. Mr. Speaker, today, as the credibility of journalists and media outlets come under fire daily, I want to recognize one newspaper in my district that has been serving Westchester County for the past 90 years, the Westchester County Press.

Casilda luella established the local newspaper, at first, to serve her community of Hastings-on-Hudson, and did so for 23 years. Casilda then sold the newspaper in 1951 to Reverend Alger Adams, and his wife Jessie of Hastings-on-Hudson, who shifted the focus of the newspaper. Moving from a strictly local point of view, the Westchester County Press began reporting on the lack of African-American representation within the county. Over the next 35 years, Reverend Adams followed leads, hired reporters, and columnists to grow the Westchester County Press. Most notably, Reverend Adams hired civil rights activist M. Paul Redd, Sr. to write a weekly political column titled “M. Paul Tells All.”
Mr. Redd’s columns brought increased exposure to the Westchester County Press, and he eventually became the owner in 1986. Under Mr. Redd’s leadership the Westchester County Press became the leading voice of issues impacting the African-American community throughout Westchester. As owner, he would contribute to write his “M. Paul Tells All” column until his passing in 2009.

For more than 60 years, the Westchester County Press is the only weekly newspaper owned and run by African-Americans within Westchester County. Now led by Sandra Blackwell, since 2009, the newspaper continues to maintain high journalistic standards when reporting on the African-American community on a local, state and national level. As a result of their unwavering mission, the Westchester County Press is 1 of 200 African American newspapers that are members of the National Newspapers Publishers Association (NNPA).

I want to congratulate the Westchester County Press for serving the Westchester County community for the past 90 years. Their dedication to reporting on issues impacting the African-American community cannot go unrecognized. Lastly, I would like to honor M. Paul Redd Sr., his near 50 years of work, and acknowledge his enshrinement in the NNPA’s Hall of Fame as of 2014.

CELEBRATING GAINESBORO FIRE AND RESCUE COMPANY’S 60 YEARS OF SERVICE TO THE COMMUNITY

HON. BARBARA COMSTOCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. COMSTOCK. Mr. Speaker, in 1958, plans for a fire department in Gainesboro began to take shape, with the help and direction of the Gainesboro Ruritan Club. Red Williamson was elected the first Fire Chief of Gainesboro and the purchase of a fire truck took place with financial help from the Clearbrook Fire Company and Shade Equipment Company. Two other service groups, including the St. Joseph’s Finance and Community Service Groups, donated their facilities to install the tank and pumps. The truck was completed and put in service following the first Yard Party in June, 1958.

In March, 1958, the land on which the Gainesboro Fire Company exists was purchased for the sum of $1,200. The firehouse was built by members of the Gainesboro Fire Company and the larger Gainesboro community, and because of their extraordinary generosity of time, energy and money, the entire firehouse was built in one short year, between July, 1958 and June 1959.

The history of the call volume is an indication of the significant growth in the work of the Gainesboro Fire Company. In 1958, there were a total of 11 fire runs, the first being a woods fire in Cross Junction that the Gore Fire Company assisted with. Five years later, in 1963, there were 65 runs and by 2017, there were over 1,000 runs. This increased demand on the fire company’s services has necessarily involved a significant increase in operational staff, which now amounts to 65 certified firefighters, 35 emergency Medical Technicians and paramedics.

With an operating budget of nearly $300,000, approximately $130,000 of it needs to be raised by the members of the Gainesboro Fire Company and its Ladies Auxiliary, which was formed in November, 1958. As a resilient, self-sustaining organization, the fire company has put on one type of fundraiser or another almost every month for the past 60 years, adding up to approximately 700 fundraisers during the time of the fire company’s existence.

Mr. Speaker, I know that I speak for all the people of the 10th Congressional District of Virginia in expressing our deep gratitude to our community heroes—our firefighters and emergency medical personnel, along with our law enforcement officers, who are willing to face any situation, no matter how grave or dangerous, to help us in our times of greatest desperation and need. I ask that you and our colleagues join me in thanking Chief Don Jackson and the community heroes of Gainesboro Fire and Rescue Company who, for 60 years, have courageously stepped forward to assist the residents of their community, and to also thank the ladies’ auxiliary and other leaders of the Gainesboro community, who have so generously supported the ongoing work of their community heroes.

HONORING THE PUBLIC SERVICE OF MAYOR BETTINA BIERI

HON. JOSH GOTTHEIMER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. GOTTHEIMER. Mr. Speaker, I rise today to honor the service of Mayor Bettina Bieri, a staunch and impassioned advocate for the people of West Milford, lifelong humanitarian, and mother of two incredible children.

Mayor Bieri is a dedicated public servant in North Jersey whose countless accomplishments include restoring the New Jersey Watershed, promoting the new library in West Milford, and holding local officials to the highest standards of accountability. These efforts demonstrate her unshakable commitment to serving her community for thirty-two years. Mayor Bieri has consistently fought for her community on the boards of many local service groups, including the St. Joseph’s Finance Board, the West Milford Animal Shelter, and the West Milford Chamber of Commerce.

As a graduate of Pace University and a Certified Public Accountant, Mayor Bieri successfully utilized her financial expertise and implemented sound fiscal policies to improve West Milford’s credit rating and save her constituents tax dollars. Although Mayor Bieri is retiring from public service, I am confident she will continue to make an indelible impact on those around her through her charitable work and unwavering commitment to helping others.

Mr. Speaker, I am deeply grateful for the contributions Mayor Bettina Bieri has made to West Milford and our community throughout her career. People like Mayor Bieri are what make northern New Jersey such a great place, and I am proud to call her my constituent.

RECOGNIZING MALNUTRITION AWARENESS WEEK

HON. NORMA J. TORRES
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. TORRES. Mr. Speaker, I rise today to recognize this week as Malnutrition Awareness Week. Every 60 seconds, 10 hospitalized patients with malnutrition go undiagnosed, with the majority of these individuals being older adults. Malnutrition among seniors and older adults can lead to a greater risk of chronic disease, frailty, disability and increases in healthcare costs. Malnutrition also disproportionately impacts minorities who are often managing comorbid chronic diseases. In my home district, 80 percent of the constituents I represent are of Hispanic background. It is of great concern to hear that malnutrition is more than twice as common among low-income older adult Latino households.

We cannot advance malnutrition care and promote improved patient recovery if we do not align the identification of and interventions for malnutrition with healthcare quality incentive programs.

The great news is that there are commonsense solutions that can close this gap in care now.

We can first begin by measuring the scope of the problem. Sadly, we currently don’t know the full extent of the malnutrition problems plaguing our senior population. To change this, we can add screening measures for malnutrition to the national health surveys of older adults and implement national key health indicators and Healthy People 2030 goals for older Americans. Doing something as simple as adding malnutrition measures will help shape public health programs and better guide healthcare professionals as they address serious health conditions.

Another simple change we can make is adding older adult malnutrition to national dietary guidelines. We cannot expect older adults and their families to take steps to address malnutrition if we do not give them the tools to identify the problem. We must meet older Americans half way so that families can make appropriate interventions for their unique conditions and circumstances. Therefore, I call on HHS and USDA to include dietary guidance for the prevention and treatment of older adult malnutrition and the closely aligned problem of age-related sarcopenia listed in the 2020 Dietary Guidelines for Americans.

Lastly, malnutrition should be interwoven into healthcare incentive programs. A patient’s nutrition status is rarely evaluated and managed as an individual transition across care settings. I therefore urge the CMS to include malnutrition electronic clinical quality measures in Medicare quality programs as well as in measures related to malnutrition in care transition programs. This will help reduce hospital readmission rates and improve transitional care for seniors in the long run.

Increasing awareness of nutrition’s role on patient recovery and implementing these measurement changes will help educate healthcare professionals and families which will result in helping seniors live healthy and independent lives.

RECOGNIZING MALNUTRITION AWARENESS WEEK
TRIBUTE TO VIC BELGER

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Vic Belger. Mr. Belger was inducted into the Creston High School Hall of Fame as Faculty Representative on Thursday, September 20, 2018.

Vic served as guidance counselor, driver’s education teacher and head baseball coach in Creston for two decades starting in the early 1980’s. His overall record as head baseball coach was 920–319, which ranks 27th all-time nationally for career victories. He also coached basketball at Creston for 9 seasons. He was named Iowa Coach of the year in 1990 and was inducted into the Iowa High School Baseball Coaches Association Hall of Fame in 1995. Vic and his wife, Pat, now live in Waukee, Iowa, where they attend their grandchildren’s activities and Vic still teaches driver’s education.

Mr. Speaker, I am honored to recognize Vic Belger for this award, and for providing the youth in Iowa’s Third District the education and direction that they will need to be successful. I am proud to represent him and Creston Community Schools in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Vic Belger and wishing him nothing but continued success.

HONORING BATTALION CHIEF JAMES NELSON

HON. ANDY BIGGS
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. BIGGS. Mr. Speaker, today, I honor the life of my constituent Mr. James Nelson. Mr. Nelson dedicated his life to public service, his community, and first and foremost, his family. He will be greatly missed by everyone that was lucky enough to know him in the East Valley.

James grew up in Tempe, Arizona where he played football and basketball for Marcos De Niza High School. His competitive nature and out-going personality led to future success in leadership positions in his 25-plus-year career serving others. He began his fire service career in the East Valley and was a founding member of the Gilbert Fire Department in 1993. For most of his professional life he served as Captain, later promoted to Battalion Chief.

James was a consummate professional and mentor to many other fire fighters. It is hard to imagine how many lives have been improved because of James’ guidance and advice. He was a pillar of strength for his family, friends, and the fire service. I express my sincere condolences to his wife Kenny, his three daughters, Sydney, Shelula and Shealor, his parents Ken and Nancy Nelson, his brother Paul Nelson, his sisters Sheri Nelson and Tricia Nelson and his other surviving family members.

IN HONOR OF JILL TANNER FOR NATIONAL OVARIAN CANCER AWARENESS MONTH

HON. BRETT GUTHRIE
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. GUTHRIE. Mr. Speaker, I rise today to honor my constituent Jill Tanner, an ovarian cancer survivor from Owensboro, Kentucky. September is National Ovarian Cancer Awareness Month. Ovarian cancer accounts for 2.5 percent of cancers in women, and sadly, the American Cancer Society estimates that this year, about 22,240 new cases will be diagnosed in the United States. Jill has taken her experience fighting ovarian cancer and has become a fierce advocate for funding and research to fight this disease. I have met with Jill on a number of occasions to discuss what more Congress can do to help those with ovarian cancer, and I want to thank her for her advocacy.

TRIBUTE TO LOUISE SIMPSON

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Louise Simpson of Shenandoah, Iowa on her 100th birthday. Mildred celebrated her birthday on September 11, 2018.

Our world has changed a great deal during the course of Louise’s life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Louise has lived through eighteen United States Presidents and twenty-five Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Louise in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I ask that my colleagues in the House of Representatives join me in congratulating Louise on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

HONORING WHITE PLAINS HOSPITAL

HON. NITA M. LOWEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. LOWEY. Mr. Speaker, I rise today to honor White Plains Hospital as it hosts its 125th Anniversary Gala on Saturday, September 29, 2018.

White Plains Hospital is a not-for-profit health care organization aimed at providing quality and affordable health care to Westchester County and the surrounding areas. In the year following its founding in 1893 by 22 women and three men, the hospital treated 31 patients. Today, it has a staff of 1,100 and treats more than 200,000 patients a year. White Plains Hospital has truly become a cornerstone of our community.

White Plains Hospital not only provides both inpatient and outpatient services, but also aims to improve the health care of the local and professional communities and the business sector. It greatly expanded access to care by opening locations across Westchester County with excellent physicians in, but not limited to, primary care, pediatrics, obstetrics and gynecology, oncology, oncology, geriatrics, cardiology, medical & surgical specialties, and urgent care.

Mr. Speaker, I am proud to have worked alongside White Plains Hospital to support quality health care for area residents. I urge my colleagues to join me in recognizing this organization and applauding its 125 years of service to our community as it celebrates this quasiquincentennial anniversary.

IN RECOGNITION OF ASHLAN BORSARI AND CHILDREN’S CARDIOMYOPATHY AWARENESS MONTH

HON. WILLIAM R. KEATING
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. KEATING. Mr. Speaker, I rise today in sincere recognition of Ashlan Borsari of Plymouth, Massachusetts, and to recognize September as Children’s Cardiomyopathy Awareness Month.

Ashlan Borsari was diagnosed at birth with a rare, chronic, and degenerative heart disease called idiopathic cardiomyopathy. By the time Ashlan reached kindergarten, her heart had left her barely able to climb a flight of stairs, and keeping up with her friends was impossible. Ashlan underwent her first open heart surgery at the age of five, and for the next nine years, she lived close to a typical child. Unfortunately, at the age of 14, she experienced a series of sudden cardiac arrests which required her to be revived through CPR. Ashlan was airlifted to Boston Children’s Hospital where doctors implanted an internal defibrillator.

Children and infants diagnosed with cardiomyopathy face some of the worse outcomes in pediatric cardiology. Forty percent of patients diagnosed with pediatric cardiomyopathy die at a young age or undergo a heart transplant within the first two years of their diagnosis. Despite this, little is known about the causes of this disease and there currently is no cure. While there is tremendous variation in symptoms among the four different types of cardiomyopathy, each case poses enormous challenges and dangers to those who suffer from this disease. As Members of Congress, we need to do all that we can to get the word out about this little understood, yet life-threatening autoimmune disease.

Mr. Speaker, I am honored to recognize Ashlan Borsari for her remarkable spirit and perseverance, and in recognizing September as Children’s Cardiomyopathy Awareness Month. Her story reminds us that through education, awareness, and research, we can better understand pediatric cardiomyopathy.

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. BIGGS. Mr. Speaker, today, I honor the life of my constituent Mr. James Nelson. Mr. Nelson dedicated his life to public service, his community, and first and foremost, his family. He will be greatly missed by everyone that was lucky enough to know him in the East Valley.

James grew up in Tempe, Arizona where he played football and basketball for Marcos De Niza High School. His competitive nature and out-going personality led to future success in leadership positions in his 25-plus-year career serving others. He began his fire service career in the East Valley and was a founding member of the Gilbert Fire Department in 1993. For most of his professional life he served as Captain, later promoted to Battalion Chief.

James was a consummate professional and mentor to many other fire fighters. It is hard to imagine how many lives have been improved because of James’ guidance and advice. He was a pillar of strength for his family, friends, and the fire service. I express my sincere condolences to his wife Kenny, his three daughters, Sydney, Shelula and Shealor, his parents Ken and Nancy Nelson, his brother Paul Nelson, his sisters Sheri Nelson and Tricia Nelson and his other surviving family members.
pledge to continue to raise awareness and do what I can to secure the resources needed to build upon the steady strides already achieved in understanding and finding a cure for cardiomyopathy.

RECOGNIZING TAIWAN NATIONAL DAY

HON. TOM EMMER
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. EMMER. Mr. Speaker, I rise today in recognition of the 59th National Day of Taiwan. The United States and Taiwan have enjoyed a fruitful partnership for decades, and I would like to wish the people of Taiwan a very Happy National Day.

Taiwan is a critical partner of the United States and my state of Minnesota. Over the last decade, Taiwan has shown and continues to be a prosperous nation characterized by strong economic growth, a commitment to democracy and respect for basic human rights and freedoms.

Where trade and economic prosperity are concerned, our two countries have made great strides. In 2017, Taiwan was ranked as the 11th largest trading partner of the United States, the 11th largest U.S. export market overall and the 7th largest market for U.S. agricultural products. Taiwan imported $3.57 billion of food and agricultural products from the U.S., representing more than 28 percent of total imports of those products.

Taiwan regularly sponsors trade missions to the United States in pursuit of agricultural products. Last year, those missions culminated in the signing of letters of intent to purchase approximately $2.8 billion in U.S.-produced grains between 2018 and 2019. Just in late September, another trade mission from Taiwan visited the United States with the intent to purchase $300 million in soybeans and other agriculture products. This mission also traveled to Minnesota, one of the biggest agriculture and soybean producing states in the U.S. In fact, Taiwan is Minnesota’s 5th largest export market in Asia, with over $450 million in goods exported in 2016. Our two countries will continue to seek avenues where we can work together, and I hope my colleagues will join me in promoting this cooperation wherever possible.

Minnesota and the rest of the country benefit from our relationship with Taiwan and continuing important partnership. It is my privilege to congratulate the celebrants of the “Double Tenth Day,” and I look forward to celebrating this important event for many years to come.

RECOGNIZING COACH AL LESLIE

HON. TIM WALBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. WALBERG. Mr. Speaker, I rise today to recognize Coach Al Leslie of Saline, Michigan who was recently named the ALL-USA Boys Track and Field Coach of the Year.

Al has been a track coach for 17 years—the last 12 of which have been at Saline High School, home of the Hornets.

This past season, the Boy’s Track Team won their 8th straight conference championship, their 8th consecutive regional title, and placed third at the state championship. Later, at a national competition, the Hornets won the 800 and 1600 medley relays.

Coach Leslie’s commitment to excellence, as well as the unity and team spirit that he seeks to promote, has created a winning formula at Saline.

In fact, his favorite quote, attributed to Bo Schmebecher, is “The team, the team, the team.”

In addition to his success as a track coach, Al is also a beloved assistant football coach at Saline, where he currently teaches 8th grade history.

Once again, I wish to congratulate Coach Leslie on this impressive achievement. The investment he makes in the lives of young people, both on and off the field, will impact our community for years to come.

IN RECOGNITION OF THE CHESAPEAKE BAY STRING OF PEARLS PROJECT OF THE NORTHERN VIRGINIA CONSERVATION TRUST

HON. BARBARA COMSTOCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise to honor very special landowners in northern Virginia who are the latest contributors to the Chesapeake Bay String of Pearls Project of the Northern Virginia Conservation Trust. The trust adds to and sustains places in our communities that enhance our natural, historical and cultural value, by assisting private landowners and local jurisdictions conserve and care for our natural and working lands and waters.

On November 16, seven newly conserved properties have been added to the 62 other parcels that make up the String of Pearls in the Chesapeake Bay watershed. These conserved private lands are in Great Falls, McLean and Oakton, and are the first conserved lands to be honored in the Commonwealth of Virginia.

As the member of Congress representing this area, I want to express my deep appreciation to these visionary landowners who have preserved their land forever, thus “saving nearby nature” to benefit current and future generations of Virginians and Americans. I also want to express my gratitude to the leadership of the Northern Virginia Conservation Trust, who, over the past 20-plus years has conserved 6,500 acres in the region and has been such an invaluable resource for conservation management, through its stewardship of protected land, encouragement of voluntary conservation activities, and critical technical assistance to local governments as they implement their comprehensive plans.

Mr. Speaker, I ask that you and our colleagues join me and all the people of the 10th Congressional District, in recognizing and thanking the Northern Virginia Conservation Trust and the sixty-nine conservation landowners of the Chesapeake Bay String of Pearls Project for their everlasting contributions to the quality of life of the residents of Northern Virginia and the Chesapeake Bay watershed.

TRIBUTE TO MAXINE AND BOB HAMM

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Maxine and Bob Hamm of Clarinda, Iowa on the very special occasion of their 70th wedding anniversary. They celebrated their anniversary on September 14, 2018.

Maxine and Bob’s lifelong commitment to each other and their family truly embodies
Itliong Day in Carson, California, marking the date of October 27, 2018 to be Larry Itliong Day; and

first city in the United States to recognize others of the West Coast Labor movement; 

1,500 Filipinos to strike against grape growers in the Central Valley, in what became the famous Delano Grape Strike, which lasted for more than 5 years; 

Whereas Larry Itliong, also known as Seven Fingers, has been described as one of the fathers of the West Coast Labor movement; 

Whereas the City of Carson became the first city in the United States to recognize Larry Itliong Day; and 

Now therefore, I declare and hereby recognize the date of October 27, 2018 to be Larry Itliong Day in Carson, California, marking the 4th annual celebration of this remarkable man.

HON. NITA M. LOWEY
OF NEW YORK 

In the House of Representatives
Friday, September 28, 2018

Mrs. LOWEY, Mr. Speaker, I rise today to honor the Child Care Council of Westchester as it hosts its 50th Anniversary Celebration on October 18, 2018.

The Child Care Council of Westchester promotes quality child care and education to support the healthy development of children and families. For children, the Council is a safe space to learn and grow. For parents, the Council eases the financial burden of child care by providing high quality, affordable child care for working families. For child care professionals, the Council acts as an information hub on running a business, providing quality care, and meeting legal obligations. Finally, for Westchester employers, the Council provides parents with resources and referrals to have successful employment and careers. 

The Child Care Council’s continued success in Westchester can be largely attributed to its Executive Director Kathy Halas. Since 2003, Ms. Halas has led the Council as it advocates for the importance of healthy childhood development and quality child care. Ms. Halas’ unwavering activism is an inspiration to us all and can be credited with the care of countless children throughout Westchester County and beyond. 

Mr. Speaker, I am proud to have worked alongside Kathy Halas and the Child Care Services of Westchester to support quality early care and education for all children. I urge my colleagues to join me in recognizing this incredible organization and applauding its 50 years of service to Westchester County as it celebrates this golden anniversary.

CELEBRATING THE LIFE OF DONALD PANOZ

HON. DOUG COLLINS
OF GEORGIA

In the House of Representatives
Friday, September 28, 2018

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the life of an extraordinary man and fellow Northeast Georgian, Mr. Donald E. Panoz. 

Mr. Panoz, the son of immigrants from Avezzano, Italy, was born on February 13, 1935. While attending Greenbrier Military Academy, he met his wife Nancy, and both went on to serve in the U.S. Army.

After his service, Mr. Panoz established many businesses in and around Georgia’s 9th Congressional District. Some of these include NanoLumens in Gainesville, Chateau Elan Winery & Resort in Braselton, and Panoz LLC in Hoschton. Panoz also served as Chairman of the Board of Directors for NanoLumens in Norcross.

However, Mr. Panoz will be most remembered for founding the American Le Mans Series—which brought European-style endurance sports car racing to America—and Milan Pharmaceuticals, which developed the method of delivering medicine through transdermal technology.

Mr. Panoz passed away on September 11, 2018 after a battle with cancer. As we remember his legacy, I join others in thanking him for his military service and recognizing his entrepreneurial spirit and success.
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Routine Proceedings, pages S6367–S6400

Measures Introduced: Eight bills and four resolutions were introduced, as follows: S. 3525–3532, S. Res. 660–662, and S. Con. Res. 49.

Measures Reported:

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 Jeffrey Allen Williams Post Office Building”, with amendments.

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”.

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”, with amendments.

S. 3414, to designate the facility of the United States Postal Service located at 20 Ferry Road in Saunertown, 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".  

Measures Passed:

**Enrollment Correction:** Senate agreed to S. Con. Res. 49, providing for a correction in the enrollment of S. 2553.  

**Short Term FAA Extension:** Senate passed 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.  

**PROGRESS for Indian Tribes Act:** Senate passed S. 2515, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian Tribes.  

**National Workforce Development Month:** Committee on the Judiciary was discharged from further consideration of S. Res. 632, designating September 2018 as "National Workforce Development Month", and the resolution was then agreed to.  

**Sickle Cell Disease Awareness Month:** Senate agreed to S. Res. 661, expressing support for the designation of September 2018 as "Sickle Cell Disease Awareness Month" in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to sickle cell disease, complications from sickle cell disease, and conditions related to sickle cell disease.  

**Campus Fire Safety Month:** Senate agreed to S. Res. 662, designating September 2018 as "Campus Fire Safety Month".  

House Messages:

**Sports Medicine Licensure Clarity Act—Agreement:** Senate began consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, after agreeing to the motion to proceed to consideration of the House message to accompany the bill, and taking action on the following motions and amendments proposed thereto:  

Pending:

- McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.  
- McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 4026 (to the motion to concur in the amendment of the House to the amendment of the Senate) to change the enactment date.  
- McConnell Amendment No. 4027 (to Amendment No. 4026), of a perfecting nature.  
- McConnell motion to refer the House message to accompany the bill to the Committee on Commerce, Science, and Transportation, with instructions, McConnell Amendment No. 4028, to change the enactment date.  
- McConnell Amendment No. 4029 (the instructions (Amendment No. 4028) of the motion to refer), of a perfecting nature.  
- McConnell Amendment No. 4030 (to Amendment No. 4029), of a perfecting nature.  

A motion was entered to close further debate on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, September 28, 2018, a vote on cloture will occur at 5:30 p.m., on Monday, October 1, 2018.  

A unanimous-consent agreement was reached providing that notwithstanding Rule XXII, at 5 p.m., on Monday, October 1, 2018, Senate resume consideration of the House message to accompany the bill, as if in Legislative Session; that at 5:30 p.m., Senate vote on the motion to invoke cloture on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill; and that if cloture is invoked, Senate remain in Executive Session and the post-cloture time continue to run as otherwise under the Rule, and that upon the use or yielding back of post-cloture time, Senate vote, as if in Legislative Session, on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.  

**Support for Patients and Communities Act—Agreement:** A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of the House Message to accompany H.R. 6, to provide for opioid use disorder prevention, recovery, and treatment; that the Majority Leader, or his designee, be recognized to make a motion to concur, that there be up to four hours of debate on the motion, equally divided in the usual form, and that following the use or yielding back of that time, Senate vote on the motion to concur, with no intervening action or debate.  

**Signing Authorities—Agreement:** A unanimous-consent agreement was reached providing that the Majority Leader and Senator Boozman be authorized
to sign duly enrolled bills or joint resolutions during the upcoming recess of the Senate.  

**Kavanaugh Nomination:** Senate began consideration of the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States.  

Prior to the consideration of this nomination, Senate took the following action:  

- Senate agreed to the motion to proceed to Executive Session to consider the nomination.  

**Nominations Received:** Senate received the following nominations:  
- Jean Nellie Liang, of Illinois, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.  
- Darrell E. Issa, of California, to be Director of the Trade and Development Agency.  
- Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.  
- Jeffrey L. Eberhardt, of Wisconsin, to be Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador.  
- Christopher Paul Henzel, of Virginia, to be Ambassador to the Republic of Yemen.  
- Lynne M. Tracy, of Ohio, to be Ambassador to the Republic of Armenia.  
- Virgil Madden, of Indiana, to be a Commissioner of the United States Parole Commission for a term of six years.  
- Monica David Morris, of Florida, to be a Commissioner of the United States Parole Commission for a term of six years.  

A routine list in the Army.  

**Nomination Withdrawn:** Senate received notification of withdrawal of the following nomination:  

- Anthony Kurta, of Montana, to be a Principal Deputy Under Secretary of Defense, which was sent to the Senate on July 25, 2017.  

**Messages from the House:**  

**Measures Read the First Time:** Pages S6383, S6383  

**Enrolled Bills Presented:** Pages S6383  

**Executive Communications:** Pages S6383–87  

**Executive Reports of Committees:** Pages S6387–88  

**Additional Cosponsors:** Pages S6388–89  

**Statements on Introduced Bills/Resolutions:** Pages S6389–90  

**Additional Statements:** Page S6383  

**Amendments Submitted:** Page S6390  

**Adjournment:** Senate convened at 2 p.m. and recessed at 6:21 p.m., until 3 p.m. on Monday, October 1, 2018. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S6399.)  

**Committee Meetings**  

*Committees not listed did not meet*  

**BUSINESS MEETING**  

*Committee on the Judiciary:* Committee ordered favorably reported the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States.  

**House of Representatives**  

**Chamber Action**  

**Public Bills and Resolutions Introduced:** 45 public bills, H.R. 6964–7008; and 11 resolutions, H. Res. 1099–1109 were introduced.  

**Additional Cosponsors:** Pages H9404–06  

**Reports Filed:** There were no reports filed today.  

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Poe (TX) to act as Speaker pro tempore for today.  

Amending title 10, United States Code, to modify the requirement for certain former members of the Armed Forces to enroll in Medicare Part B to be eligible for TRICARE for Life, and to amend title XVIII of the Social Security Act to provide for coverage of certain DNA specimen provenance assay tests under the Medicare program: The House agreed to discharge from committee and pass H.R. 6886, to amend title 10, United States Code, to modify the requirement for certain former members of the Armed Forces to enroll in Medicare Part B to be eligible for TRICARE
for Life, and to amend title XVIII of the Social Security Act to provide for coverage of certain DNA specimen provenance assay tests under the Medicare program, as amended by Representative Sam Johnson (TX).

Pages H9156–58


Pages H9158–74, H9256

Rejected the Larson (CT) motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 184 yeas to 226 nays, Roll No. 413.

Pursuant to the Rule, 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 H. Rept. 115–985, shall be considered as adopted.

Page H9158

H. Res. 1084, the rule providing for consideration of the bills (H.R. 6756), (H.R. 6757), and (H.R. 6760) was agreed to yesterday, September 27th.

Suspensions: The House agreed to suspend the rules and pass the following measure:

Providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment: H. Res. 1099, providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment, by a 2/3 yea-and-nay vote of 393 yeas to 8 nays, Roll No. 415.

Pages H9174–9255

Committee on Transportation and Infrastructure—Communication: Read a letter from Chairman Shuster wherein he transmitted copies of nineteen resolutions that include 11 alteration projects, five lease prospectuses, and two construction projects included in the General Services Administration’s Capital Investment and Leasing Programs. The resolutions were adopted by the Committee on Transportation and Infrastructure on September 27, 2018.

Pages H9257–H9357

Renaming the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter: The House agreed to discharge from committee and pass H.R. 6870, to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter.

Page H9357

Designating 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”: The House agreed to discharge from committee and pass 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”.

Page H9357

Designating 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”: The House agreed to discharge from committee and pass 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”, as amended by Representative Comer.

Agreed to amend the title so as to read: “To designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the ‘Detective Heath McDonald Gumm Post Office’."

Page H9357

Designating 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”: The House agreed to discharge from committee and pass 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”.

Page H9357

Designating 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”: The House agreed to discharge from committee and pass 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”.

Page H9357

Missing Children’s Assistance Act of 2018: The House agreed to take from the Speaker’s table and pass S. 3354, to amend the Missing Children’s Assistance Act.

Pages H9358–59

Reauthorizing the Family Violence Prevention and Services Act: The House agreed to discharge from committee and pass H.R. 6014, to reauthorize the Family Violence Prevention and Services Act.

Page H9359
Reauthorizing the Congressional Award Act: The House agreed to take from the Speaker’s table and pass S. 3509, to reauthorize the Congressional Award Act.  


Global Food Security Reauthorization Act: The House agreed to take from the Speaker’s table and pass S. 2269, to reauthorize the Global Food Security Act of 2016 for 5 additional years.  

Amending title 18, United States Code, to provide for assistance for victims of child pornography: The House agreed to discharge from committee and pass S. 2152, to amend title 18, United States Code, to provide for assistance for victims of child pornography, as amended by Representative Marino.  

Abolish Human Trafficking Act: The House agreed to discharge from committee and pass S. 1311, to provide assistance in abolishing human trafficking in the United States, as amended by Representative Marino.  

Trafficking Victims Protection Act: The House agreed to discharge from committee and pass S. 1312, to prioritize the fight against human trafficking in the United States, as amended by Representative Marino.  

Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act: The House agreed to discharge from committee and pass H.R. 68, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, as amended by Representative Marino.  

Providing for the continued performance of the functions of the United States Parole Commission: The House agreed to discharge from committee and pass H.R. 6896, to provide for the continued performance of the functions of the United States Parole Commission.  

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, October 2nd.

Library of Congress Trust Fund Board—Appointment: The Chair announced the Speaker’s appointment of the following individuals on the part of the House to the Library of Congress Trust Fund Board for a 5-year term: Mr. Lawrence Peter Fisher of Chevy Chase, Maryland, and Mr. Gregory Paul Ryan of Hillsborough, California.  

Harry S. Truman Scholarship Foundation—Appointment: The Chair announced the Speaker’s appointment of the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation: Representative Granger.

Member Resignation: Read a letter from Representative Jenkins, wherein he resigned as Representative for the Third Congressional District of West Virginia, effective at midnight September 30, 2018.  

Senate Referrals: S. 1768 was referred to the Committee on Science, Space, and Technology, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure. S. 3170 was referred to the Committee on the Judiciary. S. 3354 was held at the desk.  

Senate Message: Message received from the Senate today appears on page H9255.  

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H9255, H9256, and H9257. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 2:15 p.m.  

**Committee Meetings**

CONTRIBUTING FACTORS TO C–130 MISHAPS AND OTHER INTRA-THEATER AIRLIFT CHALLENGES

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a hearing entitled “Contributing Factors to C–130 Mishaps and Other Intra-Theater Airlift Challenges”. Testimony was heard from Rear Admiral Upper Half Scott D. Conn, Director, Air Warfare, Office of the Chief of Naval Operations, Department of the Navy; Lieutenant General Jerry D. Harris, Deputy Chief of Staff for Strategic Plans and Programs, Department of the Air Force; and Lieutenant General Donald Kirkland, Commander, Air Force Sustainment Center, Department of the Air Force.

EXAMINING OPPORTUNITIES FOR FINANCIAL MARKETS IN THE DIGITAL ERA

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “Examining Opportunities for Financial Markets in the Digital Era”. Testimony was heard from public witnesses.
EXAMINING SOBER LIVING HOMES

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a hearing entitled “Examining Sober Living Homes”. Testimony was heard from Representatives Judy Chu of California and Rohrabacher; Erik Peterson, Mayor Pro Tempore, Huntington Beach, California; Dave Aronberg, State Attorney, 15th Judicial Circuit, Florida; and public witnesses.

BUSINESS MEETING

Permanent Select Committee on Intelligence: Full Committee held a business meeting. A vote to release certain executive session material to the Intelligence Community, transmit 53 executive session witness depositions to the ODNI for classification review, and publicly release 53 executive session witness depositions passed. This meeting was closed.

Joint Meetings
No joint committee meetings were held.

COMMITTEE MEETINGS FOR MONDAY, OCTOBER 1, 2018
(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House
No hearings are scheduled.

CONGRESSIONAL PROGRAM AHEAD
Week of October 1 through October 5, 2018

Senate Chamber
On Monday, Senate will resume Executive Session.
At 5 p.m., Senate will resume consideration of the House message to accompany H.R. 302, Sports Medicine Licensure Clarity Act, and vote on the motion to invoke cloture on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, at 5:30 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees
(Committee meetings are open unless otherwise indicated)

Committee on Banking, Housing, and Urban Affairs: October 2, to hold hearings to examine implementation of the Economic Growth, Regulatory Relief, and Consumer Protection Act, 10 a.m., SD–538.

October 4, Full Committee, to hold hearings to examine combating money laundering and other forms of illicit finance, focusing on regulator and law enforcement perspectives on reform, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: October 3, to hold hearings to examine implementation of positive train control, 10 a.m., SR–253.

October 3, 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, 2:30 p.m., SR–253.

October 4, Full Committee, to hold hearings to examine broadband, focusing on opportunities and challenges in rural America, 10 a.m., SR–253.

Committee on Energy and Natural Resources: October 2, business meeting to consider S. 32 and H.R. 857, bills to provide for conservation and enhanced recreation activities in the California Desert Conservation Area, S. 90 and H.R. 428, bills to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, S. 414, to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, S. 441, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System in the State of New Mexico, S. 483, to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, S. 569, to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, S. 685, to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, S. 884, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 941, to withdraw certain National Forest System land in the Emigrant Crevace area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, S. 966, to establish a program to accurately document vehicles that were significant in the history of the United States, S. 1012, to provide for drought preparedness measures in the State of New Mexico, S. 1149, to amend the Alaska Native Claims Settlement Act to repeal a provision limiting the export of timber harvested from land conveyed to the Kake Tribal Corporation under that Act, S. 1219, to provide for stability of title to certain land in the State of Louisiana, S. 1403, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, S. 1481, to make...
technical corrections to the Alaska Native Claims Settlement Act, S. 1522 and H.R. 3186, bills to establish an Every Kid Outdoors program, S. 1548, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, S. 1572 and H.R. 3279, bills to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas, S. 1787, to reauthorize the National Geologic Mapping Act of 1992, S. 1926 and H.R. 2156, bills to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, S. 1987 and H.R. 2600, bills to provide for the conveyance to the State of Iowa of the reversionary interest held by the United States in certain land in Pottawattamie County, Iowa, S. 2062, to require the Secretary of Agriculture to convey at market value certain National Forest System land in the State of Arizona, S. 2078 and H.R. 4257, bills to maximize land management efficiencies, promote land conservation, generate education funding, S. 2160, to establish a pilot program under the Chief of the Forest Service may use alternative dispute resolution in lieu of judicial review of certain projects, S. 2166 and H.R. 4465, bills to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023, to require a report on the implementation of those programs, S. 2249, to permanently reauthorize the Rio Puerco Management Committee and the Rio Puerco Watershed Management Program, S. 2290, to improve wildfire management operations and the safety of firefighters and communities with the best available technology, S. 2297, to direct the Secretary of Agriculture to transfer certain National Forest System land to Custer County, South Dakota, S. 2560, to authorize the Secretary of the Interior to establish a program to facilitate the transfer to non-Federal ownership of appropriate reclamation projects or facilities, S. 2809, to establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, S. 2831 and H.R. 5751, bills to redesignate Golden Spike National Historic Site and to establish the Transcontinental Railroad Network, S. 2870, to authorize the Secretary of the Interior to conduct a special resource study of the site known as "Amache" in the State of Colorado, S. 2876, to amend the National Trails System Act to provide for the study of the Pike National Historic Trail, S. 2889 and H.R. 4895, bills to establish the Medgar Evers Home National Monument in the State of Mississippi, S. 2968, to amend the Energy Reorganization Act of 1974 to clarify whistleblower rights and protections, S. 3001 and H.R. 6040, bills to authorize the Secretary of the Interior to convey certain land and facilities of the Central Valley Project, S. 3088, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry, S. 3172, 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, S. 3176 and H.R. 5979, bills to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, S. 3245, to require the Secretary of Agriculture to transfer certain National Forest System land in the State of Texas, S. 3287 and H.R. 5653, bills to establish the Camp Nelson Heritage National Monument in the State of Kentucky as a unit of the National Park System, H.R. 132, to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, H.R. 167, to amend the Reclamation Project Act of 1939 to authorize pumped storage hydropower development utilizing multiple Bureau of Reclamation reservoirs, H.R. 2075, to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, H.R. 2630, to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and H.R. 4446, to amend the Virgin Islands of the United States Centennial Commission Act to extend the expiration date of the Commission, 10 a.m., SD–366. Committee on Environment and Public Works: October 3, 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, 2:15 p.m., SD–406. Committee on Finance: October 2, to hold hearings to examine the nomination of Andrew M. Saul, of New York, to be Commissioner of Social Security, 10:30 a.m., SD–215. Committee on Foreign Relations: October 2, 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, 10 a.m., SD–419. October 4, Full Committee, to hold hearings to examine the nomination of Eric George Nelson, of Texas, to be Ambassador to Bosnia and Herzegovina, Department of State, 10 a.m., SD–419. Committee on Health, Education, Labor, and Pensions: October 3, Subcommittee on Children and Families, to hold hearings to examine rare diseases, focusing on expediting treatments for patients, 2:30 p.m., SD–430. Committee on Homeland Security and Governmental Affairs: October 3, 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, 10 a.m., SD–342. Committee on Indian Affairs: October 3, business meeting to consider S. 664, to approve the settlement of the water rights claims of the Navajo in Utah, to authorize construction of projects in connection therewith, and
H.R. 5317, to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands; to be immediately followed by an oversight hearing to examine Government Accountability Office reports relating to broadband internet availability on tribal lands, 2:30 p.m., SD–628.

Committee on Judiciary: October 2, Subcommittee on the Constitution, to hold hearings to examine threats to religious liberty around the world, 2:30 p.m., SD–226.

October 3, Full Committee, to hold hearings to examine big bank bankruptcy, focusing on 10 years after Lehman Brothers, 10 a.m., SD–226.

October 3, Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold an oversight hearing to examine the enforcement of the antitrust laws, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: October 3, to hold hearings to examine expanding opportunities for small businesses through the tax code, 2:30 p.m., SR–428A.

Select Committee on Intelligence: October 2, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–216.

October 4, Full Committee, to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

Special Committee on Aging: October 3, to hold hearings to examine patient-focused care, focusing on a prescription to reduce health care costs, 9:30 a.m., SD–562.

United States Senate Caucus on International Narcotics Control: October 2, to hold hearings to examine combating the trafficking of illegal fentanyl from China, 9:30 a.m., SD–226.

House Committees

No hearings are scheduled.
Next Meeting of the SENATE
3 p.m., Monday, October 1

Senate Chamber

Program for Monday: Senate will resume Executive Session.
At 5 p.m., Senate will resume consideration of the House message to accompany H.R. 302, Sports Medicine Licensure Clarity Act, and vote on the motion to invoke cloture on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
12:30 p.m., October 2, 2018

House Chamber

Program for Tuesday: House will meet in Pro Forma session at 12:30 p.m.

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