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No. 3

## House of Representatives

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

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
January 8, 2019.

I hereby appoint the Honorable JAMES P. MCGOVERN to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2019, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 1:50 p.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### CELEBRATING 100TH BIRTHDAY OF HELEN BARBARA LIVINGSTON

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

Mr. MITCHELL. Mr. Speaker, I rise today to celebrate the 100th birthday of Helen Barbara Livingston, who lives in Macomb County.

A person experiences a great deal in 100 years of life. In 1919, when she was born, Prohibition went into effect, the pop-up toaster was invented, unemployment was 1.4 percent—if you can believe that—and the Grand Canyon

became a national park. Helen experienced the Great Depression.

She has seen over 40 percent of the history of this Nation. She has experienced 18 U.S. Presidents, from Woodrow Wilson, when she was born in 1919, to President Trump. Suffice it to say, she has seen a great deal of change in national and local politics in her life.

She was born in Niagara, New York, and came to Michigan at age 6 when her dad got a job, amazingly enough, in the auto industry at a Dodge plant in Hamtramck, Michigan—the reason so many people move to Michigan to build cars and trucks for America.

Helen attended Hamtramck High School and was an incredible athlete. She was captain of the field hockey team and played tennis, where she never lost a match in 4 years.

During Helen's senior year in high school, Eleanor Roosevelt visited her school to promote women in sports, and Helen presented her with a bouquet of roses. A short time later, she received a handwritten letter from the First Lady.

She met her husband working at Parke-Davis labs, and for their first date, they drove 5 hours to Hartwick Pines. Now, there is an effort. That was the start of a 59-year marriage.

After being a stay-at-home mom for 12 years, when her kids were a little older, Helen started working at Macomb County Youth Home for juvenile delinquents. She worked there until she retired.

Helen has been an avid golfer. She has two holes-in-one, most recently, when she was 80 years old. There are many golfers, including many golfers in this Chamber, who are envious of that achievement.

Even as she got older, Helen continued to seek out fun. A few years ago, she was in a grocery store and ended up starring in a national Mike's Hard Lemonade commercial. To be honest, she didn't realize what Mike's Hard Lemonade was.

I join her family, friends, and the entire community in celebrating an incredible 100 years of life and wish her many more.

### REAL-LIFE STORIES OF MY CONSTITUENTS AFFECTED BY THE GOVERNMENT SHUTDOWN

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

Mr. COURTNEY. Mr. Speaker, I rise today, a really sad milestone of, really, failure on day 18 of a partial government shutdown that is affecting 25 percent of the Federal Government.

I am rising today to share some of the real-life stories of some of my constituents in eastern Connecticut who are affected by this shutdown, which, again, today, we are now officially 1 day past the length of the 2013 shutdown of 17 days. On Sunday, if this is not fixed and ended, it will actually be the longest shutdown in American history, surpassing the 1994 shutdown.

Mr. Speaker, today, I got a letter from James of Waterford, Connecticut:

I am a State Department employee assigned to the U.S. Embassy in Kabul, Afghanistan. I have been a DOS employee since 2003.

I live and work every day in a dangerous environment in support of U.S. foreign policy. In Herat, Afghanistan, in 2013, I was shot at and blown up in an attack by the Taliban on the U.S. Consulate. In Belgrade, Serbia, in 2008, I was trapped in the burning U.S. Embassy during protests against Kosovo independence while I protected and destroyed classified information.

I support our government's policies in difficult environments, and I expect my government to meet their commitment to me and my family.

Jeremy of Colchester, Connecticut, who works for the Coast Guard:

Please work to pass a bill to fund the government, including employees' salaries of the Coast Guard, which are, again, part of the Department of Homeland Security. My

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

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



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family cannot go indefinitely without pay, nor should they have to.

And he is absolutely right.

Kate of Chester, Connecticut:

I am a U.S. Department of Agriculture employee. I have been an employee of the USDA for 15 years at the Plum Island Animal Disease Center.

That is off the coast of Long Island Sound, where they do amazing research in terms of animal health and public health.

If there is not a resolution and end to this shutdown soon, my financial situation will force me to choose which bills to pay.

Robert of Stafford Springs, Connecticut, who actually works for a regional craft brewery:

I depend on the ATF, the Alcohol, Tobacco, and Firearms, to approve license applications, formulas and labels for beers—delicious beers, by the way—that we brew and sell. Every day that this passes without a shutdown ending is another potential day of lost sales.

Ethan of Niantic, Connecticut, who works at the Coast Guard Academy, where they are building the leaders of tomorrow for this country. He has been part of the faculty for the last 11 years.

Personally, without earning a paycheck, we will find paying for groceries, mortgage, utilities, childcare, and other essentials, nearly impossible. As the government shutdown lingers on, I become increasingly concerned how it will impact my family.

Brian Krampovitas, I met with him this morning in my office. He is one of the air traffic controllers at Bradley Field in Hartford, Connecticut. They have 40 employees who are working without pay, 10-hour shifts, making sure that the planes take off and land safely. And again, the stress level, because they have no support staff, is growing more and more intense for people who are doing incredibly important work, guaranteeing the safety of this country.

Again, just as a way of a recap, last week the new Congress was sworn in. Within 2 hours, we passed H.R. 21, which fully funded the American Government, which would have ended this shutdown last week, again, not with a wild spending bill but one that had already passed in the U.S. Senate with Republican votes.

All MITCH MCCONNELL has to do is bring up that bill, which they have already passed, send it to the President, and with the stroke of a pen, this would end today; and these people who, again, are doing the important work of the American people would not have to be going through the stress and aggravation while they are doing great work to protect our public safety, to represent our country overseas, and to make sure that we have leaders of the future through institutions like the Coast Guard Academy.

Again, we are going to hear a speech tonight. This thing apparently is going to continue to go on. It is unnecessary, it is pointless, and it is hurting the American economy and the American people.

Mr. President, sign H.R. 21.

We can have a debate about border security. There are some things that both sides will agree on in terms of making sure that we get more immigration judges to eliminate the asylum case backlog, to boost enforcement of port of entry where fentanyl and dangerous drugs are coming through; and we can have a serious debate about whether or not it is sensors and drones, boots on the ground to make sure that those areas that are more remote get more protection, but lengthening this shutdown and hurting people who have absolutely nothing to do with the southern border is pointless and hurting people and hurting the U.S. economy.

#### HONORING OFFICER JOSEPH SHINNERS

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

Mr. CURTIS. Mr. Speaker, I rise today to honor the life and sacrifice of one of Utah's finest. Master Officer Joseph Shinners of the Provo Police Department was, tragically, killed on Saturday night in the line of duty.

At the time, he was responding to assist in the arrest of a dangerous fugitive with a history of violence towards citizens and police officers when he was struck by gunfire and died as a result of his injuries.

Joe leaves behind his loving wife, Kaylyn, and 1-year-old son, Logan.

Mr. Speaker, my heart aches every time an officer is killed in the line of duty, but this one is personal. When Joe made his decision to work for Provo PD, I was his mayor. In a very real way, I feel responsible for his training, his work at Provo City, and his safety. I am deeply saddened by this terrible news.

I stand here on the floor of the House of Representatives, and I speak for the entire Provo community when I say that Joe is a true hero. He gave the ultimate sacrifice to protect us, and we owe him and his family our deepest gratitude.

The chief of the Provo Police Department, Richard Ferguson, described him as intelligent, honorable, hardworking, and one of his all-stars. Chief Ferguson described him as the officer you would like to show up at your door in your crucible moment.

He was born in Boston and graduated high school in Springfield. He grew up in a home that valued and respected public service, with his siblings serving as policemen and his father, a retired fire captain.

During his 3 years of service at the Provo Police Department, he worked mostly in Provo's thriving downtown and on the SWAT team. He also served on the bicycle patrol and as a field training officer.

Most importantly, he was a good man, husband, and father. One of his fellow officers remembered that there

was a time that he arrested someone and gave them a hug just as he was arrested to offer them comfort. That was the type of cop he was.

My wife, Sue, and I offer our deepest sympathy to Provo PD, the family and friends of Joe, and hope that they know we will never forget their sacrifice—especially to Kaylyn and Logan.

Our brave policemen and -women face serious potential danger every time they say good-bye to their families and leave their homes to go on patrol, and they know that it is possibly the last time they see them and it could be their final good-bye.

I take this moment to express my sincere appreciation to all of our Nation's first responders and police officers, but today, especially, to those of Provo City. We love you, respect you, and thank you.

#### DECEPTIVE PRACTICES AND ELECTION DAY HOLIDAY

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

Mr. MCEACHIN. Mr. Speaker, today I rise in support of H.R. 1, the For the People Act, and the need for Federal election reform.

Mr. Speaker, in the 2016 and 2018 election cycles, we witnessed overt discrimination, disinformation, and intimidation tactics aimed at disenfranchising our most vulnerable friends and neighbors.

Individuals and organizations intentionally aimed to spread deceptive material regarding the time and place of elections, endorsements, and voter eligibility. Moreover, there were also explicit attempts to intimidate voters at the polls.

In my home, the Commonwealth of Virginia, there were reports of a man standing in front of a polling place holding a Trump sign with a barking German shepherd on the roof of his truck, and yet that man broke no laws.

Such efforts can interfere with one of our basic rights as Americans: the right to vote. As such, I am pleased that H.R. 1 includes language from a bill I introduced in the last Congress with then-Ranking Member NADLER, the Deceptive Practices and Voter Intimidation Prevention Act.

This language will prohibit the dissemination of false information regarding Federal elections and prevent efforts to hinder, interfere, or prevent a person from voting, registering to vote, or helping another person to vote or register to vote. We, as Americans, shall make it easier to vote, not harder, and this language will further that goal.

In the same vein, I am equally proud that another bill has been included in H.R. 1, the Election Day Holiday Act, which I reintroduced with Congresswoman ESHOO in the last Congress. As the title suggests, this bill would direct Federal agencies to treat election day as a holiday and urge private employers to do the same.

Going to the polls is among the most democratic of American traditions. Making election day a holiday would honor that tradition, while helping voters to continue it long into the future.

I thank my friend and colleague, Congressman SARBANES, for introducing this historic bill. I thank all of the many Members and stakeholders who have helped shape this bill and who have seen fit to support the measures I have described.

As the name indicates, this bill is for the people, and I look forward to the day when we do the people's work and pass it.

□ 1215

#### THE CRISIS ON OUR SOUTHERN BORDER

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

Mr. MARSHALL. Mr. Speaker, the crisis on our southern border is very real. When I took the oath to represent the big First District of Kansas, it became my responsibility to put our citizens and their security first. Without secure borders, we cannot ensure our Nation's safety, period.

We have tens of thousands of immigrants filling our entryways every month and, in result; drugs, criminals, and violence spilling into our country. I challenge all my colleagues that are denying this crisis exists to go and see our southern border firsthand, as I did, and it was quite an eye-opening moment.

Last year alone, there were 1.7 million pounds of narcotics—let me say that again—1.7 million pounds of narcotics seized by Customs and Border Patrol. Seventeen thousand adults with existing criminal records attempted to enter our southern border; that is over 40 per day.

But perhaps, Mr. Speaker, the most eye-opening of all, we are now averaging over 1,000 illegal and inadmissible people per day. That is in 1 day, over 1,000 people.

The \$5.7 billion the President is asking for is an investment of taxpayer dollars that will pay off for decades.

The fact that some of my colleagues are blatantly ignoring that walls along the border work is intellectually dishonest. According to DHS and U.S. Border Patrol, illegal trafficking has dropped more than 90 percent in places where walls and barriers were built.

It is embarrassing that, even with this evidence, my friends on the other side of the aisle shut down the government because this Congress cannot do its most basic duty to do its job and prioritize our country's safety by funding initiatives that we know for a fact work.

I agree, though, that we cannot stop at border security alone. It is crucial that we also address and fix our very broken immigration system and allow

hardworking migrants who want to work hard and raise their families in the United States to come.

There is a right way to do this. There is a win-win-win opportunity. There is a win for border security; there is a win for immigration policy overhaul; and there is a win to reopen the small portion of government which is closed.

I am continually frustrated by the narrative that we can't win for all American parties here in these negotiations. This is an opportune moment to quit kicking the can down the road and actually work together to couple border security priorities with long-term immigration fixes.

As we enter the 17th day of this government shutdown, I will continue to stand for a secure America and hope my colleagues choose an open government over open borders.

#### RECESS

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

Accordingly (at 12 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1400

#### AFTER RECESS

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

#### PRAYER

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

Eternal God, we give You thanks for giving us another day.

We pause now in Your presence to acknowledge our dependence on You.

We ask Your blessing upon the men and women of this, the people's House, who are settling into new spaces and committees here on Capitol Hill.

As the new session begins, help them and, indeed, help us all to obey Your law, to do Your will, and to walk in Your way. Grant that they might be good in thought, gracious in word, generous in deed, and great in spirit.

Make this a glorious day in which all are glad to be alive and ready to serve You.

May all that is done this day be done 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.

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

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

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

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

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

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

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

Mr. WATKINS 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.

#### COMMUNICATION FROM THE HONORABLE G.K. BUTTERFIELD, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable G.K. BUTTERFIELD, Member of Congress:

CONGRESS OF THE UNITED STATES,

HOUSE OF REPRESENTATIVES,

January 7, 2019.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
The Capitol, Washington, DC.

DEAR SPEAKER PELOSI: On January 4, 2019, you designated me to administer the oath of office to Representative-elect WALTER B. JONES of the Third District of the State of North Carolina pursuant to House Resolution 22, One Hundred Sixteenth Congress.

Under such designation, I have the honor to report that on January 4, 2019 at Farmville, North Carolina, I administered the oath of office to Mr. JONES. Mr. JONES took the oath prescribed by 5 U.S.C. 3331. I have delivered two copies of the oath, signed by Mr. JONES, to the Clerk of the House of Representatives.

Thank you very much.

Very truly yours,

G.K. BUTTERFIELD,  
Member of Congress.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from North Carolina, the whole number of the House is 434.

#### IN SUPPORT OF UNIVERSAL BACKGROUND CHECKS

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

Mrs. MCBATH. Mr. Speaker, 7 years ago, my son was violently torn from my life, a victim of gun violence, a victim of a person who had a gun who should never have received one.

Today, I join my colleagues and former Congresswoman Gabby Giffords to prevent more families from facing the horror and heartbreak wrought by gun violence.

Later today, Congressman KING and Congressman THOMPSON will introduce bipartisan legislation to ensure that no one is able to get a gun from an unlicensed sale without a background check. Background checks empower law enforcement to keep guns out of the hands of criminals and domestic abusers. Quite simply, they save lives.

I am honored to cosponsor this bipartisan legislation for my son, Jordan, and for the safety of every family in this country. I ask my fellow parents, my fellow Members, and my fellow Americans to stand with me today, in support of universal background checks. Together, we will make our communities safer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

#### EXPRESSING GRATITUDE TO FELLOW KANSANS

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

Mr. WATKINS. Mr. Speaker, many Kansans have followed the path from military to political service, names like Pompeo, Roberts, Dole, and Eisenhower.

I stand on the shoulders of giants. I do so with humility and with gratitude that the people of Kansas have bestowed upon me such an honor.

To my fellow Kansans: I won't let you down.

To my colleagues: We will have our disagreements and our debates. We should. But we should also maintain civility and integrity, and we should work to make the government more efficient, more accountable, and more effective.

God bless the 116th Congress and the great people of Kansas, and may God bless the United States of America.

#### HARMFUL IMPACT OF THE GOVERNMENT SHUTDOWN

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

Ms. PRESSLEY. Mr. Speaker, I rise today in opposition to the occupant of the White House.

Mr. Trump, you took an oath, just as I did 5 days ago, to protect and defend

the Constitution and the American people. Sir, you dishonor that oath. You devalue the life of the immigrant, the worker, and the survivor. I see right through you and so do the American people. This has nothing to do with border security. Your shutdown, another Trump-generated crisis, has brought a tsunami of hurt on the American people.

Today, I rise to lift the voices of the unheard. I rise today on behalf of the families concerned about feeding their children because their WIC benefits will run dry.

I rise today in solidarity with the thousands of workers with calloused hands and broken spirits working for no pay.

I rise today in support of the survivor fleeing violent hands, seeking safety, only to find the shelter door locked because of your shutdown.

I rise today in support of the American people who believe in the promise of this Nation and ask for honest pay for an honest day's work.

Today, I rise as one and I stand as thousands.

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

#### EXTENSION OF CHILD TAX CREDIT TO PUERTO RICO

(Miss GONZÁLEZ-COLÓN of Puerto Rico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, today I introduced the Child Tax Credit Equity for Puerto Rico Act of 2019.

Under current law, in Puerto Rico, the child tax credit only applies to families who are raising three or more children.

In comparison, families living in the mainland are able to use this credit for having even one or two children. Small families consisting of one or two children in Puerto Rico are excluded from receiving this necessary benefit.

The purpose of the child tax credit is to be a tool to help families offset the expenses of raising children and raise themselves out of poverty.

Mississippi has the highest poverty level of any State. Puerto Rico's poverty rate, now at 45 percent, is 178 percent higher than Mississippi.

According to the Census Bureau, the lowest household income of Puerto Rico is \$19,000 a year, compared to \$43,000 in the State of Mississippi and \$61,000, average, in the whole mainland.

This proposal will help Puerto Rico's economy and benefit about 355,000 families and more than 404,000 children in Puerto Rico.

I urge my colleagues to support and pass this bill, and I thank Congressmen JOSÉ SERRANO, FITZPATRICK, and DUFFY for being original cosponsors of this bill.

#### APPOINTMENT OF MEMBER TO UNITED STATES SEMIQUINCENTENNIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Pub. L. 114-196), and the order of the House of January 3, 2019, of the following Member on the part of the House to the United States Semiquincentennial Commission:

Mr. EVANS, Pennsylvania

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), House stood in recess.

□ 1600

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RASKIN) at 4 p.m.

#### ELECTING MEMBERS TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. JEFFRIES. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 26

*Resolved*, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON RULES.—Ms. MATSUI and Mr. PERLMUTTER.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

#### MEDICAID EXTENDERS ACT OF 2019

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 259) to extend the Medicaid Money Follows the Person Rebalancing demonstration, to extend protection for Medicaid recipients of home and community-based services against spousal impoverishment, and for other purposes, as amended.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 259

*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 “Medicaid Extenders Act of 2019”.

## SEC. 2. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

(a) GENERAL FUNDING.—Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “and” after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(F) subject to paragraph (3), \$112,000,000 for fiscal year 2019.”;

(2) in paragraph (2)—

(A) by striking “Amounts made” and inserting “Subject to paragraph (3), amounts made”; and

(B) by striking “September 30, 2016” and inserting “September 30, 2021”; and

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

“(3) SPECIAL RULE FOR FY 2019.—Funds appropriated under paragraph (1)(F) shall be made available for grants to States only if such States have an approved MFP demonstration project under this section as of December 31, 2018.”.

(b) FUNDING FOR QUALITY ASSURANCE AND IMPROVEMENT; TECHNICAL ASSISTANCE; OVERSIGHT.—Section 6071(f) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking paragraph (2) and inserting the following:

“(2) FUNDING.—From the amounts appropriated under subsection (h)(1)(F) for fiscal year 2019, \$500,000 shall be available to the Secretary for such fiscal year to carry out this subsection.”.

(c) TECHNICAL AMENDMENT.—Section 6071(b) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by adding at the end the following:

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

## SEC. 3. EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES AGAINST SPOUSAL IMPOVERISHMENT.

(a) IN GENERAL.—Section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) is amended by striking “the 5-year period that begins on January 1, 2014,” and inserting “the period beginning on January 1, 2014, and ending on March 31, 2019.”.

(b) RULE OF CONSTRUCTION.—

(1) PROTECTING STATE SPOUSAL INCOME AND ASSET DISREGARD FLEXIBILITY UNDER WAIVERS AND PLAN AMENDMENTS.—Nothing in section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) or section 1924 of the Social Security Act (42 U.S.C. 1396r–5) shall be construed as prohibiting a State from disregarding an individual’s spousal income and assets under a State waiver or plan amendment described in paragraph (2) for purposes of making determinations of eligibility for home and community-based services or home and community-based attendant services and supports under such waiver or plan amendment.

(2) STATE WAIVER OR PLAN AMENDMENT DESCRIBED.—A State waiver or plan amendment described in this paragraph is any of the following:

(A) A waiver or plan amendment to provide medical assistance for home and community-

based services under a waiver or plan amendment under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315).

(B) A plan amendment to provide medical assistance for home and community-based services for individuals by reason of being determined eligible under section 1902(a)(10)(C) of such Act (42 U.S.C. 1396a(a)(10)(C)) or by reason of section 1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise on the basis of a reduction of income based on costs incurred for medical or other remedial care under which the State disregarded the income and assets of the individual’s spouse in determining the initial and ongoing financial eligibility of an individual for such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396r–5).

(C) A plan amendment to provide medical assistance for home and community-based attendant services and supports under section 1915(k) of such Act (42 U.S.C. 1396n(k)).

## SEC. 4. REDUCTION IN FMAP AFTER 2020 FOR STATES WITHOUT ASSET VERIFICATION PROGRAM.

Section 1940 of the Social Security Act (42 U.S.C. 1396w) is amended by adding at the end the following new subsection:

“(k) REDUCTION IN FMAP AFTER 2020 FOR NON-COMPLIANT STATES.—

“(1) IN GENERAL.—With respect to a calendar quarter beginning on or after January 1, 2021, the Federal medical assistance percentage otherwise determined under section 1905(b) for a non-compliant State shall be reduced—

“(A) for calendar quarters in 2021 and 2022, by 0.12 percentage points;

“(B) for calendar quarters in 2023, by 0.25 percentage points;

“(C) for calendar quarters in 2024, by 0.35 percentage points; and

“(D) for calendar quarters in 2025 and each year thereafter, by 0.5 percentage points.

“(2) NON-COMPLIANT STATE DEFINED.—For purposes of this subsection, the term ‘non-compliant State’ means a State—

“(A) that is one of the 50 States or the District of Columbia;

“(B) with respect to which the Secretary has not approved a State plan amendment submitted under subsection (a)(2); and

“(C) that is not operating, on an ongoing basis, an asset verification program in accordance with this section.”.

## SEC. 5. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w–1(b)(1)) is amended by striking “\$31,000,000” and inserting “\$6,000,000”.

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

The Chair recognizes the gentleman from New Jersey.

### GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 259.

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

There was no objection.

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

Mr. Speaker, I rise today to express my support for H.R. 259, the Medicaid

Extenders Act of 2019. This bill would extend for 3 months the successful Money Follows the Person demonstration and the spousal impoverishment protections for home- and community-based services recipients. These two provisions have helped tens of thousands of people remain in the community with their families and friends while receiving the healthcare and other services that they need.

The MFP demonstration helps people transition from institutional settings to community-based settings so they can live in their homes and maintain their independence, and all of this is possible because the demonstration provides them access to the services in their homes that they would otherwise receive in an institution.

This is a widely used and successful program. Currently, 43 States and the District of Columbia participate. And it has helped over 75,000 people transition from institutions to the community.

I thank my colleagues, Representative DINGELL and Representative GUTHRIE, for their bipartisan efforts to protect this important program. I urge my colleagues to support extending this program as the Energy and Commerce Committee works on a longer-term extension.

Mr. Speaker, I also support extending the protections against spousal impoverishment for beneficiaries receiving home- and community-based services. These protections ensure that people can receive the community-based services they need and that their spouse has enough income and assets to meet their living expenses. This protection expired at the end of last year, and it is vital that we act quickly to reauthorize it.

Without this protection, individuals may lose access to important services or face unnecessary institutionalization. This is a terrible choice for families to make and one that we can prevent by passing this bill. Similar to MFP, this extension will give the committee time to work on a long-term solution.

Mr. Speaker, both of these extensions were passed as part of the continuing resolution in the Senate in December. Unfortunately, since then, a fight has ensued over appropriations funding. While it is my hope that the President will drop his demand for an ineffective and unnecessary wall, I do not want these programs to be collateral damage over that debate.

Both of these programs have bipartisan support and must be extended without delay. I urge my colleagues to support H.R. 259, the Medicaid Extenders Act of 2019.

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

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

Mr. Speaker, I rise in support of the Medicaid Extenders Act of 2019, a bipartisan Medicaid package that moves forward House priorities with responsible offsets.

The Energy and Commerce Committee worked to draft this critical legislation before us today. This language passed in the House of Representatives in the last Congress as part of the IMPROVE Act, but in the other body they failed to send the bill to the President's desk. I urge my colleagues in both the House and the Senate to support this important bill.

The package extends funding for the Money Follows the Person demonstration, an effort led by Representatives BRETT GUTHRIE and DEBBIE DINGELL. This Medicaid demonstration, which was established in 2005, has enabled eligible individuals in States across the Nation to receive long-term care services in their homes or other community settings, rather than in institutions or nursing homes. Not only does this increase the comfort and the quality of life for many Medicaid beneficiaries, but it has reduced hospital readmissions and saved money within the Medicaid program.

The funding for this program has already expired, and a funding extension is already long overdue. While we would like to have extended the funding for longer, it was essential to get an extension across the floor, even if it is just for a small period of time.

A 3-month extension for the protection for Medicaid recipients of home- and community-based services against spousal impoverishment is also included. This effort was championed by Representatives FRED UPTON and DEBBIE DINGELL. Our seniors are among our most vulnerable citizens, and it is programs like this one that help protect them from financial ruin.

This program specifically protects married individuals requiring Medicaid-covered long-term services and supports to ensure that they do not have to deplete their financial resources or bankrupt themselves in order to become or remain Medicaid eligible to receive such services.

In an effort to be fiscally responsible, this legislation includes several offsets that make this package on net a saver.

One of those offsets will require States to come into compliance with the Supplemental Appropriations Act of 2008 regarding Medicaid asset verification programs. This 2008 law required States to implement asset verification programs in order to determine or redetermine eligibility, and the Affordable Care Act required such programs to be filed electronically.

Currently, only 33 States have operational programs. This provision will bring the remaining States up to speed by levying a penalty on States that do not have a program in place by 2020. This package contains must-pass provisions that the Energy and Commerce Committee has long fought to pass. The provisions included in this legislation will improve access for Medicaid beneficiaries, which is laudable and an important goal. Not only are these provisions imperative, but they are responsibly offset.

I particularly thank the Energy and Commerce Committee staffer, Caleb Graff, who has spent countless hours negotiating and getting this package to the floor. I support this legislation and urge Members of the House and Senate to do so as well.

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

Mr. PALLONE. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I thank the chairman for the recognition and yielding me this time.

Mr. Speaker, I rise in support of H.R. 259, the Medicaid Extenders Act. Our long-term care system is broken. Like millions of Americans, I, too, am a primary caretaker for my husband, and I meet people every single day. I often say taking John to the doctor is like attending a town hall meeting. While we continue to work towards a much needed overhaul of our long-term care financing, we also need to build on and protect existing programs.

The Medicaid Extenders Act includes a 3-month extension of the highly successful Money Follows the Person program. This program provides grants to States to help individuals voluntarily transition from an institutional setting to a community care setting. Money Follows the Person is a win for both the beneficiaries and the taxpayers because the program has demonstrated significant savings over the years while bringing a real-time benefit to people's lives.

The Medicaid Extenders Act also extends spousal impoverishment protections for seniors in Medicaid. These important protections ensure that individuals are not forced to spend down all of their resources, and too many go bankrupt, just to get the care that they need.

However, this bill is just a partial victory. I do hope the House will pass it. Both programs are extended for only 3 months. While this is enough to keep these important programs alive for the moment, we must pass long-term extensions of both programs as quickly as possible.

I will soon be introducing bipartisan legislation to do just that, and I look forward to working with all of my colleagues this year on long-term extensions of these critical programs. I urge my colleagues to join me in supporting H.R. 259.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. GUTHRIE), the primary sponsor of this bill.

Mr. GUTHRIE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the Medicaid Extenders Act of 2019. The Medicaid Extenders Act of 2019 includes legislation that I worked on, the EMPOWER Care Act, which will extend the vital Money Follows the Person program.

The Money Follows the Person program allows certain Medicaid bene-

ficiaries, such as the elderly or individuals with disabilities, to transition from healthcare facilities to receiving care in their own homes or communities, if they choose to do so. This program empowers patients to choose the care that makes the most sense for them while saving taxpayers money.

Kentucky Transitions, which operates the Money Follows the Person in my home State, has helped hundreds of Kentuckians transition to receiving care in their homes or their communities.

I thank Congresswoman DEBBIE DINGELL for working so hard on this legislation and working together on this bipartisan piece of legislation. I thank the chairman's kind words as he was talking about this legislation. I encourage my colleagues to vote for this bill.

Mr. BURGESS. Mr. Speaker, we have no further speakers. We did pass this bill in this House in December. I urge all Members to support the bill as it goes forward today.

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

Mr. PALLONE. Mr. Speaker, I would also ask that we support this bill on a bipartisan basis without delay.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 259, the "Medicaid Extenders Act of 2019" that extends the "Medicaid Money Follows the Person" rebalancing demonstration project.

The "Medicaid Money Follows the Person" demonstration project supports reintegration of persons with special needs into their communities.

Since its creation in 1965, Medicaid has been the largest source of medical and health-related services for Americans with a low income and limited resources.

Over 75,151 people with chronic conditions and disabilities have transitioned from institutions back into the community through "Money Follows the Person" programs as of December 2016.

My home state of Texas was among the first 30 states chosen to participate in the "Money Follows the Person" demonstration in 2007.

The "Money Follows the Person" demonstration project has helped more than 10,000 individuals transition from institutional to community-based services in the state of Texas.

In the 18th Congressional District of Texas there are 162 nursing homes and out of 162 nursing homes only 67 nursing homes accept Medicaid.

43 percent of seniors in Houston, Texas earn less than \$30,000 per year.

Texas has the second largest number of individuals with disabilities of all the states and the percentage of individuals with disabilities in the state of Texas is 11.7 percent.

In the fiscal year of 2016, Health and Human Services has budgeted over \$16 million in federal funding to help individuals transition out of nursing facilities, State Supported Living Centers, Intermediate Care Facilities for Individuals with Intellectual Disabilities and other institutions.

The “Money Follows the Person” demonstration project has helped states and the federal government save money. From 2008 to 2013, it generated \$978 million in reduced Medicare and Medicaid costs after the first year of transitioning participants to home- and community-based care.

For these reasons, I ask my colleagues to join me in supporting H.R. 259.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 259, as amended.

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

A motion to reconsider was laid on the table.

## PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION ACT OF 2019

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 269) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 269

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

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019”.

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

Sec. 1. Short title; table of contents.

### DIVISION A—PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION

Sec. 100. References in division.

### TITLE I—STRENGTHENING THE NATIONAL HEALTH SECURITY STRATEGY

Sec. 101. National Health Security Strategy.

### TITLE II—IMPROVING PREPAREDNESS AND RESPONSE

Sec. 201. Improving benchmarks and standards for preparedness and response.

Sec. 202. Amendments to preparedness and response programs.

Sec. 203. Regional health care emergency preparedness and response systems.

Sec. 204. Military and civilian partnership for trauma readiness.

Sec. 205. Public health and health care system situational awareness and biosurveillance capabilities.

Sec. 206. Strengthening and supporting the public health emergency rapid response fund.

Sec. 207. Improving all-hazards preparedness and response by public health emergency volunteers.

Sec. 208. Clarifying State liability law for volunteer health care professionals.

Sec. 209. Report on adequate national blood supply.

Sec. 210. Report on the public health preparedness and response capabilities and capacities of hospitals, long-term care facilities, and other health care facilities.

### TITLE III—REACHING ALL COMMUNITIES

Sec. 301. Strengthening and assessing the emergency response workforce.

Sec. 302. Health system infrastructure to improve preparedness and response.

Sec. 303. Considerations for at-risk individuals.

Sec. 304. Improving emergency preparedness and response considerations for children.

Sec. 305. National advisory committees on disasters.

Sec. 306. Guidance for participation in exercises and drills.

### TITLE IV—PRIORITIZING A THREAT-BASED APPROACH

Sec. 401. Assistant Secretary for Preparedness and Response.

Sec. 402. Public Health Emergency Medical Countermeasures Enterprise.

Sec. 403. Strategic National Stockpile.

Sec. 404. Preparing for pandemic influenza, antimicrobial resistance, and other significant threats.

Sec. 405. Reporting on the Federal Select Agent Program.

### TITLE V—INCREASING COMMUNICATION IN MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

Sec. 501. Medical countermeasure budget plan.

Sec. 502. Material threat and medical countermeasure notifications.

Sec. 503. Availability of regulatory management plans.

Sec. 504. The Biomedical Advanced Research and Development Authority and the BioShield Special Reserve Fund.

Sec. 505. Additional strategies for combating antibiotic resistance.

### TITLE VI—ADVANCING TECHNOLOGIES FOR MEDICAL COUNTERMEASURES

Sec. 601. Administration of countermeasures.

Sec. 602. Updating definitions of other transactions.

Sec. 603. Medical countermeasure master files.

Sec. 604. Animal rule report.

Sec. 605. Review of the benefits of genomic engineering technologies and their potential role in national security.

Sec. 606. Report on vaccines development.

Sec. 607. Strengthening mosquito abatement for safety and health.

### TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Reauthorizations and extensions.

Sec. 702. Location of materials in the stockpile.

Sec. 703. Cybersecurity.

Sec. 704. Strategy and report.

Sec. 705. Technical amendments.

### DIVISION B—OVER-THE-COUNTER MONOGRAPH SAFETY, INNOVATION, AND REFORM

Sec. 1000. Short title; references in division.

### TITLE I—OTC DRUG REVIEW

Sec. 1001. Regulation of certain nonprescription drugs that are marketed without an approved drug application.

Sec. 1002. Misbranding.

Sec. 1003. Drugs excluded from the over-the-counter drug review.

Sec. 1004. Treatment of Sunscreen Innovation Act.

Sec. 1005. Annual update to Congress on appropriate pediatric indication for certain OTC cough and cold drugs.

Sec. 1006. Technical corrections.

### TITLE II—USER FEES

Sec. 2001. Short title; finding.

Sec. 2002. Fees relating to over-the-counter drugs.

## DIVISION A—PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION

### SEC. 100. REFERENCES IN DIVISION.

Except as otherwise specified—

(1) amendments made by this division to a section or other provision of law are amendments to such section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.); and

(2) any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

## TITLE I—STRENGTHENING THE NATIONAL HEALTH SECURITY STRATEGY

### SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

Section 2802 (42 U.S.C. 300hh-1) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “2014” and inserting “2018”; and

(ii) by striking the second sentence and inserting the following: “Such National Health Security Strategy shall describe potential emergency health security threats and identify the process for achieving the preparedness goals described in subsection (b) to be prepared to identify and respond to such threats and shall be consistent with the national preparedness goal (as described in section 504(a)(19) of the Homeland Security Act of 2002), the National Incident Management System (as defined in section 501(7) of such Act), and the National Response Plan developed pursuant to section 504 of such Act, or any successor plan.”;

(B) in paragraph (2), by inserting before the period at the end of the second sentence the following: “, and an analysis of any changes to the evidence-based benchmarks and objective standards under sections 319C-1 and 319C-2”; and

(C) in paragraph (3)—

(i) by striking “2009” and inserting “2022”;

(ii) by inserting “(including gaps in the environmental health and animal health workforces, as applicable), describing the status of such workforce” after “gaps in such workforce”;

(iii) by striking “and identifying strategies” and inserting “identifying strategies”; and

(iv) by inserting before the period at the end “, and identifying current capabilities to meet the requirements of section 2803”; and

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking “and investigation” and inserting “investigation, and related information technology activities”;

(ii) in subparagraph (B), by striking “and decontamination” and inserting “decontamination, relevant health care services and supplies, and transportation and disposal of medical waste”; and

(iii) by adding at the end the following:

“(E) Response to environmental hazards.”;

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking “including mental health”



and inserting “including pharmacies, mental health facilities,”; and

(ii) in subparagraph (F), by inserting “or exposures to agents that could cause a public health emergency” before the period;

(C) in paragraph (5), by inserting “and other applicable compacts” after “Compact”; and

(D) by adding at the end the following:

“(9) ZOO NOTIC DISEASE, FOOD, AND AGRICULTURE.—Improving coordination among Federal, State, local, Tribal, and territorial entities (including through consultation with the Secretary of Agriculture) to prevent, detect, and respond to outbreaks of plant or animal disease (including zoonotic disease) that could compromise national security resulting from a deliberate attack, a naturally occurring threat, the intentional adulteration of food, or other public health threats, taking into account interactions between animal health, human health, and animals’ and humans’ shared environment as directly related to public health emergency preparedness and response capabilities, as applicable.

“(10) GLOBAL HEALTH SECURITY.—Assessing current or potential health security threats from abroad to inform domestic public health preparedness and response capabilities.”.

## TITLE II—IMPROVING PREPAREDNESS AND RESPONSE

### SEC. 201. IMPROVING BENCHMARKS AND STANDARDS FOR PREPAREDNESS AND RESPONSE.

(a) EVALUATING MEASURABLE EVIDENCE-BASED BENCHMARKS AND OBJECTIVE STANDARDS.—Section 319C–1 (42 U.S.C. 247d–3a) is amended by inserting after subsection (j) the following:

“(k) EVALUATION.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 and every 2 years thereafter, the Secretary shall conduct an evaluation of the evidence-based benchmarks and objective standards required under subsection (g). Such evaluation shall be submitted to the congressional committees of jurisdiction together with the National Health Security Strategy under section 2802, at such time as such strategy is submitted.

“(2) CONTENT.—The evaluation under this paragraph shall include—

“(A) a review of evidence-based benchmarks and objective standards, and associated metrics and targets;

“(B) a discussion of changes to any evidence-based benchmarks and objective standards, and the effect of such changes on the ability to track whether entities are meeting or making progress toward the goals under this section and, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802;

“(C) a description of amounts received by eligible entities described in subsection (b) and section 319C–2(b), and amounts received by subrecipients and the effect of such funding on meeting evidence-based benchmarks and objective standards; and

“(D) recommendations, as applicable and appropriate, to improve evidence-based benchmarks and objective standards to more accurately assess the ability of entities receiving awards under this section to better achieve the goals under this section and section 2802.”.

(b) EVALUATING THE PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS.—Section 319C–2(i)(1) (42 U.S.C. 247–3b(i)(1)) is amended by striking “section 319C–1(g), (i), and (j)” and inserting “section 319C–1(g), (i), (j), and (k)”.

### SEC. 202. AMENDMENTS TO PREPAREDNESS AND RESPONSE PROGRAMS.

(a) COOPERATIVE AGREEMENT APPLICATIONS FOR IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.—Section 319C–1 (42 U.S.C. 247d–3a) is amended—

(1) in subsection (a), by inserting “, acting through the Director of the Centers for Disease Control and Prevention,” after “the Secretary”; and

(2) in subsection (b)(2)(A)—

(A) in clause (vi), by inserting “, including public health agencies with specific expertise that may be relevant to public health security, such as environmental health agencies,” after “stakeholders”;

(B) by redesignating clauses (vii) through (ix) as clauses (viii) through (x);

(C) by inserting after clause (vi) the following:

“(vii) a description of how, as applicable, such entity may integrate information to account for individuals with behavioral health needs following a public health emergency;”;

(D) in clause (ix), as so redesignated, by striking “; and” and inserting a semicolon; and

(E) by adding at the end the following:

“(xi) a description of how the entity will partner with health care facilities, including hospitals and nursing homes and other long-term care facilities, to promote and improve public health preparedness and response; and

“(xii) a description of how, as appropriate and practicable, the entity will include critical infrastructure partners, such as utility companies within the entity’s jurisdiction, in planning pursuant to this subparagraph to help ensure that critical infrastructure will remain functioning during, or return to function as soon as practicable after, a public health emergency;”.

(b) EXCEPTION RELATING TO APPLICATION OF CERTAIN REQUIREMENTS.—

(1) IN GENERAL.—Section 319C–1(g) (42 U.S.C. 247d–3a(g)) is amended—

(A) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “Beginning with fiscal year 2009” and inserting “Beginning with fiscal year 2019”; and

(ii) in subparagraph (A)—

(I) by striking “for the immediately preceding fiscal year” and inserting “for either of the 2 immediately preceding fiscal years”; and

(II) by striking “2008” and inserting “2018”; and

(B) in paragraph (6), by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—The amounts described in this paragraph are the following amounts that are payable to an entity for activities described in this section or section 319C–2:

“(i) For no more than 1 of each of the first 2 fiscal years immediately following a fiscal year in which an entity experienced a failure described in subparagraph (A) or (B) of paragraph (5), an amount equal to 10 percent of the amount the entity was eligible to receive for the respective fiscal year.

“(ii) For no more than 1 of the first 2 fiscal years immediately following the third consecutive fiscal year in which an entity experienced such a failure, in lieu of applying clause (i), an amount equal to 15 percent of the amount the entity was eligible to receive for the respective fiscal year.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to cooperative agreements awarded on or after the date of enactment of this Act.

(c) PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C–2 (42 U.S.C. 247d–3b) is amended—

(1) in subsection (a)—

(A) by inserting “, acting through the Assistant Secretary for Preparedness and Response,” after “The Secretary”; and

(B) by striking “preparedness for public health emergencies” and inserting “preparedness for, and response to, public health emergencies in accordance with subsection (c)”;

(2) in subsection (b)(1)(A)—

(A) by striking “partnership consisting of” and inserting “coalition that includes”;

(B) in clause (ii), by striking “; and” and inserting a semicolon; and

(C) by adding at the end the following:

“(iv) one or more emergency medical service organizations or emergency management organizations; and”;

(3) in subsection (d)—

(A) in paragraph (1)(B), by striking “partnership” each place it appears and inserting “coalition”; and

(B) in paragraph (2)(C), by striking “medical preparedness” and inserting “preparedness and response”;

(4) in subsection (f), by striking “partnership” and inserting “coalition”;

(5) in subsection (g)(2)—

(A) by striking “Partnerships” and inserting “Coalitions”;

(B) by striking “partnerships” and inserting “coalitions”; and

(C) by inserting “and response” after “preparedness”; and

(6) in subsection (i)(1)—

(A) by striking “An entity” and inserting “A coalition”; and

(B) by striking “such partnership” and inserting “such coalition”.

(d) PUBLIC HEALTH SECURITY GRANTS AUTHORIZATION OF APPROPRIATIONS.—Section 319C–1(h)(1)(A) (42 U.S.C. 247d–3a(h)(1)(A)) is amended by striking “\$641,900,000 for fiscal year 2014” and all that follows through the period at the end and inserting “\$685,000,000 for each of fiscal years 2019 through 2023 for awards pursuant to paragraph (3) (subject to the authority of the Secretary to make awards pursuant to paragraphs (4) and (5)).”.

(e) PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS AUTHORIZATION OF APPROPRIATIONS.—Section 319C–2(j) (42 U.S.C. 247d–3b(j)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section and section 319C–3, in accordance with subparagraph (B), there is authorized to be appropriated \$385,000,000 for each of fiscal years 2019 through 2023.

“(B) RESERVATION OF AMOUNTS FOR REGIONAL SYSTEMS.—

“(i) IN GENERAL.—Subject to clause (ii), of the amount appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 5 percent for the purpose of carrying out section 319C–3.

“(ii) RESERVATION CONTINGENT ON CONTINUED APPROPRIATIONS FOR THIS SECTION.—If for fiscal year 2019 or a subsequent fiscal year, the amount appropriated under subparagraph (A) is such that, after application of clause (i), the amount remaining for the purpose of carrying out this section would be less than the amount available for such purpose for the previous fiscal year, the amount that may be reserved under clause (i) shall be reduced such that the amount remaining for the purpose of carrying out this section is not less than the amount available for such purpose for the previous fiscal year.

“(iii) SUNSET.—The authority to reserve amounts under clause (i) shall expire on September 30, 2023.”;

(2) in paragraph (2), by striking “paragraph (1) for a fiscal year” and inserting “paragraph (1)(A) for a fiscal year and not reserved



for the purpose described in paragraph (1)(B)(i)"; and

(3) in paragraph (3)(A), by striking "paragraph (1) and not reserved under paragraph (2)" and inserting "paragraph (1)(A) and not reserved under paragraph (1)(B)(i) or (2)".

**SEC. 203. REGIONAL HEALTH CARE EMERGENCY PREPAREDNESS AND RESPONSE SYSTEMS.**

(a) IN GENERAL.—Part B of title III (42 U.S.C. 243 et seq.) is amended by inserting after section 319C-2 the following:

**"SEC. 319C-3. GUIDELINES FOR REGIONAL HEALTH CARE EMERGENCY PREPAREDNESS AND RESPONSE SYSTEMS.**

"(a) PURPOSE.—It is the purpose of this section to identify and provide guidelines for regional systems of hospitals, health care facilities, and other public and private sector entities, with varying levels of capability to treat patients and increase medical surge capacity during, in advance of, and immediately following a public health emergency, including threats posed by one or more chemical, biological, radiological, or nuclear agents, including emerging infectious diseases.

"(b) GUIDELINES.—The Assistant Secretary for Preparedness and Response, in consultation with the Director of the Centers for Disease Control and Prevention, the Administrator of the Centers for Medicare & Medicaid Services, the Administrator of the Health Resources and Services Administration, the Commissioner of Food and Drugs, the Assistant Secretary for Mental Health and Substance Use, the Assistant Secretary of Labor for Occupational Safety and Health, the Secretary of Veterans Affairs, the heads of such other Federal agencies as the Secretary determines to be appropriate, and State, local, Tribal, and territorial public health officials, shall, not later than 2 years after the date of enactment of this section—

"(1) identify and develop a set of guidelines relating to practices and protocols for all-hazards public health emergency preparedness and response for hospitals and health care facilities to provide appropriate patient care during, in advance of, or immediately following, a public health emergency, resulting from one or more chemical, biological, radiological, or nuclear agents, including emerging infectious diseases (which may include existing practices, such as trauma care and medical surge capacity and capabilities), with respect to—

"(A) a regional approach to identifying hospitals and health care facilities based on varying capabilities and capacity to treat patients affected by such emergency, including—

"(i) the manner in which the system will coordinate with and integrate the partnerships and health care coalitions established under section 319C-2(b); and

"(ii) informing and educating appropriate first responders and health care supply chain partners of the regional emergency preparedness and response capabilities and medical surge capacity of such hospitals and health care facilities in the community;

"(B) physical and technological infrastructure, laboratory capacity, staffing, blood supply, and other supply chain needs, taking into account resiliency, geographic considerations, and rural considerations;

"(C) protocols or best practices for the safety and personal protection of workers who handle human remains and health care workers (including with respect to protective equipment and supplies, waste management processes, and decontamination), sharing of specialized experience among the health care workforce, behavioral health, psychological resilience, and training of the workforce, as applicable;

"(D) in a manner that allows for disease containment (within the meaning of section 2802(b)(2)(B)), coordinated medical triage, treatment, and transportation of patients, based on patient medical need (including patients in rural areas), to the appropriate hospitals or health care facilities within the regional system or, as applicable and appropriate, between systems in different States or regions; and

"(E) the needs of children and other at-risk individuals;

"(2) make such guidelines available on the internet website of the Department of Health and Human Services in a manner that does not compromise national security; and

"(3) update such guidelines as appropriate, including based on input received pursuant to subsections (c) and (e) and information resulting from applicable reports required under the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 (including any amendments made by such Act), to address new and emerging public health threats.

"(c) CONSIDERATIONS.—In identifying, developing, and updating guidelines under subsection (b), the Assistant Secretary for Preparedness and Response shall—

"(1) include input from hospitals and health care facilities (including health care coalitions under section 319C-2), State, local, Tribal, and territorial public health departments, and health care or subject matter experts (including experts with relevant expertise in chemical, biological, radiological, or nuclear threats, including emerging infectious diseases), as the Assistant Secretary determines appropriate, to meet the goals under section 2802(b)(3);

"(2) consult and engage with appropriate health care providers and professionals, including physicians, nurses, first responders, health care facilities (including hospitals, primary care clinics, community health centers, mental health facilities, ambulatory care facilities, and dental health facilities), pharmacies, emergency medical providers, trauma care providers, environmental health agencies, public health laboratories, poison control centers, blood banks, tissue banks, and other experts that the Assistant Secretary determines appropriate, to meet the goals under section 2802(b)(3);

"(3) consider feedback related to financial implications for hospitals, health care facilities, public health agencies, laboratories, blood banks, tissue banks, and other entities engaged in regional preparedness planning to implement and follow such guidelines, as applicable; and

"(4) consider financial requirements and potential incentives for entities to prepare for, and respond to, public health emergencies as part of the regional health care emergency preparedness and response system.

"(d) TECHNICAL ASSISTANCE.—The Assistant Secretary for Preparedness and Response, in consultation with the Director of the Centers for Disease Control and Prevention and the Assistant Secretary of Labor for Occupational Safety and Health, may provide technical assistance and consultation toward meeting the guidelines described in subsection (b).

"(e) DEMONSTRATION PROJECT FOR REGIONAL HEALTH CARE EMERGENCY PREPAREDNESS AND RESPONSE SYSTEMS.—

"(1) IN GENERAL.—The Assistant Secretary for Preparedness and Response may establish a demonstration project pursuant to the development and implementation of guidelines under subsection (b) to award grants to improve medical surge capacity for all hazards, build and integrate regional medical response capabilities, improve specialty care expertise for all-hazards response, and co-

ordinate medical preparedness and response across State, local, Tribal, territorial, and regional jurisdictions.

"(2) SUNSET.—The authority under this subsection shall expire on September 30, 2023."

(b) GAO REPORT TO CONGRESS.—

(1) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States (referred to in this subsection as the "Comptroller General") shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate and the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives, a report on the extent to which hospitals and health care facilities have implemented the recommended guidelines under section 319C-3(b) of the Public Health Service Act (as added by subsection (a)), including an analysis and evaluation of any challenges hospitals or health care facilities experienced in implementing such guidelines.

(2) CONTENT.—The Comptroller General shall include in the report under paragraph (1)—

(A) data on the preparedness and response capabilities that have been informed by the guidelines under section 319C-3(b) of the Public Health Service Act to improve regional emergency health care preparedness and response capability, including hospital and health care facility capacity and medical surge capabilities to prepare for, and respond to, public health emergencies; and

(B) recommendations to reduce gaps in incentives for regional health partners, including hospitals and health care facilities, to improve capacity and medical surge capabilities to prepare for, and respond to, public health emergencies, consistent with subsection (a), which may include consideration of facilities participating in programs under section 319C-2 of the Public Health Service Act (42 U.S.C. 247d-3b) or in programs under the Centers for Medicare & Medicaid Services (including innovative health care delivery and payment models), and input from private sector financial institutions.

(3) CONSULTATION.—In carrying out paragraphs (1) and (2), the Comptroller General shall consult with the heads of appropriate Federal agencies, including—

(A) the Assistant Secretary for Preparedness and Response;

(B) the Director of the Centers for Disease Control and Prevention;

(C) the Administrator of the Centers for Medicare & Medicaid Services;

(D) the Assistant Secretary for Mental Health and Substance Use;

(E) the Assistant Secretary of Labor for Occupational Safety and Health; and

(F) the Secretary of Veterans Affairs.

(c) ANNUAL REPORTS.—Section 319C-2(i)(1) (42 U.S.C. 247d-3b(i)(1)) is amended by inserting after the first sentence the following: "In submitting reports under this paragraph, a coalition shall include information on the progress that the coalition has made toward the implementation of section 319C-3 (or barriers to progress, if any)."

(d) NATIONAL HEALTH SECURITY STRATEGY INCORPORATION OF REGIONALIZED EMERGENCY PREPAREDNESS AND RESPONSE.—Subparagraph (G) of section 2802(b)(3) (42 U.S.C. 300hh-1(b)(3)) is amended to read as follows:

"(G) Optimizing a coordinated and flexible approach to the emergency response and medical surge capacity of hospitals, other health care facilities, critical care, trauma care (which may include trauma centers), and emergency medical systems."

(e) IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.—

(1) STATE AND LOCAL SECURITY.—Section 319C-1(e) (42 U.S.C. 247d-3a(e)) is amended by striking “, and local emergency plans.” and inserting “, local emergency plans, and any regional health care emergency preparedness and response system established pursuant to the applicable guidelines under section 319C-3.”.

(2) PARTNERSHIPS.—Section 319C-2(d)(1)(A) (42 U.S.C. 247d-3b(d)(1)(A)) is amended—

(A) in clause (i), by striking “; and” and inserting “;”;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(ii) among one or more facilities in a regional health care emergency system under section 319C-3; and”.

#### SEC. 204. MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS.

Title XII (42 U.S.C. 300d et seq.) is amended by adding at the end the following new part:

#### “PART I—MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS GRANT PROGRAM

##### “SEC. 1291. MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS GRANT PROGRAM.

“(a) MILITARY TRAUMA TEAM PLACEMENT PROGRAM.—

“(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Preparedness and Response and in consultation with the Secretary of Defense, shall award grants to not more than 20 eligible high-acuity trauma centers to enable military trauma teams to provide, on a full-time basis, trauma care and related acute care at such trauma centers.

“(2) LIMITATIONS.—In the case of a grant awarded under paragraph (1) to an eligible high-acuity trauma center, such grant—

“(A) shall be for a period of at least 3 years and not more than 5 years (and may be renewed at the end of such period); and

“(B) shall be in an amount that does not exceed \$1,000,000 per year.

“(3) AVAILABILITY OF FUNDS.—Notwithstanding section 1552 of title 31, United States Code, or any other provision of law, funds available to the Secretary for obligation for a grant under this subsection shall remain available for expenditure for 100 days after the last day of the performance period of such grant.

“(b) MILITARY TRAUMA CARE PROVIDER PLACEMENT PROGRAM.—

“(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Preparedness and Response and in consultation with the Secretary of Defense, shall award grants to eligible trauma centers to enable military trauma care providers to provide trauma care and related acute care at such trauma centers.

“(2) LIMITATIONS.—In the case of a grant awarded under paragraph (1) to an eligible trauma center, such grant—

“(A) shall be for a period of at least 1 year and not more than 3 years (and may be renewed at the end of such period); and

“(B) shall be in an amount that does not exceed, in a year—

“(i) \$100,000 for each military trauma care provider that is a physician at such eligible trauma center; and

“(ii) \$50,000 for each other military trauma care provider at such eligible trauma center.

“(c) GRANT REQUIREMENTS.—

“(1) DEPLOYMENT AND PUBLIC HEALTH EMERGENCIES.—As a condition of receipt of a grant under this section, a grant recipient shall agree to allow military trauma care providers providing care pursuant to such grant to—

“(A) be deployed by the Secretary of Defense for military operations, for training, or for response to a mass casualty incident; and

“(B) be deployed by the Secretary of Defense, in consultation with the Secretary of Health and Human Services, for response to a public health emergency pursuant to section 319.

“(2) USE OF FUNDS.—Grants awarded under this section to an eligible trauma center may be used to train and incorporate military trauma care providers into such trauma center, including incorporation into operational exercises and training drills related to public health emergencies, expenditures for malpractice insurance, office space, information technology, specialty education and supervision, trauma programs, research, and applicable license fees for such military trauma care providers.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any other provision of law that preempts State licensing requirements for health care professionals, including with respect to military trauma care providers.

“(e) REPORTING REQUIREMENTS.—

“(1) REPORT TO THE SECRETARY AND THE SECRETARY OF DEFENSE.—Each eligible trauma center or eligible high-acuity trauma center awarded a grant under subsection (a) or (b) for a year shall submit to the Secretary and the Secretary of Defense a report for such year that includes information on—

“(A) the number and types of trauma cases managed by military trauma teams or military trauma care providers pursuant to such grant during such year;

“(B) the ability to maintain the integration of the military trauma providers or teams of providers as part of the trauma center, including the financial effect of such grant on the trauma center;

“(C) the educational effect on resident trainees in centers where military trauma teams are assigned;

“(D) any research conducted during such year supported by such grant; and

“(E) any other information required by the Secretaries for the purpose of evaluating the effect of such grant.

“(2) REPORT TO CONGRESS.—Not less than once every 2 years, the Secretary, in consultation with the Secretary of Defense, shall submit a report to the congressional committees of jurisdiction that includes information on the effect of placing military trauma care providers in trauma centers awarded grants under this section on—

“(A) maintaining military trauma care providers’ readiness and ability to respond to and treat battlefield injuries;

“(B) providing health care to civilian trauma patients in urban and rural settings;

“(C) the capability of trauma centers and military trauma care providers to increase medical surge capacity, including as a result of a large-scale event;

“(D) the ability of grant recipients to maintain the integration of the military trauma providers or teams of providers as part of the trauma center;

“(E) efforts to incorporate military trauma care providers into operational exercises and training and drills for public health emergencies; and

“(F) the capability of military trauma care providers to participate as part of a medical response during or in advance of a public health emergency, as determined by the Secretary, or a mass casualty incident.

“(f) DEFINITIONS.—For purposes of this part:

“(1) ELIGIBLE HIGH-ACUITY TRAUMA CENTER.—The term ‘eligible high-acuity trauma center’ means a Level I trauma center that satisfies each of the following:

“(A) Such trauma center has an agreement with the Secretary of Defense to enable military trauma teams to provide trauma care and related acute care at such trauma center.

“(B) At least 20 percent of patients treated at such trauma center in the most recent 3-month period for which data are available are treated for a major trauma at such trauma center.

“(C) Such trauma center utilizes a risk-adjusted benchmarking system and metrics to measure performance, quality, and patient outcomes.

“(D) Such trauma center is an academic training center—

“(i) affiliated with a medical school;

“(ii) that maintains residency programs and fellowships in critical trauma specialties and subspecialties, and provides education and supervision of military trauma team members according to those specialties and subspecialties; and

“(iii) that undertakes research in the prevention and treatment of traumatic injury.

“(E) Such trauma center serves as a medical and public health preparedness and response leader for its community, such as by participating in a partnership for State and regional hospital preparedness established under section 319C-2 or 319C-3.

“(2) ELIGIBLE TRAUMA CENTER.—The term ‘eligible trauma center’ means a Level I, II, or III trauma center that satisfies each of the following:

“(A) Such trauma center has an agreement with the Secretary of Defense to enable military trauma care providers to provide trauma care and related acute care at such trauma center.

“(B) Such trauma center utilizes a risk-adjusted benchmarking system and metrics to measure performance, quality, and patient outcomes.

“(C) Such trauma center demonstrates a need for integrated military trauma care providers to maintain or improve the trauma clinical capability of such trauma center.

“(3) MAJOR TRAUMA.—The term ‘major trauma’ means an injury that is greater than or equal to 15 on the injury severity score.

“(4) MILITARY TRAUMA TEAM.—The term ‘military trauma team’ means a complete military trauma team consisting of military trauma care providers.

“(5) MILITARY TRAUMA CARE PROVIDER.—The term ‘military trauma care provider’ means a member of the Armed Forces who furnishes emergency, critical care, and other trauma acute care services (including a physician, surgeon, physician assistant, nurse, nurse practitioner, respiratory therapist, flight paramedic, combat medic, or enlisted medical technician) or other military trauma care provider as the Secretary determines appropriate.

“(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated \$11,500,000 for each of fiscal years 2019 through 2023.”.

#### SEC. 205. PUBLIC HEALTH AND HEALTH CARE SYSTEM SITUATIONAL AWARENESS AND BIOSURVEILLANCE CAPABILITIES.

(a) FACILITIES, CAPACITIES, AND BIOSURVEILLANCE CAPABILITIES.—Section 319D (42 U.S.C. 247d-4) is amended—

(1) in the section heading, by striking “RE-VITALIZING” and inserting “FACILITIES AND CAPACITIES OF”;

(2) in subsection (a)—

(A) in the subsection heading, by striking “FACILITIES; CAPACITIES” and inserting “IN GENERAL”;

(B) in paragraph (1), by striking “and improved” and inserting “, improved, and appropriately maintained”;

(C) in paragraph (3), in the matter preceding subparagraph (A), by striking “expand, enhance, and improve” and inserting “expand, improve, enhance, and appropriately maintain”; and

(D) by adding at the end the following:

“(4) STUDY OF RESOURCES FOR FACILITIES AND CAPACITIES.—Not later than June 1, 2022, the Comptroller General of the United States shall conduct a study on Federal spending in fiscal years 2013 through 2018 for activities authorized under this subsection. Such study shall include a review and assessment of obligations and expenditures directly related to each activity under paragraphs (2) and (3), including a specific accounting of, and delineation between, obligations and expenditures incurred for the construction, renovation, equipping, and security upgrades of facilities and associated contracts under this subsection, and the obligations and expenditures incurred to establish and improve the situational awareness and biosurveillance network under subsection (b), and shall identify the agency or agencies incurring such obligations and expenditures.”;

(3) in subsection (b)—

(A) in the subsection heading, by striking “NATIONAL” and inserting “ESTABLISHMENT OF SYSTEMS OF PUBLIC HEALTH”;

(B) in paragraph (1)(B), by inserting “immunization information systems,” after “centers,”;

(C) in paragraph (2)—

(i) by inserting “develop a plan to, and” after “The Secretary shall”; and

(ii) by inserting “and in a form readily usable for analytical approaches” after “in a secure manner”; and

(D) by amending paragraph (3) to read as follows:

“(3) STANDARDS.—

“(A) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary, in cooperation with health care providers, State, local, Tribal, and territorial public health officials, and relevant Federal agencies (including the Office of the National Coordinator for Health Information Technology and the National Institute of Standards and Technology), shall, as necessary, adopt technical and reporting standards, including standards for interoperability as defined by section 3000, for networks under paragraph (1) and update such standards as necessary. Such standards shall be made available on the internet website of the Department of Health and Human Services, in a manner that does not compromise national security.

“(B) DEFERENCE TO STANDARDS DEVELOPMENT ORGANIZATIONS.—In adopting and implementing standards under this subsection and subsection (c), the Secretary shall give deference to standards published by standards development organizations and voluntary consensus-based standards entities.”;

(4) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary” and inserting “The Secretary”;

(ii) by inserting “, and improve as applicable and appropriate,” after “shall establish”;

(iii) by striking “of rapid” and inserting “of, rapid”;

(iv) by striking “such connectivity” and inserting “such interoperability”;

(B) by amending paragraph (2) to read as follows:

“(2) COORDINATION AND CONSULTATION.—In establishing and improving the network under paragraph (1), the Secretary shall—

“(A) facilitate coordination among agencies within the Department of Health and Human Services that provide, or have the potential to provide, information and data to, and analyses for, the situational awareness and biosurveillance network under paragraph (1), including coordination among relevant agencies related to health care services, the facilitation of health information exchange (including the Office of the National Coordinator for Health Information Technology), and public health emergency preparedness and response; and

“(B) consult with the Secretary of Agriculture, the Secretary of Commerce (and the Director of the National Institute of Standards and Technology), the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Veterans Affairs, and the heads of other Federal agencies, as the Secretary determines appropriate.”;

(C) in paragraph (3)—

(i) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively, and adjusting the margins accordingly;

(ii) in clause (iv), as so redesignated—

(I) by inserting “immunization information systems,” after “poison control,”; and

(II) by striking “and clinical laboratories” and inserting “, clinical laboratories, and public environmental health agencies”;

(iii) by striking “The network” and inserting the following:

“(A) IN GENERAL.—The network”; and

(iv) by adding at the end the following:

“(B) REVIEW.—Not later than 2 years after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 and every 6 years thereafter, the Secretary shall conduct a review of the elements described in subparagraph (A). Such review shall include a discussion of the addition of any elements pursuant to clause (v), including elements added to advancing new technologies, and identify any challenges in the incorporation of elements under subparagraph (A). The Secretary shall provide such review to the congressional committees of jurisdiction.”;

(D) in paragraph (5)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking “In establishing” and inserting the following:

“(A) IN GENERAL.—In establishing”;

(iii) by adding at the end the following:

“(B) PUBLIC MEETING.—

“(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary shall convene a public meeting for purposes of discussing and providing input on the potential goals, functions, and uses of the network described in paragraph (1) and incorporating the elements described in paragraph (3)(A).

“(ii) EXPERTS.—The public meeting shall include representatives of relevant Federal agencies (including representatives from the Office of the National Coordinator for Health Information Technology and the National Institute of Standards and Technology); State, local, Tribal, and territorial public health officials; stakeholders with expertise in biosurveillance and situational awareness; stakeholders with expertise in capabilities relevant to biosurveillance and situational awareness, such as experts in informatics and data analytics (including experts in prediction, modeling, or forecasting); and other representatives as the Secretary determines appropriate.

“(iii) TOPICS.—Such public meeting shall include a discussion of—

“(I) data elements, including minimal or essential data elements, that are voluntarily provided for such network, which may include elements from public health and public and private health care entities, to the extent practicable;

“(II) standards and implementation specifications that may improve the collection, analysis, and interpretation of data during a public health emergency;

“(III) strategies to encourage the access, exchange, and use of information;

“(IV) considerations for State, local, Tribal, and territorial capabilities and infrastructure related to data exchange and interoperability;

“(V) privacy and security protections provided at the Federal, State, local, Tribal, and territorial levels, and by nongovernmental stakeholders; and

“(VI) opportunities for the incorporation of innovative technologies to improve the network.”; and

(iv) in subparagraph (A), as so designated by clause (ii)—

(I) in clause (i), as so redesignated—

(aa) by striking “as determined” and inserting “as adopted”; and

(bb) by inserting “and the National Institute of Standards and Technology” after “Office of the National Coordinator for Health Information Technology”;

(II) in clause (iii), as so redesignated, by striking “; and” and inserting a semicolon;

(III) in clause (iv), as so redesignated, by striking the period and inserting “; and”; and

(IV) by adding at the end the following:

“(v) pilot test standards and implementation specifications, consistent with the process described in section 3002(b)(3)(C), which State, local, Tribal, and territorial public health entities may utilize, on a voluntary basis, as a part of the network.”;

(E) by redesignating paragraph (6) as paragraph (7);

(F) by inserting after paragraph (5) the following:

“(6) STRATEGY AND IMPLEMENTATION PLAN.—

“(A) IN GENERAL.—Not later than 18 months after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary shall submit to the congressional committees of jurisdiction a coordinated strategy and an accompanying implementation plan that—

“(i) is informed by the public meeting under paragraph (5)(B);

“(ii) includes a review and assessment of existing capabilities of the network and related infrastructure, including input provided by the public meeting under paragraph (5)(B);

“(iii) identifies and demonstrates the measurable steps the Secretary will carry out to—

“(I) develop, implement, and evaluate the network described in paragraph (1), utilizing elements described in paragraph (3)(A);

“(II) modernize and enhance biosurveillance activities, including strategies to include innovative technologies and analytical approaches (including prediction and forecasting for pandemics and all-hazards) from public and private entities;

“(III) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services, including the identification of methods to improve accountability, better utilize resources and workforce capabilities, and incorporate innovative technologies within and across agencies; and

“(IV) test and evaluate capabilities of the interoperable network of systems to improve

situational awareness and biosurveillance capabilities;

“(iv) includes performance measures and the metrics by which performance measures will be assessed with respect to the measurable steps under clause (iii); and

“(v) establishes dates by which each measurable step under clause (iii) will be implemented.

“(B) ANNUAL BUDGET PLAN.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 and on an annual basis thereafter, in accordance with the strategy and implementation plan under this paragraph, the Secretary shall, taking into account recommendations provided by the National Biodefense Science Board, develop a budget plan based on the strategy and implementation plan under this section. Such budget plan shall include—

“(i) a summary of resources previously expended to establish, improve, and utilize the nationwide public health situational awareness and biosurveillance network under paragraph (1);

“(ii) estimates of costs and resources needed to establish and improve the network under paragraph (1) according to the strategy and implementation plan under subparagraph (A);

“(iii) the identification of gaps and inefficiencies in nationwide public health situational awareness and biosurveillance capabilities, resources, and authorities needed to address such gaps; and

“(iv) a strategy to minimize and address such gaps and improve inefficiencies.”;

(G) in paragraph (7), as so redesignated—

(i) in subparagraph (A), by inserting “(taking into account zoonotic disease, including gaps in scientific understanding of the interactions between human, animal, and environmental health)” after “human health”;

(ii) in subparagraph (B)—

(I) by inserting “and gaps in surveillance programs” after “surveillance programs”; and

(II) by striking “; and” and inserting a semicolon;

(iii) in subparagraph (C)—

(I) by inserting “, animal health organizations related to zoonotic disease,” after “health care entities”; and

(II) by striking the period and inserting “; and”;

(iv) by adding at the end the following:

“(D) provide recommendations to the Secretary on policies and procedures to complete the steps described in this paragraph in a manner that is consistent with section 2802.”; and

(H) by adding at the end the following:

“(8) SITUATIONAL AWARENESS AND BIOSURVEILLANCE AS A NATIONAL SECURITY PRIORITY.—The Secretary, on a periodic basis as applicable and appropriate, shall meet with the Director of National Intelligence to inform the development and capabilities of the nationwide public health situational awareness and biosurveillance network.”;

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting “environmental health agencies,” after “public health agencies,”; and

(ii) by inserting “immunization programs,” after “poison control centers,”;

(B) in paragraph (2)—

(i) in subparagraph (B), by striking “and” at the end;

(ii) in subparagraph (C), by striking the period and inserting “; and”; and

(iii) by adding after subparagraph (C) the following:

“(D) an implementation plan that may include measurable steps to achieve the purposes described in paragraph (1).”;

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

“(5) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to States, localities, Tribes, and territories or a consortium of States, localities, Tribes, and territories receiving an award under this subsection regarding interoperability and the technical standards set forth by the Secretary.”;

(6) by redesignating subsections (f) and (g) as subsections (i) and (j), respectively; and

(7) by inserting after subsection (e) the following:

“(f) PERSONNEL AUTHORITIES.—

“(1) SPECIALLY QUALIFIED PERSONNEL.—In addition to any other personnel authorities, to carry out subsections (b) and (c), the Secretary may—

“(A) appoint highly qualified individuals to scientific or professional positions at the Centers for Disease Control and Prevention, not to exceed 30 such employees at any time (specific to positions authorized by this subsection), with expertise in capabilities relevant to biosurveillance and situational awareness, such as experts in informatics and data analytics (including experts in prediction, modeling, or forecasting), and other related scientific or technical fields; and

“(B) compensate individuals appointed under subparagraph (A) in the same manner and subject to the same terms and conditions in which individuals appointed under 9903 of title 5, United States Code, are compensated, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

“(2) LIMITATIONS.—The Secretary shall exercise the authority under paragraph (1) in a manner that is consistent with the limitations described in section 319F-1(e)(2).

“(g) TIMELINE.—The Secretary shall accomplish the purposes under subsections (b) and (c) no later than September 30, 2023, and shall provide a justification to the congressional committees of jurisdiction for any missed or delayed implementation of measurable steps identified under subsection (c)(6)(A)(iii).

“(h) INDEPENDENT EVALUATION.—Not later than 3 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Comptroller General of the United States shall conduct an independent evaluation and submit to the Secretary and the congressional committees of jurisdiction a report concerning the activities conducted under subsections (b) and (c), and provide recommendations, as applicable and appropriate, on necessary improvements to the biosurveillance and situational awareness network.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (i) of section 319D (42 U.S.C. 247d-4), as redesignated by subsection (a)(6), is amended by striking “\$138,300,000 for each of fiscal years 2014 through 2018” and inserting “\$161,800,000 for each of fiscal years 2019 through 2023”.

(c) BIOLOGICAL THREAT DETECTION REPORT.—The Secretary of Health and Human Services shall, in coordination with the Secretary of Defense and the Secretary of Homeland Security, not later than 180 days after the date of enactment of this Act, report to the Committee on Energy and Commerce, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives and the Committee on Health, Education, Labor, and Pensions, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate on the state of Federal biological threat detection efforts, including the following:

(1) An identification of technological, operational, and programmatic successes and failures of domestic detection programs supported by Federal departments and agencies for intentionally introduced or accidentally released biological threat agents and naturally occurring infectious diseases.

(2) A description of Federal efforts to facilitate the exchange of information related to the information described in paragraph (1) among Federal departments and agencies that utilize biological threat detection technology.

(3) A description of the capabilities of detection systems in use by Federal departments and agencies including the capability to—

(A) rapidly detect, identify, characterize, and confirm the presence of biological threat agents;

(B) recover live biological agents from collection devices;

(C) determine the geographical distribution of biological agents;

(D) determine the extent of environmental contamination and persistence of biological agents; and

(E) provide advanced molecular diagnostics to State, local, Tribal, and territorial public health and other laboratories that support biological threat detection activities.

(4) A description of Federal interagency coordination related to biological threat detection.

(5) A description of efforts by Federal departments and agencies that utilize biological threat detection technology to collaborate with State, local, Tribal, and territorial public health laboratories and other users of biological threat detection systems, including collaboration regarding the development of—

(A) biological threat detection requirements or standards;

(B) a standardized integration strategy;

(C) training requirements or guidelines;

(D) guidelines for a coordinated public health response, including preparedness capabilities, and, as applicable, for coordination with public health surveillance systems; and

(E) a coordinated environmental remediation plan, as applicable.

(6) Recommendations related to research, advanced research, development, and procurement for Federal departments and agencies to improve and enhance biological threat detection systems, including recommendations on the transfer of biological threat detection technology among Federal departments and agencies, as necessary and appropriate.

## SEC. 206. STRENGTHENING AND SUPPORTING THE PUBLIC HEALTH EMERGENCY RAPID RESPONSE FUND.

Section 319 (42 U.S.C. 247d) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting “or if the Secretary determines there is the significant potential for a public health emergency, to allow the Secretary to rapidly respond to the immediate needs resulting from such public health emergency or potential public health emergency” before the period; and

(ii) by inserting “The Secretary shall plan for the expedited distribution of funds to appropriate agencies and entities.” after the first sentence;

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

“(2) USES.—The Secretary may use amounts in the Fund established under paragraph (1), to—

“(A) facilitate coordination between and among Federal, State, local, Tribal, and territorial entities and public and private health care entities that the Secretary determines may be affected by a public health emergency or potential public health emergency referred to in paragraph (1) (including communication of such entities with relevant international entities, as applicable);

“(B) make grants, provide for awards, enter into contracts, and conduct supportive investigations pertaining to a public health emergency or potential public health emergency, including further supporting programs under section 319C-1, 319C-2, or 319C-3;

“(C) facilitate and accelerate, as applicable, advanced research and development of security countermeasures (as defined in section 319F-2), qualified countermeasures (as defined in section 319F-1), or qualified pandemic or epidemic products (as defined in section 319F-3), that are applicable to the public health emergency or potential public health emergency under paragraph (1);

“(D) strengthen biosurveillance capabilities and laboratory capacity to identify, collect, and analyze information regarding such public health emergency or potential public health emergency, including the systems under section 319D;

“(E) support initial emergency operations and assets related to preparation and deployment of intermittent disaster response personnel under section 2812 and the Medical Reserve Corps under section 2813; and

“(F) carry out other activities, as the Secretary determines applicable and appropriate.”; and

(D) by inserting after paragraph (3), as so redesignated, the following:

“(4) REVIEW.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary, in coordination with the Assistant Secretary for Preparedness and Response, shall conduct a review of the Fund under this section and provide recommendations to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives on policies to improve such Fund for the uses described in paragraph (2).

“(5) GAO REPORT.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Comptroller General of the United States shall—

“(A) conduct a review of the Fund under this section, including its uses and the resources available in the Fund; and

“(B) submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on such review, including recommendations related to such review, as applicable.”; and

(2) in subsection (c)—

(A) by inserting “rapidly respond to public health emergencies or potential public health emergencies and” after “used to”; and

(B) by striking “section.” and inserting “Act or funds otherwise provided for emergency response.”.

#### **SEC. 207. IMPROVING ALL-HAZARDS PREPAREDNESS AND RESPONSE BY PUBLIC HEALTH EMERGENCY VOLUNTEERS.**

(a) IN GENERAL.—Section 319I (42 U.S.C. 247d-7b) is amended—

(1) in the section heading, by striking “HEALTH PROFESSIONS VOLUNTEERS” and inserting “VOLUNTEER HEALTH PROFESSIONAL”;

(2) in subsection (a), by adding at the end the following: “Such health care profes-

sionals may include members of the National Disaster Medical System, members of the Medical Reserve Corps, and individual health care professionals.”;

(3) in subsection (i), by adding at the end the following: “In order to inform the development of such mechanisms by States, the Secretary shall make available information and material provided by States that have developed mechanisms to waive the application of licensing requirements to applicable health professionals seeking to provide medical services during a public health emergency. Such information shall be made publicly available in a manner that does not compromise national security.”; and

(4) in subsection (k), by striking “2014 through 2018” and inserting “2019 through 2023”.

(b) ALL-HAZARDS PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE PLAN.—Section 319C-1(b)(2)(A)(iv) (42 U.S.C. 247d-3a(b)(2)(A)(iv)) is amended to read as follows:

“(iv) a description of the mechanism the entity will implement to utilize the Emergency Management Assistance Compact, or other mutual aid agreement, for medical and public health mutual aid, and, as appropriate, the activities such entity will implement pursuant to section 319I to improve enrollment and coordination of volunteer health care professionals seeking to provide medical services during a public health emergency, which may include—

“(I) providing a public method of communication for purposes of volunteer coordination (such as a phone number);

“(II) providing for optional registration to participate in volunteer services during processes related to State medical licensing, registration, or certification or renewal of such licensing, registration, or certification; or

“(III) other mechanisms as the State determines appropriate.”.

#### **SEC. 208. CLARIFYING STATE LIABILITY LAW FOR VOLUNTEER HEALTH CARE PROFESSIONALS.**

(a) IN GENERAL.—Title II (42 U.S.C. 202 et seq.) is amended by inserting after section 224 the following:

#### **“SEC. 225. HEALTH CARE PROFESSIONALS ASSISTING DURING A PUBLIC HEALTH EMERGENCY.**

“(a) LIMITATION ON LIABILITY.—Notwithstanding any other provision of law, a health care professional who is a member of the Medical Reserve Corps under section 2813 or who is included in the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I and who—

“(1) is responding—

“(A) to a public health emergency determined under section 319(a), during the initial period of not more than 90 days (as determined by the Secretary) of the public health emergency determination (excluding any period covered by a renewal of such determination); or

“(B) to a major disaster or an emergency as declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or under section 201 of the National Emergencies Act (50 U.S.C. 1621) during the initial period of such declaration;

“(2) is alleged to be liable for an act or omission—

“(A) during the initial period of a determination or declaration described in paragraph (1) and related to the treatment of individuals in need of health care services due to such public health emergency, major disaster, or emergency;

“(B) in the State or States for which such determination or declaration is made;

“(C) in the health care professional’s capacity as a member of the Medical Reserve

Corps or a professional included in the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I; and

“(D) in the course of providing services that are within the scope of the license, registration, or certification of the professional, as defined by the State of licensure, registration, or certification; and

“(3) prior to the rendering of such act or omission, was authorized by the State’s authorization of deploying such State’s Emergency System for Advance Registration of Volunteer Health Professionals described in section 319I or the Medical Reserve Corps established under section 2813, to provide health care services,

shall be subject only to the State liability laws of the State in which such act or omission occurred, in the same manner and to the same extent as a similar health care professional who is a resident of such State would be subject to such State laws, except with respect to the licensure, registration, and certification of such individual.

“(b) VOLUNTEER PROTECTION ACT.—Nothing in this section shall be construed to affect an individual’s right to protections under the Volunteer Protection Act of 1997.

“(c) PREEMPTION.—This section shall supersede the laws of any State that would subject a health care professional described in subsection (a) to the liability laws of any State other than the State liability laws to which such individual is subject pursuant to such subsection.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘health care professional’ means an individual licensed, registered, or certified under Federal or State laws or regulations to provide health care services.

“(2) The term ‘health care services’ means any services provided by a health care professional, or by any individual working under the supervision of a health care professional, that relate to—

“(A) the diagnosis, prevention, or treatment of any human disease or impairment; or

“(B) the assessment or care of the health of human beings.

“(e) EFFECTIVE DATE.—

“(1) IN GENERAL.—This section shall take effect 90 days after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019.

“(2) APPLICATION.—This section shall apply to a claim for harm only if the act or omission that caused such harm occurred on or after the effective date described in paragraph (1).”.

(b) GAO STUDY.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of—

(1) the number of health care providers who register under the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I of the Public Health Service Act (42 U.S.C. 247d-7b) in advance to provide services during a public health emergency;

(2) the number of health care providers who are credentialed to provide services during the period of a public health emergency declaration, including those who are credentialed through programs established in the Emergency System for Advance Registration of Volunteer Health Professionals under such section 319I and those credentialed by authorities within the State in which the emergency occurred;

(3) the average time to verify the credentials of a health care provider during the period of a public health emergency declaration, including the average time pursuant to the Emergency System for Advance Registration of Volunteer Health Professionals

under such section 319I and for an individual's credentials to be verified by an authority within the State; and

(4) the Emergency System for Advance Registration of Volunteer Health Professionals program in States, including whether physician or medical groups, associations, or other relevant provider organizations utilize such program for purposes of volunteering during public health emergencies.

**SEC. 209. REPORT ON ADEQUATE NATIONAL BLOOD SUPPLY.**

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 containing recommendations related to maintaining an adequate national blood supply, including—

(1) challenges associated with the continuous recruitment of blood donors (including those newly eligible to donate);

(2) ensuring the adequacy of the blood supply in the case of public health emergencies;

(3) implementation of the transfusion transmission monitoring system; and

(4) other measures to promote safety and innovation, such as the development, use, or implementation of new technologies, processes, and procedures to improve the safety and reliability of the blood supply.

**SEC. 210. REPORT ON THE PUBLIC HEALTH PREPAREDNESS AND RESPONSE CAPABILITIES AND CAPACITIES OF HOSPITALS, LONG-TERM CARE FACILITIES, AND OTHER HEALTH CARE FACILITIES.**

(a) STUDY.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into an agreement with an appropriate entity to conduct a study regarding the public health preparedness and response capabilities and medical surge capacities of hospitals, long-term care facilities, and other health care facilities to prepare for, and respond to, public health emergencies, including natural disasters.

(2) CONSULTATION.—In conducting the study under paragraph (1), the entity shall consult with Federal, State, local, Tribal, and territorial public health officials (as appropriate), and health care providers and facilities with experience in public health preparedness and response activities.

(3) EVALUATION.—The study under paragraph (1) shall include—

(A) an evaluation of the current benchmarks and objective standards, as applicable, related to programs that support hospitals, long-term care facilities, and other health care facilities, and their effect on improving public health preparedness and response capabilities and medical surge capacities, including the Hospital Preparedness Program, the Public Health Emergency Preparedness cooperative agreements, and the Regional Health Care Emergency Preparedness and Response Systems under section 319C-3 of the Public Health Service Act (as added by section 203);

(B) the identification of gaps in preparedness, including with respect to such benchmarks and objective standards, such as those identified during recent public health emergencies, for hospitals, long-term care facilities, and other health care facilities to address future potential public health threats;

(C) an evaluation of coordination efforts between the recipients of Federal funding for programs described in subparagraph (A) and entities with expertise in emergency power systems and other critical infrastructure partners during a public health emergency, to ensure a functioning critical infrastructure, to the greatest extent practicable, during a public health emergency;

(D) an evaluation of coordination efforts between the recipients of Federal funding for

programs described in subparagraph (A) and environmental health agencies with expertise in emergency preparedness and response planning for hospitals, long-term care facilities, and other health care facilities; and

(E) an evaluation of current public health preparedness and response capabilities and medical surge capacities related to at-risk individuals during public health emergencies, including an identification of gaps in such preparedness as they relate to such individuals.

(b) REPORT.—

(1) IN GENERAL.—The agreement under subsection (a) shall require the entity to submit to the Secretary of Health and Human Services and the congressional committees of jurisdiction, not later than 3 years after the date of enactment of this Act, a report on the results of the study conducted pursuant to this section.

(2) CONTENTS.—The report under paragraph (1) shall—

(A) describe the findings and conclusions of the evaluation conducted pursuant to subsection (a); and

(B) provide recommendations for improving public health preparedness and response capability and medical surge capacity for hospitals, long-term care facilities, and other health care facilities, including—

(i) improving the existing benchmarks and objective standards for the Federal grant programs described in subsection (a)(3)(A) or developing new benchmarks and standards for such programs; and

(ii) identifying best practices for improving public health preparedness and response programs and medical surge capacity at hospitals, long-term care facilities, and other health care facilities, including recommendations for the evaluation under subparagraphs (C) and (D) of subsection (a)(3).

**TITLE III—REACHING ALL COMMUNITIES**

**SEC. 301. STRENGTHENING AND ASSESSING THE EMERGENCY RESPONSE WORKFORCE.**

(a) NATIONAL DISASTER MEDICAL SYSTEM.—

(1) STRENGTHENING THE NATIONAL DISASTER MEDICAL SYSTEM.—Clause (ii) of section 2812(a)(3)(A) (42 U.S.C. 300hh-11(a)(3)(A)) is amended to read as follows:

“(ii) be present at locations, and for limited periods of time, specified by the Secretary on the basis that the Secretary has determined that a location is at risk of a public health emergency during the time specified, or there is a significant potential for a public health emergency.”

(2) REVIEW OF THE NATIONAL DISASTER MEDICAL SYSTEM.—Section 2812(b)(2) (42 U.S.C. 300hh-11(b)(2)) is amended to read as follows:

“(2) JOINT REVIEW AND MEDICAL SURGE CAPACITY STRATEGIC PLAN.—

“(A) REVIEW.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary, in coordination with the Secretary of Homeland Security, the Secretary of Defense, and the Secretary of Veterans Affairs, shall conduct a joint review of the National Disaster Medical System. Such review shall include—

“(i) an evaluation of medical surge capacity, as described in section 2803(a);

“(ii) an assessment of the available workforce of the intermittent disaster response personnel described in subsection (c);

“(iii) the capacity of the workforce described in clause (ii) to respond to all hazards, including capacity to simultaneously respond to multiple public health emergencies and the capacity to respond to a nationwide public health emergency;

“(iv) the effectiveness of efforts to recruit, retain, and train such workforce; and

“(v) gaps that may exist in such workforce and recommendations for addressing such gaps.

“(B) UPDATES.—As part of the National Health Security Strategy under section 2802, the Secretary shall update the findings from the review under subparagraph (A) and provide recommendations to modify the policies of the National Disaster Medical System as necessary.”

(3) NOTIFICATION OF SHORTAGE.—Section 2812(c) (42 U.S.C. 300hh-11(c)) is amended by adding at the end the following:

“(3) NOTIFICATION.—Not later than 30 days after the date on which the Secretary determines the number of intermittent disaster-response personnel of the National Disaster Medical System is insufficient to address a public health emergency or potential public health emergency, the Secretary shall submit to the congressional committees of jurisdiction a notification detailing—

“(A) the impact such shortage could have on meeting public health needs and emergency medical personnel needs during a public health emergency; and

“(B) any identified measures to address such shortage.

“(4) CERTAIN APPOINTMENTS.—

“(A) IN GENERAL.—If the Secretary determines that the number of intermittent disaster response personnel within the National Disaster Medical System under this section is insufficient to address a public health emergency or potential public health emergency, the Secretary may appoint candidates directly to personnel positions for intermittent disaster response within such system. The Secretary shall provide updates on the number of vacant or unfilled positions within such system to the congressional committees of jurisdiction each quarter for which this authority is in effect.

“(B) SUNSET.—The authority under this paragraph shall expire on September 30, 2021.”

(4) AUTHORIZATION OF APPROPRIATIONS.—Section 2812(g) (42 U.S.C. 300hh-11(g)) is amended by striking “\$52,700,000 for each of fiscal years 2014 through 2018” and inserting “\$57,400,000 for each of fiscal years 2019 through 2023”.

(b) VOLUNTEER MEDICAL RESERVE CORPS.—

(1) IN GENERAL.—Section 2813(a) (42 U.S.C. 42 U.S.C. 300hh-15(a)) is amended by striking the second sentence and inserting “The Secretary may appoint a Director to head the Corps and oversee the activities of the Corps chapters that exist at the State, local, Tribal, and territorial levels.”

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2813(i) (42 U.S.C. 300hh-15(i)) is amended by striking “2014 through 2018” and inserting “2019 through 2023”.

(c) STRENGTHENING THE EPIDEMIC INTELLIGENCE SERVICE.—Section 317F (42 U.S.C. Sec. 247b-7) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “or preparedness and response activities, including rapid response to public health emergencies and significant public health threats” after “conduct prevention activities”; and

(ii) by striking “\$35,000” and inserting “\$50,000”; and

(B) in paragraph (2)(B), by striking “3 years” and inserting “2 years”; and

(2) in subsection (c)—

(A) by striking “For the purpose of carrying out this section” and inserting the following:

“(1) IN GENERAL.—For the purpose of carrying out this section, except as described in paragraph (2)”; and

(B) by adding at the end the following:



“(2) EPIDEMIC INTELLIGENCE SERVICE PROGRAM.—For purposes of carrying out this section with respect to qualified health professionals serving in the Epidemic Intelligence Service, as authorized under section 317G, there is authorized to be appropriated \$1,000,000 for each of fiscal years 2019 through 2023.”

(d) SERVICE BENEFIT FOR NATIONAL DISASTER MEDICAL SYSTEM VOLUNTEERS.—

(1) IN GENERAL.—Section 2812(c) (42 U.S.C. 300hh–11(c)), as amended by subsection (a)(3), is further amended by adding at the end the following:

“(5) SERVICE BENEFIT.—Individuals appointed to serve under this subsection shall be considered eligible for benefits under part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968. The Secretary shall provide notification to any eligible individual of any effect such designation may have on other benefits for which such individual is eligible, including benefits from private entities.”

(2) PUBLIC SAFETY OFFICER BENEFITS.—Section 1204(9) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284(9)) is amended—

(A) in subparagraph (C)(ii), by striking “or” at the end;

(B) in subparagraph (D), by striking the period and inserting “; or”; and

(C) by inserting after subparagraph (D) the following:

“(E) an individual appointed to the National Disaster Medical System under section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) who is performing official duties of the Department of Health and Human Services, if those official duties are—

“(i) related to responding to a public health emergency or potential public health emergency, or other activities for which the Secretary of Health and Human Services has activated such National Disaster Medical System; and

“(ii) determined by the Secretary of Health and Human Services to be hazardous.”

(3) SUNSET.—The amendments made by paragraphs (1) and (2) shall cease to have force or effect on October 1, 2021.

(e) MISSION READINESS REPORT TO CONGRESS.—

(1) REPORT.—Not later than one year after the date of enactment of this section, the Comptroller General of the United States (referred to in this subsection as the “Comptroller General”) shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the medical surge capacity of the United States in the event of a public health emergency, including the capacity and capability of the current health care workforce to prepare for, and respond to, the full range of public health emergencies or potential public health emergencies, and recommendations to address any gaps identified in such workforce.

(2) CONTENTS.—The Comptroller General shall include in the report under paragraph (1)—

(A) the number of health care providers who have volunteered to provide health care services during a public health emergency, including members of the National Disaster Medical System, the Disaster Medical Assistant Teams, the Medical Reserve Corps, and other volunteer health care professionals in the verification network pursuant to section 3191 of the Public Health Service Act (42 U.S.C. 247d–7b);

(B) the capacity of the workforce described in subparagraph (A) to respond to a public health emergency or potential public health emergency, including the capacity to re-

spond to multiple concurrent public health emergencies and the capacity to respond to a nationwide public health emergency;

(C) the preparedness and response capabilities and mission readiness of the workforce described in subparagraph (A) taking into account areas of health care expertise and considerations for at-risk individuals (as defined in section 2802(b)(4)(B) of the Public Health Service Act (42 U.S.C. 300hh–1(b)(4)(B)));

(D) an assessment of the effectiveness of efforts to recruit, retain, and train such workforce; and

(E) identification of gaps that may exist in such workforce and recommendations for addressing such gaps, the extent to which the Assistant Secretary for Preparedness and Response plans to address such gaps, and any recommendations from the Comptroller General to address such gaps.

#### SEC. 302. HEALTH SYSTEM INFRASTRUCTURE TO IMPROVE PREPAREDNESS AND RESPONSE.

(a) COORDINATION OF PREPAREDNESS.—Section 2811(b)(5) (42 U.S.C. 300hh–10(b)(5)) is amended by adding at the end the following: “Such logistical support shall include working with other relevant Federal, State, local, Tribal, and territorial public health officials and private sector entities to identify the critical infrastructure assets, systems, and networks needed for the proper functioning of the health care and public health sectors that need to be maintained through any emergency or disaster, including entities capable of assisting with, responding to, and mitigating the effect of a public health emergency, including a public health emergency determined by the Secretary pursuant to section 319(a) or an emergency or major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act or the National Emergencies Act, including by establishing methods to exchange critical information and deliver products consumed or used to preserve, protect, or sustain life, health, or safety, and sharing of specialized expertise.”

(b) MANUFACTURING CAPACITY.—Section 2811(d)(2)(C) (42 U.S.C. 300hh–10(d)(2)(C)) is amended by inserting “, and ancillary medical supplies to assist with the utilization of such countermeasures or products,” after “products”.

(c) EVALUATION OF BARRIERS TO RAPID DELIVERY OF MEDICAL COUNTERMEASURES.—

(1) RAPID DELIVERY STUDY.—The Assistant Secretary for Preparedness and Response may conduct a study on issues that have the potential to adversely affect the handling and rapid delivery of medical countermeasures to individuals during public health emergencies occurring in the United States.

(2) NOTICE TO CONGRESS.—Not later than 9 months after the date of the enactment of this Act, the Assistant Secretary for Preparedness and Response shall notify the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate if the Assistant Secretary for Preparedness and Response does not plan to conduct the study under paragraph (1) and shall provide such committees a summary explanation for such decision.

(3) REPORT TO CONGRESS.—Not later than 1 year after the Assistant Secretary for Preparedness and Response conducts the study under paragraph (1), such Assistant Secretary shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate containing the findings of such study.

#### SEC. 303. CONSIDERATIONS FOR AT-RISK INDIVIDUALS.

(a) AT-RISK INDIVIDUALS IN THE NATIONAL HEALTH SECURITY STRATEGY.—Section

2802(b)(4)(B) (42 U.S.C. 300hh–1(b)(4)(B)) is amended—

(1) by striking “this section and sections 319C–1, 319F, and 319L,” and inserting “this Act,”; and

(2) by striking “special” and inserting “access or functional”.

(b) COUNTERMEASURE CONSIDERATIONS.—Section 319L(c)(6) (42 U.S.C. 247d–7e(c)(6)) is amended—

(1) by striking “elderly” and inserting “older adults”; and

(2) by inserting “with relevant characteristics that warrant consideration during the process of researching and developing such countermeasures and products” before the period.

(c) BIOSURVEILLANCE OF EMERGING PUBLIC HEALTH THREATS.—Section 2814 is amended—

(1) in paragraph (7), by striking “; and” and inserting a semicolon;

(2) in paragraph (8), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(9) facilitate coordination to ensure that, in implementing the situational awareness and biosurveillance network under section 319D, the Secretary considers incorporating data and information from Federal, State, local, Tribal, and territorial public health officials and entities relevant to detecting emerging public health threats that may affect at-risk individuals, such as pregnant and postpartum women and infants, including adverse health outcomes of such populations related to such emerging public health threats.”

#### SEC. 304. IMPROVING EMERGENCY PREPAREDNESS AND RESPONSE CONSIDERATIONS FOR CHILDREN.

Part B of title III (42 U.S.C. 243 et seq.) is amended by inserting after section 319D the following:

##### “SEC. 319D–1. CHILDREN’S PREPAREDNESS UNIT.

“(a) ENHANCING EMERGENCY PREPAREDNESS FOR CHILDREN.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention (referred to in this subsection as the ‘Director’), shall maintain an internal team of experts, to be known as the Children’s Preparedness Unit (referred to in this subsection as the ‘Unit’), to work collaboratively to provide guidance on the considerations for, and the specific needs of, children before, during, and after public health emergencies. The Unit shall inform the Director regarding emergency preparedness and response efforts pertaining to children at the Centers for Disease Control and Prevention.

“(b) EXPERTISE.—The team described in subsection (a) shall include one or more pediatricians, which may be a developmental-behavioral pediatrician, and may also include behavioral scientists, child psychologists, epidemiologists, biostatisticians, health communications staff, and individuals with other areas of expertise, as the Secretary determines appropriate.

“(c) DUTIES.—The team described in subsection (a) may—

“(1) assist State, local, Tribal, and territorial emergency planning and response activities related to children, which may include developing, identifying, and sharing best practices;

“(2) provide technical assistance, training, and consultation to Federal, State, local, Tribal, and territorial public health officials to improve preparedness and response capabilities with respect to the needs of children, including providing such technical assistance, training, and consultation to eligible entities in order to support the achievement of measurable evidence-based benchmarks and objective standards applicable to sections 319C–1 and 319C–2;

“(3) improve the utilization of methods to incorporate the needs of children in planning for and responding to a public health emergency, including public awareness of such methods;

“(4) coordinate with, and improve, public-private partnerships, such as health care coalitions pursuant to sections 319C-2 and 319C-3, to address gaps and inefficiencies in emergency preparedness and response efforts for children;

“(5) provide expertise and input during the development of guidance and clinical recommendations to address the needs of children when preparing for, and responding to, public health emergencies, including pursuant to section 319C-3; and

“(6) carry out other duties related to preparedness and response activities for children, as the Secretary determines appropriate.”.

#### **SEC. 305. NATIONAL ADVISORY COMMITTEES ON DISASTERS.**

(a) REAUTHORIZING THE NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.—Section 2811A (42 U.S.C. 300hh-10a) is amended—

(1) in subsection (b)(2), by inserting “, mental and behavioral,” after “medical”;

(2) in subsection (d)—

(A) in paragraph (1), by striking “15” and inserting “25”; and

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

“(2) REQUIRED NON-FEDERAL MEMBERS.—The Secretary, in consultation with such other heads of Federal agencies as may be appropriate, shall appoint to the Advisory Committee under paragraph (1) at least 13 individuals, including—

“(A) at least 2 non-Federal professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

“(B) at least 2 representatives from State, local, Tribal, or territorial agencies with expertise in pediatric disaster planning, preparedness, response, or recovery;

“(C) at least 4 members representing health care professionals, which may include members with expertise in pediatric emergency medicine; pediatric trauma, critical care, or surgery; the treatment of pediatric patients affected by chemical, biological, radiological, or nuclear agents, including emerging infectious diseases; pediatric mental or behavioral health related to children affected by a public health emergency; or pediatric primary care; and

“(D) other members as the Secretary determines appropriate, of whom—

“(i) at least one such member shall represent a children’s hospital;

“(ii) at least one such member shall be an individual with expertise in schools or child care settings;

“(iii) at least one such member shall be an individual with expertise in children and youth with special health care needs; and

“(iv) at least one such member shall be an individual with expertise in the needs of parents or family caregivers, including the parents or caregivers of children with disabilities.

“(3) FEDERAL MEMBERS.—The Advisory Committee under paragraph (1) shall include the following Federal members or their designees (who may be nonvoting members, as determined by the Secretary):

“(A) The Assistant Secretary for Preparedness and Response.

“(B) The Director of the Biomedical Advanced Research and Development Authority.

“(C) The Director of the Centers for Disease Control and Prevention.

“(D) The Commissioner of Food and Drugs.

“(E) The Director of the National Institutes of Health.

“(F) The Assistant Secretary of the Administration for Children and Families.

“(G) The Administrator of the Health Resources and Services Administration.

“(H) The Administrator of the Federal Emergency Management Agency.

“(I) The Administrator of the Administration for Community Living.

“(J) The Secretary of Education.

“(K) Representatives from such Federal agencies (such as the Substance Abuse and Mental Health Services Administration and the Department of Homeland Security) as the Secretary determines appropriate to fulfill the duties of the Advisory Committee under subsections (b) and (c).

“(4) TERM OF APPOINTMENT.—Each member of the Advisory Committee appointed under paragraph (2) shall serve for a term of 3 years, except that the Secretary may adjust the terms of the Advisory Committee appointees serving on the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, or appointees who are initially appointed after such date of enactment, in order to provide for a staggered term of appointment for all members.

“(5) CONSECUTIVE APPOINTMENTS; MAXIMUM TERMS.—A member appointed under paragraph (2) may serve not more than 3 terms on the Advisory Committee, and not more than 2 of such terms may be served consecutively.”;

(3) in subsection (e), by adding at the end “At least one meeting per year shall be an in-person meeting.”;

(4) by redesignating subsection (f) as subsection (g);

(5) by inserting after subsection (e) the following:

“(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.”; and

(6) in subsection (g), as so redesignated, by striking “2018” and inserting “2023”.

(b) AUTHORIZING THE NATIONAL ADVISORY COMMITTEE ON SENIORS AND DISASTERS.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811A the following:

#### **“SEC. 2811B. NATIONAL ADVISORY COMMITTEE ON SENIORS AND DISASTERS.**

“(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security and the Secretary of Veterans Affairs, shall establish an advisory committee to be known as the National Advisory Committee on Seniors and Disasters (referred to in this section as the ‘Advisory Committee’).

“(b) DUTIES.—The Advisory Committee shall—

“(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

“(2) evaluate and provide input with respect to the medical and public health needs of seniors related to preparation for, response to, and recovery from all-hazards emergencies; and

“(3) provide advice and consultation with respect to State emergency preparedness and response activities relating to seniors, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

“(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to seniors and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities under this title and title III.

“(d) MEMBERSHIP.—

“(1) IN GENERAL.—The Secretary, in consultation with such other heads of agencies as appropriate, shall appoint not more than 17 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

“(2) REQUIRED MEMBERS.—The Advisory Committee shall include Federal members or their designees (who may be nonvoting members, as determined by the Secretary) and non-Federal members, as follows:

“(A) The Assistant Secretary for Preparedness and Response.

“(B) The Director of the Biomedical Advanced Research and Development Authority.

“(C) The Director of the Centers for Disease Control and Prevention.

“(D) The Commissioner of Food and Drugs.

“(E) The Director of the National Institutes of Health.

“(F) The Administrator of the Centers for Medicare & Medicaid Services.

“(G) The Administrator of the Administration for Community Living.

“(H) The Administrator of the Federal Emergency Management Agency.

“(I) The Under Secretary for Health of the Department of Veterans Affairs.

“(J) At least 2 non-Federal health care professionals with expertise in geriatric medical disaster planning, preparedness, response, or recovery.

“(K) At least 2 representatives of State, local, Tribal, or territorial agencies with expertise in geriatric disaster planning, preparedness, response, or recovery.

“(L) Representatives of such other Federal agencies (such as the Department of Energy and the Department of Homeland Security) as the Secretary determines necessary to fulfill the duties of the Advisory Committee.

“(e) MEETINGS.—The Advisory Committee shall meet not less frequently than biannually. At least one meeting per year shall be an in-person meeting.

“(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.

“(g) SUNSET.—

“(1) IN GENERAL.—The Advisory Committee shall terminate on September 30, 2023.

“(2) EXTENSION OF COMMITTEE.—Not later than October 1, 2022, the Secretary shall submit to Congress a recommendation on whether the Advisory Committee should be extended.”.

(c) NATIONAL ADVISORY COMMITTEE ON INDIVIDUALS WITH DISABILITIES AND DISASTERS.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.), as amended by subsection (b), is further amended by inserting after section 2811B the following:

#### **“SEC. 2811C. NATIONAL ADVISORY COMMITTEE ON INDIVIDUALS WITH DISABILITIES AND DISASTERS.**

“(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish a national advisory committee to be known as the National Advisory Committee on Individuals with Disabilities and Disasters (referred to in this section as the ‘Advisory Committee’).

“(b) DUTIES.—The Advisory Committee shall—

“(1) provide advice and consultation with respect to activities carried out pursuant to section 2814, as applicable and appropriate;

“(2) evaluate and provide input with respect to the medical, public health, and accessibility needs of individuals with disabilities related to preparation for, response to, and recovery from all-hazards emergencies; and

“(3) provide advice and consultation with respect to State emergency preparedness and

response activities, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

“(C) MEMBERSHIP.—

“(1) IN GENERAL.—The Secretary, in consultation with such other heads of agencies and departments as appropriate, shall appoint not more than 17 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

“(2) REQUIRED MEMBERS.—The Advisory Committee shall include Federal members or their designees (who may be nonvoting members, as determined by the Secretary) and non-Federal members, as follows:

“(A) The Assistant Secretary for Preparedness and Response.

“(B) The Administrator of the Administration for Community Living.

“(C) The Director of the Biomedical Advanced Research and Development Authority.

“(D) The Director of the Centers for Disease Control and Prevention.

“(E) The Commissioner of Food and Drugs.

“(F) The Director of the National Institutes of Health.

“(G) The Administrator of the Federal Emergency Management Agency.

“(H) The Chair of the National Council on Disability.

“(I) The Chair of the United States Access Board.

“(J) The Under Secretary for Health of the Department of Veterans Affairs.

“(K) At least 2 non-Federal health care professionals with expertise in disability accessibility before, during, and after disasters, medical and mass care disaster planning, preparedness, response, or recovery.

“(L) At least 2 representatives from State, local, Tribal, or territorial agencies with expertise in disaster planning, preparedness, response, or recovery for individuals with disabilities.

“(M) At least 2 individuals with a disability with expertise in disaster planning, preparedness, response, or recovery for individuals with disabilities.

“(d) MEETINGS.—The Advisory Committee shall meet not less frequently than biannually. At least one meeting per year shall be an in-person meeting.

“(e) DISABILITY DEFINED.—For purposes of this section, the term ‘disability’ has the meaning given such term in section 3 of the Americans with Disabilities Act of 1990.

“(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.

“(g) SUNSET.—

“(1) IN GENERAL.—The Advisory Committee shall terminate on September 30, 2023.

“(2) RECOMMENDATION.—Not later than October 1, 2022, the Secretary shall submit to Congress a recommendation on whether the Advisory Committee should be extended.”.

(d) ADVISORY COMMITTEE COORDINATION.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.), as amended by subsection (c), is further amended by inserting after section 2811C the following:

“SEC. 2811D. ADVISORY COMMITTEE COORDINATION.

“(a) IN GENERAL.—The Secretary shall coordinate duties and activities authorized under sections 2811A, 2811B, and 2811C, and make efforts to reduce unnecessary or duplicative reporting, or unnecessary duplicative meetings and recommendations under such sections, as practicable. Members of the advisory committees authorized under such sections, or their designees, shall annually meet to coordinate any recommendations, as appropriate, that may be similar, duplicative,

or overlapping with respect to addressing the needs of children, seniors, and individuals with disabilities during public health emergencies. If such coordination occurs through an in-person meeting, it shall not be considered the required in-person meetings under any of sections 2811A(e), 2811B(e), or 2811C(d).

“(b) COORDINATION AND ALIGNMENT.—The Secretary, acting through the employee designated pursuant to section 2814, shall align preparedness and response programs or activities to address similar, dual, or overlapping needs of children, seniors, and individuals with disabilities, and any challenges in preparing for and responding to such needs.

“(c) NOTIFICATION.—The Secretary shall annually notify the congressional committees of jurisdiction regarding the steps taken to coordinate, as appropriate, the recommendations under this section, and provide a summary description of such coordination.”.

SEC. 306. GUIDANCE FOR PARTICIPATION IN EXERCISES AND DRILLS.

Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall issue final guidance regarding the ability of personnel funded by programs authorized under this Act (including the amendments made by this Act) to participate in drills and operational exercises related to all-hazards medical and public health preparedness and response. Such drills and operational exercises may include activities that incorporate medical surge capacity planning, medical countermeasure distribution and administration, and preparing for and responding to identified threats for that region. Such personnel may include State, local, Tribal, and territorial public health department or agency personnel funded under this Act (including the amendments made by this Act). The Secretary shall consult with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies as necessary and appropriate in the development of such guidance. The Secretary shall make the guidance available on the internet website of the Department of Health and Human Services.

TITLE IV—PRIORITIZING A THREAT-BASED APPROACH

SEC. 401. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

Section 2811(b) (42 U.S.C. 300hh-10(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting “utilize experience related to public health emergency preparedness and response, biodefense, medical countermeasures, and other relevant topics to” after “shall”; and

(2) in paragraph (4), by adding at the end the following:

“(I) THREAT AWARENESS.—Coordinate with the Director of the Centers for Disease Control and Prevention, the Director of National Intelligence, the Secretary of Homeland Security, the Assistant to the President for National Security Affairs, the Secretary of Defense, and other relevant Federal officials, such as the Secretary of Agriculture, to maintain a current assessment of national security threats and inform preparedness and response capabilities based on the range of the threats that have the potential to result in a public health emergency.”.

SEC. 402. PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE.

(a) IN GENERAL.—Title XXVIII is amended by inserting after section 2811 (42 U.S.C. 300hh-10) the following:

“SEC. 2811-1. PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE.

“(a) IN GENERAL.—The Secretary shall establish the Public Health Emergency Medical Countermeasures Enterprise (referred to in this section as the ‘PHEMCE’). The Assistant Secretary for Preparedness and Response shall serve as chair of the PHEMCE.

“(b) MEMBERS.—The PHEMCE shall include each of the following members, or the designee of such members:

“(1) The Assistant Secretary for Preparedness and Response.

“(2) The Director of the Centers for Disease Control and Prevention.

“(3) The Director of the National Institutes of Health.

“(4) The Commissioner of Food and Drugs.

“(5) The Secretary of Defense.

“(6) The Secretary of Homeland Security.

“(7) The Secretary of Agriculture.

“(8) The Secretary of Veterans Affairs.

“(9) The Director of National Intelligence.

“(10) Representatives of any other Federal agency, which may include the Director of the Biomedical Advanced Research and Development Authority, the Director of the Strategic National Stockpile, the Director of the National Institute of Allergy and Infectious Diseases, and the Director of the Office of Public Health Preparedness and Response, as the Secretary determines appropriate.

“(c) FUNCTIONS.—

“(1) IN GENERAL.—The functions of the PHEMCE shall include the following:

“(A) Utilize a process to make recommendations to the Secretary regarding research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization with respect to countermeasures, as defined in section 319F-2(c), including prioritization based on the health security needs of the United States. Such recommendations shall be informed by, when available and practicable, the National Health Security Strategy pursuant to section 2802, the Strategic National Stockpile needs pursuant to section 319F-2, and assessments of current national security threats, including chemical, biological, radiological, and nuclear threats, including emerging infectious diseases. In the event that members of the PHEMCE do not agree upon a recommendation, the Secretary shall provide a determination regarding such recommendation.

“(B) Identify national health security needs, including gaps in public health preparedness and response related to countermeasures and challenges to addressing such needs (including any regulatory challenges), and support alignment of countermeasure procurement with recommendations to address such needs under subparagraph (A).

“(C) Assist the Secretary in developing strategies related to logistics, deployment, distribution, dispensing, and use of countermeasures that may be applicable to the activities of the strategic national stockpile under section 319F-2(a).

“(D) Provide consultation for the development of the strategy and implementation plan under section 2811(d).

“(2) INPUT.—In carrying out subparagraphs (B) and (C) of paragraph (1), the PHEMCE shall solicit and consider input from State, local, Tribal, and territorial public health departments or officials, as appropriate.”.

(b) PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.—Section 2811(d) (42 U.S.C. 300hh-10(d)) is amended—

(1) in paragraph (1)—

(A) by striking “Not later than 180 days after the date of enactment of this subsection, and every year thereafter” and inserting “Not later than March 15, 2020, and biennially thereafter”; and

(B) by striking “Director of the Biomedical” and all that follows through “Food and Drugs” and inserting “Public Health Emergency Medical Countermeasures Enterprise established under section 2811-1”; and

(2) in paragraph (2)(J)(v), by striking “one-year period” and inserting “2-year period”.

#### SEC. 403. STRATEGIC NATIONAL STOCKPILE.

(a) IN GENERAL.—Section 319F-2(a) (42 U.S.C. 247d-6b(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) in paragraph (1)—

(A) by inserting “the Assistant Secretary for Preparedness and Response and” after “collaboration with”; and

(B) by inserting “and optimize” after “provide for”;

(C) by inserting “and, as informed by existing recommendations of, or consultations with, the Public Health Emergency Medical Countermeasures Enterprise established under section 2811-1, make necessary additions or modifications to the contents of such stockpile or stockpiles based on the review conducted under paragraph (2)” before the period of the first sentence; and

(D) by striking the second sentence;

(3) by inserting after paragraph (1) the following:

“(2) THREAT-BASED REVIEW.—

“(A) IN GENERAL.—The Secretary shall conduct an annual threat-based review (taking into account at-risk individuals) of the contents of the stockpile under paragraph (1), including non-pharmaceutical supplies, and, in consultation with the Public Health Emergency Medical Countermeasures Enterprise established under section 2811-1, review contents within the stockpile and assess whether such contents are consistent with the recommendations made pursuant to section 2811-1(c)(1)(A). Such review shall be submitted on June 15, 2019, and on March 15 of each year thereafter, to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives, in a manner that does not compromise national security.

“(B) ADDITIONS, MODIFICATIONS, AND REPLENISHMENTS.—Each annual threat-based review under subparagraph (A) shall, for each new or modified countermeasure procurement or replenishment, provide—

“(i) information regarding—

“(I) the quantities of the additional or modified countermeasure procured for, or contracted to be procured for, the stockpile;

“(II) planning considerations for appropriate manufacturing capacity and capability to meet the goals of such additions or modifications (without disclosing proprietary information), including consideration of the effect such additions or modifications may have on the availability of such products and ancillary medical supplies in the health care system;

“(III) the presence or lack of a commercial market for the countermeasure at the time of procurement;

“(IV) the emergency health security threat or threats such countermeasure procurement is intended to address, including whether such procurement is consistent with meeting emergency health security needs associated with such threat or threats;

“(V) an assessment of whether the emergency health security threat or threats described in subclause (IV) could be addressed in a manner that better utilizes the resources of the stockpile and permits the greatest possible increase in the level of emergency preparedness to address such threats;

“(VI) whether such countermeasure is replenishing an expiring or expired counter-

measure, is a different countermeasure with the same indication that is replacing an expiring or expired countermeasure, or is a new addition to the stockpile;

“(VII) a description of how such additions or modifications align with projected investments under previous countermeasures budget plans under section 2811(b)(7), including expected life-cycle costs, expenditures related to countermeasure procurement to address the threat or threats described in subclause (IV), replenishment dates (including the ability to extend the maximum shelf life of a countermeasure), and the manufacturing capacity required to replenish such countermeasure; and

“(VIII) appropriate protocols and processes for the deployment, distribution, or dispensing of the countermeasure at the State and local level, including plans for relevant capabilities of State and local entities to dispense, distribute, and administer the countermeasure; and

“(ii) an assurance, which need not be provided in advance of procurement, that for each countermeasure procured or replenished under this subsection, the Secretary completed a review addressing each item listed under this subsection in advance of such procurement or replenishment.”;

(4) in paragraph (3), as so redesignated—

(A) in subparagraph (A), by inserting “and the Public Health Emergency Medical Countermeasures Enterprise established under section 2811-1” before the semicolon;

(B) in subparagraph (C), by inserting “, and the availability, deployment, dispensing, and administration of countermeasures” before the semicolon;

(C) by amending subparagraph (E) to read as follows:

“(E) devise plans for effective and timely supply-chain management of the stockpile, in consultation with the Director of the Centers for Disease Control and Prevention, the Assistant Secretary for Preparedness and Response, the Secretary of Transportation, the Secretary of Homeland Security, the Secretary of Veterans Affairs, and the heads of other appropriate Federal agencies; State, local, Tribal, and territorial agencies; and the public and private health care infrastructure, as applicable, taking into account the manufacturing capacity and other available sources of products and appropriate alternatives to supplies in the stockpile.”;

(D) in subparagraph (G), by striking “; and” and inserting a semicolon;

(E) in subparagraph (H), by striking the period and inserting a semicolon; and

(F) by adding at the end the following:

“(I) ensure that each countermeasure or product under consideration for procurement pursuant to this subsection receives the same consideration regardless of whether such countermeasure or product receives or had received funding under section 319L, including with respect to whether the countermeasure or product is most appropriate to meet the emergency health security needs of the United States; and

“(J) provide assistance, including technical assistance, to maintain and improve State and local public health preparedness capabilities to distribute and dispense medical countermeasures and products from the stockpile, as appropriate.”; and

(5) by adding at the end the following:

“(5) GAO REPORT.—

“(A) IN GENERAL.—Not later than 3 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, and every 5 years thereafter, the Comptroller General of the United States shall conduct a review of any changes to the contents or management of the stockpile since January 1, 2015. Such review shall include—

“(i) an assessment of the comprehensiveness and completeness of each annual threat-based review under paragraph (2), including whether all newly procured or replenished countermeasures within the stockpile were described in each annual review, and whether, consistent with paragraph (2)(B), the Secretary conducted the necessary internal review in advance of such procurement or replenishment;

“(ii) an assessment of whether the Secretary established health security and science-based justifications, and a description of such justifications for procurement decisions related to health security needs with respect to the identified threat, for additions or modifications to the stockpile based on the information provided in such reviews under paragraph (2)(B), including whether such review was conducted prior to procurement, modification, or replenishment;

“(iii) an assessment of the plans developed by the Secretary for the deployment, distribution, and dispensing of countermeasures procured, modified, or replenished under paragraph (1), including whether such plans were developed prior to procurement, modification, or replenishment;

“(iv) an accounting of countermeasures procured, modified, or replenished under paragraph (1) that received advanced research and development funding from the Biomedical Advanced Research and Development Authority;

“(v) an analysis of how such procurement decisions made progress toward meeting emergency health security needs related to the identified threats for countermeasures added, modified, or replenished under paragraph (1);

“(vi) a description of the resources expended related to the procurement of countermeasures (including additions, modifications, and replenishments) in the stockpile, and how such expenditures relate to the ability of the stockpile to meet emergency health security needs;

“(vii) an assessment of the extent to which additions, modifications, and replenishments reviewed under paragraph (2) align with previous relevant reports or reviews by the Secretary or the Comptroller General;

“(viii) with respect to any change in the Federal organizational management of the stockpile, an assessment and comparison of the processes affected by such change, including planning for potential countermeasure deployment, distribution, or dispensing capabilities and processes related to procurement decisions, use of stockpiled countermeasures, and use of resources for such activities; and

“(ix) an assessment of whether the processes and procedures described by the Secretary pursuant to section 403(b) of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 are sufficient to ensure countermeasures and products under consideration for procurement pursuant to subsection (a) receive the same consideration regardless of whether such countermeasures and products receive or had received funding under section 319L, including with respect to whether such countermeasures and products are most appropriate to meet the emergency health security needs of the United States.

“(B) SUBMISSION.—Not later than 6 months after completing a classified version of the review under subparagraph (A), the Comptroller General shall submit an unclassified version of the review to the congressional committees of jurisdiction.”.

(b) ADDITIONAL REPORTING.—In the first threat-based review submitted after the date of enactment of this Act pursuant to paragraph (2) of section 319F-2(a) of the Public

Health Service Act (42 U.S.C. 247d-6b(a)), as amended by subsection (a), the Secretary shall include a description of the processes and procedures through which the Director of the Strategic National Stockpile and the Director of the Biomedical Advanced Research and Development Authority coordinate with respect to countermeasures and products procured under such section 319F-2(a), including such processes and procedures in place to ensure countermeasures and products under consideration for procurement pursuant to such section 319F-2(a) receive the same consideration regardless of whether such countermeasures or products receive or had received funding under section 319L of the Public Health Service Act (42 U.S.C. 247d-7e), and whether such countermeasures and products are the most appropriate to meet the emergency health security needs of the United States.

(c) **AUTHORIZATION OF APPROPRIATIONS, STRATEGIC NATIONAL STOCKPILE.**—Section 319F-2(f)(1) (42 U.S.C. 247d-6b(f)(1)) is amended by striking “\$533,800,000 for each of fiscal years 2014 through 2018” and inserting “\$610,000,000 for each of fiscal years 2019 through 2023, to remain available until expended”.

**SEC. 404. PREPARING FOR PANDEMIC INFLUENZA, ANTIMICROBIAL RESISTANCE, AND OTHER SIGNIFICANT THREATS.**

(a) **STRATEGIC INITIATIVES.**—Section 319L(c)(4) (247d-7e(c)(4)) is amended by adding at the end the following:

“(F) **STRATEGIC INITIATIVES.**—The Secretary, acting through the Director of BARDA, may implement strategic initiatives, including by building on existing programs and by awarding contracts, grants, and cooperative agreements, or entering into other transactions, to support innovative candidate products in preclinical and clinical development that address priority, naturally occurring and man-made threats that, as determined by the Secretary, pose a significant level of risk to national security based on the characteristics of a chemical, biological, radiological or nuclear threat, or existing capabilities to respond to such a threat (including medical response and treatment capabilities and manufacturing infrastructure). Such initiatives shall accelerate and support the advanced research, development, and procurement of countermeasures and products, as applicable, to address areas including—

“(i) chemical, biological, radiological, or nuclear threats, including emerging infectious diseases, for which insufficient approved, licensed, or authorized countermeasures exist, or for which such threat, or the result of an exposure to such threat, may become resistant to countermeasures or existing countermeasures may be rendered ineffective;

“(ii) threats that consistently exist or continually circulate and have a significant potential to become a pandemic, such as pandemic influenza, which may include the advanced research and development, manufacturing, and appropriate stockpiling of qualified pandemic or epidemic products, and products, technologies, or processes to support the advanced research and development of such countermeasures (including multiuse platform technologies for diagnostics, vaccines, and therapeutics; virus seeds; clinical trial lots; novel virus strains; and antigen and adjuvant material); and

“(iii) threats that may result primarily or secondarily from a chemical, biological, radiological, or nuclear agent, or emerging infectious diseases, and which may present increased treatment complications such as the occurrence of resistance to available countermeasures or potential countermeasures,

including antimicrobial resistant pathogens.”.

(b) **PROTECTION OF NATIONAL SECURITY FROM THREATS.**—Section 2811 (42 U.S.C. 300hh-10) is amended by adding at the end the following:

“(f) **PROTECTION OF NATIONAL SECURITY FROM THREATS.**—

“(1) **IN GENERAL.**—In carrying out subsection (b)(3), the Assistant Secretary for Preparedness and Response shall implement strategic initiatives or activities to address threats, including pandemic influenza and which may include a chemical, biological, radiological, or nuclear agent (including any such agent with a significant potential to become a pandemic), that pose a significant level of risk to public health and national security based on the characteristics of such threat. Such initiatives shall include activities to—

“(A) accelerate and support the advanced research, development, manufacturing capacity, procurement, and stockpiling of countermeasures, including initiatives under section 319L(c)(4)(F);

“(B) support the development and manufacturing of virus seeds, clinical trial lots, and stockpiles of novel virus strains; and

“(C) maintain or improve preparedness activities, including for pandemic influenza.

“(2) **AUTHORIZATION OF APPROPRIATIONS.**—

“(A) **IN GENERAL.**—To carry out this subsection, there is authorized to be appropriated \$250,000,000 for each of fiscal years 2019 through 2023.

“(B) **SUPPLEMENT, NOT SUPPLANT.**—Amounts appropriated under this paragraph shall be used to supplement and not supplant funds provided under sections 319L(d) and 319F-2(g).

“(C) **DOCUMENTATION REQUIRED.**—The Assistant Secretary for Preparedness and Response, in accordance with subsection (b)(7), shall document amounts expended for purposes of carrying out this subsection, including amounts appropriated under the heading ‘Public Health and Social Services Emergency Fund’ under the heading ‘Office of the Secretary’ under title II of division H of the Consolidated Appropriations Act, 2018 (Public Law 115-141) and allocated to carrying out section 319L(c)(4)(F).”.

**SEC. 405. REPORTING ON THE FEDERAL SELECT AGENT PROGRAM.**

Section 351A(k) (42 U.S.C. 262a(k)) is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) **IN GENERAL.**—The Secretary”; and

(2) by adding at the end the following:

“(2) **IMPLEMENTATION OF RECOMMENDATIONS OF THE FEDERAL EXPERTS SECURITY ADVISORY PANEL AND THE FAST TRACK ACTION COMMITTEE ON SELECT AGENT REGULATIONS.**—

“(A) **IN GENERAL.**—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary shall report to the congressional committees of jurisdiction on the implementation of recommendations of the Federal Experts Security Advisory Panel concerning the select agent program.

“(B) **CONTINUED UPDATES.**—The Secretary shall report to the congressional committees of jurisdiction annually following the submission of the report under subparagraph (A) until the recommendations described in such subparagraph are fully implemented, or a justification is provided for the delay in, or lack of, implementation.”.

**TITLE V—INCREASING COMMUNICATION IN MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT**

**SEC. 501. MEDICAL COUNTERMEASURE BUDGET PLAN.**

Section 2811(b)(7) (42 U.S.C. 300hh-10(b)(7)) is amended—

(1) in the matter preceding subparagraph (A), by striking “March 1” and inserting “March 15”;

(2) in subparagraph (A)—

(A) in clause (ii), by striking “; and” and inserting “;”; and

(B) by striking clause (iii) and inserting the following:

“(iii) procurement, stockpiling, maintenance, and potential replenishment (including manufacturing capabilities) of all products in the Strategic National Stockpile;

“(iv) the availability of technologies that may assist in the advanced research and development of countermeasures and opportunities to use such technologies to accelerate and navigate challenges unique to countermeasure research and development; and

“(v) potential deployment, distribution, and utilization of medical countermeasures; development of clinical guidance and emergency use instructions for the use of medical countermeasures; and, as applicable, potential postdeployment activities related to medical countermeasures;”;

(3) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(4) by inserting after subparagraph (C), the following:

“(D) identify the full range of anticipated medical countermeasure needs related to research and development, procurement, and stockpiling, including the potential need for indications, dosing, and administration technologies, and other countermeasure needs as applicable and appropriate;”.

**SEC. 502. MATERIAL THREAT AND MEDICAL COUNTERMEASURE NOTIFICATIONS.**

(a) **CONGRESSIONAL NOTIFICATION OF MATERIAL THREAT DETERMINATION.**—Section 319F-2(c)(2)(C) (42 U.S.C. 247d-6b(c)(2)(C)) is amended by striking “The Secretary and the Homeland Security Secretary shall promptly notify the appropriate committees of Congress” and inserting “The Secretary and the Secretary of Homeland Security shall send to Congress, on an annual basis, all current material threat determinations and shall promptly notify the Committee on Health, Education, Labor, and Pensions and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Energy and Commerce and the Committee on Homeland Security of the House of Representatives”.

(b) **CONTRACTING COMMUNICATION.**—Section 319F-2(c)(7)(B)(ii)(III) (42 U.S.C. 247d-6b(c)(7)(B)(ii)(III)) is amended by adding at the end the following: “The Secretary shall notify the vendor within 90 days of a determination by the Secretary to renew, extend, or terminate such contract.”.

**SEC. 503. AVAILABILITY OF REGULATORY MANAGEMENT PLANS.**

Section 565(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4(f)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(2) by inserting after paragraph (2) the following:

“(3) **PUBLICATION.**—The Secretary shall make available on the internet website of the Food and Drug Administration information regarding regulatory management plans, including—

“(A) the process by which an applicant may submit a request for a regulatory management plan;

“(B) the timeframe by which the Secretary is required to respond to such request;

“(C) the information required for the submission of such request;

“(D) a description of the types of development milestones and performance targets that could be discussed and included in such plans; and

“(E) contact information for beginning the regulatory management plan process.”;

(3) in paragraph (6), as so redesignated, in the matter preceding subparagraph (A)—

(A) by striking “paragraph (4)(A)” and inserting “paragraph (5)(A)”;

(B) by striking “paragraph (4)(B)” and inserting “paragraph (5)(B)”;

(4) in paragraph (7)(A), as so redesignated, by striking “paragraph (3)(A)” and inserting “paragraph (4)(A)”.

**SEC. 504. THE BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY AND THE BIOSHIELD SPECIAL RESERVE FUND.**

(a) **BIOSHIELD SPECIAL RESERVE FUND.**—Section 319F-2(g)(1) (42 U.S.C. 247d-6b(g)(1)) is amended—

(1) by striking “\$2,800,000,000 for the period of fiscal years 2014 through 2018” and inserting “\$7,100,000,000 for the period of fiscal years 2019 through 2028, to remain available until expended”; and

(2) by striking the second sentence.

(b) **THE BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.**—Section 319L(d)(2) (42 U.S.C. 247d-7e(d)(2)) is amended by striking “\$415,000,000 for each of fiscal years 2014 through 2018” and inserting “\$611,700,000 for each of fiscal years 2019 through 2023”.

**SEC. 505. ADDITIONAL STRATEGIES FOR COMBATING ANTIBIOTIC RESISTANCE.**

(a) **ADVISORY COUNCIL.**—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) may continue the Presidential Advisory Council on Combating Antibiotic-Resistant Bacteria, referred to in this section as the “Advisory Council”.

(b) **DUTIES.**—The Advisory Council shall advise and provide information and recommendations to the Secretary regarding programs and policies intended to reduce or combat antibiotic-resistant bacteria that may present a public health threat and improve capabilities to prevent, diagnose, mitigate, or treat such resistance. Such advice, information, and recommendations may be related to improving—

(1) the effectiveness of antibiotics;

(2) research and advanced research on, and the development of, improved and innovative methods for combating or reducing antibiotic resistance, including new treatments, rapid point-of-care diagnostics, alternatives to antibiotics, including alternatives to animal antibiotics, and antimicrobial stewardship activities;

(3) surveillance of antibiotic-resistant bacterial infections, including publicly available and up-to-date information on resistance to antibiotics;

(4) education for health care providers and the public with respect to up-to-date information on antibiotic resistance and ways to reduce or combat such resistance to antibiotics related to humans and animals;

(5) methods to prevent or reduce the transmission of antibiotic-resistant bacterial infections, including stewardship programs; and

(6) coordination with respect to international efforts in order to inform and advance United States capabilities to combat antibiotic resistance.

(c) **MEETINGS AND COORDINATION.**—

(1) **MEETINGS.**—The Advisory Council shall meet not less than biannually and, to the extent practicable, in coordination with meetings of the Antimicrobial Resistance Task Force established in section 319E(a) of the Public Health Service Act.

(2) **COORDINATION.**—The Advisory Council shall, to the greatest extent practicable, coordinate activities carried out by the Council with the Antimicrobial Resistance Task Force established under section 319E(a) of the Public Health Service Act (42 U.S.C. 247d-5(a)).

(d) **FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the activities and duties of the Advisory Council.

(e) **EXTENSION OF ADVISORY COUNCIL.**—Not later than October 1, 2022, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a recommendation on whether the Advisory Council should be extended, and in addition, identify whether there are other committees, councils, or task forces that have overlapping or similar duties to that of the Advisory Council, and whether such committees, councils, or task forces should be combined, including with respect to section 319E(a) of the Public Health Service Act (42 U.S.C. 247d-5(a)).

**TITLE VI—ADVANCING TECHNOLOGIES FOR MEDICAL COUNTERMEASURES**

**SEC. 601. ADMINISTRATION OF COUNTERMEASURES.**

Section 319L(c)(4)(D)(iii) (42 U.S.C. 247d-7e(c)(4)(D)(iii)) is amended by striking “and platform technologies” and inserting “platform technologies, technologies to administer countermeasures, and technologies to improve storage and transportation of countermeasures”.

**SEC. 602. UPDATING DEFINITIONS OF OTHER TRANSACTIONS.**

Section 319L (42 U.S.C. 247d-7e) is amended—

(1) in subsection (a)(3), by striking “, such as” and all that follows through “Code”; and

(2) in subsection (c)(5)(A)—

(A) in clause (i), by striking “under this subsection” and all that follows through “Code” and inserting “(as defined in subsection (a)(3)) under this subsection”; and

(B) in clause (ii)—

(i) by amending subclause (I) to read as follows:

“(I) **IN GENERAL.**—To the maximum extent practicable, competitive procedures shall be used when entering into transactions to carry out projects under this subsection.”; and

(ii) in subclause (II)—

(I) by striking “\$20,000,000” and inserting “\$100,000,000”;

(II) by striking “senior procurement executive for the Department (as designated for purpose of section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c)))” and inserting “Assistant Secretary for Financial Resources”; and

(III) by striking “senior procurement executive under” and inserting “Assistant Secretary for Financial Resources under”.

**SEC. 603. MEDICAL COUNTERMEASURE MASTER FILES.**

(a) **IN GENERAL.**—The purpose of this section (including section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b)) is to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products by facilitating and encouraging submission of data and information to support the development of such products, and through clarifying the authority to cross-reference to

data and information previously submitted to the Secretary of Health and Human Services (referred to in this section as the “Secretary”), including data and information submitted to medical countermeasure master files or other master files.

(b) **MEDICAL COUNTERMEASURE MASTER FILES.**—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 565A the following:

**“SEC. 565B. MEDICAL COUNTERMEASURE MASTER FILES.**

“(a) **APPLICABILITY OF REFERENCE.**—

“(1) **IN GENERAL.**—A person may submit data and information in a master file to the Secretary with the intent to reference, or to authorize, in writing, another person to reference, such data or information to support a medical countermeasure submission (including a supplement or amendment to any such submission), without requiring the master file holder to disclose the data and information to any such persons authorized to reference the master file. Such data and information shall be available for reference by the master file holder or by a person authorized by the master file holder, in accordance with applicable privacy and confidentiality protocols and regulations.

“(2) **REFERENCE OF CERTAIN MASTER FILES.**—In the case that data or information within a medical countermeasure master file is used only to support the conditional approval of an application filed under section 571, such master file may be relied upon to support the effectiveness of a product that is the subject of a subsequent medical countermeasure submission only if such application is supplemented by additional data or information to support review and approval in a manner consistent with the standards applicable to such review and approval for such countermeasure, qualified countermeasure, or qualified pandemic or epidemic product.

“(b) **MEDICAL COUNTERMEASURE MASTER FILE CONTENT.**—

“(1) **IN GENERAL.**—A master file under this section may include data or information to support—

“(A) the development of medical countermeasure submissions to support the approval, licensure, classification, clearance, conditional approval, or authorization of one or more security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products; and

“(B) the manufacture of security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products.

“(2) **REQUIRED UPDATES.**—The Secretary may require, as appropriate, that the master file holder ensure that the contents of such master file are updated during the time such master file is referenced for a medical countermeasure submission.

“(c) **SPONSOR REFERENCE.**—

“(1) **IN GENERAL.**—Each incorporation of data or information within a medical countermeasure master file shall describe the incorporated material in a manner in which the Secretary determines appropriate and that permits the review of such information within such master file without necessitating resubmission of such data or information. Master files shall be submitted in an electronic format in accordance with sections 512(b)(4), 571(a)(4), and 745A, as applicable, and as specified in applicable guidance.

“(2) **REFERENCE BY A MASTER FILE HOLDER.**—A master file holder that is the sponsor of a medical countermeasure submission shall notify the Secretary in writing of the intent to reference the medical countermeasure master file as a part of the submission.

“(3) **REFERENCE BY AN AUTHORIZED PERSON.**—A person submitting an application for



review may, where the Secretary determines appropriate, incorporate by reference all or part of the contents of a medical countermeasure master file, if the master file holder authorizes the incorporation in writing.

**“(d) ACKNOWLEDGMENT OF AND RELIANCE UPON A MASTER FILE BY THE SECRETARY.—**

**“(1) IN GENERAL.—**The Secretary shall provide the master file holder with a written notification indicating that the Secretary has reviewed and relied upon specified data or information within a master file and the purposes for which such data or information was incorporated by reference if the Secretary has reviewed and relied upon such specified data or information to support the approval, classification, conditional approval, clearance, licensure, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product. The Secretary may rely upon the data and information within the medical countermeasure master file for which such written notification was provided in additional applications, as applicable and appropriate and upon the request of the master file holder so notified in writing or by an authorized person of such holder.

**“(2) CERTAIN APPLICATIONS.—**If the Secretary has reviewed and relied upon specified data or information within a medical countermeasure master file to support the conditional approval of an application under section 571 to subsequently support the approval, clearance, licensure, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product, the Secretary shall provide a brief written description to the master file holder regarding the elements of the application fulfilled by the data or information within the master file and how such data or information contained in such application meets the standards of evidence under subsection (c) or (d) of section 505, subsection (d) of section 512, or section 351 of the Public Health Service Act (as applicable), which shall not include any trade secret or confidential commercial information.

**“(e) RULES OF CONSTRUCTION.—**Nothing in this section shall be construed to—

**“(1)** limit the authority of the Secretary to approve, license, clear, conditionally approve, or authorize drugs, biological products, or devices pursuant to, as applicable, this Act or section 351 of the Public Health Service Act (as such applicable Act is in effect on the day before the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019), including the standards of evidence, and applicable conditions, for approval under the applicable Act;

**“(2)** alter the standards of evidence with respect to approval, licensure, or clearance, as applicable, of drugs, biological products, or devices under this Act or section 351 of the Public Health Service Act, including, as applicable, the substantial evidence standards under sections 505(d) and 512(d) or this Act and section 351(a) of the Public Health Service Act; or

**“(3)** alter the authority of the Secretary under this Act or the Public Health Service Act to determine the types of data or information previously submitted by a sponsor or any other person that may be incorporated by reference in an application, request, or notification for a drug, biological product, or device submitted under sections 505(i), 505(b), 505(j), 512(b)(1), 512(b)(2), 512(j), 564, 571, 520(g), 515(c), 513(f)(2), or 510(k) of this Act, or subsection (a) or (k) of section 351 of the Public Health Service Act, including a supplement or amendment to any such submission, and the requirements associated with such reference.

**“(f) DEFINITIONS.—**In this section:

**“(1)** The term ‘master file holder’ means a person who submits data and information to the Secretary with the intent to reference or authorize another person to reference such data or information to support a medical countermeasure submission, as described in subsection (a).

**“(2)** The term ‘medical countermeasure submission’ means an investigational new drug application under section 505(i), a new drug application under section 505(b), or an abbreviated new drug application under section 505(j) of this Act, a biological product license application under section 351(a) of the Public Health Service Act or a biosimilar biological product license application under section 351(k) of the Public Health Service Act, a new animal drug application under section 512(b)(1) or abbreviated new animal drug application under section 512(b)(2), an application for conditional approval of a new animal drug under section 571, an investigational device application under section 520(g), an application with respect to a device under section 515(c), a request for classification of a device under section 513(f)(2), a notification with respect to a device under section 510(k), or a request for an emergency use authorization under section 564 to support—

**“(A)** the approval, licensure, classification, clearance, conditional approval, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product; or

**“(B)** a new indication to an approved security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product.

**“(3)** The terms ‘qualified countermeasure’, ‘security countermeasure’, and ‘qualified pandemic or epidemic product’ have the meanings given such terms in sections 319F-1, 319F-2, and 319F-3, respectively, of the Public Health Service Act.”

**(c) STAKEHOLDER INPUT.—**Not later than 18 months after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs and in consultation with the Assistant Secretary for Preparedness and Response, shall solicit input from stakeholders, including stakeholders developing security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products, and stakeholders developing technologies to assist in the development of such countermeasures with respect to how the Food and Drug Administration can advance the use of tools and technologies to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products, including through reliance on cross-referenced data and information contained within master files and submissions previously submitted to the Secretary as set forth in section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b).

**(d) GUIDANCE.—**Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, shall publish draft guidance about how reliance on cross-referenced data and information contained within master files under section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b) or submissions otherwise submitted to the Secretary may be used for specific tools or technologies (including platform technologies) that have the potential to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products. The Secretary, acting through the Commissioner of Food and Drugs, shall publish the final guidance not later than 3 years after the enactment of this Act.

**SEC. 604. ANIMAL RULE REPORT.**

**(a) STUDY.—**The Comptroller General of the United States shall conduct a study on the application of the requirements under subsections (c) and (d) of section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4) (referred to in this section as the “animal rule”) as a component of medical countermeasure advanced development under the Biomedical Advanced Research and Development Authority and regulatory review by the Food and Drug Administration. In conducting such study, the Comptroller General shall examine the following:

**(1)** The extent to which advanced development and review of a medical countermeasure are coordinated between the Biomedical Advanced Research and Development Authority and the Food and Drug Administration, including activities that facilitate appropriate and efficient design of studies to support approval, licensure, and authorization under the animal rule, consistent with the recommendations in the animal rule guidance, issued pursuant to section 565(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4(c)) and entitled “Product Development Under the Animal Rule: Guidance for Industry” (issued in October 2015), to resolve discrepancies in the design of adequate and well-controlled efficacy studies conducted in animal models related to the provision of substantial evidence of effectiveness for the product approved, licensed, or authorized under the animal rule.

**(2)** The consistency of the application of the animal rule among and between review divisions within the Food and Drug Administration.

**(3)** The flexibility pursuant to the animal rule to address variations in countermeasure development and review processes, including the extent to which qualified animal models are adopted and used within the Food and Drug Administration in regulatory decision-making with respect to medical countermeasures.

**(4)** The extent to which the guidance issued under section 565(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4(c)), entitled, “Product Development Under the Animal Rule: Guidance for Industry” (issued in October 2015), has assisted in achieving the purposes described in paragraphs (1), (2), and (3).

**(b) CONSULTATIONS.—**In conducting the study under subsection (a), the Comptroller General of the United States shall consult with—

**(1)** the Federal agencies responsible for advancing, reviewing, and procuring medical countermeasures, including the Office of the Assistant Secretary for Preparedness and Response, the Biomedical Advanced Research and Development Authority, the Food and Drug Administration, and the Department of Defense;

**(2)** manufacturers involved in the research and development of medical countermeasures to address biological, chemical, radiological, or nuclear threats; and

**(3)** other biodefense stakeholders, as applicable.

**(c) REPORT.—**Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report containing the results of the study conducted under subsection (a) and recommendations to improve the application and consistency of the requirements under subsections (c) and (d) of section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4).

to support and expedite the research and development of medical countermeasures, as applicable.

(d) **PROTECTION OF NATIONAL SECURITY.**—The Comptroller General of the United States shall conduct the study and issue the assessment and report under this section in a manner that does not compromise national security.

**SEC. 605. REVIEW OF THE BENEFITS OF GENOMIC ENGINEERING TECHNOLOGIES AND THEIR POTENTIAL ROLE IN NATIONAL SECURITY.**

(a) **MEETING.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall convene a meeting to discuss the potential role advancements in genomic engineering technologies (including genome editing technologies) may have in advancing national health security. Such meeting shall be held in a manner that does not compromise national security.

(2) **ATTENDEES.**—The attendees of the meeting under paragraph (1)—

(A) shall include—

(i) representatives from the Office of the Assistant Secretary for Preparedness and Response, the National Institutes of Health, the Centers for Disease Control and Prevention, and the Food and Drug Administration; and

(ii) representatives from academic, private, and nonprofit entities with expertise in genome engineering technologies, biopharmaceuticals, medicine, or biodefense, and other relevant stakeholders; and

(B) may include—

(i) other representatives from the Department of Health and Human Services, as the Secretary determines appropriate; and

(ii) representatives from the Department of Homeland Security, the Department of Defense, the Department of Agriculture, and other departments, as the Secretary may request for the meeting.

(3) **TOPICS.**—The meeting under paragraph (1) shall include a discussion of—

(A) the current state of the science of genomic engineering technologies related to national health security, including—

(i) medical countermeasure development, including potential efficiencies in the development pathway and detection technologies; and

(ii) the international and domestic regulation of products utilizing genome editing technologies; and

(B) national security implications, including—

(i) capabilities of the United States to leverage genomic engineering technologies as a part of the medical countermeasure enterprise, including current applicable research, development, and application efforts underway within the Department of Defense;

(ii) the potential for state and non-state actors to utilize genomic engineering technologies as a national health security threat; and

(iii) security measures to monitor and assess the potential threat that may result from utilization of genomic engineering technologies and related technologies for the purpose of compromising national health security.

(b) **REPORT.**—Not later than 270 days after the meeting described in subsection (a) is held, the Assistant Secretary for Preparedness and Response shall issue a report to the congressional committees of jurisdiction on the topics discussed at such meeting, and provide recommendations, as applicable, to utilize innovations in genomic engineering (including genome editing) and related technologies as a part of preparedness and re-

sponse activities to advance national health security. Such report shall be issued in a manner that does not compromise national security.

**SEC. 606. REPORT ON VACCINES DEVELOPMENT.**

Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing efforts and activities to coordinate with other countries and international partners during recent public health emergencies with respect to the research and advanced research on, and development of, qualified pandemic or epidemic products (as defined in section 319F-3 of the Public Health Service Act (42 U.S.C. 247d-6d)). Such report may include information regarding relevant work carried out under section 319L(c)(5)(E) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(5)(E)), through public-private partnerships, and through collaborations with other countries to assist with or expedite the research and development of qualified pandemic or epidemic products. Such report shall not include information that may compromise national security.

**SEC. 607. STRENGTHENING MOSQUITO ABATEMENT FOR SAFETY AND HEALTH.**

(a) **REAUTHORIZATION OF MOSQUITO ABATEMENT FOR SAFETY AND HEALTH PROGRAM.**—Section 317S (42 U.S.C. 247b-21) is amended—

(1) in subsection (a)(1)(B)—

(A) by inserting “including programs to address emerging infectious mosquito-borne diseases,” after “subdivisions for control programs,”; and

(B) by inserting “or improving existing control programs” before the period at the end;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “, including improvement,” after “operation”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking “or” at the end;

(II) in clause (iii), by striking the semicolon at the end and inserting “, including an emerging infectious mosquito-borne disease that presents a serious public health threat; or”; and

(III) by adding at the end the following:

“(iv) a public health emergency due to the incidence or prevalence of a mosquito-borne disease that presents a serious public health threat;”; and

(ii) by amending subparagraph (D) to read as follows:

“(D)(i) is located in a State that has received a grant under subsection (a); or

“(ii) that demonstrates to the Secretary that the control program is consistent with existing State mosquito control plans or policies, or other applicable State preparedness plans.”;

(C) in paragraph (4)(C), by striking “that extraordinary” and all that follows through the period at the end and inserting the following: “that—

“(i) extraordinary economic conditions in the political subdivision or consortium of political subdivisions involved justify the waiver; or

“(ii) the geographical area covered by a political subdivision or consortium for a grant under paragraph (1) has an extreme mosquito control need due to—

“(I) the size or density of the potentially impacted human population;

“(II) the size or density of a mosquito population that requires heightened control; or

“(III) the severity of the mosquito-borne disease, such that expected serious adverse

health outcomes for the human population justify the waiver.”; and

(D) by amending paragraph (6) to read as follows:

“(6) **NUMBER OF GRANTS.**—A political subdivision or a consortium of political subdivisions may not receive more than one grant under paragraph (1).”; and

(3) in subsection (f)—

(A) in paragraph (1) by striking “for fiscal year 2003, and such sums as may be necessary for each of fiscal years 2004 through 2007” and inserting “for each of fiscal years 2019 through 2023”;;

(B) in paragraph (2), by striking “the Public Health Security and Bioterrorism Preparedness and Response Act of 2002” and inserting “this Act and other medical and public health preparedness and response laws”; and

(C) in paragraph (3)—

(i) in the paragraph heading, by striking “2004” and inserting “2019”; and

(ii) by striking “2004,” and inserting “2019.”.

(b) **EPIDEMIOLOGY-LABORATORY CAPACITY GRANTS.**—Section 2821 (42 U.S.C. 300hh-31) is amended—

(1) in subsection (a)(1), by inserting “, including mosquito and other vector-borne diseases,” after “infectious diseases”; and

(2) in subsection (b), by striking “2010 through 2013” and inserting “2019 through 2023”.

**TITLE VII—MISCELLANEOUS PROVISIONS**

**SEC. 701. REAUTHORIZATIONS AND EXTENSIONS.**

(a) **VETERANS AFFAIRS.**—Section 8117(g) of title 38, United States Code, is amended by striking “2014 through 2018” and inserting “2019 through 2023”.

(b) **VACCINE TRACKING AND DISTRIBUTION.**—Section 319A(e) (42 U.S.C. 247d-1(e)) is amended by striking “2014 through 2018” and inserting “2019 through 2023”.

(c) **TEMPORARY REASSIGNMENT.**—Section 319(e)(8) (42 U.S.C. 247d(e)(8)) is amended by striking “2018” and inserting “2023”.

(d) **STRATEGIC INNOVATION PARTNER.**—Section 319L(c)(4)(E)(ix) (42 U.S.C. 247d-7e(c)(4)(E)(ix)) is amended by striking “2022” and inserting “2023”.

(e) **LIMITED ANTI-TRUST EXEMPTION.**—

(1) **IN GENERAL.**—Section 405 of the Pandemic and All-Hazards Preparedness Act (Public Law 109-417; 42 U.S.C. 247d-6a note) is amended—

(A) in subsection (a)(1)(A)—

(i) by striking “Secretary of Health and Human Services (referred to in this subsection as the ‘Secretary’)” and inserting “Secretary”;;

(ii) by striking “of the Public Health Service Act (42 U.S.C. 247d-6b)) (as amended by this Act”;

(iii) by striking “of the Public Health Service Act (42 U.S.C. 247d-6a)) (as amended by this Act”;

(iv) by striking “of the Public Health Service Act (42 U.S.C. 247d-6d))”;

(B) in subsection (b), by striking “12-year” and inserting “17-year”;

(C) by redesignating such section 405 as section 319L-1; and

(D) by transferring such section 319L-1, as redesignated, to the Public Health Service Act (42 U.S.C. 201 et seq.), to appear after section 319L of such Act (42 U.S.C. 247d-7e).

(2) **CONFORMING AMENDMENT.**—The table of contents in section 1(b) of the Pandemic and All-Hazards Preparedness Act (Public Law 109-417) is amended by striking the item related to section 405.

(f) **INAPPLICABILITY OF CERTAIN PROVISIONS.**—Subsection (e)(1) of section 319L (42 U.S.C. 247d-7e(e)(1)) is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) NONDISCLOSURE OF INFORMATION.—

“(i) IN GENERAL.—Information described in clause (ii) shall be deemed to be information described in section 552(b)(3) of title 5, United States Code.

“(ii) INFORMATION DESCRIBED.—The information described in this clause is information relevant to programs of the Department of Health and Human Services that could compromise national security and reveal significant and not otherwise publicly known vulnerabilities of existing medical or public health defenses against chemical, biological, radiological, or nuclear threats, and is comprised of—

“(I) specific technical data or scientific information that is created or obtained during the countermeasure and product advanced research and development carried out under subsection (c);

“(II) information pertaining to the location security, personnel, and research materials and methods of high-containment laboratories conducting research with select agents, toxins, or other agents with a material threat determination under section 319F–2(c)(2); or

“(III) security and vulnerability assessments.”;

(2) by redesignating subparagraph (C) as subparagraph (D);

(3) by inserting after subparagraph (B) the following:

“(C) REPORTING.—One year after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, and annually thereafter, the Secretary shall report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on the number of instances in which the Secretary has used the authority under this subsection to withhold information from disclosure, as well as the nature of any request under section 552 of title 5, United States Code that was denied using such authority.”; and

(4) in subparagraph (D), as so redesignated, by striking “12” and inserting “17”.

#### SEC. 702. LOCATION OF MATERIALS IN THE STOCKPILE.

Subsection (d) of section 319F–2 (42 U.S.C. 247d–6b) is amended to read as follows:

“(d) DISCLOSURES.—No Federal agency may disclose under section 552 of title 5, United States Code any information identifying the location at which materials in the stockpile described in subsection (a) are stored, or other information regarding the contents or deployment capability of the stockpile that could compromise national security.”.

#### SEC. 703. CYBERSECURITY.

(a) STRATEGY FOR PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO CYBERSECURITY THREATS.—

(1) STRATEGY.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall prepare and submit to the relevant committees of Congress a strategy for public health preparedness and response to address cybersecurity threats (as defined in section 102 of Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) that present a threat to national health security. Such strategy shall include—

(A) identifying the duties, functions, and preparedness goals for which the Secretary is responsible in order to prepare for and respond to such cybersecurity threats, including metrics by which to measure success in meeting preparedness goals;

(B) identifying gaps in public health capabilities to achieve such preparedness goals; and

(C) strategies to address identified gaps and strengthen public health emergency preparedness and response capabilities to address such cybersecurity threats.

(2) PROTECTION OF NATIONAL SECURITY.—The Secretary shall make such strategy available to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Energy and Commerce of the House of Representatives, and other congressional committees of jurisdiction, in a manner that does not compromise national security.

(b) COORDINATION OF PREPAREDNESS FOR AND RESPONSE TO ALL-HAZARDS PUBLIC HEALTH EMERGENCIES.—Subparagraph (D) of section 2811(b)(4) (42 U.S.C. 300hh–10(b)(4)) is amended to read as follows:

“(D) POLICY COORDINATION AND STRATEGIC DIRECTION.—Provide integrated policy coordination and strategic direction, before, during, and following public health emergencies, with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan described in section 504(a)(6) of the Homeland Security Act of 2002 (6 U.S.C. 314(a)(6)), or any successor plan; and such Federal responses covered by the National Cybersecurity Incident Response Plan developed under section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 149(c)), including public health emergencies or incidents related to cybersecurity threats that present a threat to national health security.”.

#### SEC. 704. STRATEGY AND REPORT.

Not later than 14 days after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Assistant Secretary for Preparedness and Response and the Assistant Secretary for the Administration on Children and Families or other appropriate office, and in collaboration with other departments, as appropriate, shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and other relevant congressional committees—

(1) a formal strategy, including interdepartmental actions and efforts to reunify children with their parents or guardians, in all cases in which such children have been separated from their parents or guardians as a result of the initiative announced on April 6, 2018, and due to prosecution under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), if the parent or guardian chooses such reunification and the child—

(A) was separated from a parent or guardian and placed into a facility funded by the Department of Health and Human Services;

(B) as of the date of the enactment of this Act, remains in the care of the Department of Health and Human Services; and

(C) can be safely reunited with such parent or guardian; and

(2) a report on challenges and deficiencies related to the oversight of, and care for, unaccompanied alien children and appropriately reuniting such children with their parents or guardians, and the actions taken to address any challenges and deficiencies related to unaccompanied alien children in the custody of the Department of Health and Human Services, including deficiencies identified and publicly reported by Congress, the Government Accountability Office, or the inspectors general of the Department of Health and Human Services or other Federal departments.

#### SEC. 705. TECHNICAL AMENDMENTS.

(a) PUBLIC HEALTH SERVICE ACT.—Title III (42 U.S.C. 241 et seq.) is amended—

(1) in paragraphs (1) and (5) of section 319F–1(a) (42 U.S.C. 247d–6a(a)), by striking “section 319F(h)” each place such term appears and inserting “section 319F(e)”;

(2) in section 319K(a) (42 U.S.C. 247d–7d(a)), by striking “section 319F(h)(4)” and inserting “section 319F(e)(4)”.

(b) PUBLIC HEALTH SECURITY GRANTS.—Section 319C–1(b)(2) (42 U.S.C. 247d–3a(b)(2)) is amended—

(1) in subparagraph (C), by striking “individuals,” and inserting “individuals,”; and

(2) in subparagraph (F), by striking “make satisfactory annual improvement and describe” and inserting “makes satisfactory annual improvement and describes”.

(c) EMERGENCY USE INSTRUCTIONS.—Subparagraph (A) of section 564A(e)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3a(e)(2)) is amended by striking “subsection (a)(1)(C)(i)” and inserting “subsection (a)(1)(C)”.

(d) PRODUCTS HELD FOR EMERGENCY USE.—Section 564B(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3b) is amended—

(1) in subparagraph (B), by inserting a comma after “505”; and

(2) in subparagraph (C), by inserting “or section 564A” before the period at the end.

(e) TRANSPARENCY.—Section 507(c)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357(c)(3)) is amended—

(1) by striking “Nothing in” and inserting the following:

“(A) IN GENERAL.—Nothing in”;

(2) by inserting “or directing” after “authorizing”;

(3) by striking “disclose any” and inserting “disclose—

“(i) any”;

(4) by striking the period and inserting “; or”;

(5) by adding at the end the following:

“(ii) in the case of a drug development tool that may be used to support the development of a qualified countermeasure, security countermeasure, or qualified pandemic or epidemic product, as defined in sections 319F–1, 319F–2, and 319F–3, respectively, of the Public Health Service Act, any information that the Secretary determines has a significant potential to affect national security.

“(B) PUBLIC ACKNOWLEDGMENT.—In the case that the Secretary, pursuant to subparagraph (A)(ii), does not make information publicly available, the Secretary shall provide on the internet website of the Food and Drug Administration an acknowledgment of the information that has not been disclosed, pursuant to subparagraph (A)(ii).”.

#### DIVISION B—OVER-THE-COUNTER MONOGRAPH SAFETY, INNOVATION, AND REFORM

##### SEC. 1000. SHORT TITLE; REFERENCES IN DIVISION.

(a) SHORT TITLE.—This division may be cited as the “Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2019”.

(b) REFERENCES.—Except as otherwise specified, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

#### TITLE I—OTC DRUG REVIEW

##### SEC. 1001. REGULATION OF CERTAIN NON-PRESCRIPTION DRUGS THAT ARE MARKETED WITHOUT AN APPROVED DRUG APPLICATION.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 505F of such Act (21 U.S.C. 355g) the following:

**“SEC. 505G. REGULATION OF CERTAIN NON-PRESCRIPTION DRUGS THAT ARE MARKETED WITHOUT AN APPROVED DRUG APPLICATION.**

“(a) NONPRESCRIPTION DRUGS MARKETED WITHOUT AN APPROVED APPLICATION.—Non-prescription drugs marketed without an approved drug application under section 505, as of the date of the enactment of this section, shall be treated in accordance with this subsection.

“(1) DRUGS SUBJECT TO A FINAL MONOGRAPH; CATEGORY I DRUGS SUBJECT TO A TENTATIVE FINAL MONOGRAPH.—A drug is deemed to be generally recognized as safe and effective under section 201(p)(1), not a new drug under section 201(p), and not subject to section 503(b)(1), if—

“(A) the drug is—

“(i) in conformity with the requirements for nonprescription use of a final monograph issued under part 330 of title 21, Code of Federal Regulations (except as provided in paragraph (2)), the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

“(ii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2); or

“(B) the drug is—

“(i) classified in category I for safety and effectiveness under a tentative final monograph that is the most recently applicable proposal or determination issued under part 330 of title 21, Code of Federal Regulations;

“(ii) in conformity with the proposed requirements for nonprescription use of such tentative final monograph, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

“(iii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

“(2) TREATMENT OF SUNSCREEN DRUGS.—With respect to sunscreen drugs subject to this section, the applicable requirements in terms of conformity with a final monograph, for purposes of paragraph (1)(A)(i), shall be the requirements specified in part 352 of title 21, Code of Federal Regulations, as published on May 21, 1999, beginning on page 27687 of volume 64 of the Federal Register, except that the applicable requirements governing effectiveness and labeling shall be those specified in section 201.327 of title 21, Code of Federal Regulations.

“(3) CATEGORY III DRUGS SUBJECT TO A TENTATIVE FINAL MONOGRAPH; CATEGORY I DRUGS SUBJECT TO PROPOSED MONOGRAPH OR ADVANCE NOTICE OF PROPOSED RULEMAKING.—A drug that is not described in paragraph (1), (2), or (4) is not required to be the subject of an application approved under section 505, and is not subject to section 503(b)(1), if—

“(A) the drug is—

“(i) classified in category III for safety or effectiveness in the preamble of a proposed rule establishing a tentative final monograph that is the most recently applicable proposal or determination for such drug issued under part 330 of title 21, Code of Federal Regulations;

“(ii) in conformity with—

“(I) the conditions of use, including indication and dosage strength, if any, described

for such category III drug in such preamble or in an applicable subsequent proposed rule;

“(II) the proposed requirements for drugs classified in such tentative final monograph in category I in the most recently proposed rule establishing requirements related to such tentative final monograph and in any final rule establishing requirements that are applicable to the drug; and

“(III) the general requirements for nonprescription drugs and conditions or requirements under subsection (b) or (k); and

“(iii) in a dosage form that, immediately prior to the date of the enactment of this section, had been used to a material extent and for a material time under section 201(p)(2); or

“(B) the drug is—

“(i) classified in category I for safety and effectiveness under a proposed monograph or advance notice of proposed rulemaking that is the most recently applicable proposal or determination for such drug issued under part 330 of title 21, Code of Federal Regulations;

“(ii) in conformity with the requirements for nonprescription use of such proposed monograph or advance notice of proposed rulemaking, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsection (b) or (k); and

“(iii) in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

“(4) CATEGORY II DRUGS DEEMED NEW DRUGS.—A drug that is classified in category II for safety or effectiveness under a tentative final monograph or that is subject to a determination to be not generally recognized as safe and effective in a proposed rule that is the most recently applicable proposal issued under part 330 of title 21, Code of Federal Regulations, shall be deemed to be a new drug under section 201(p), misbranded under section 502(ee), and subject to the requirement for an approved new drug application under section 505 beginning on the day that is 180 calendar days after the date of the enactment of this section, unless, before such day, the Secretary determines that it is in the interest of public health to extend the period during which the drug may be marketed without such an approved new drug application.

“(5) DRUGS NOT GRASE DEEMED NEW DRUGS.—A drug that the Secretary has determined not to be generally recognized as safe and effective under section 201(p)(1) under a final determination issued under part 330 of title 21, Code of Federal Regulations, shall be deemed to be a new drug under section 201(p), misbranded under section 502(ee), and subject to the requirement for an approved new drug application under section 505.

“(6) OTHER DRUGS DEEMED NEW DRUGS.—Except as provided in subsection (m), a drug is deemed to be a new drug under section 201(p) and misbranded under section 502(ee) if the drug—

“(A) is not subject to section 503(b)(1); and

“(B) is not described in paragraph (1), (2), (3), (4), or (5), or subsection (b)(1)(B).

“(b) ADMINISTRATIVE ORDERS.—

“(1) IN GENERAL.—

“(A) DETERMINATION.—The Secretary may, on the initiative of the Secretary or at the request of one or more requestors, issue an administrative order determining whether there are conditions under which a specific drug, a class of drugs, or a combination of drugs, is determined to be—

“(i) not subject to section 503(b)(1); and

“(ii) generally recognized as safe and effective under section 201(p)(1).

“(B) EFFECT.—A drug or combination of drugs shall be deemed to not require approval under section 505 if such drug or combination of drugs—

“(i) is determined by the Secretary to meet the conditions specified in clauses (i) and (ii) of subparagraph (A);

“(ii) is marketed in conformity with an administrative order under this subsection;

“(iii) meets the general requirements for nonprescription drugs; and

“(iv) meets the requirements under subsections (c) and (k).

“(C) STANDARD.—The Secretary shall find that a drug is not generally recognized as safe and effective under section 201(p)(1) if—

“(i) the evidence shows that the drug is not generally recognized as safe and effective under section 201(p)(1); or

“(ii) the evidence is inadequate to show that the drug is generally recognized as safe and effective under section 201(p)(1).

“(2) ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

“(A) IN GENERAL.—In issuing an administrative order under paragraph (1) upon the Secretary's initiative, the Secretary shall—

“(i) make reasonable efforts to notify informally, not later than 2 business days before the issuance of the proposed order, the sponsors of drugs who have a listing in effect under section 510(j) for the drugs or combination of drugs that will be subject to the administrative order;

“(ii) after any such reasonable efforts of notification—

“(I) issue a proposed administrative order by publishing it on the website of the Food and Drug Administration and include in such order the reasons for the issuance of such order; and

“(II) publish a notice of availability of such proposed order in the Federal Register;

“(iii) except as provided in subparagraph (B), provide for a public comment period with respect to such proposed order of not less than 45 calendar days; and

“(iv) if, after completion of the proceedings specified in clauses (i) through (iii), the Secretary determines that it is appropriate to issue a final administrative order—

“(I) issue the final administrative order, together with a detailed statement of reasons, which order shall not take effect until the time for requesting judicial review under paragraph (3)(D)(ii) has expired;

“(II) publish a notice of such final administrative order in the Federal Register;

“(III) afford requestors of drugs that will be subject to such order the opportunity for formal dispute resolution up to the level of the Director of the Center for Drug Evaluation and Research, which initially must be requested within 45 calendar days of the issuance of the order, and, for subsequent levels of appeal, within 30 calendar days of the prior decision; and

“(IV) except with respect to drugs described in paragraph (3)(B), upon completion of the formal dispute resolution procedure, inform the persons which sought such dispute resolution of their right to request a hearing.

“(B) EXCEPTIONS.—When issuing an administrative order under paragraph (1) on the Secretary's initiative proposing to determine that a drug described in subsection (a)(3) is not generally recognized as safe and effective under section 201(p)(1), the Secretary shall follow the procedures in subparagraph (A), except that—

“(i) the proposed order shall include notice of—

“(I) the general categories of data the Secretary has determined necessary to establish that the drug is generally recognized as safe and effective under section 201(p)(1); and

“(II) the format for submissions by interested persons;

“(ii) the Secretary shall provide for a public comment period of no less than 180 calendar days with respect to such proposed order, except when the Secretary determines, for good cause, that a shorter period is in the interest of public health; and

“(iii) any person who submits data in such comment period shall include a certification that the person has submitted all evidence created, obtained, or received by that person that is both within the categories of data identified in the proposed order and relevant to a determination as to whether the drug is generally recognized as safe and effective under section 201(p)(1).

“(3) HEARINGS; JUDICIAL REVIEW.—

“(A) IN GENERAL.—Only a person who participated in each stage of formal dispute resolution under subclause (III) of paragraph (2)(A)(iv) of an administrative order with respect to a drug may request a hearing concerning a final administrative order issued under such paragraph with respect to such drug. If a hearing is sought, such person must submit a request for a hearing, which shall be based solely on information in the administrative record, to the Secretary not later than 30 calendar days after receiving notice of the final decision of the formal dispute resolution procedure.

“(B) NO HEARING REQUIRED WITH RESPECT TO ORDERS RELATING TO CERTAIN DRUGS.—

“(i) IN GENERAL.—The Secretary shall not be required to provide notice and an opportunity for a hearing pursuant to paragraph (2)(A)(iv) if the final administrative order involved relates to a drug—

“(I) that is described in subsection (a)(3)(A); and

“(II) with respect to which no human or non-human data studies relevant to the safety or effectiveness of such drug have been submitted to the administrative record since the issuance of the most recent tentative final monograph relating to such drug.

“(ii) HUMAN DATA STUDIES AND NON-HUMAN DATA DEFINED.—In this subparagraph:

“(I) The term ‘human data studies’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies.

“(II) The term ‘non-human data’ means data from testing other than with human subjects which provides information concerning safety or effectiveness.

“(C) HEARING PROCEDURES.—

“(i) DENIAL OF REQUEST FOR HEARING.—If the Secretary determines that information submitted in a request for a hearing under subparagraph (A) with respect to a final administrative order issued under paragraph (2)(A)(iv) does not identify the existence of a genuine and substantial question of material fact, the Secretary may deny such request. In making such a determination, the Secretary may consider only information and data that are based on relevant and reliable scientific principles and methodologies.

“(ii) SINGLE HEARING FOR MULTIPLE RELATED REQUESTS.—If more than one request for a hearing is submitted with respect to the same administrative order under subparagraph (A), the Secretary may direct that a single hearing be conducted in which all persons whose hearing requests were granted may participate.

“(iii) PRESIDING OFFICER.—The presiding officer of a hearing requested under subparagraph (A) shall—

“(I) be designated by the Secretary;

“(II) not be an employee of the Center for Drug Evaluation and Research; and

“(III) not have been previously involved in the development of the administrative order involved or proceedings relating to that administrative order.

“(iv) RIGHTS OF PARTIES TO HEARING.—The parties to a hearing requested under subparagraph (A) shall have the right to present testimony, including testimony of expert witnesses, and to cross-examine witnesses presented by other parties. Where appropriate, the presiding officer may require that cross-examination by parties representing substantially the same interests be consolidated to promote efficiency and avoid duplication.

“(v) FINAL DECISION.—

“(I) At the conclusion of a hearing requested under subparagraph (A), the presiding officer of the hearing shall issue a decision containing findings of fact and conclusions of law. The decision of the presiding officer shall be final.

“(II) The final decision may not take effect until the period under subparagraph (D)(ii) for submitting a request for judicial review of such decision expires.

“(D) JUDICIAL REVIEW OF FINAL ADMINISTRATIVE ORDER.—

“(i) IN GENERAL.—The procedures described in section 505(h) shall apply with respect to judicial review of final administrative orders issued under this subsection in the same manner and to the same extent as such section applies to an order described in such section except that the judicial review shall be taken by filing in an appropriate district court of the United States in lieu of the appellate courts specified in such section.

“(ii) PERIOD TO SUBMIT A REQUEST FOR JUDICIAL REVIEW.—A person eligible to request a hearing under this paragraph and seeking judicial review of a final administrative order issued under this subsection shall file such request for judicial review not later than 60 calendar days after the latest of—

“(I) the date on which notice of such order is published;

“(II) the date on which a hearing with respect to such order is denied under subparagraph (B) or (C)(i);

“(III) the date on which a final decision is made following a hearing under subparagraph (C)(v); or

“(IV) if no hearing is requested, the date on which the time for requesting a hearing expires.

“(4) EXPEDITED PROCEDURE WITH RESPECT TO ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

“(A) IMMINENT HAZARD TO THE PUBLIC HEALTH.—

“(i) IN GENERAL.—In the case of a determination by the Secretary that a drug, class of drugs, or combination of drugs subject to this section poses an imminent hazard to the public health, the Secretary, after first making reasonable efforts to notify, not later than 48 hours before issuance of such order under this subparagraph, sponsors who have a listing in effect under section 510(j) for such drug or combination of drugs—

“(I) may issue an interim final administrative order for such drug, class of drugs, or combination of drugs under paragraph (1), together with a detailed statement of the reasons for such order;

“(II) shall publish in the Federal Register a notice of availability of any such order; and

“(III) shall provide for a public comment period of at least 45 calendar days with respect to such interim final order.

“(ii) NONDELEGATION.—The Secretary may not delegate the authority to issue an interim final administrative order under this subparagraph.

“(B) SAFETY LABELING CHANGES.—

“(i) IN GENERAL.—In the case of a determination by the Secretary that a change in the labeling of a drug, class of drugs, or combination of drugs subject to this section is reasonably expected to mitigate a signifi-

cant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary may—

“(I) make reasonable efforts to notify informally, not later than 48 hours before the issuance of the interim final order, the sponsors of drugs who have a listing in effect under section 510(j) for such drug or combination of drugs;

“(II) after reasonable efforts of notification, issue an interim final administrative order in accordance with paragraph (1) to require such change, together with a detailed statement of the reasons for such order;

“(III) publish in the Federal Register a notice of availability of such order; and

“(IV) provide for a public comment period of at least 45 calendar days with respect to such interim final order.

“(ii) CONTENT OF ORDER.—An interim final order issued under this subparagraph with respect to the labeling of a drug may provide for new warnings and other information required for safe use of the drug.

“(C) EFFECTIVE DATE.—An order under subparagraph (A) or (B) shall take effect on a date specified by the Secretary.

“(D) FINAL ORDER.—After the completion of the proceedings in subparagraph (A) or (B), the Secretary shall—

“(i) issue a final order in accordance with paragraph (1);

“(ii) publish a notice of availability of such final administrative order in the Federal Register; and

“(iii) afford sponsors of such drugs that will be subject to such an order the opportunity for formal dispute resolution up to the level of the Director of the Center for Drug Evaluation and Research, which must initially be within 45 calendar days of the issuance of the order, and for subsequent levels of appeal, within 30 calendar days of the prior decision.

“(E) HEARINGS.—A sponsor of a drug subject to a final order issued under subparagraph (D) and that participated in each stage of formal dispute resolution under clause (iii) of such subparagraph may request a hearing on such order. The provisions of subparagraphs (A), (B), and (C) of paragraph (3), other than paragraph (3)(C)(v)(II), shall apply with respect to a hearing on such order in the same manner and to the same extent as such provisions apply with respect to a hearing on an administrative order issued under paragraph (2)(A)(iv).

“(F) TIMING.—

“(i) FINAL ORDER AND HEARING.—The Secretary shall—

“(I) not later than 6 months after the date on which the comment period closes under subparagraph (A) or (B), issue a final order in accordance with paragraph (1); and

“(II) not later than 12 months after the date on which such final order is issued, complete any hearing under subparagraph (E).

“(ii) DISPUTE RESOLUTION REQUEST.—The Secretary shall specify in an interim final order issued under subparagraph (A) or (B) such shorter periods for requesting dispute resolution under subparagraph (D)(iii) as are necessary to meet the requirements of this subparagraph.

“(G) JUDICIAL REVIEW.—A final order issued pursuant to subparagraph (F) shall be subject to judicial review in accordance with paragraph (3)(D).

“(5) ADMINISTRATIVE ORDER INITIATED AT THE REQUEST OF A REQUESTOR.—

“(A) IN GENERAL.—In issuing an administrative order under paragraph (1) at the request of a requestor with respect to certain drugs, classes of drugs, or combinations of drugs—

“(i) the Secretary shall, after receiving a request under this subparagraph, determine

whether the request is sufficiently complete and formatted to permit a substantive review;

“(ii) if the Secretary determines that the request is sufficiently complete and formatted to permit a substantive review, the Secretary shall—

“(I) file the request; and

“(II) initiate proceedings with respect to issuing an administrative order in accordance with paragraphs (2) and (3); and

“(iii) except as provided in paragraph (6), if the Secretary determines that a request does not meet the requirements for filing or is not sufficiently complete and formatted to permit a substantive review, the requestor may demand that the request be filed over protest, and the Secretary shall initiate proceedings to review the request in accordance with paragraph (2)(A).

“(B) REQUEST TO INITIATE PROCEEDINGS.—

“(i) IN GENERAL.—A requestor seeking an administrative order under paragraph (1) with respect to certain drugs, classes of drugs, or combinations of drugs, shall submit to the Secretary a request to initiate proceedings for such order in the form and manner as specified by the Secretary. Such requestor may submit a request under this subparagraph for the issuance of an administrative order—

“(I) determining whether a drug is generally recognized as safe and effective under section 201(p)(1), exempt from section 503(b)(1), and not required to be the subject of an approved application under section 505; or

“(II) determining whether a change to a condition of use of a drug is generally recognized as safe and effective under section 201(p)(1), exempt from section 503(b)(1), and not required to be the subject of an approved application under section 505, if, absent such a changed condition of use, such drug is—

“(aa) generally recognized as safe and effective under section 201(p)(1) in accordance with subsection (a)(1), (a)(2), or an order under this subsection; or

“(bb) subject to subsection (a)(3), but only if such requestor initiates such request in conjunction with a request for the Secretary to determine whether such drug is generally recognized as safe and effective under section 201(p)(1), which is filed by the Secretary under subparagraph (A)(ii).

“(ii) EXCEPTION.—The Secretary is not required to complete review of a request for a change described in clause (i)(II) if the Secretary determines that there is an inadequate basis to find the drug is generally recognized as safe and effective under section 201(p)(1) under paragraph (1) and issues a final order announcing that determination.

“(iii) WITHDRAWAL.—The requestor may withdraw a request under this paragraph, according to the procedures set forth pursuant to subsection (d)(2)(B). Notwithstanding any other provision of this section, if such request is withdrawn, the Secretary may cease proceedings under this subparagraph.

“(C) EXCLUSIVITY.—

“(i) IN GENERAL.—A final administrative order issued in response to a request under this section shall have the effect of authorizing solely the order requestor (or the licensee, assignees, or successors in interest of such requestor with respect to the subject of such order), for a period of 18 months following the effective date of such final order and beginning on the date the requestor may lawfully market such drugs pursuant to the order, to market drugs—

“(I) incorporating changes described in clause (ii); and

“(II) subject to the limitations under clause (iv).

“(ii) CHANGES DESCRIBED.—A change described in this clause is a change subject to an order specified in clause (i), which—

“(I) provides for a drug to contain an active ingredient (including any ester or salt of the active ingredient) not previously incorporated in a drug described in clause (iii); or

“(II) provides for a change in the conditions of use of a drug, for which new human data studies conducted or sponsored by the requestor (or for which the requestor has an exclusive right of reference) were essential to the issuance of such order.

“(iii) DRUGS DESCRIBED.—The drugs described in this clause are drugs—

“(I) specified in subsection (a)(1), (a)(2), or (a)(3);

“(II) subject to a final order issued under this section;

“(III) subject to a final sunscreen order (as defined in section 586(2)(A)); or

“(IV) described in subsection (m)(1), other than drugs subject to an active enforcement action under chapter III of this Act.

“(iv) LIMITATIONS ON EXCLUSIVITY.—

“(I) IN GENERAL.—Only one 18-month period under this subparagraph shall be granted, under each order described in clause (i), with respect to changes (to the drug subject to such order) which are either—

“(aa) changes described in clause (ii)(I), relating to active ingredients; or

“(bb) changes described in clause (ii)(II), relating to conditions of use.

“(II) NO EXCLUSIVITY ALLOWED.—No exclusivity shall apply to changes to a drug which are—

“(aa) the subject of a Tier 2 OTC monograph order request (as defined in section 744L);

“(bb) safety-related changes, as defined by the Secretary, or any other changes the Secretary considers necessary to assure safe use; or

“(cc) changes related to methods of testing safety or efficacy.

“(v) NEW HUMAN DATA STUDIES DEFINED.—In this subparagraph, the term ‘new human data studies’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies, the results of which—

“(I) have not been relied on by the Secretary to support—

“(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (iii) is generally recognized as safe and effective under section 201(p)(1); or

“(bb) approval of a drug that was approved under section 505; and

“(II) do not duplicate the results of another study that was relied on by the Secretary to support—

“(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (iii) is generally recognized as safe and effective under section 201(p)(1); or

“(bb) approval of a drug that was approved under section 505.

“(6) INFORMATION REGARDING SAFE NON-PRESCRIPTION MARKETING AND USE AS CONDITION FOR FILING A GENERALLY RECOGNIZED AS SAFE AND EFFECTIVE REQUEST.—

“(A) IN GENERAL.—In response to a request under this section that a drug described in subparagraph (B) be generally recognized as safe and effective, the Secretary—

“(i) may file such request, if the request includes information specified under subparagraph (C) with respect to safe non-prescription marketing and use of such drug; or

“(ii) if the request fails to include information specified under subparagraph (C), shall refuse to file such request and require that nonprescription marketing of the drug be pursuant to a new drug application as described in subparagraph (D).

“(B) DRUG DESCRIBED.—A drug described in this subparagraph is a nonprescription drug which contains an active ingredient not previously incorporated in a drug—

“(i) specified in subsection (a)(1), (a)(2), or (a)(3);

“(ii) subject to a final order under this section; or

“(iii) subject to a final sunscreen order (as defined in section 586(2)(A)).

“(C) INFORMATION DEMONSTRATING PRIMA FACIE SAFE NONPRESCRIPTION MARKETING AND USE.—Information specified in this subparagraph, with respect to a request described in subparagraph (A)(i), is—

“(i) information sufficient for a prima facie demonstration that the drug subject to such request has a verifiable history of being marketed and safely used by consumers in the United States as a nonprescription drug under comparable conditions of use;

“(ii) if the drug has not been previously marketed in the United States as a nonprescription drug, information sufficient for a prima facie demonstration that the drug was marketed and safely used under comparable conditions of marketing and use in a country listed in section 802(b)(1)(A) or designated by the Secretary in accordance with section 802(b)(1)(B)—

“(I) for such period as needed to provide reasonable assurances concerning the safe nonprescription use of the drug; and

“(II) during such time was subject to sufficient monitoring by a regulatory body considered acceptable by the Secretary for such monitoring purposes, including for adverse events associated with nonprescription use of the drug; or

“(iii) if the Secretary determines that information described in clause (i) or (ii) is not needed to provide a prima facie demonstration that the drug can be safely marketed and used as a nonprescription drug, such other information the Secretary determines is sufficient for such purposes.

“(D) MARKETING PURSUANT TO NEW DRUG APPLICATION.—In the case of a request described in subparagraph (A)(ii), the drug subject to such request may be resubmitted for filing only if—

“(i) the drug is marketed as a nonprescription drug, under conditions of use comparable to the conditions specified in the request, for such period as the Secretary determines appropriate (not to exceed 5 consecutive years) pursuant to an application approved under section 505; and

“(ii) during such period, 1,000,000 retail packages of the drug, or an equivalent quantity as determined by the Secretary, were distributed for retail sale, as determined in such manner as the Secretary finds appropriate.

“(E) RULE OF APPLICATION.—Except in the case of a request involving a drug described in section 586(9), as in effect on January 1, 2017, if the Secretary refuses to file a request under this paragraph, the requestor may not file such request over protest under paragraph (5)(A)(iii).

“(7) PACKAGING.—An administrative order issued under paragraph (2), (4)(A), or (5) may include requirements for the packaging of a drug to encourage use in accordance with labeling. Such requirements may include unit dose packaging, requirements for products intended for use by pediatric populations, requirements to reduce risk of harm from unsupervised ingestion, and other appropriate requirements. This paragraph does not authorize the Food and Drug Administration to require standards or testing procedures as described in part 1700 of title 16, Code of Federal Regulations.

“(8) FINAL AND TENTATIVE FINAL MONOGRAPHS FOR CATEGORY I DRUGS DEEMED FINAL ADMINISTRATIVE ORDERS.—



“(A) IN GENERAL.—A final monograph or tentative final monograph described in subparagraph (B) shall be deemed to be a final administrative order under this subsection and may be amended, revoked, or otherwise modified in accordance with the procedures of this subsection.

“(B) MONOGRAPHS DESCRIBED.—For purposes of subparagraph (A), a final monograph or tentative final monograph is described in this subparagraph if it—

“(i) establishes conditions of use for a drug described in paragraph (1) or (2) of subsection (a); and

“(ii) represents the most recently promulgated version of such conditions, including as modified, in whole or in part, by any proposed or final rule.

“(C) DEEMED ORDERS INCLUDE HARMONIZING TECHNICAL AMENDMENTS.—The deemed establishment of a final administrative order under subparagraph (A) shall be construed to include any technical amendments to such order as the Secretary determines necessary to ensure that such order is appropriately harmonized, in terms of terminology or cross-references, with the applicable provisions of this Act (and regulations thereunder) and any other orders issued under this section.

“(c) PROCEDURE FOR MINOR CHANGES.—

“(1) IN GENERAL.—Minor changes in the dosage form of a drug that is described in paragraph (1) or (2) of subsection (a) or the subject of an order issued under subsection (b) may be made by a requestor without the issuance of an order under subsection (b) if—

“(A) the requestor maintains such information as is necessary to demonstrate that the change—

“(i) will not affect the safety or effectiveness of the drug; and

“(ii) will not materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product; and

“(B) the change is in conformity with the requirements of an applicable administrative order issued by the Secretary under paragraph (3).

“(2) ADDITIONAL INFORMATION.—

“(A) ACCESS TO RECORDS.—A sponsor shall submit records requested by the Secretary relating to such a minor change under section 704(a)(4), within 15 business days of receiving such a request, or such longer period as the Secretary may provide.

“(B) INSUFFICIENT INFORMATION.—If the Secretary determines that the information contained in such records is not sufficient to demonstrate that the change does not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient, the Secretary—

“(i) may so inform the sponsor of the drug in writing; and

“(ii) if the Secretary so informs the sponsor, shall provide the sponsor of the drug with a reasonable opportunity to provide additional information.

“(C) FAILURE TO SUBMIT SUFFICIENT INFORMATION.—If the sponsor fails to provide such additional information within a time prescribed by the Secretary, or if the Secretary determines that such additional information does not demonstrate that the change does not—

“(i) affect the safety or effectiveness of the drug; or

“(ii) materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product,

the drug as modified is a new drug under section 201(p) and shall be deemed to be misbranded under section 502(ee).

“(3) DETERMINING WHETHER A CHANGE WILL AFFECT SAFETY OR EFFECTIVENESS.—

“(A) IN GENERAL.—The Secretary shall issue one or more administrative orders specifying requirements for determining whether a minor change made by a sponsor pursuant to this subsection will affect the safety or effectiveness of a drug or materially affect the extent of absorption or other exposure to an active ingredient in the drug in comparison to a suitable reference product, together with guidance for applying those orders to specific dosage forms.

“(B) STANDARD PRACTICES.—The orders and guidance issued by the Secretary under subparagraph (A) shall take into account relevant public standards and standard practices for evaluating the quality of drugs, and may take into account the special needs of populations, including children.

“(d) CONFIDENTIALITY OF INFORMATION SUBMITTED TO THE SECRETARY.—

“(1) IN GENERAL.—Subject to paragraph (2), any information, including reports of testing conducted on the drug or drugs involved, that is submitted by a requestor in connection with proceedings on an order under this section (including any minor change under subsection (c)) and is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code, shall not be disclosed to the public unless the requestor consents to that disclosure.

“(2) PUBLIC AVAILABILITY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall—

“(i) make any information submitted by a requestor in support of a request under subsection (b)(5)(A) available to the public not later than the date on which the proposed order is issued; and

“(ii) make any information submitted by any other person with respect to an order requested (or initiated by the Secretary) under subsection (b), available to the public upon such submission.

“(B) LIMITATIONS ON PUBLIC AVAILABILITY.—Information described in subparagraph (A) shall not be made public if—

“(i) the information pertains to pharmaceutical quality information, unless such information is necessary to establish standards under which a drug is generally recognized as safe and effective under section 201(p)(1);

“(ii) the information is submitted in a requestor-initiated request, but the requestor withdraws such request, in accordance with withdrawal procedures established by the Secretary, before the Secretary issues the proposed order;

“(iii) the Secretary requests and obtains the information under subsection (c) and such information is not submitted in relation to an order under subsection (b); or

“(iv) the information is of the type contained in raw datasets.

“(e) UPDATES TO DRUG LISTING INFORMATION.—A sponsor who makes a change to a drug subject to this section shall submit updated drug listing information for the drug in accordance with section 510(j) within 30 calendar days of the date when the drug is first commercially marketed, except that a sponsor who was the order requestor with respect to an order subject to subsection (b)(5)(C) (or a licensee, assignee, or successor in interest of such requestor) shall submit updated drug listing information on or before the date when the drug is first commercially marketed.

“(f) APPROVALS UNDER SECTION 505.—The provisions of this section shall not be construed to preclude a person from seeking or maintaining the approval of an application for a drug under sections 505(b)(1), 505(b)(2), and 505(j). A determination under this section that a drug is not subject to section

503(b)(1), is generally recognized as safe and effective under section 201(p)(1), and is not a new drug under section 201(p) shall constitute a finding that the drug is safe and effective that may be relied upon for purposes of an application under section 505(b)(2), so that the applicant shall be required to submit for purposes of such application only information needed to support any modification of the drug that is not covered by such determination under this section.

“(g) PUBLIC AVAILABILITY OF ADMINISTRATIVE ORDERS.—The Secretary shall establish, maintain, update (as determined necessary by the Secretary but no less frequently than annually), and make publicly available, with respect to orders issued under this section—

“(1) a repository of each final order and interim final order in effect, including the complete text of the order; and

“(2) a listing of all orders proposed and under development under subsection (b)(2), including—

“(A) a brief description of each such order; and

“(B) the Secretary's expectations, if resources permit, for issuance of proposed orders over a 3-year period.

“(h) DEVELOPMENT ADVICE TO SPONSORS OR REQUESTORS.—The Secretary shall establish procedures under which sponsors or requestors may meet with appropriate officials of the Food and Drug Administration to obtain advice on the studies and other information necessary to support submissions under this section and other matters relevant to the regulation of nonprescription drugs and the development of new nonprescription drugs under this section.

“(i) PARTICIPATION OF MULTIPLE SPONSORS OR REQUESTORS.—The Secretary shall establish procedures to facilitate efficient participation by multiple sponsors or requestors in proceedings under this section, including provision for joint meetings with multiple sponsors or requestors or with organizations nominated by sponsors or requestors to represent their interests in a proceeding.

“(j) ELECTRONIC FORMAT.—All submissions under this section shall be in electronic format.

“(k) EFFECT ON EXISTING REGULATIONS GOVERNING NONPRESCRIPTION DRUGS.—

“(1) REGULATIONS OF GENERAL APPLICABILITY TO NONPRESCRIPTION DRUGS.—Except as provided in this subsection, nothing in this section supersedes regulations establishing general requirements for nonprescription drugs, including regulations of general applicability contained in parts 201, 250, and 330 of title 21, Code of Federal Regulations, or any successor regulations. The Secretary shall establish or modify such regulations by means of rulemaking in accordance with section 553 of title 5, United States Code.

“(2) REGULATIONS ESTABLISHING REQUIREMENTS FOR SPECIFIC NONPRESCRIPTION DRUGS.—

“(A) The provisions of section 310.545 of title 21, Code of Federal Regulations, as in effect on the day before the date of the enactment of this section, shall be deemed to be a final order under subsection (b).

“(B) Regulations in effect on the day before the date of the enactment of this section, establishing requirements for specific nonprescription drugs marketed pursuant to this section (including such requirements in parts 201 and 250 of title 21, Code of Federal Regulations), shall be deemed to be final orders under subsection (b), only as they apply to drugs—

“(i) subject to paragraph (1), (2), (3), or (4) of subsection (a); or

“(ii) otherwise subject to an order under this section.

“(3) **WITHDRAWAL OF REGULATIONS.**—The Secretary shall withdraw regulations establishing final monographs and the procedures governing the over-the-counter drug review under part 330 and other relevant parts of title 21, Code of Federal Regulations (as in effect on the day before the date of the enactment of this section), or make technical changes to such regulations to ensure conformity with appropriate terminology and cross references. Notwithstanding subchapter II of chapter 5 of title 5, United States Code, any such withdrawal or technical changes shall be made without public notice and comment and shall be effective upon publication through notice in the Federal Register (or upon such date as specified in such notice).

“(1) **GUIDANCE.**—The Secretary shall issue guidance that specifies—

“(1) the procedures and principles for formal meetings between the Secretary and sponsors or requestors for drugs subject to this section;

“(2) the format and content of data submissions to the Secretary under this section;

“(3) the format of electronic submissions to the Secretary under this section;

“(4) consolidated proceedings for appeal and the procedures for such proceedings where appropriate; and

“(5) for minor changes in drugs, recommendations on how to comply with the requirements in orders issued under subsection (c)(3).

“(m) **RULE OF CONSTRUCTION.**—

“(1) **IN GENERAL.**—This section shall not affect the treatment or status of a nonprescription drug—

“(A) that is marketed without an application approved under section 505 as of the date of the enactment of this section;

“(B) that is not subject to an order issued under this section; and

“(C) to which paragraphs (1), (2), (3), (4), or (5) of subsection (a) do not apply.

“(2) **TREATMENT OF PRODUCTS PREVIOUSLY FOUND TO BE SUBJECT TO TIME AND EXTENT REQUIREMENTS.**—

“(A) Notwithstanding subsection (a), a drug described in subparagraph (B) may only be lawfully marketed, without an application approved under section 505, pursuant to an order issued under this section.

“(B) A drug described in this subparagraph is a drug which, prior to the date of the enactment of this section, the Secretary determined in a proposed or final rule to be ineligible for review under the OTC drug review (as such phrase ‘OTC drug review’ was used in section 330.14 of title 21, Code of Federal Regulations, as in effect on the day before the date of the enactment of this section).

“(3) **PRESERVATION OF AUTHORITY.**—

“(A) Nothing in paragraph (1) shall be construed to preclude or limit the applicability of any provision of this Act other than this section.

“(B) Nothing in subsection (a) shall be construed to prohibit the Secretary from issuing an order under this section finding a drug to be not generally recognized as safe and effective under section 201(p)(1), as the Secretary determines appropriate.

“(n) **INVESTIGATIONAL NEW DRUGS.**—A drug is not subject to this section if an exemption for investigational use under section 505(i) is in effect for such drug.

“(o) **INAPPLICABILITY OF PAPERWORK REDUCTION ACT.**—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

“(p) **INAPPLICABILITY OF NOTICE AND COMMENT RULEMAKING AND OTHER REQUIREMENTS.**—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the require-

ments of subchapter II of chapter 5 of title 5, United States Code.

“(q) **DEFINITIONS.**—In this section:

“(1) The term ‘nonprescription drug’ refers to a drug not subject to the requirements of section 503(b)(1).

“(2) The term ‘sponsor’ refers to any person marketing, manufacturing, or processing a drug that—

“(A) is listed pursuant to section 510(j); and

“(B) is or will be subject to an administrative order under this section of the Food and Drug Administration.

“(3) The term ‘requestor’ refers to any person or group of persons marketing, manufacturing, processing, or developing a drug.”

(b) **GAO STUDY.**—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a study to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate addressing the effectiveness and overall impact of exclusivity under section 505G of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a), and section 586C of such Act (21 U.S.C. 360fff–3), including the impact of such exclusivity on consumer access. Such study shall include—

(1) an analysis of the impact of exclusivity under such section 505G for nonprescription drug products, including—

(A) the number of nonprescription drug products that were granted exclusivity and the indication for which the nonprescription drug products were determined to be generally recognized as safe and effective;

(B) whether the exclusivity for such drug products was granted for—

(i) a new active ingredient (including any ester or salt of the active ingredient); or

(ii) changes in the conditions of use of a drug, for which new human data studies conducted or sponsored by the requestor were essential;

(C) whether, and to what extent, the exclusivity impacted the requestor’s or sponsor’s decision to develop the drug product;

(D) an analysis of the implementation of the exclusivity provision in such section 505G, including—

(i) the resources used by the Food and Drug Administration;

(ii) the impact of such provision on innovation, as well as research and development in the nonprescription drug market;

(iii) the impact of such provision on competition in the nonprescription drug market;

(iv) the impact of such provision on consumer access to nonprescription drug products;

(v) the impact of such provision on the prices of nonprescription drug products; and

(vi) whether the administrative orders initiated by requestors under such section 505G have been sufficient to encourage the development of nonprescription drug products that would likely not be otherwise developed, or developed in as timely a manner; and

(E) whether the administrative orders initiated by requestors under such section 505G have been sufficient incentive to encourage innovation in the nonprescription drug market; and

(2) an analysis of the impact of exclusivity under such section 586C for sunscreen ingredients, including—

(A) the number of sunscreen ingredients that were granted exclusivity and the specific ingredient that was determined to be generally recognized as safe and effective;

(B) whether, and to what extent, the exclusivity impacted the requestor’s or sponsor’s decision to develop the sunscreen ingredient;

(C) whether, and to what extent, the sunscreen ingredient granted exclusivity had previously been available outside of the United States;

(D) an analysis of the implementation of the exclusivity provision in such section 586C, including—

(i) the resources used by the Food and Drug Administration;

(ii) the impact of such provision on innovation, as well as research and development in the sunscreen market;

(iii) the impact of such provision on competition in the sunscreen market;

(iv) the impact of such provision on consumer access to sunscreen products;

(v) the impact of such provision on the prices of sunscreen products; and

(vi) whether the administrative orders initiated by requestors under such section 505G have been utilized by sunscreen ingredient sponsors and whether such process has been sufficient to encourage the development of sunscreen ingredients that would likely not be otherwise developed, or developed in as timely a manner; and

(E) whether the administrative orders initiated by requestors under such section 586C have been sufficient incentive to encourage innovation in the sunscreen market.

(c) **CONFORMING AMENDMENT.**—Section 751(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379(d)(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking “final regulation promulgated” and inserting “final order under section 505G”; and

(B) by striking “and not misbranded”; and

(2) in subparagraph (A), by striking “regulation in effect” and inserting “regulation or order in effect”.

#### **SEC. 1002. MISBRANDING.**

Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following:

“(ee) If it is a nonprescription drug that is subject to section 505G, is not the subject of an application approved under section 505, and does not comply with the requirements under section 505G.

“(ff) If it is a drug and it was manufactured, prepared, propagated, compounded, or processed in a facility for which fees have not been paid as required by section 744M.”.

#### **SEC. 1003. DRUGS EXCLUDED FROM THE OVER-THE-COUNTER DRUG REVIEW.**

(a) **IN GENERAL.**—Nothing in this Act (or the amendments made by this Act) shall apply to any nonprescription drug (as defined in section 505G(q) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act) which was excluded by the Food and Drug Administration from the Over-the-Counter Drug Review in accordance with the paragraph numbered 25 on page 9466 of volume 37 of the Federal Register, published on May 11, 1972.

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preclude or limit the applicability of any other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

#### **SEC. 1004. TREATMENT OF SUNSCREEN INNOVATION ACT.**

(a) **REVIEW OF NONPRESCRIPTION SUNSCREEN ACTIVE INGREDIENTS.**—

(1) **APPLICABILITY OF SECTION 505G FOR PENDING SUBMISSIONS.**—

(A) **IN GENERAL.**—A sponsor of a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients that, as of the date of enactment of this Act, is subject to a proposed sunscreen order under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3) may elect, by means of giving

written notification to the Secretary of Health and Human Services within 180 calendar days of the enactment of this Act, to transition into the review of such ingredient or combination of ingredients pursuant to the process set out in section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(B) ELECTION EXERCISED.—Upon receipt by the Secretary of Health and Human Services of a timely notification under subparagraph (A)—

(i) the proposed sunscreen order involved is deemed to be a request for an order under subsection (b) of section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act; and

(ii) such order is deemed to have been accepted for filing under subsection (b)(6)(A)(i) of such section 505G.

(C) ELECTION NOT EXERCISED.—If a notification under subparagraph (A) is not received by the Secretary of Health and Human Services within 180 calendar days of the date of enactment of this Act, the review of the proposed sunscreen order described in subparagraph (A)—

(i) shall continue under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3); and

(ii) shall not be eligible for review under section 505G, added by section 1001 of this Act.

(2) DEFINITIONS.—In this subsection, the terms “sponsor”, “nonprescription”, “sunscreen active ingredient”, and “proposed sunscreen order” have the meanings given to those terms in section 586 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff).

(b) AMENDMENTS TO SUNSCREEN PROVISIONS.—

(1) FINAL SUNSCREEN ORDERS.—Paragraph (3) of section 586C(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3(e)) is amended to read as follows:

“(3) RELATIONSHIP TO ORDERS UNDER SECTION 505G.—A final sunscreen order shall be deemed to be a final order under section 505G.”.

(2) MEETINGS.—Paragraph (7) of section 586C(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3(b)) is amended—

(A) by striking “A sponsor may request” and inserting the following:

“(A) IN GENERAL.—A sponsor may request”; and

(B) by adding at the end the following:

“(B) CONFIDENTIAL MEETINGS.—A sponsor may request one or more confidential meetings with respect to a proposed sunscreen order, including a letter deemed to be a proposed sunscreen order under paragraph (3), to discuss matters relating to data requirements to support a general recognition of safety and effectiveness involving confidential information and public information related to such proposed sunscreen order, as appropriate. The Secretary shall convene a confidential meeting with such sponsor in a reasonable time period. If a sponsor requests more than one confidential meeting for the same proposed sunscreen order, the Secretary may refuse to grant an additional confidential meeting request if the Secretary determines that such additional confidential meeting is not reasonably necessary for the sponsor to advance its proposed sunscreen order, or if the request for a confidential meeting fails to include sufficient information upon which to base a substantive discussion. The Secretary shall publish a post-meeting summary of each confidential meeting under this subparagraph that does not disclose confidential commercial information or trade secrets. This subparagraph does not authorize the disclosure of confidential commercial information or trade secrets

subject to 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.”.

(3) EXCLUSIVITY.—Section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3) is amended by adding at the end the following:

“(f) EXCLUSIVITY.—

“(1) IN GENERAL.—A final sunscreen order shall have the effect of authorizing solely the order requestor (or the licensees, assignees, or successors in interest of such requestor with respect to the subject of such request and listed under paragraph (5)) for a period of 18 months, to market a sunscreen ingredient under this section incorporating changes described in paragraph (2) subject to the limitations under paragraph (4), beginning on the date the requestor (or any licensees, assignees, or successors in interest of such requestor with respect to the subject of such request and listed under paragraph (5)) may lawfully market such sunscreen ingredient pursuant to the order.

“(2) CHANGES DESCRIBED.—A change described in this paragraph is a change subject to an order specified in paragraph (1) that permits a sunscreen to contain an active sunscreen ingredient not previously incorporated in a marketed sunscreen listed in paragraph (3).

“(3) MARKETING SUNSCREEN.—The marketed sunscreen ingredients described in this paragraph are sunscreen ingredients—

“(A) marketed in accordance with a final monograph for sunscreen drug products set forth at part 352 of title 21, Code of Federal Regulations (as published at 64 Fed. Reg. 27687); or

“(B) marketed in accordance with a final order issued under this section.

“(4) LIMITATIONS ON EXCLUSIVITY.—Only one 18-month period may be granted per ingredient under paragraph (1).

“(5) LISTING OF LICENSEES, ASSIGNEES, OR SUCCESSORS IN INTEREST.—Requestors shall submit to the Secretary at the time when a drug subject to such request is introduced or delivered for introduction into interstate commerce, a list of licensees, assignees, or successors in interest under paragraph (1).”.

(4) SUNSET PROVISION.—Subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff et seq.) is amended by adding at the end the following:

“SEC. 586H. SUNSET.

“This subchapter shall cease to be effective at the end of fiscal year 2022.”.

(5) TREATMENT OF FINAL SUNSCREEN ORDER.—The Federal Food, Drug, and Cosmetic Act is amended by striking section 586E of such Act (21 U.S.C. 360fff-5).

(c) TREATMENT OF AUTHORITY REGARDING FINALIZATION OF SUNSCREEN MONOGRAPH.—

(1) IN GENERAL.—

(A) REVISION OF FINAL SUNSCREEN ORDER.—Not later than November 26, 2019, the Secretary of Health and Human Services (referred to in this subsection as the “Secretary”) shall amend and revise the final administrative order concerning nonprescription sunscreen (referred to in this subsection as the “sunscreen order”) for which the content, prior to the date of enactment of this Act, was represented by the final monograph for sunscreen drug products set forth in part 352 of title 21, Code of Federal Regulations (as in effect on May 21, 1999).

(B) ISSUANCE OF REVISED SUNSCREEN ORDER; EFFECTIVE DATE.—A revised sunscreen order described in subparagraph (A) shall be—

(i) issued in accordance with the procedures described in section 505G(c)(2) of the Federal Food, Drug, and Cosmetic Act;

(ii) issued in proposed form not later than May 28, 2019;

(iii) effective not later than November 26, 2020; and

(iv) issued by the Secretary at least 1 year prior to the effective date of the revised order.

(2) REPORTS.—If a revised sunscreen order issued under paragraph (1) does not include provisions related to the effectiveness of various sun protection factor levels, and does not address all dosage forms known to the Secretary to be used in sunscreens marketed in the United States without a new drug application approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), the Secretary shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the rationale for omission of such provisions from such order, and a plan and timeline to compile any information necessary to address such provisions through such order.

(d) TREATMENT OF NON-SUNSCREEN TIME AND EXTENT APPLICATIONS.—

(1) IN GENERAL.—Any application described in section 586F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-6) that was submitted to the Secretary pursuant to section 330.14 of title 21, Code of Federal Regulations, as such provisions were in effect immediately prior to the date of enactment of this Act, shall be extinguished as of such date of enactment, subject to paragraph (2).

(2) ORDER REQUEST.—Nothing in paragraph (1) precludes the submission of an order request under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act, with respect to a drug that was the subject of an application extinguished under paragraph (1).

#### SEC. 1005. ANNUAL UPDATE TO CONGRESS ON APPROPRIATE PEDIATRIC INDICATION FOR CERTAIN OTC COUGH AND COLD DRUGS.

(a) IN GENERAL.—Subject to subsection (c), the Secretary of Health and Human Services shall, beginning not later than 1 year after the date of enactment of this Act, annually 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 a letter describing the progress of the Food and Drug Administration—

(1) in evaluating the cough and cold monograph described in subsection (b) with respect to children under age 6; and

(2) as appropriate, revising such cough and cold monograph to address such children through the order process under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(b) COUGH AND COLD MONOGRAPH DESCRIBED.—The cough and cold monograph described in this subsection consists of the conditions under which nonprescription drugs containing antitussive, expectorant, nasal decongestant, or antihistamine active ingredients (or combinations thereof) are generally recognized as safe and effective, as specified in part 341 of title 21, Code of Federal Regulations (as in effect immediately prior to the date of enactment of this Act), and included in an order deemed to be established under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(c) DURATION OF AUTHORITY.—The requirement under subsection (a) shall terminate as of the date of a letter submitted by the Secretary of Health and Human Services pursuant to such subsection in which the Secretary indicates that the Food and Drug Administration has completed its evaluation and revised, in a final order, as applicable, the cough and cold monograph as described in subsection (a)(2).

**SEC. 1006. TECHNICAL CORRECTIONS.**

(a) IMPORTS AND EXPORTS.—Section 801(e)(4)(E)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)(4)(E)(iii)) is amended by striking “subparagraph” each place such term appears and inserting “paragraph”.

(b) FDA REAUTHORIZATION ACT OF 2017.—

(1) IN GENERAL.—Section 905(b)(4) of the FDA Reauthorization Act of 2017 (Public Law 115-52) is amended by striking “Section 744H(e)(2)(B)” and inserting “Section 744H(f)(2)(B)”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as of the enactment of the FDA Reauthorization Act of 2017 (Public Law 115-52).

**TITLE II—USER FEES****SEC. 2001. SHORT TITLE; FINDING.**

(a) SHORT TITLE.—This title may be cited as the “Over-the-Counter Monograph User Fee Act of 2019”.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made in this title will be dedicated to OTC monograph drug activities, as set forth in the goals identified for purposes of part 10 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

**SEC. 2002. FEES RELATING TO OVER-THE-COUNTER DRUGS.**

Subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.) is amended by inserting after part 9 the following:

**“PART 10—FEES RELATING TO OVER-THE-COUNTER DRUGS****“SEC. 744L. DEFINITIONS.**

“In this part:

“(1) The term ‘affiliate’ means a business entity that has a relationship with a second business entity if, directly or indirectly—

“(A) one business entity controls, or has the power to control, the other business entity; or

“(B) a third party controls, or has power to control, both of the business entities.

“(2) The term ‘contract manufacturing organization facility’ means an OTC monograph drug facility where neither the owner of such manufacturing facility nor any affiliate of such owner or facility sells the OTC monograph drug produced at such facility directly to wholesalers, retailers, or consumers in the United States.

“(3) The term ‘costs of resources allocated for OTC monograph drug activities’ means the expenses in connection with OTC monograph drug activities for—

“(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees, and costs related to such officers, employees, and committees and costs related to contracts with such contractors;

“(B) management of information, and the acquisition, maintenance, and repair of computer resources;

“(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

“(D) collecting fees under section 744M and accounting for resources allocated for OTC monograph drug activities.

“(4) The term ‘FDA establishment identifier’ is the unique number automatically generated by Food and Drug Administra-

tion’s Field Accomplishments and Compliance Tracking System (FACTS) (or any successor system).

“(5) The term ‘OTC monograph drug’ means a nonprescription drug without an approved new drug application which is governed by the provisions of section 505G.

“(6) The term ‘OTC monograph drug activities’ means activities of the Secretary associated with OTC monograph drugs and inspection of facilities associated with such products, including the following activities:

“(A) The activities necessary for review and evaluation of OTC monographs and OTC monograph order requests, including—

“(i) orders proposing or finalizing applicable conditions of use for OTC monograph drugs;

“(ii) orders affecting status regarding general recognition of safety and effectiveness of an OTC monograph ingredient or combination of ingredients under specified conditions of use;

“(iii) all OTC monograph drug development and review activities, including intra-agency collaboration;

“(iv) regulation and policy development activities related to OTC monograph drugs;

“(v) development of product standards for products subject to review and evaluation;

“(vi) meetings referred to in section 505G(i);

“(vii) review of labeling prior to issuance of orders related to OTC monograph drugs or conditions of use; and

“(viii) regulatory science activities related to OTC monograph drugs.

“(B) Inspections related to OTC monograph drugs.

“(C) Monitoring of clinical and other research conducted in connection with OTC monograph drugs.

“(D) Safety activities with respect to OTC monograph drugs, including—

“(i) collecting, developing, and reviewing safety information on OTC monograph drugs, including adverse event reports;

“(ii) developing and using improved adverse event data-collection systems, including information technology systems; and

“(iii) developing and using improved analytical tools to assess potential safety risks, including access to external databases.

“(E) Other activities necessary for implementation of section 505G.

“(7) The term ‘OTC monograph order request’ means a request for an order submitted under section 505G(b)(5).

“(8) The term ‘Tier 1 OTC monograph order request’ means any OTC monograph order request not determined to be a Tier 2 OTC monograph order request.

“(9)(A) The term ‘Tier 2 OTC monograph order request’ means, subject to subparagraph (B), an OTC monograph order request for—

“(i) the reordering of existing information in the drug facts label of an OTC monograph drug;

“(ii) the addition of information to the other information section of the drug facts label of an OTC monograph drug, as limited by section 201.66(c)(7) of title 21, Code of Federal Regulations (or any successor regulations);

“(iii) modification to the directions for use section of the drug facts label of an OTC monograph drug, if such changes conform to changes made pursuant to section 505G(c)(3)(A);

“(iv) the standardization of the concentration or dose of a specific finalized ingredient within a particular finalized monograph;

“(v) a change to ingredient nomenclature to align with nomenclature of a standards-setting organization; or

“(vi) addition of an interchangeable term in accordance with section 330.1 of title 21,

Code of Federal Regulations (or any successor regulations).

“(B) The Secretary may, based on program implementation experience or other factors found appropriate by the Secretary, characterize any OTC monograph order request as a Tier 2 OTC monograph order request (including recharacterizing a request from Tier 1 to Tier 2) and publish such determination in a proposed order issued pursuant to section 505G.

“(10)(A) The term ‘OTC monograph drug facility’ means a foreign or domestic business or other entity that—

“(i) is—

“(I) under one management, either direct or indirect; and

“(II) at one geographic location or address engaged in manufacturing or processing the finished dosage form of an OTC monograph drug;

“(ii) includes a finished dosage form manufacturer facility in a contractual relationship with the sponsor of one or more OTC monograph drugs to manufacture or process such drugs; and

“(iii) does not include a business or other entity whose only manufacturing or processing activities are one or more of the following: production of clinical research supplies, testing, or placement of outer packaging on packages containing multiple products, for such purposes as creating multipacks, when each monograph drug product contained within the overpackaging is already in a final packaged form prior to placement in the outer overpackaging.

“(B) For purposes of subparagraph (A)(i)(II), separate buildings or locations within close proximity are considered to be at one geographic location or address if the activities conducted in such buildings or locations are—

“(i) closely related to the same business enterprise;

“(ii) under the supervision of the same local management; and

“(iii) under a single FDA establishment identifier and capable of being inspected by the Food and Drug Administration during a single inspection.

“(C) If a business or other entity would meet criteria specified in subparagraph (A), but for being under multiple management, the business or other entity is deemed to constitute multiple facilities, one per management entity, for purposes of this paragraph.

“(11) The term ‘OTC monograph drug meeting’ means any meeting regarding the content of a proposed OTC monograph order request.

“(12) The term ‘person’ includes an affiliate of a person.

“(13) The terms ‘requestor’ and ‘sponsor’ have the meanings given such terms in section 505G.

**“SEC. 744M. AUTHORITY TO ASSESS AND USE OTC MONOGRAPH FEES.**

“(a) TYPES OF FEES.—Beginning with fiscal year 2019, the Secretary shall assess and collect fees in accordance with this section as follows:

“(1) FACILITY FEE.—

“(A) IN GENERAL.—Each person that owns a facility identified as an OTC monograph drug facility on December 31 of the fiscal year or at any time during the preceding 12-month period shall be assessed an annual fee for each such facility as determined under subsection (c).

“(B) EXCEPTIONS.—

“(i) A fee shall not be assessed under subparagraph (A) if the identified OTC monograph drug facility—

“(I) has ceased all activities related to OTC monograph drugs prior to January 31,

2019, for the first program year, and December 31 of the fiscal year for subsequent fiscal years; and

“(II) has updated its registration to reflect such change under the requirements for drug establishment registration set forth in section 510.

“(ii) The amount of the fee for a contract manufacturing organization facility shall be equal to two-thirds of the amount of the fee for an OTC monograph drug facility that is not a contract manufacturing organization facility.

“(C) AMOUNT.—The amount of fees established under subparagraph (A) shall be established under subsection (c).

“(D) DUE DATE.—

“(i) FOR FIRST PROGRAM YEAR.—For fiscal year 2019, the facility fees required under subparagraph (A) shall be due 45 calendar days after publication of the Federal Register notice provided for under subsection (c)(4)(A).

“(ii) SUBSEQUENT FISCAL YEARS.—For each fiscal year after fiscal year 2019, the facility fees required under subparagraph (A) shall be due on the later of—

“(I) the first business day of June of such year; or

“(II) the first business day after the enactment of an appropriations Act providing for the collection and obligation of fees under this section for such year.

“(2) OTC MONOGRAPH ORDER REQUEST FEE.—

“(A) IN GENERAL.—Each person that submits an OTC monograph order request shall be subject to a fee for an OTC monograph order request. The amount of such fee shall be—

“(i) for a Tier 1 OTC monograph order request, \$500,000, adjusted for inflation for the fiscal year (as determined under subsection (c)(1)(B)); and

“(ii) for a Tier 2 OTC monograph order request, \$100,000 adjusted for inflation for the fiscal year (as determined under subsection (c)(1)(B)).

“(B) DUE DATE.—The OTC monograph order request fees required under subparagraph (A) shall be due on the date of submission of the OTC monograph order request.

“(C) EXCEPTION FOR CERTAIN SAFETY CHANGES.—A person who is named as the requestor in an OTC monograph order shall not be subject to a fee under subparagraph (A) if the Secretary finds that the OTC monograph order request seeks to change the drug facts labeling of an OTC monograph drug in a way that would add to or strengthen—

“(i) a contraindication, warning, or precaution;

“(ii) a statement about risk associated with misuse or abuse; or

“(iii) an instruction about dosage and administration that is intended to increase the safe use of the OTC monograph drug.

“(D) REFUND OF FEE IF ORDER REQUEST IS RECATEGORIZED AS A TIER 2 OTC MONOGRAPH ORDER REQUEST.—If the Secretary determines that an OTC monograph request initially characterized as Tier 1 shall be re-characterized as a Tier 2 OTC monograph order request, and the requestor has paid a Tier 1 fee in accordance with subparagraph (A)(i), the Secretary shall refund the requestor the difference between the Tier 1 and Tier 2 fees determined under subparagraphs (A)(i) and (A)(ii), respectively.

“(E) REFUND OF FEE IF ORDER REQUEST REFUSED FOR FILING OR WITHDRAWN BEFORE FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any order request which is refused for filing or was withdrawn before being accepted or refused for filing.

“(F) FEES FOR ORDER REQUESTS PREVIOUSLY REFUSED FOR FILING OR WITHDRAWN BEFORE FILING.—An OTC monograph order request

that was submitted but was refused for filing, or was withdrawn before being accepted or refused for filing, shall be subject to the full fee under subparagraph (A) upon being resubmitted or filed over protest.

“(G) REFUND OF FEE IF ORDER REQUEST WITHDRAWN.—If an order request is withdrawn after the order request was filed, the Secretary may refund the fee or a portion of the fee if no substantial work was performed on the order request after the application was filed. The Secretary shall have the sole discretion to refund a fee or a portion of the fee under this subparagraph. A determination by the Secretary concerning a refund under this subparagraph shall not be reviewable.

“(3) REFUNDS.—

“(A) IN GENERAL.—Other than refunds provided pursuant to any of subparagraphs (D) through (G) of paragraph (2), the Secretary shall not refund any fee paid under paragraph (1) except as provided in subparagraph (B).

“(B) DISPUTES CONCERNING FEES.—To qualify for the return of a fee claimed to have been paid in error under paragraph (1) or (2), a person shall submit to the Secretary a written request justifying such return within 180 calendar days after such fee was paid.

“(4) NOTICE.—Within the timeframe specified in subsection (c), the Secretary shall publish in the Federal Register the amount of the fees under paragraph (1) for such fiscal year.

“(b) FEE REVENUE AMOUNTS.—

“(1) FISCAL YEAR 2019.—For fiscal year 2019, fees under subsection (a)(1) shall be established to generate a total facility fee revenue amount equal to the sum of—

“(A) the annual base revenue for fiscal year 2019 (as determined under paragraph (3));

“(B) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(2)); and

“(C) additional direct cost adjustments (as determined under subsection (c)(3)).

“(2) SUBSEQUENT FISCAL YEARS.—For each of the fiscal years 2020 through 2023, fees under subsection (a)(1) shall be established to generate a total facility fee revenue amount equal to the sum of—

“(A) the annual base revenue for the fiscal year (as determined under paragraph (3));

“(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

“(C) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(2));

“(D) additional direct cost adjustments (as determined under subsection (c)(3)); and

“(E) additional dollar amounts for each fiscal year as follows:

“(i) \$7,000,000 for fiscal year 2020.

“(ii) \$6,000,000 for fiscal year 2021.

“(iii) \$7,000,000 for fiscal year 2022.

“(iv) \$3,000,000 for fiscal year 2023.

“(3) ANNUAL BASE REVENUE.—For purposes of paragraphs (1)(A) and (2)(A), the dollar amount of the annual base revenue for a fiscal year shall be—

“(A) for fiscal year 2019, \$8,000,000; and

“(B) for fiscal years 2020 through 2023, the dollar amount of the total revenue amount established under this subsection for the previous fiscal year, not including any adjustments made under subsection (c)(2) or (c)(3).

“(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

“(1) INFLATION ADJUSTMENT.—

“(A) IN GENERAL.—For purposes of subsection (b)(2)(B), the dollar amount of the inflation adjustment to the annual base revenue for fiscal year 2020 and each subsequent fiscal year shall be equal to the product of—

“(i) such annual base revenue for the fiscal year under subsection (b)(2); and

“(ii) the inflation adjustment percentage under subparagraph (C).

“(B) OTC MONOGRAPH ORDER REQUEST FEES.—For purposes of subsection (a)(2), the dollar amount of the inflation adjustment to the fee for OTC monograph order requests for fiscal year 2020 and each subsequent fiscal year shall be equal to the product of—

“(i) the applicable fee under subsection (a)(2) for the preceding fiscal year; and

“(ii) the inflation adjustment percentage under subparagraph (C).

“(C) INFLATION ADJUSTMENT PERCENTAGE.—The inflation adjustment percentage under this subparagraph for a fiscal year is equal to—

“(i) for each of fiscal years 2020 and 2021, the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data; and

“(ii) for each of fiscal years 2022 and 2023, the sum of—

“(I) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years; and

“(II) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years.

“(2) OPERATING RESERVE ADJUSTMENT.—

“(A) IN GENERAL.—For fiscal year 2019 and subsequent fiscal years, for purposes of subsections (b)(1)(B) and (b)(2)(C), the Secretary may, in addition to adjustments under paragraph (1), further increase the fee revenue and fees if such an adjustment is necessary to provide operating reserves of carryover user fees for OTC monograph drug activities for not more than the number of weeks specified in subparagraph (B).

“(B) NUMBER OF WEEKS.—The number of weeks specified in this subparagraph is—

“(i) 3 weeks for fiscal year 2019;

“(ii) 7 weeks for fiscal year 2020;

“(iii) 10 weeks for fiscal year 2021;

“(iv) 10 weeks for fiscal year 2022; and

“(v) 10 weeks for fiscal year 2023.

“(C) DECREASE.—If the Secretary has carryover balances for such process in excess of 10 weeks of the operating reserves referred to in subparagraph (A), the Secretary shall decrease the fee revenue and fees referred to in such subparagraph to provide for not more than 10 weeks of such operating reserves.

“(D) RATIONALE FOR ADJUSTMENT.—If an adjustment under this paragraph is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (4) establishing fee revenue and fees for the fiscal year involved.

“(3) ADDITIONAL DIRECT COST ADJUSTMENT.—The Secretary shall, in addition to adjustments under paragraphs (1) and (2), further increase the fee revenue and fees for purposes of subsection (b)(2)(D) by an amount equal to—

- “(A) \$14,000,000 for fiscal year 2019;
- “(B) \$7,000,000 for fiscal year 2020;
- “(C) \$4,000,000 for fiscal year 2021;
- “(D) \$3,000,000 for fiscal year 2022; and
- “(E) \$3,000,000 for fiscal year 2023.

“(4) ANNUAL FEE SETTING.—

“(A) FISCAL YEAR 2019.—The Secretary shall, not later than the second Monday in March of 2019—

“(i) establish OTC monograph drug facility fees for fiscal year 2019 under subsection (a), based on the revenue amount for such year under subsection (b) and the adjustments provided under this subsection; and

“(ii) publish fee revenue, facility fees, and OTC monograph order requests in the Federal Register.

“(B) SUBSEQUENT FISCAL YEARS.—The Secretary shall, not later than the second Monday in March of each fiscal year that begins after September 30, 2019—

“(i) establish for each such fiscal year, based on the revenue amounts under subsection (b) and the adjustments provided under this subsection—

“(I) OTC monograph drug facility fees under subsection (a)(1); and

“(II) OTC monograph order request fees under subsection (a)(2); and

“(ii) publish such fee revenue amounts, facility fees, and OTC monograph order request fees in the Federal Register.

“(d) IDENTIFICATION OF FACILITIES.—Each person that owns an OTC monograph drug facility shall submit to the Secretary the information required under this subsection each year. Such information shall, for each fiscal year—

“(1) be submitted as part of the requirements for drug establishment registration set forth in section 510; and

“(2) include for each such facility, at a minimum, identification of the facility's business operation as that of an OTC monograph drug facility.

“(e) EFFECT OF FAILURE TO PAY FEES.—

“(1) OTC MONOGRAPH DRUG FACILITY FEE.—

“(A) IN GENERAL.—Failure to pay the fee under subsection (a)(1) within 20 calendar days of the due date as specified in subparagraph (D) of such subsection shall result in the following:

“(i) The Secretary shall place the facility on a publicly available arrears list.

“(ii) All OTC monograph drugs manufactured in such a facility or containing an ingredient manufactured in such a facility shall be deemed misbranded under section 502(ff).

“(B) APPLICATION OF PENALTIES.—The penalties under this paragraph shall apply until the fee established by subsection (a)(1) is paid.

“(2) ORDER REQUESTS.—An OTC monograph order request submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person under this section have been paid.

“(3) MEETINGS.—A person subject to fees under this section shall be considered ineligible for OTC monograph drug meetings until all such fees owed by such person have been paid.

“(f) CREDITING AND AVAILABILITY OF FEES.—

“(1) IN GENERAL.—Fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salaries and expenses with such

fiscal year limitation. The sums transferred shall be available solely for OTC monograph drug activities.

“(2) COLLECTIONS AND APPROPRIATION ACTS.—

“(A) IN GENERAL.—Subject to subparagraph (C), the fees authorized by this section shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation, for such fiscal year.

“(B) USE OF FEES AND LIMITATION.—The fees authorized by this section shall be available to defray increases in the costs of the resources allocated for OTC monograph drug activities (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such activities), only if the Secretary allocates for such purpose an amount for such fiscal year (excluding amounts from fees collected under this section) no less than \$12,000,000, multiplied by the adjustment factor applicable to the fiscal year involved under subsection (c)(1).

“(C) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (B) in any fiscal year if the costs funded by appropriations and allocated for OTC monograph drug activities are not more than 15 percent below the level specified in such subparagraph.

“(D) PROVISION FOR EARLY PAYMENTS IN SUBSEQUENT YEARS.—Payment of fees authorized under this section for a fiscal year (after fiscal year 2019), prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

“(3) AUTHORIZATION OF APPROPRIATIONS.—For each of the fiscal years 2019 through 2023, there is authorized to be appropriated for fees under this section an amount equal to the total amount of fees assessed for such fiscal year under this section.

“(g) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 calendar days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

“(h) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employers, and advisory committees not engaged in OTC monograph drug activities, be reduced to offset the number of officers, employees, and advisory committees so engaged.

“SEC. 744N. REAUTHORIZATION; REPORTING REQUIREMENTS.

“(a) PERFORMANCE REPORT.—Beginning with fiscal year 2019, and not later than 120 calendar days after the end of each fiscal year thereafter for which fees are collected under this part, the Secretary shall prepare and 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 a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 2001(b) of the Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2019 during such fiscal year and the future plans of the Food and Drug Administration for meeting such goals.

“(b) FISCAL REPORT.—Not later than 120 calendar days after the end of fiscal year 2019 and each subsequent fiscal year for which fees are collected under this part, the Secretary shall prepare and submit to the Com-

mittee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected for such fiscal year.

“(c) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the internet website of the Food and Drug Administration.

“(d) REAUTHORIZATION.—

“(1) CONSULTATION.—In developing recommendations to present to the Congress with respect to the goals described in subsection (a), and plans for meeting the goals, for OTC monograph drug activities for the first 5 fiscal years after fiscal year 2023, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

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

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

“(C) scientific and academic experts;

“(D) health care professionals;

“(E) representatives of patient and consumer advocacy groups; and

“(F) the regulated industry.

“(2) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

“(A) present the recommendations developed under paragraph (1) to the congressional committees specified in such paragraph;

“(B) publish such recommendations in the Federal Register;

“(C) provide for a period of 30 calendar days for the public to provide written comments on such recommendations;

“(D) hold a meeting at which the public may present its views on such recommendations; and

“(E) after consideration of such public views and comments, revise such recommendations as necessary.

“(3) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2023, the Secretary shall transmit to the Congress the revised recommendations under paragraph (2), a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.”.

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

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 269.

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

There was no objection.

□ 1615

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

I rise to voice my support for the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019. This legislation will help strengthen our Nation's emergency preparedness and response efforts. It will also modernize the regulatory



framework for over-the-counter drugs and provide FDA with stable and consistent funding to oversee the over-the-counter market.

This bill would ensure our Nation is prepared and can respond to emerging infectious disease threats, including Zika and Ebola. It will also prepare us so we can better respond to health security events, like bioterrorism and natural disasters such as hurricanes and wildfires.

The importance of this law cannot be overstated, Mr. Speaker. That is why our committee committed to working together in the last Congress on a bipartisan basis to ensure that the important authorities granted to the FDA in this law did not lapse.

I want to especially thank Representatives ESHOO and BROOKS for their work on this legislation and their leadership in promoting the importance of strengthening our Nation's emergency preparedness and response infrastructure.

While the House passed legislation that would have prevented this authorization from expiring, the Senate then refused to act and, instead, allowed these important authorities to expire on September 30.

While we were disappointed that we were unable to reauthorize PAHPA before that occurred, we continued to work with our Senate colleagues on moving this important legislation forward before the end of the 115th Congress. That effort led to the passage of H.R. 7328 on December 20, legislation developed as a result of bipartisan, bicameral negotiations to reach agreement on a PAHPA reauthorization bill that we could all support.

Unfortunately, just like before, the Senate did not act; and, thus, we are on the floor again today, Mr. Speaker, moving legislation to reauthorize the Pandemic All-Hazards Preparedness Act and pass historic legislation to streamline and fund the regulation of over-the-counter drugs. I hope that the third time will be the charm and that our Senate colleagues will act quickly to pass this legislation.

In addition to reauthorizing our public health preparedness and response programs, this legislation also contains a bipartisan and bicameral agreement reforming our over-the-counter drug program.

The Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018 has also twice previously passed the House with overwhelming bipartisan support. It modernizes the way the FDA reviews over-the-counter products for colds, allergies, and other common health issues.

The bill streamlines the review process for future monograph changes, allows for expedited safety label changes, and establishes a user fee program to provide reasonable or sustainable resources to implement these reforms.

These are all critical changes that I am very proud to support.

While this is not a perfect bill and still contains unnecessary and unwar-

ranted exclusivity for over-the-counter drugs and sunscreens, reform of our over-the-counter drug program is long overdue. This reform will pave the way for innovation in the over-the-counter market, allow the agency to respond to safety events, and finally provide the agency with the resources needed to properly oversee this growing market.

This legislation has the broad support of industry, public health groups, and the FDA, and it deserves the support of both the House and the Senate.

I want to thank the bill's authors, Representatives ESHOO, BROOKS, DEGETTE, LATTA, DINGELL, GUTHRIE, and BURGESS, for their hard work on this legislation.

It is my hope that the Senate will now take swift action and move this legislation to the President's desk. I urge my colleagues to vote in support of this legislation.

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

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

We often hear it said that life is a multiple of threes, and here we are, the third time, passing this important legislation.

One hundred years ago, this country was in the midst of the worst pandemic in its history, claiming the lives of almost 700,000 Americans and killing more than 50 million people worldwide.

As we discuss the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, it is paramount that we remember the significance of the centennial anniversary of the 1918 influenza pandemic.

I must also note, again, the third time the House has passed this legislation. We have clearly done our work, and it is time for the other body to do their work and send this bill to the President's desk.

The creation of the Assistant Secretary for Preparedness and Response under the original legislation in 2006 has helped us to make monumental strides in preparedness, coordination, and response.

Close collaboration and efforts between the Centers for Disease Control and Prevention, the Food and Drug Administration, and our State, local, Tribal, and territorial public health partners have been vital in making this progress.

Like politics, much of public health is local and executed on the ground by our hospitals, by our health departments and our emergency responders, who are our front lines in addressing infectious diseases, disasters, and threats.

We hear each and every year of the dangers of the influenza as flu season wreaks havoc on communities across the country. Last year, in north Texas, some schools had to close in order to contain the spread of the flu. This bill includes an important provision dedicated to preparing for pandemic influenza to protect our Nation against the terror of a pandemic.

Mr. Speaker, I would just parenthetically add that if anyone has not yet had their influenza immunization this year, it is still a good idea to avail yourself of that protective measure. The flu vaccine not only can prevent the flu, but if someone gets the flu after having had the flu vaccine, their clinical course is likely to be more benign.

This reauthorization includes an important provision, the MISSION ZERO Act. The MISSION ZERO Act seeks to connect American patients with battle-tested trauma care through the craft of military trauma care providers.

The bill provides grants to integrate military trauma care providers and teams into the Nation's leading trauma centers and systems. This will also ensure that our military can maintain battlefield-ready trauma care providers in between periods of active engagement. The need for top-notch trauma care extends across our Nation, far removed from the battlefield.

We must also remember that infectious diseases are a much more serious threat in the global community, and we must continue to ensure that we are prepared and ready to respond. Frontline facilities and responders in Dallas, Texas, experienced this firsthand in 2014 when a patient presented with Ebola in a DFW emergency department.

Today, currently, right now, there is an Ebola outbreak in the Democratic Republic of the Congo that has been deemed the second worst on record, with more than 600 cases. This legislation equips our Nation with the tools to respond in a timely and effective manner when the public health and safety are at risk, such as if Ebola were to hit the United States again.

Additionally, this bill will also help to bring domestic biologic surveillance systems up to date so that they are operating with the most efficient capabilities and technologies.

We must also look for innovative ways to continue to advance medical countermeasures, ensuring that Americans can access medications that will provide critical protection in the future.

Another portion of this legislation would modernize the regulation of over-the-counter medicines. To date, consumers have access to more than 300,000 nonprescription items, from cough to cold medicines to antiperspirants, antacids, and sunscreens. Pharmacy aisles and medicine cabinets are filled with over-the-counter products, and American consumers rely on these each and every day.

This bill would make the over-the-counter regulatory framework more science-based and responsive to public health concerns, and it would encourage the development of more innovative products and provide resources to the Food and Drug Administration to bolster the agency's ability to review over-the-counter applications and to regulate this sector in a consistent manner.

This Pandemic and All-Hazards Preparedness reauthorization is critical to protecting the lives of all Americans and providing the necessary tools and infrastructure are in place when disaster strikes.

I want to thank Representatives SUSAN BROOKS and ANNA ESHOO for their work and Representatives BOB LATTA and DIANA DEGETTE for their work on the over-the-counter monograph reform.

I strongly support this legislation, urge Members to do the same, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I thank the chairman for yielding me the time.

I rise in strong support of H.R. 269. This important bill reauthorizes the Pandemic and All-Hazards Preparedness Act and provides FDA with needed revenue and authority to improve oversight of over-the-counter drugs.

The House of Representatives overwhelmingly passed this bipartisan legislation at the end of the 115th Congress, and I am pleased that we are acting on this bill once again at the beginning of the 116th Congress. I am proud to have helped introduce this legislation, and I urge my Senate colleagues to quickly pass this bill into law.

My chairman, Mr. PALLONE and Representative BURGESS have talked and spoken well of why we must address the Pandemic and All-Hazards Preparedness Act. Headlines in the Detroit paper today talking about a death in an area hospital because of a power outage is why we must prepare these institutions to be ready for crises, but I want to speak about the over-the-counter part of this bill.

Today, 60 percent of all medicines sold in the United States are over the counter. Americans trust that they are safe, yet the FDA has only 18 full-time employees—only 18—to oversee the entire market of drugs sold across this country.

This outdated system has the potential to put patients at risk and does not match the realities of our modern healthcare system.

The bill we are discussing today reforms this system for the better. It creates a new user fee program to give FDA the resources it needs to improve public health. It also improves the efficiency by allowing the agency to update OTC monographs through administrative order rather than the rule-making process.

These changes are a big win for patients, who will benefit from improved product safety, and for industry, as they will have a reliable pathway to bring new, innovative products to market. It has been years since a new sunscreen product has been brought to market simply because of this outdated system.

I want to thank my colleagues on the Energy and Commerce Committee for all the time and effort they put into

this legislation; to Representatives ESHOO and BROOKS, who worked so hard on the Pandemic and All-Hazards Preparedness Act; and to my colleague, Representative DEGETTE, and my Republican colleagues, Representatives LATTA, GUTHRIE, and BURGESS, for all the work that they did.

We need to get this important bill passed and into law. I urge my colleagues to support H.R. 269.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I rise today in support of H.R. 269, the PAHPA OTC legislation, which includes a bill I authored last Congress, the Over-the-Counter Monograph Safety, Innovation, and Reform Act.

More than 240 million Americans use over-the-counter medications for relief of common ailments, such as headaches, colds, and seasonal allergies. We trust and depend on these affordable remedies to get us well and stay well.

Despite the success and high utilization of these medicines, the Food and Drug Administration's regulatory structure for oversight of OTC products, referred to as the monograph system, is outdated and incomplete. The system was created more than 45 years ago, yet movement on unfinished items has ground to a halt due to cumbersome notice and comment rule-making processes.

Without process modernization, it is nearly impossible for manufacturers to address safety concerns and offers little incentive to develop new products. This bill would provide meaningful and long overdue reform to the FDA's monograph system. The reform will create a more flexible framework that accounts for advances in science, allows timely updates to safety label changes, and creates a workable process for completing unfinished monographs.

This bill would also create a pathway to market for new and innovative products, which would help to reduce strain on our healthcare system by giving consumers more options to treat common ailments at home. Furthermore, this legislation will improve regulatory certainty for manufacturers. Over time, we would see increase investment in research and development, leading to new OTC medicines on our shelves, and providing greater self-care options to consumers.

Again, I thank my colleagues—Ms. DEGETTE, Mr. GUTHRIE, Mrs. DINGELL, Dr. BURGESS, and former Member Mr. Gene Green from Texas—the FDA, and stakeholders for working so closely with me over the last 3 years to ensure that this modernization effort appropriately addresses and resolves this complex issue.

□ 1630

I believe modernization of the broken monograph system will strengthen consumer protections, spur innovation, and expand consumer choice. It is long

overdue to fix this regulatory framework that oversees 60 percent of the medicines sold in the United States.

Mr. Speaker, I strongly urge my colleagues to support passage of our bipartisan bill, H.R. 269, PAHPA OTC.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 4 minutes to the gentlewoman from Indiana (Mrs. BROOKS), the principal author of the bill.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in support of H.R. 269, the Pandemic and All-Hazards Preparedness and Advancing Innovation Act, or PAHPA.

I am proud to have introduced this important bill with my very good friend, Representative ANNA ESHOO, who is one of the original authors of the 2006 PAHPA bill and the lead author of the last reauthorization in 2013.

Mr. Speaker, I want to thank Energy and Commerce Committee Chair Representative PALLONE and Ranking Member Representative WALDEN, as well as Representative BURGESS for his work on the Health Subcommittee, and the committee staff for working to get this bill back on the House floor so quickly as we begin the 116th Congress.

PAHPA is a bipartisan public health national security effort which works to ensure our Nation is better prepared to respond, whether it is to natural disasters like hurricanes, emerging infectious diseases like Zika or Ebola, or chemical, biological, radiological, or nuclear attacks, whether they might come from a terrorist group or from a nation-state.

The reality is that these threats we face are not just hypothetical. The ongoing Ebola outbreak is now, as you have already heard, the second largest outbreak in history. Since August of 2018, 374 people in the Democratic Republic of the Congo have died from Ebola, bringing the total to 623 cases. Nine new cases have been confirmed in just the last week alone.

Thanks to PAHPA and the 21st Century Cures Act, we are more prepared for biological threats and attacks. Last year, the FDA approved the first drug to treat smallpox and also an auto injector which provides a one-time dose of an antidote to block effects of a nerve agent.

But PAHPA is much more than what we think of as just a biodefense bill. It helps ensure a coordinated healthcare response, whether it is to hurricanes and other natural disasters, by prioritizing our Nation's most vulnerable populations: children, senior citizens, and people with disabilities.

PAHPA provides liability protection for physicians who volunteer after medical disasters. It ensures more healthcare professionals, nurses and doctors and others, can be hired and trained when facing a public health crisis. It ensures we have a robust supply of vaccines and equipment like gloves,

hazmat suits, and masks in our Strategic National Stockpiles so our medical professionals and our first responders have what they need.

The bill ensures our preparedness and response capabilities will include a robust pipeline of medical countermeasures by increasing funding for the BioShield Special Reserve Fund and BARDA, whose work over the last decade has resulted in FDA approvals for more than 42 different medical countermeasures.

While the investments BARDA is making into innovative research and treatments are critical, we have to address the threats that have been around for years.

As Mr. BURGESS talked about, the 1918 influenza outbreak killed 675,000 Americans and millions worldwide. Many experts predict that we are due for another global pandemic influenza. The bill today authorizes \$250 million to address threats like pan flu.

This bill is the result of months of committee work in both the House and the Senate. I can't emphasize enough how critically important it is that we reauthorize PAHPA.

Mr. Speaker, I encourage the Senate to quickly pass H.R. 269. I urge all Members to support this critical piece of public health and national security legislation.

Mr. PALLONE. Mr. Speaker, I have no additional speakers and am prepared to close. I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Mr. Speaker, I rise today in support of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, which includes legislation to update the over-the-counter monograph system.

Our healthcare system is innovating rapidly, and the Food and Drug Administration can't keep up. The FDA's approval system for over-the-counter medications has not been updated since the 1970s. By updating the monograph approval system, we make it easier for over-the-counter medicines to reach the market, providing an affordable way for Americans to access healthcare treatment.

I was proud to work on over-the-counter monograph reform last Congress with a number of my colleagues on the Energy and Commerce Committee, with the efforts being led by Congressman BOB LATTI, and it was bipartisan.

Mr. Speaker, I urge my colleagues to support this bill on the floor today.

Mr. BURGESS. Mr. Speaker, I urge all Members to support the bill before us today, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, again, I would ask support for this bipartisan bill. It is very important legislation, and I hope that we can send it to the Senate and have the President quickly sign it.

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

Ms. ESHOO. Mr. Speaker, I rise in support of this bipartisan legislation, the Pandemic and All-Hazards Preparedness and Advancing Innovation Act. I've worked on this legislation with my partner Representative SUSAN BROOKS for almost a year and it reflects months of negotiations and compromise reached by the House and Senate. This bill also includes important updates to the Over-the-Counter Monograph program at the Food and Drug Administration. I am proud to reintroduce this bill in the 116th Congress and pleased the House is taking it up so quickly.

The Pandemic and All-Hazards Preparedness and Advancing Innovation Act we're considering today is critical to our national security. The legislation updates the original Pandemic and All-Hazards Preparedness Act I authored with then-Representative Richard Burr in 2006, by directing federal agencies to respond to new and emerging threats, and strengthen our nation's existing preparedness and response programs. This legislation reauthorizes critical programs that ensure our nation is prepared to respond to naturally occurring and manmade disasters. These threats are real and our country must be prepared to adequately respond to them. This reauthorization meets the challenges that we face today and those we anticipate facing in the future. The policies in this bill are almost identical to those passed under suspension by the House in September 2018 with small changes made at the request of the Senate. The House passed an identical bill at the end of the 115th Congress by a vote of 367 to 9.

This bill also includes overdue updates to the Over-the-Counter Monograph program which will streamline the process by which over-the-counter products are regulated and approved by FDA and will improve patient safety. It establishes a new user fee program that will enable FDA to act faster to address safety issues associated with over-the-counter drugs and bring innovative over-the-counter drugs to market.

It's imperative that after the House passes this legislation today that the Senate take it up quickly and send it to the President's desk as soon as possible. PAHPA expired on September 30th and reauthorizing these programs is critical to our national security.

I'm proud of this legislation and I urge my colleagues to support the Pandemic and All-Hazards Preparedness and Advancing Innovation Act.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 269, the "Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019."

H.R. 269 reauthorizes and strengthens emergency preparedness and response programs and efforts Health and Human Services (HHS) and modernizes the regulatory framework at the Federal Drug Administration (FDA) for over-the-counter (OTC) drugs and provide the FDA with stable funding to do so through a new user fee program.

H.R. 269 strengthens HHS's emergency preparedness and response by improving benchmarks and standards, addressing military and civilian partnerships for trauma readiness, and clarifying state liability law for volunteer health care professionals.

Additionally, H.R. 269 calls for reporting on the national blood supply and public health

preparedness and response capabilities and capacities of hospitals, long-term care facilities, and other health care facilities.

H.R. 269 also allows for the regulation of certain nonprescription drugs that are marketed without an approved drug application, addresses the misbranding of OTC drugs, and calls for an annual update to Congress on the conditions under which certain OTC cough and cold drugs are generally recognized as safe and effective for children.

H.R. 269 grants authority to assess and use OTC monograph fees as a source of stable funding to the FDA for its use to modernize the regulatory framework.

This legislation will benefit all communities by strengthening and assessing the emergency response workforce, improving the preparedness and response of health system infrastructure, taking into consideration at-risk individuals and children, providing guidance for participation in exercises and drills, and create national advisory committees on disasters.

In 2014, Dallas, Texas was faced with an Ebola virus outbreak, one of the world's most deadly viruses.

Howard Duncan was visiting family in Dallas when he became the first person diagnosed with Ebola in the United States.

In addition to Duncan, two nurses who provided care to him also became infected.

Zika made its first appearance in Texas in 2015.

In 2016 Texas had 315 cases of Zika, and in 2017, 55 cases were confirmed.

2017 brought a high severity flu season along with Hurricane Harvey.

80,000 people died of the flu during the 2017 through 2018 season and over 30,000 people, or 9 percent of the population, were hospitalized.

The severity of the 2017–2018 flu season was in part due to the flu vaccine, unfortunately, only being effective against only 30 percent of the viruses circulating.

Also in 2017, the 18th District of Texas and the Gulf Coast saw the devastation of Hurricane Harvey.

The economic cost of Hurricane Harvey was \$125 billion, tying it with Hurricane Katrina as the most costly storm in U.S. history.

More importantly, 107 people lost their lives due to Hurricane Harvey.

Then there is the ongoing shortage of medical supplies, specifically saline solution.

Since 2014 there has been an ongoing shortage of saline, and when Hurricane Maria hit Puerto Rico in 2017, the country's largest supplier was damaged causing an even larger shortage.

The saline shortage coupled with a severe flu season in 2017–2018 has some worried that the demand will quickly outpace the supply.

H.R. 269 will help address these and other local, state, and national emergencies.

Not only does H.R. 269 address HHS emergency preparedness, but it also allows the FDA to better do its job to keep Americans safe.

In 2018, the FDA issued at least 1,412 warning letters regarding the misbranding of products under its jurisdiction.

An alarming number of these letters regard OTC drugs and supplements.

H.R. 269 provides the FDA a stable funding source so that it may continue its regulation of

certain nonprescription drugs that are marketed without an approved drug application and address the misbranding of OTC drugs.

For these reasons, I ask my colleagues to join me in supporting H.R. 269.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 269.

The question was taken.

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

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

The yeas and nays were ordered.

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

## CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM EXTENSION ACT

Mr. THOMPSON of Mississippi. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 251) to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 251

*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 “Chemical Facility Anti-Terrorism Standards Program Extension Act”.

### SEC. 2. EXTENSION OF CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 5 of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Public Law 113-254; 6 U.S.C. 621 note) is amended by striking “4 years” and inserting “6 years”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Alabama (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

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

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 251, the Chemical Facility Anti-Terrorism Standards Program Extension Act.

H.R. 251 would extend the Department of Homeland Security's authority

to carry out the Chemical Facility Anti-Terrorism Standards, or CFATS, program for 2 years. Under this novel regulatory program, DHS works with the owners and operators of our Nation's highest risk chemical facilities to ensure those facilities have adequate security measures in place.

Unless Congress acts expeditiously, authority to regulate these high-risk facilities will expire in a matter of days. We cannot let this happen.

The risk of a terrorist attack on a chemical facility is not conjecture; it is a credible threat echoed by every Homeland Security Secretary since 2005. Federal and State law enforcement officers have uncovered multiple plots aimed at chemical facilities, including after the 9/11 attacks when it came to light that the hijackers had also scouted chemical plants.

National security experts, from former Homeland Security Secretary Michael Chertoff to President Obama, have expressed concern that a terrorist could seek to penetrate a chemical facility to carry out a weapon of mass destruction attack. CFATS is the way DHS partners with chemical facilities to combat this threat. The program enjoys support across party lines and within the regulated community.

I led the initial bipartisan effort to establish the program in 2006. CFATS had a bumpy start, but over time, with the stability of a long-term authorization, in 2014, CFATS has developed into a security program that is making the U.S. demonstrably safer.

Don't take my word for it; the data speaks for itself. Since CFATS was created, the number of chemical facilities designated as high risk in the U.S. has dropped by half. This achievement means that communities near the chemical plants are safer.

Still, like with any other program, there are areas where it could be strengthened. The 2-year extension sought under this act is needed to give the House and Senate ample time to come together to address oversight findings to improve the program.

It is unfortunate that in the waning days of the previous Congress, bipartisan House efforts to provide the regulated community with confidence that the CFATS security regime would continue were rebuffed by a couple of Senators who took the public position that the program should be completely ended unless it was changed in the way they liked. In fact, they said as much in a letter to House and Senate leadership on October 23, 2018:

“If Congress fails to reform the CFATS program, we believe the program should expire and not continue to be reauthorized via annual appropriations.”

The approach they took was eerily similar to the one the President is now taking as he sets a partial government shutdown in motion to try and compel Congress to agree to providing nearly \$6 billion in funding for a border wall.

Mr. Speaker, the Secretary of Homeland Security wrote to Congress in No-

vember urging for a short-term reauthorization.

Mr. Speaker, I include in the RECORD both the letter from my Senate colleagues and the letter from the Secretary.

U.S. SENATE,

Washington, DC, October 23, 2018.

Hon. MICHAEL MCCAUL,

Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

Hon. BENNIE THOMPSON,

Ranking Member, Committee on Homeland Security, House of Representatives, Washington, DC.

Hon. GREG WALDEN,

Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

Hon. FRANK PALLONE,

Ranking Member, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN MCCAUL, CHAIRMAN WALDEN, RANKING MEMBER THOMPSON, AND RANKING MEMBER PALLONE: We write regarding S. 3405, the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2018. This bill will reauthorize the Chemical Facility Anti-Terrorism Standards (CFATS) program at the Department of Homeland Security (DHS) with commonsense reforms to secure chemical facilities while reducing the regulatory burden on the private sector.

During the 113th Congress, the Senate Committee on Homeland Security and Governmental Affairs, House Committee on Homeland Security, and House Committee on Energy and Commerce worked together to reauthorize and reform the CFATS program, although the reauthorization is set to expire in January 2019. At that time, the CFATS program faced significant challenges, including long backlogs to review security plans, a flawed tiering methodology, program management issues, and questions about whether the program was effectively reducing risk and enhancing security.

The CFATS program currently regulates over 3,000 chemical facilities nationwide. Although DHS has improved its management of the CFATS program over the past four years, such as eliminating the estimated nine-year backlog of reviewing facilities' unique site security plans, it is evident that the program needs additional reforms. On June 12, 2018, the Senate Committee on Homeland Security and Governmental Affairs held a roundtable that included DHS, the U.S. Government Accountability Office, a CFATS chemical inspector, and a variety of companies and industry groups.

During the roundtable, stakeholders provided feedback on how to further improve the CFATS program. For example, industry stakeholders expressed concerns about duplicative regulatory regimes between DHS and the Bureau of Alcohol, Tobacco, Firearms, and Explosives; advised that DHS should not make terror screening mandatory for Tier 3 and Tier 4 facilities; complained about inadequate communication from DHS about changes in facilities' tiering; and discussed how a CFATS recognition program can provide greater regulatory relief. We also heard from a CFATS chemical inspector on basic and continuous training issues and need for improvement, particularly with respect to cybersecurity. In addition, the Committee's oversight has shown a need for DHS to report on new metrics that will show if the program is effectively measuring risk reduction and addressing the current threat environment.

Incorporating this feedback from CFATS stakeholders, Chairman Johnson introduced S. 3405 on September 4, 2018. Senator Capito is a cosponsor. S. 3405 reauthorizes the CFATS program for five years and brings

much-needed regulatory relief to the U.S. chemical industry while effectively balancing safety and security. On September 26, 2018, the Senate Committee on Homeland Security and Governmental Affairs unanimously reported S. 3405 favorably by voice vote. On September 28, 2018, Rep. Katko, Rep. Moolenaar, and Rep. Cuellar introduced H.R. 6992, a bipartisan House companion.

In the coming weeks, we hope the committees of jurisdiction will continue to work together, as they have throughout this Congress, to find areas of agreement to reauthorize and improve the CFATS program. The purpose of the reauthorization process must be to improve federal regulatory programs incorporating lessons learned from Congressional oversight. S. 3405 provides a path for the CFATS program to continue for an additional five years without inflicting burdensome and duplicative regulations on DHS's industry partners. If Congress fails to reform the CFATS program, we believe the program should expire and not continue to be reauthorized via annual appropriations.

We look forward to working with you to reauthorize the CFATS program with commonsense reforms before the conclusion of the 115th Congress. Thank you for your attention to this important subject.

Sincerely,

RON JOHNSON,  
*Chairman, Committee  
on Homeland Security  
and Governmental Affairs.*

SHELLEY MOORE CAPITO,  
*Chairman, Subcommittee on  
Homeland Security Com-  
mittee on Appropriations.*

DEPARTMENT OF HOMELAND SECURITY,  
*Washington, DC, November 29, 2018.*

Hon. BENNIE THOMPSON,  
*Ranking Member, Committee on Homeland Security,  
House of Representatives, Wash-  
ington, DC.*

DEAR RANKING MEMBER THOMPSON: I write to you today in support of the reauthorization of the Chemical Facility Anti-Terrorism Standards (CFATS). The Department of Homeland Security's (DHS) CFATS authorities will expire in sixty days, which would prevent us from setting security standards and implementing measures that would reduce the risk of hazardous chemicals from falling into the wrong hands.

We continue to face one of the most serious terrorist threat environments since 9/11. Foreign terrorist organizations are urging recruits to use simple weapons, including toxic chemicals, to target public spaces and events. Terrorists have already used rudimentary chemical weapons on the battlefield and we face the increased risk that they could use these weapons outside of conflict zones. In response, DHS has stepped up its security posture, including the establishment of the Office of Countering Weapons of Mass Destruction. But we must also ensure that dangerous agents are secured at the source to prevent our enemies from exploiting them.

The Department's CFATS program is a successful public-private partnership focused on preventing the misuse of dangerous chemicals. Since its inception in 2006, it has played a key role in bringing our nation's chemical security standards to a higher level, and it has made it harder for nefarious actors to acquire deadly agents and to exploit potential security vulnerabilities for attacks. Our national security depends on the authorities provided by CFATS, from securing cyber control systems to vetting facility personnel for terrorist ties. We cannot let our guard down. The stakes are too high.

The Department has reviewed the language included in S. 3405, Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2018, and understands the intent is to improve this important regulatory program. The Department agrees that critical review of the program's structure is important. However, we believe that if the program were to lapse—as a result of the current sunset provision—it would increase the risk to our country and create uncertainty across the chemical industry.

To that end, I am requesting that Congress consider a short-term reauthorization of the program in its current form. If reauthorized, I will direct the Cybersecurity and Infrastructure Security Agency to conduct a comprehensive audit to assess additional opportunities to enhance program effectiveness and efficiency. This time will afford us the opportunity to take into account past performance and to evaluate Congressional recommendations, industry impact, and potential changes that can strengthen the program. This audit would be conducted in full collaboration with the appropriate Congressional committees.

In the four years since the initial multi-year authorization in 2014, DHS has and continues to innovate and streamline the CFATS program, while the chemical industry, assured of the stability provided by a longer-term authorization, has made long-term investments in security measures. This is a win for both government and industry. This progress would be disrupted in the absence of compliance requirements and is yet another reason why CFATS reauthorization is needed.

Through your leadership, the American people and our homeland are more secure and resilient than ever before. Please consider a short-term reauthorization of CFATS so we can continue to be vigilant against those who wish us harm. Should you have any questions, please have your staff contact the DHS Office of Legislative Affairs.

The Office of Management and Budget advises that there is no objection to the submission of this letter from the standpoint of the Administration's program.

Best Regards,

KIRSTJEN M. NIELSEN,  
*Secretary.*

Mr. THOMPSON of Mississippi. Mr. Speaker, as Secretary Nielsen notes in her letter, “. . . if the program were to lapse—as a result of the current sunset provision—it would increase the risk to our country and create uncertainty across the chemical industry.”

The Secretary and I may not agree on everything, but we agree on this: We cannot let this critical national security program fall victim to this political game of chicken.

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

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today along with my colleague, Chairman THOMPSON, in strong support of H.R. 251, the Chemical Facility Anti-Terrorism Standards Program Extension Act. This bill reauthorizes the Chemical Facility Anti-Terrorism Standards program, more commonly known as CFATS, for 2 more years.

CFATS began as a program aimed at keeping dangerous chemicals out of the

hands of terrorists. In recent years, it has grown, in large part, due to partnerships between the Department of Homeland Security and industry stakeholders working to identify high-risk facilities and ensuring appropriate security measures are in place to mitigate these risks.

The current CFATS authorization expires January 18, and swift action is needed to make sure there is no lapse in this program.

I believe this program has achieved its purpose in making Americans safer by helping chemical facilities secure dangerous substances. Mr. Speaker, I support this reauthorization and urge my colleagues in the Senate to also act with the urgency required to prevent this program from expiring.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Mr. Speaker, I want to thank the chairman for his leadership on this issue before and now.

Mr. Speaker, I rise today in support of H.R. 251 to extend the DHS Chemical Facilities Anti-Terrorism Standards, CFATS, program for a period of 2 years.

Like many of my colleagues in the House, my district is home to a number of chemical facilities. They play a crucial role in the local economy, but with that comes a risk. The CFATS program helps address that risk and makes communities like mine safer, without being overly burdensome.

Twelve years ago, the Bush administration issued a call to action to address credible terrorist threats to high-risk chemical facilities across the country. At the time, chemical facility security was one of the biggest security gaps we faced, and Secretary Chertoff asked Congress to “pass a balanced, risk-based security measure for the chemical industry.”

□ 1645

Within the year, Congress attached language to the DHS appropriations bill, giving DHS temporary authority to implement a chemical security program. CFATS survived on annual authorizations through the appropriations process for 8 years, and the lack of certainty and stability stunted the program's growth.

In 2014, after the tragic explosion at the West, Texas, chemical facility, Congress finally passed a 4-year authorization bill. Since then, the CFATS program has invested in better tools, better trained personnel, and a better strategic vision for the future. In short, the CFATS program has matured.

Today, the program has the buy-in of industry and bipartisan support on the Hill. And although I think we can do more to advance the objectives of the program, it is clear that CFATS has made us safer.

Authorization for CFATS expires in a matter of days. If Congress does not act, we will lose a valuable antiterrorism program, and we will forfeit the hard-earned progress that has been achieved.

This bill would allow DHS to continue its work to secure chemical facilities, and it would give Congress an opportunity to hear from stakeholders and the department about the improvements we should make.

In the last Congress, Chairman THOMPSON and I made repeated requests to prioritize CFATS through hearings and markups. Unfortunately, at this point, with the program staring down expiration, it is simply too late for that.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Louisiana.

Mr. RICHMOND. Passing H.R. 251 would allow us to continue the conversation around this important national security program without leaving chemical facilities more vulnerable to attacks.

Mr. Speaker, I urge my colleagues in the House to support H.R. 251, and I hope the Senate will follow suit.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. SHIMKUS), my friend and colleague, and a member of the Energy and Commerce Committee.

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

Mr. SHIMKUS. Mr. Speaker, I thank the ranking member for yielding to me. I also congratulate him for his position, which his peers have appointed him to. And I congratulate Chairman THOMPSON for being chosen to hold such a very important chairmanship.

Mr. Speaker, let me talk about my strong support of H.R. 251. I urge all of my colleagues to support this.

Last week, every Member of Congress swore an oath to defend the United States. That, Mr. Speaker, is what we are here on the floor to do with this bill.

In 10 days, as you have heard, the CFATS—Chemical Facility Anti-Terrorism Standards—program will sunset. This means that everything about it, right down to its fundamental structure, legally disappears, including Federal outreach and networking to prevent terrorism against chemical facilities.

I know that there are those who question the value of the current Chemical Facility Anti-terrorism Standards program. But they should know that today's CFATS program is vastly improved from where it was a mere 4 years ago.

How do I know this? How can I be so sure?

Prior to this Congress, I served since 2011 as the chairman of the Energy and Commerce Subcommittee on Environment with my colleague, Mr. TONKO,

who I am sure, will be speaking on this bill. There, we had six hearings on the CFATS program and its operations, the most recent one 6 months ago. In fact, in the last Congress, my committee was the only one in either body to have a hearing dedicated to CFATS where DHS testified, for 3 hours on the record, about this program.

I have also worked with the Government Accountability Office throughout that time on the program, and GAO, likewise, has testified multiple times before the subcommittee I chaired. GAO's first testimony exposed and detailed the breadth of the problems in the program, and more recently described "a number of programmatic changes" that not only addressed their recommendations, but paved the way for remedying remaining challenges the program faces.

No Federal program is without some area in need of improvement, but if there was a time to justify winding the program down or making serious changes to how it operated, that time was 4 years ago when the program was in disarray. It defies logic to foist major changes on CFATS now, when it appears to have figured out its weaknesses and rectified its deficits.

To those who are skeptical of the program, this extension gives time for not only more assessment to answer lingering questions, but also for CFATS to demonstrate to Congress that its progress is not fleeing and to identify those security-related, terrorism prevention reforms that truly can only be fixed by statute.

The Chemical Facility Anti-Terrorism Standards Act is an important, antiterrorism-focused program. It is not perfect, but it is a unique program based on collaboration, focused on and serving as a very important bulwark against the threat of terrorism here in the United States.

To this end, Congress has spent almost \$900 million under CFATS for Federal education, intelligence, technical assistance, and compliance efforts. Moreover, American businesses have invested billions of dollars, expecting a strong return for themselves and their shareholders. We ought not strand these investments and send shareholders and terrorists a signal that American assets will be more vulnerable tomorrow than they are today.

Mr. Speaker, I urge all Members to vote for passage of H.R. 251, and I urge the other body to quickly pass it as well.

Mr. THOMPSON of Mississippi. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Mississippi has 13 minutes remaining.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I thank the chairman of the Homeland Security Committee for yielding.

Mr. Speaker, I urge my colleagues to support this bipartisan bill to extend the authority for the Department of Homeland Security's Chemical Facility Anti-Terrorism Standards, or CFATS, program for 2 years. The CFATS program provides critical national security protections. We should all be alarmed that it is on the verge of lapsing.

Unless this bill becomes law, or the President reconsiders his shutdown of many parts of the Federal Government, the CFATS program will expire in 10 days. The program is not perfect, but it should be continued. The 2-year extension will give the committees of jurisdiction time to consider important improvements to the program without fear that the program will lapse.

Since before the terrorist attacks of September 11, 2001, experts have been concerned about the vulnerability of chemical plants to terrorist attacks. These facilities hold large stores of industrial chemicals that pose a safety and security risk to the American people if they are released or detonated.

A recent report found that more than 134 million Americans live in the vulnerability zones around chemical facilities. The communities most at risk are disproportionately low-income communities and communities of color.

I have been an advocate for increased safety and security at our Nation's chemical facilities for many years, well before the CFATS program was established in 2006. My home State of New Jersey, which has a high population density, has a large number of chemical facilities, so the consequences of insufficient security are as real to us as they are dire.

Unfortunately, the threats to these facilities are only increasing as climate change makes extreme weather more and more common. CFATS-regulated facilities have been impacted by hurricanes, floods, and wildfires, putting us all at risk.

The highest profile case occurred in the aftermath of Hurricane Harvey, at the Arkema chemical plant in Crosby, Texas. The Chemical Safety Board released an investigative report on the incident and found that the chemical industry is wholly unprepared for extreme weather events, like floods and hurricanes. Last year, the New York Times reported that more than 2,500 sites handling toxic chemicals are in flood-prone areas around the country.

Instead of addressing these threats, the Trump administration has moved aggressively to diminish protections for workers and communities around chemical facilities. For instance, despite losing in court, EPA continues to try to roll back the Risk Management Planning program improvement rule that bolsters safety at these facilities. The SPEAKER pro tempore (Mr. BLUMENAUER). The time of the gentleman has expired.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield an additional 1 minute to the gentleman from New Jersey.



Mr. PALLONE. EPA is also systematically ignoring risks to workers in implementing the revised Toxic Substances Control Act. And President Trump has twice tried to eliminate the Chemical Safety Board, which investigates disasters at these facilities.

As chairman of the Energy and Commerce Committee, I will be conducting thorough oversight of the increased threats to dangerous chemical facilities and this administration's concerted efforts to disregard risks to workers and hot spot communities. That oversight will inform our future efforts to improve the CFATS program.

We must ensure the safety and security of the workers, first responders, and communities living near our Nation's chemical facilities. That means extending this program while we consider how to improve it.

Mr. Speaker, I thank my colleagues on both sides of the aisle on the Energy and Commerce Committee and the bipartisan relationship of the Committee on Homeland Security for working with me on this important bill to ensure continuity of this program, and I urge that we pass this bill immediately.

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

Mr. THOMPSON of Mississippi. Mr. Speaker I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the Chemical Facility Anti-Terrorism Standards Program Extension Act. This bipartisan bill is supported by the full committee and relevant subcommittee chairs and ranking members of the Committee on Energy and Commerce and the Committee on Homeland Security.

The Department of Homeland Security's Chemical Facility Anti-Terrorism Standards, or CFATS, program is an important part of our Nation's counterterrorism efforts to secure high-risk chemical facilities.

The program was created in 2006 and it had its first long-term reauthorization in 2014. Unfortunately, without further congressional action, CFATS will terminate later this month.

The bill before us would grant a clean, 2-year extension of the program. I believe this will give the new Congress ample time to continue program oversight and make any reforms necessary for the next long-term extension.

For one, I strongly believe we should be looking at all aspects of risks at chemical facilities, not just terrorism. Chemical fires, explosions, and releases can have serious consequences, regardless of whether an incident was an accident, a natural disaster, or an act of terrorism. A holistic approach to chemical risks, which obviously includes security, should also account for workers and communities' safety and facilities' resilience.

Recent natural disasters have exposed previously unaccounted for vul-

nerabilities at some facilities. During Hurricane Harvey, we saw the potential for devastation, when a power outage and equipment failure led to a significant chemical fire at the Arkema facility in Crosby, Texas.

Ensuring that these critical sites are resilient to risks associated with climate change and extreme weather events will be critical for the long-term safety and security of not only the sites, but also surrounding communities.

I want to recognize the efforts of Jacqueline Cohen and other members of the Energy and Commerce Committee Democratic staff for their work on this bill.

Mr. Speaker, I urge my colleagues to support H.R. 251, and I hope we can continue bipartisan efforts to improve the program as we work toward a long-term reauthorization in the 116th Congress.

Mr. ROGERS of Alabama. Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, H.R. 251 was introduced by Democratic and Republican leadership of the Homeland Security Committee and the Energy and Commerce Committee.

This bill would allow the Department of Homeland Security to continue working with high risk chemical facility owners and operators throughout the U.S. to guard dangerous chemicals against malicious actors.

□ 1700

For proof of how grave this threat is, one need look no further than West, Texas, where, in 2013, a perpetrator set fire to a fertilizer plant, causing an explosion that leveled an entire town. More than a dozen first responders and civilians lost their lives in the blast.

Allowing authority to lapse would throw away the progress that has been made since 2014 and needlessly make our communities less secure.

Mr. Speaker, I urge my colleagues in the House to support H.R. 251 and call on the Senate to join us in maintaining this important security program.

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

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in support of H.R. 251, the "Chemical Facility Anti-Terrorism Standards Program Extension Act," which will extend by two years the Chemical Facility Anti-Terrorism Standards Program (CFATS) of the Department of Homeland Security (DHS) and for other purposes.

I thank Chairman Bernie Thompson of the House Homeland Security Committee for his leadership in introducing this important bill to improve chemical facility security.

The Chemical Facility Anti-Terrorism Standards CFATS program is the first in the nation to focus specifically on security at high-risk chemical facilities.

Through this regulatory program, the Department of Homeland Security (DHS) works

with facilities to ensure they have security measures in place to reduce the risk associated with certain hazardous chemicals, and prevent them from being exploited in terrorist attack.

These facilities must submit their chemical holdings to DHS via a process known as a Top Screen, which in turn is used by DHS to determine if the facilities is considered high risk and must develop a security plan.

The Department of Homeland Security reported more than 90,000 Top-Screen submissions from more than 40,000 unique facilities, of this number, CFATS program currently cover 3,355 facilities.

Today, Texas is the national leader in petroleum refining and chemical products production.

Texas alone produces 5.1 million barrels of crude oil per day, which accounted 29 percent of total U.S. refining capacity.

According to the Businessintexas.com, more than 3,700 energy-related establishments are located within the Houston Metropolitan Statistical Area.

The Houston area contributes 40 percent of the national petrochemical capacity.

The great benefits of the chemical industry provide to our nation a significant economic strength that cannot be underestimated.

Unfortunately, this great reward does not come without risks.

In 2013, a deadly fertilizer plant explosion in West, Texas killed 15 people, injured over 200 people and wiped out hundreds of homes.

On November 15, 2014, a leak of nearly 24,000 pounds of toxic chemical killed four workers at the E. I. DuPont de Nemours insecticide plant in La Porte, Texas.

In 2017, Hurricane Harvey caused a chemical plant explosion.

That is why it is important that we vote today to implement the following recommendations from the report:

1. Extend by two years the Chemical Facility Anti-Terrorism Standards program of the Department Homeland Security and other purposes.

2. Continue outreach in support to the DHS effort to identify chemical facility that are high risks, which will expand availability of CFATS compliance assistance materials and engage stakeholder to raise awareness of CFATS requirement and make improve the safety.

Because the mission of DHS is to ensure that our homeland is safe, secure, and resilient against terrorism and other hazards, effective communication within the organization is crucial.

Since its founding, the Department of Homeland Security has overcome many challenges as an organization but much more progress must be made regarding Chemical Facility Anti-Terrorism Standards program.

Although not a panacea, H.R. 251 is a step in the right direction because it will help improve DHS' overall functions so that it can more effectively protect our people.

I urge my colleagues to join me in supporting this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 251.

The question was taken.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### CLARITY ON SMALL BUSINESS PARTICIPATION IN CATEGORY MANAGEMENT ACT OF 2019

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 226) to amend the Small Business Act to include best in class designations in the annual report on small business goals prepared by the Administrator of the Small Business Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 226

*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 “Clarity on Small Business Participation in Category Management Act of 2019”.

#### SEC. 2. INCLUSION OF BEST IN CLASS DESIGNATIONS IN ANNUAL REPORT ON SMALL BUSINESS GOALS.

Section 15(h) of the Small Business Act (15 U.S.C. 644(h)) is amended by adding at the end the following new paragraph:

“(4) BEST IN CLASS SMALL BUSINESS PARTICIPATION REPORTING.—

“(A) ADDENDUM.—The Administrator, in addition to the requirements under paragraph (2), shall include in the report required by such paragraph, for each best in class designation—

“(i) the total amount of spending Governmentwide in such designation;

“(ii) the number of small business concerns awarded contracts and the dollar amount of such contracts awarded within each such designation to each of the following—

“(I) qualified HUBZone small business concerns;

“(II) small business concerns owned and controlled by women;

“(III) small business concerns owned and controlled by service-disabled veterans; and

“(IV) small business concerns owned and controlled by socially and economically disadvantaged individuals.

“(B) BEST IN CLASS DEFINED.—The term ‘best in class’ has the meaning given such term by the Director of the Office of Management and Budget.

“(C) EFFECTIVE DATE.—The Administrator shall report on the information described by subparagraph (A) beginning on the date that such information is available in the Federal Procurement Data System, the System for Award Management, or any successor to such systems.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

#### GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extra-

neous material on the measure under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of my bill, H.R. 226, the Clarity on Small Business Participation in Category Management Act of 2019.

Let me begin by welcoming back Ranking Member CHABOT to this new Congress. I have been privileged to serve on the Small Business Committee for two decades and appreciate the relationship the ranking member and I have cultivated. I look forward to working with him on this bill and others as we remain steadfast in our efforts to ensure small businesses have the resources to thrive now and in the future.

Our committee has long acknowledged small businesses’ critical role in the \$500 billion a year Federal marketplace. When small firms are awarded Federal contracts, the result is a win-win.

Category management is believed by some to be the best strategy to get agencies the lowest price, but my committee has heard otherwise, and the data backs this up. Small contractors on the multiple award schedule consistently provide lower prices to agencies than those offered through category management.

Despite this, agencies have increased the use of category management, which not just increases costs to the Federal Government but also limits contracts to small vendors. In our committee hearings last year, we heard that more and more contracts are being consolidated and put out of the reach of small businesses as a result of category management.

This bill is a commonsense first step to address the need of small vendors, particularly minority-, women-, and veteran-owned small businesses, to remain competitors in the Federal marketplace. By requiring that contracting activity under this new regime of category management be reported in the annual goaling report from agencies to Congress, today’s bill protects the industrial base by creating a mechanism for much-needed accountability.

H.R. 226 gives us the ability to analyze the data so that we can truly understand the role category management is playing in the marketplace and make changes accordingly.

Mr. Speaker, I am proud to offer this bill to provide accountability to the category management regime. I urge Members to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 226, the Clarity on Small Business Participation in Category Management Act of 2019.

I thank Chairwoman VELÁZQUEZ for working with us in a bipartisan manner on this bill, as we have done over the years on a whole range of other bills, whether the Democrats are in the majority or the Republicans are in the majority. On this committee, Ms. VELÁZQUEZ and I have been able to work in a bipartisan manner, and we appreciate that very much on this bill and many other things as well.

Category management is a procurement initiative that is being adopted across the Federal Government. If implemented properly, it can be a beneficial tool, allowing the government to better understand its purchasing habits and identify cost savings, where appropriate.

However, as we discovered in a full committee hearing that we held on this topic last Congress, setting mandatory targets to manage agency spending may result in unintended consequences that could impact the small business industrial base.

Specifically, this initiative may inadvertently reduce competition to only a few vendors and may discourage new and emerging small businesses from entering the Federal marketplace.

As a result, we may see a decrease in competition and an exodus of small businesses from the Federal contracting base. We should ensure that maximum opportunities are given to small businesses as we continue to pursue cost savings across the Federal Government.

While I applaud the administration’s efforts to reduce waste and identify areas where savings could be achieved, when we do so, we should try to avoid harming small businesses whenever possible.

H.R. 226 takes a first step toward assessing the impacts of category management on small businesses by requiring the Small Business Administration to report exactly how much is awarded to small businesses through the best in class contracts. Establishing this baseline and regularly monitoring these numbers is critical.

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

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. THOMPSON), the chairman of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank my friend, Ms. VELÁZQUEZ, for yielding me the time.

Mr. Speaker, we are currently on the 18th day of President Trump’s government shutdown. On a daily basis, the economic harm of the shutdown is being felt more acutely by small businesses in the Federal marketplace than their larger competitors. In contrast to large firms, small firms often rely on just a few contracts to provide a large portion of their annual revenue. As such, many report that, during the shutdown, they may have to lay off staff.

Small firms are projected to lose out on nearly \$301 million daily in new contract work because agencies cannot enter into new contracts during the shutdown.

I urge the President to put America first and agree to reopen the government.

Mr. Speaker, I rise in support of H.R. 226, the Clarity on Small Business Participation and Category Management Act of 2019. H.R. 226 seeks to improve reporting on small business participation in Federal contracting.

This legislation requires the Small Business Administration to report to Congress on the number of small businesses awarded best in class contracts and the dollar amount of such contracts. This information should help us get answers regarding how category management impacts the participation of small businesses, including minority-owned, women-owned, and veteran-owned companies, in the Federal marketplace.

Market research has shown that past contract consolidation efforts by the Federal Government have decreased the number of small prime contracting opportunities in the Federal workplace. In fiscal year 2017, the percentage of contracting dollars that went to small businesses was 24 percent, down from 26 percent in fiscal year 2015. As such, concerns about the impact of category management on small businesses are understandable.

As a longtime advocate for small businesses, I am pleased to cosponsor this legislation, and I thank the gentlewoman from New York for bringing this bill forward.

Mr. Speaker, I urge my colleagues to support small businesses by voting in favor of this legislation.

Mr. CHABOT. Mr. Speaker, before I address just some final points about this bill, I have to respond a bit to the gentleman from Mississippi relative to the shutdown, which we all hope will be resolved as soon as possible.

I don't think anybody in this body wants portions of the government to shut down and people not to be paid during that period of time. Hopefully, they will be paid in the future, but we don't necessarily want to pay people for not working, because we don't want them not to be working in the first place. So we need to get the government back open.

That being said, at this point, there is a standoff because the President and many Members in this body and in the other body believe that it is time for us to enhance our border security, and that is one of the principal issues right now and why the government is not open completely. Most of the government is open. It is a relatively small portion. However, any portion of the government that is closed is too much.

But we do have folks who have been coming across illegally at our southern border, and many believe that we do need to enhance the security at that border. Part of that is a wall, or bar-

rier, or substantial fencing, or one thing or another—whatever you want to call it—and we need to do that. We owe it to the American people to do that. So with that being said, I will just leave it there.

Mr. Speaker, I do believe that we ought to be looking to save taxpayer dollars in the procurement process, and category management may be a tool to do just that. However, we must maintain a vibrant industrial base that has a healthy and growing population of small firms to increase competition, spur innovation, and drive down costs.

This commonsense bill increases oversight on the administration's efforts to streamline the procurement process and aims to ensure small firms are not harmed in that process.

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

Ms. VELÁZQUEZ. Mr. Speaker, let me just respond to the gentleman's comment regarding the shutdown. The fact of the matter is that the President campaigned and told the American people that he will build a wall and that it will be paid for by the Government of Mexico, and that is not what he is telling us now.

Besides, this is the President's shutdown, and he was very proud when he made that comment to Speaker PELOSI and the minority leader, CHUCK SCHUMER.

Mr. Speaker, I am proud of this important legislation to provide much-needed oversight of small business participation in the streamlined acquisition strategy known as category management.

□ 1715

H.R. 226 requires that contracting activity under this new regime be reported in the annual goaling report from agencies to Congress. This data would allow us to better understand how small firms fare under this new system and make adjustments if needed to guarantee an equitable playing field.

This bill protects the small business industrial base by giving a mechanism for much-needed accountability. It is supported by the National Small Business Association, the U.S. Chamber of Commerce, and the National Electrical Contractors Association, which is the voice of the \$171 billion electrical construction industry.

I thank the ranking member for his support of H.R. 226, and I remain committed to ensuring small firms are competitive within the Federal marketplace.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 226, the "Clarity on Small Business Participation in Category Management," which amends the Small Business Act.

This act would require the Administrator of the Small Business Administration to provide in its business goal report information as to

how many small businesses are participating in the "best in class" vehicles so Congress can ascertain the effectiveness of such contracting vehicles for small firms.

H.R. 226 amends "the Small Business Act to include best in class designations in the annual report on small business goals prepared by the Administrator of the Small Business Administration, and for other purposes."

The report is to include among other things, the number of small business concerns awarded contracts and the dollar amount of such contracts awarded within each such designation to qualified HUBZone small business concerns, small business concerns owned and controlled by women, small business concerns owned and controlled by service-disabled veterans, and small business concerns owned and controlled by social and economically disadvantaged individuals.

Mr. Speaker, 99.9 percent of women-owned businesses are small businesses, whereas the majority of male- and female-owned employer businesses have fewer than five employees, more male-owned small businesses employ five or more employees.

Of the 30 million small businesses nationwide, 8 million are owned by minorities.

Between 2007 and 2012 minority owned small businesses increased in volume by around 38 percent.

Small businesses "are the engines of job creation in the United States."

Small businesses contribute to growth and vitality in many important areas of economic and socioeconomic development.

Small businesses create jobs and job opportunities, spark innovation, and provide opportunities for women and minorities to achieve financial success and independence.

For these reasons, I ask my colleagues to join me in supporting H.R. 226.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 226.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### INCENTIVIZING FAIRNESS IN SUBCONTRACTING ACT

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 227) to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 227

*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 "Incentivizing Fairness in Subcontracting Act".

**SEC. 2. SMALL BUSINESS LOWER-TIER SUBCONTRACTING.**

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(1) by amending paragraph (16) to read as follows:

“(16) CREDIT FOR CERTAIN SMALL BUSINESS CONCERN SUBCONTRACTORS.—

“(A) IN GENERAL.—For purposes of determining whether or not a prime contractor has attained the percentage goals specified in paragraph (6)—

“(i) if the subcontracting goals pertain only to a single contract with the Federal agency, the prime contractor may elect to receive credit for small business concerns performing as first tier subcontractors or subcontractors at any tier pursuant to the subcontracting plans required under paragraph (6)(D) in an amount equal to the total dollar value of any subcontracts awarded to such small business concerns; and

“(ii) if the subcontracting goals pertain to more than one contract with one or more Federal agencies, or to one contract with more than one Federal agency, the prime contractor may only receive credit for first tier subcontractors that are small business concerns.

“(B) COLLECTION AND REVIEW OF DATA ON SUBCONTRACTING PLANS.—The head of each contracting agency shall ensure that—

“(i) the agency collects and reports data on the extent to which contractors of the agency meet the goals and objectives set forth in subcontracting plans submitted pursuant to this subsection; and

“(ii) the agency periodically reviews data collected and reported pursuant to subparagraph (A) for the purpose of ensuring that such contractors comply in good faith with the requirements of this subsection and subcontracting plans submitted by the contractors pursuant to this subsection.

“(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to allow a Federal agency to establish a goaling requirement for lower-tier subcontractors of a prime contractor that is eligible to receive lower-tier subcontracting credit under this paragraph”; and

(2) by adding at the end the following:

“(18) DISPUTE PROCESS FOR NON-PAYMENT TO SUBCONTRACTORS.—

“(A) NOTICE TO AGENCY.—With respect to a contract with a Federal agency, a subcontractor of a prime contractor on such contract may, if the subcontractor has not received payment for performance on such contract within 30 days of the completion of such performance, notify the Office of Small and Disadvantaged Business Utilization (“OSDBU”) of the Federal agency and the prime contractor of such lack of payment, if such notice is provided to the agency within the 15-day period following the end of such 30 days.

“(B) AGENCY DETERMINATION.—

“(i) IN GENERAL.—Upon receipt of a notice described under subparagraph (A), the OSDBU shall verify whether such lack of payment has occurred and determine whether such lack of payment is due to an undue restriction placed on the prime contractor by an action of the Federal agency.

“(ii) RESPONSE DURING DETERMINATION.—During the period in which the OSDBU is making the determination under clause (i), the prime contractor may respond to both the subcontractor and the OSDBU with relevant verifying documentation to either prove payment or allowable status of non-payment.

“(C) CURE PERIOD.—If the OSDBU verifies the lack of payment under subparagraph (B) and determines that such lack of payment is not due to an action of the Federal agency, the OSDBU shall notify the prime contractor

and provide the prime contractor with a 15-day period in which the prime contractor may make the payment owed to the subcontractor.

“(D) RESULT OF NONPAYMENT.—If, after notifying the prime contractor under subparagraph (C), the OSDBU determines that the prime contractor has not fully paid the amount owed within the 15-day cure period described under subparagraph (C), the OSDBU shall ensure that such failure to pay is reflected in the Contractor Performance Assessment Reporting system (or any successor system).”.

**SEC. 3. MAINTENANCE OF RECORDS WITH RESPECT TO CREDIT UNDER A SUBCONTRACTING PLAN.**

Section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)) is amended—

(1) by redesignating subparagraphs (G) and (H) as subparagraphs (H) and (I), respectively (and conforming the margins accordingly); and

(2) by inserting after subparagraph (F) the following:

“(G) a recitation of the types of records the successful offeror or bidder will maintain to demonstrate that procedures have been adopted to substantiate the credit the successful offeror or bidder will elect to receive under paragraph (16)(A)(i);”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 227, the Incentivizing Fairness in Subcontracting Act.

In fiscal year 2017, the Federal Government purchased goods and services worth over \$508 billion through over 22 million contract actions. Unfortunately, not all this money remained with the original prime contractor and, instead, trickled down to subcontractors.

Subcontractors are growing in importance as an avenue for small businesses to work with the government, so it is important that barriers to entry are reduced. Today's bill does just that by helping contractors get the credit they need to meet Federal requirements, while also creating a dispute process for nonpayment—a recurring problem for those working with the Federal Government.

By improving the tools that exist for small businesses to become subcontractors, today's measure will draw in more small businesses that are not regular government contractors. This is a critical step to expanding the industrial base and including more small firms.

Most importantly, it ensures more small contractors have just recourse through the Office of Small and Disadvantaged Business Utilization if payment is not received within 30 days of completion. Timely payment protects small contractors who do not have the overhead margins to continue operating without being paid.

Today's bill is endorsed by the U.S. Chamber of Commerce, the National Small Business Association, and the National Electrical Contractors Association.

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

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

Mr. Speaker, I rise in support of H.R. 227, the Incentivizing Fairness in Subcontracting Act.

I, again, would like to thank Chairwoman VELÁZQUEZ as well as the gentleman from Mississippi, TRENT KELLY, for their leadership on this important bipartisan legislation.

As this committee has established time and again, small businesses play a vital role in the health and strength of the Federal marketplace. A vibrant small business community promotes innovation and competition, which results in better quality products and services provided at a lower cost to the taxpayer. Therefore, it is critically important that strong incentives exist to entice new small businesses to consider doing business in the Federal space.

One of the primary methods small businesses use to gain a foothold in Federal contracting is through subcontracting. As such, they rely on large prime contractors to make these opportunities available and to receive payment in a timely manner. This often creates an imbalance of power with the large prime contractor having the advantage.

This bill provides small businesses with more leverage by establishing a new measure of accountability on large prime contractors. Small subcontractors may seek redress with the Federal agency small business advocate to resolve any nonpayment issues stemming from the large prime contractor. Unresolved payment issues will reflect poorly on the prime contractor's record, which will impact the prime contractor's ability to win future contracts.

This bill establishes an important safeguard to discourage large prime contractors from taking advantage of their small subcontractors. The result will be a stronger and healthier industrial base, which is good for government. It is also, importantly, good for the taxpayer. I urge my colleagues to support this commonsense legislation.

Mr. Speaker, in closing, I want to thank the gentlewoman, again, for her leadership on this, as well as Mr. KELLY.

As we have discussed, this legislation provides an important safeguard to discourage large prime contractors from taking advantage of their small subcontractors. Given how important

small subcontractors are to the Federal procurement process, it is critical we ensure that they have an adequate system of redress should they have legitimate issues with the prime contractors. Once again, we are looking out for the little guy, which is what this committee does, and I think we all really appreciate that.

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

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

Mr. Speaker, I am pleased to introduce this piece of legislation which protects our small contractors by updating the subcontracting goaling regime through increased flexibility and accountability.

Establishing incentives to count low-tier subcontracting awards and a dispute process for subcontractors to utilize in the event of nonpayment ensures a healthy Federal procurement marketplace. Today's legislation spreads the economic power of Federal procurement to more companies and the communities where they are located.

I want to thank the gentleman from Mississippi (Mr. KELLY) for cosponsoring this critical legislation and for all his work on this issue while serving on the Small Business Committee, and I would like to also take this opportunity to thank the ranking member.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 227, which amends the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors.

Mr. Speaker, it is of the utmost importance that we pass this legislation to ensure subcontractors receive the credit and payment for performance that they have earned.

Between 2010 and 2016, Texas' population grew at the second-greatest rate in the country, accompanied by increased demand for residential, retail and commercial space.

With this increased demand came an increase in small businesses and the need for subcontractors across the state.

This fact alone explains why H.R. 227 is so important not only to small businesses throughout the country but specifically the small businesses and subcontractors in Texas that deserve compensation for their performance in a timely manner.

The Houston Chapter of the American Subcontractors Association (ASA-HC) is a collective voice for a diverse membership that was created in order to ensure quality, safety and ethics in construction trades.

ASA-HC advocates for legislative reform and provides educational opportunities for the subcontracting community.

Since ASA-HC's founding in 1966, more than 2,500 member companies throughout the United States, and more than 160 members in Houston benefit from the advocacy ASA offers to its members.

These hard-working Americans deserve nothing less than our maximal support for this bill.

Not only do these Americans deserve our support for H.R. 227, they deserve our maximum efforts to end the government shutdown.

Thousands of subcontractors whose pay comes from federal contracts have little hope of recouping the pay they lost when the government is not operating.

Julie Burr, a single mom from Kansas City, struggles to support her family during this shutdown.

She has been out of work and cannot receive pay for the two weeks prior to the shutdown because there is no one to process her time sheet.

She has taken extra shifts in her side job as a seasonal employee at Barnes and Noble, but it only makes up 25 percent of what her normal pay would be and she has had to ask for an extension on her rent payment, which was due on the first of the month.

Ethan James, a 21 year old minimum-wage contractor can only realistically miss three to four days of work before his standard of living is compromised.

He now risks missing his rent payment because he is not receiving the checks he depends on to sustain himself.

These hardworking Americans deserve more, we cannot afford to drag our feet on such an important issue.

I urge my colleagues to join me in voting for H.R. 227 and standing true to our nation's commitment to supporting and protecting small businesses and subcontractors.

I include in the RECORD a new article entitled "During Shutdown, Janitors, Security Guards and Other Federal Contractors receive no back pay."

[From ABC News, January 2, 2019]

**DURING SHUTDOWN, JANITORS, SECURITY GUARDS, AND OTHER FEDERAL CONTRACTORS RECEIVE NO BACK PAY**

(By Stephanie Ebbs and Anne Flaherty)

While hundreds of thousands of federal workers will have to wait for back pay after the government shutdown ends, thousands more whose pay comes from federal contracts have little hope of recouping the pay they lose when the government isn't operating. Some contractors are turning to other means to make up for the lost income, like taking extra shifts at a second job.

Julie Burr, an administrative assistant for the Department of Transportation in Kansas City, said she doesn't expect any compensation for the time she's been out of work during the shutdown and that she can't even get paid for the two weeks before it started because there's no one to process her time sheet.

"I'm just trying to take one day at a time honestly," Burr said in a phone interview. "I keep turning on the news and think maybe today's the day something will happen."

She said she's taken extra shifts in her side job as a seasonal employee at Barnes and Noble but it only makes up 25 percent of what her normal pay would be and she's had to ask for an extension on her rent payment, which was due on the first of the month.

Burr even set up a GoFundMe page to try and help with some of the expenses and is concerned that even if she can set up a payment plan it could hurt her credit score.

"I'm a single mom . . . we aren't a two income family or anything. It's just me, and I'm kind of trying to make things meet and if it comes to the point of selling items in the house I'll do that," she said.

During previous government shutdowns, Congress has passed resolutions approving back pay for most federal workers. But con-

tract workers like custodians and security officers, whose hourly wages are funded by private companies, don't get paid unless they work.

According to 32BJ SEIU, that means sudden unemployment with no end in sight for the 370 Smithsonian security officers in Washington D.C. protecting the popular museums—which house everything from Judy Garland's ruby red slippers from "The Wizard of Oz" to Charles Lindbergh's Spirit of St. Louis airplane—as well as the 50 security officers who work for Smithsonian museums in New York.

32BJ SEIU is a large property service workers' union that estimates some 2,000 of its members are facing potential paycheck disruptions as a result of the shutdown, including some 70 custodians at the Agriculture Department alone.

Most of those workers aren't eligible for back pay because they are paid by private companies with government contracts instead of being government employees.

It's a particularly ironic twist for federal workers caught in the showdown between President Donald Trump and congressional Democrats over funding for a border wall.

The union said that almost of all of its members are African-American or Latino and many don't support Trump's efforts to build a border wall.

"A true focus on America would mean support for the hardworking men and women who keep our government safe, clean and running every day while supporting their own families and communities across the country," said Jaime Contreras, a 32BJ SEIU vice president, in a statement.

"I wish everybody would just sit down and come to a compromise," she said.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELAZQUEZ) that the House suspend the rules and pass the bill, H.R. 227.

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

A motion to reconsider was laid on the table.

#### SMALL BUSINESS ADVOCACY IMPROVEMENTS ACT OF 2019

Ms. VELAZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 128) to clarify the primary functions and duties of the Office of Advocacy of the Small Business Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 128

*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 "Small Business Advocacy Improvements Act of 2019".

#### SEC. 2. AMENDMENT TO PRIMARY FUNCTIONS AND DUTIES OF THE OFFICE OF ADVOCACY OF THE SMALL BUSINESS ADMINISTRATION.

(a) PRIMARY FUNCTIONS.—Section 202 of Public Law 94-305 (15 U.S.C. 634b) is amended—

(1) in paragraph (1), by inserting "and the international economy" after "economy";

(2) in paragraph (9), by striking "complete" and inserting "compete"; and

(3) in paragraph (12), by striking "serviced-disabled" and inserting "service-disabled".

(b) DUTIES.—Section 203(a) of Public Law 94-305 (15 U.S.C. 634c) is amended—

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

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(7) represent the views and interests of small businesses before foreign governments and international entities for the purpose of contributing to regulatory and trade initiatives which may affect small businesses.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

#### GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 128, the Small Business Advocacy Improvements Act.

There are nearly 30 million small businesses in the United States representing more than 99 percent of all businesses. These small firms employ nearly 50 percent of all private-sector employees in the U.S. The SBA Office of Advocacy represents an important tool for these businesses because it is their voice that the office embodies in all matters of government.

Clarifying the authority of Advocacy to examine international economic data and represent small business interests in international discussions, particularly in trade negotiations, raises the ability of small American firms to participate in a global market. The office has already been participating in various international working groups on regulatory cooperation and trade initiatives with the sole focus of protecting and raising the interests of small businesses.

Their unique knowledge is necessary in trade negotiations to prevent indirect consequences from harming small firms and providing a more equitable playing field within international trade. That is why I urge my colleagues to support the bill.

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

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

Mr. Speaker, I rise in support of H.R. 128, the Small Business Advocacy Improvements Act of 2019.

I would like to once again thank Chairwoman VELÁZQUEZ for working in a cooperative and bipartisan manner to bring this measure to the House floor. I would also like to thank our colleague from Kentucky (Mr. COMER) for

his leadership in sponsoring this legislation. He will be speaking here shortly.

This bipartisan bill, which passed the House back in the 115th Congress, the last Congress, simply clarifies the role of the Office of Advocacy of the United States Small Business Administration, which is charged with representing small businesses before Federal agencies whose policies and activities may affect them. The office also examines the role of small businesses in the American economy and the contributions they make in improving competition.

Advocacy is vital to ensuring that small firms are heard when the Federal Government makes policy decisions that will impact them. The current law is silent regarding Advocacy's ability to study the role of small businesses in international economies, which is an important avenue for many small companies as they seek opportunities to expand overseas. This legislation would clarify that Advocacy should include international economies as part of its research functions, which will help us to better understand how international economies impact our Nation's small businesses.

The current law is also silent regarding Advocacy's authority to represent small businesses before foreign governments and international entities. This bill clarifies that Advocacy may represent small business views and interests before foreign governments and other international entities by contributing to regulatory and trade initiatives. Considering Advocacy's experience with regulatory and trade initiatives, it makes sense to ensure that the needs of America's small businesses are fairly represented in the international space as well.

Again, I want to thank the sponsor of this legislation, the gentleman from Kentucky (Mr. COMER), and Chairwoman VELÁZQUEZ for working on this important legislation and producing a simple solution to clarify the role of this office, and I urge my colleagues to support this straightforward legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I rise today in support of H.R. 128, the Small Business Advocacy Improvements Act of 2019.

I am proud, once again, to be the sponsor of this legislation which passed the House in a bipartisan manner during the 115th Congress. I want to thank my colleague, Chairwoman VELÁZQUEZ, for working with me on this bill.

The Office of Advocacy at the United States Small Business Administration plays a vital role in ensuring that Federal agencies adequately consider how their policies impact America's small businesses. While the Office of Advocacy has done excellent work on behalf of our Nation's small businesses, the current law is silent on whether it can

research and advocate on behalf of small business on international matters such as trade initiatives and regulations. This is a problem that we can easily address.

For many small businesses, exporting and operating overseas is an important part of their success and allows them to grow. Given the Office of Advocacy's knowledge and research on how domestic regulations impact small businesses, it is appropriate for the office to advocate and research small business interests on international matters as well, especially since international opportunities play a vital role for many of our Nation's small businesses.

This bill advances the Office of Advocacy's mission to advocate for America's small businesses and clarifies its authority on international small business issues. Mr. Speaker, I urge my colleagues to support this important bipartisan bill.

□ 1730

Ms. VELÁZQUEZ. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

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

This commonsense legislation provides the Chief Counsel for Advocacy the statutory authority to represent the Nation's small businesses in the international realm. This timely legislation will provide the office with greater latitude to represent America's small businesses internationally.

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

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

There is no question that we need to support our small businesses across the country, no matter their location or industry, when they are attempting to break into international commerce.

Today's bill leverages the unique position and knowledge of the SBA's Office of Advocacy to amplify the voice of small firms in international settings. Today is an important step to break down international barriers for small entrepreneurs entering into the world of trade.

Finally, I thank the gentleman from Kentucky (Mr. COMER), for his diligence on this matter.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 128 the “Small Business Advocacy Improvements Act,” which clarifies the duties of the SBA's Office of Advocacy.

I support this legislation because, among other things, it mandates the SBA Office of Advocacy to examine small business issues in international economies and authorizes the Office to represent small businesses interests before international entities and foreign governments dealing with regulatory and trade initiatives that affect small businesses.

The Small Business Administration's Office of Advocacy is an independent voice for small



business within the federal government that advocates on the behalf of this vital sector of the U.S. economy.

H.R. 128 clarifies and amends the duties of the Office of Advocacy to better serve the concerns of small businesses before Congress, the Federal Government and the international economy.

Small businesses are a critical component of the United States economy and the 8 million minority owned businesses reflect the diversity of our economy and our country.

Small businesses make up 44 percent of the U.S. wages and salaries paid annually to employees which helps stimulate and drive the rest of the U.S. economy.

SBA reported in 2018 that 99.9 percent of businesses within the United States are classified as Small Businesses, encompassing almost 50 percent of all employees with the United States.

In Texas, 98.6 percent of firms with employees were small businesses in 2012 and 93 percent of goods exported internationally were by small businesses.

By including the international economy within the interests of the SBA Office of Advocacy, small businesses will be able to compete effectively with international entities and expand to their full potential.

For these reasons, I ask my colleagues to join me in supporting H.R. 128 and upholding the importance of small businesses within our own economy and our presence internationally.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 128.

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

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 32 minutes p.m.), the House stood in recess.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DEUTCH) at 6 o'clock and 30 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules and pass:

H.R. 269, by the yeas and nays; and  
H.R. 251, by the yeas and nays; and  
Agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

## PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 269) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 401, nays 17, not voting 15, as follows:

[Roll No. 13]

YEAS—401

Abraham  
Adams  
Aderholt  
Agullar  
Allen  
Allred  
Amodei  
Armstrong  
Arrington  
Axne  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Barragán  
Bass  
Beatty  
Bera  
Bergman  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady  
Brindisi  
Brooks (IN)  
Brown (MD)  
Brownley (CA)  
Bucshon  
Budd  
Burchett  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Carbajal  
Cárdenas  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Case  
Casten (IL)

Castor (FL)  
Castro (TX)  
Chabot  
Cheney  
Chu, Judy  
Cicilline  
Cisneros  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Cline  
Cloud  
Clyburn  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Conaway  
Connolly  
Cook  
Cooper  
Correa  
Costa  
Courtney  
Cox (CA)  
Craig  
Crawford  
Crenshaw  
Crist  
Crow  
Cuellar  
Cummings  
Cunningham  
Curtis  
Davids (KS)  
Davidson (OH)  
Davis (CA)  
Davis, Danny K.  
Davis, Rodney  
Dean  
DeGette  
DeLauro  
DelBene  
Delgado  
Demings  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart

Dingell  
Doggett  
Doyle, Michael  
F.  
Duffy  
Duncan  
Dunn  
Emmer  
Engel  
Escobar  
Eshoo  
Españillat  
Estes  
Evans  
Ferguson  
Finkenauer  
Fitzpatrick  
Fleischmann  
Fletcher  
Flores  
Fortenberry  
Foster  
Foxx (NC)  
Fudge  
Fulcher  
Gabbard  
Gallagher  
Gallego  
Garamendi  
Garcia (IL)  
Garcia (TX)  
Gianforte  
Gibbs  
Golden  
Gomez  
Gonzalez (OH)  
Gonzalez (TX)  
Gooden  
Gottheimer  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green (TX)  
Griffith  
Grijalva  
Grothman  
Guest  
Guthrie  
Haaland  
Hagedorn

Harder (CA)  
Harris  
Hartzler  
Hastings  
Hayes  
Heck  
Hern, Kevin  
Herrera Beutler  
Hice (GA)  
Higgins (NY)  
Hill (AR)  
Hill (CA)  
Himes  
Holding  
Hollingsworth  
Horn, Kendra S.  
Horsford  
Houlahan  
Hoyer  
Hudson  
Huffman  
Huizenga  
Hunter  
Hurd (TX)  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Johnson (TX)  
Jordan  
Joyce (OH)  
Joyce (PA)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kennedy  
Khanna  
Kildee  
Kilmer  
Kim  
Kind  
King (NY)  
Kinzinger  
Kirkpatrick  
Krishnamoorthi  
Kustoff (TN)  
LaHood  
Lamb  
Lamborn  
Langevin  
Larsen (WA)  
Larsen (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Lesko  
Levin (CA)  
Levin (MI)  
Lewis  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Long  
Loudermilk  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Marchant  
Marino  
Marshall

Matsui  
McAdams  
McBath  
McCarthy  
McCauley  
McClintock  
McCollum  
McEachin  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meeks  
Meng  
Meuser  
Miller  
Mitchell  
Moolenaar  
Mooney (WV)  
Moore  
Morelle  
Moulton  
Mucarsel-Powell  
Mullin  
Murphy  
Nadler  
Napolitano  
Neal  
Neguse  
Newhouse  
Norcross  
Norman  
Nunes  
O'Halloran  
Ocasio-Cortez  
Omar  
Palazzo  
Pallone  
Palmer  
Panetta  
Pappas  
Pascarell  
Payne  
Pence  
Perlmutter  
Peters  
Peterson  
Phillips  
Pingree  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Reed  
Reschenthaler  
Rice (NY)  
Rice (SC)  
Richmond  
Riggleman  
Roby  
Roe, David P.  
Rogers (AL)  
Rogers (KY)  
Rose (NY)  
Rose, John W.  
Rouda  
Rouzer  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Rutherford  
Sánchez  
Sarbanes  
Scalise  
Scanlon  
Schakowsky  
Schiff  
Schneider

Schrader  
Schrier  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sewell (AL)  
Shalala  
Sherman  
Sherrill  
Shimkus  
Simpson  
Sires  
Slotkin  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (WA)  
Smucker  
Soto  
Spanberger  
Spano  
Speier  
Stanton  
Stauber  
Stefanik  
Steil  
Steube  
Stevens  
Stewart  
Stivers  
Suozy  
Swalwell (CA)  
Takano  
Taylor  
Thompson (CA)  
Olson  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Timmons  
Tipton  
Tlaib  
Tonko  
Torres (CA)  
Torres Small  
(NM)  
Trahan  
Trone  
Turner  
Underwood  
Upton  
Van Drew  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Waltz  
Wasserman  
Schultz  
Waters  
Watkins  
Watson Coleman  
Welch  
Wenstrup  
Westerman  
Wexton  
Wild  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Wright  
Yarmuth  
Young  
Zeldin

NAYS—17

Amash  
Babin  
Biggs  
Brooks (AL)  
Gohmert  
Gosar

Green (TN)  
Higgins (LA)  
King (IA)  
Massie  
Perry  
Posey

Ratcliffe  
Roy  
Weber (TX)  
Webster (FL)  
Yoho

NOT VOTING—15

Buchanan  
Buck  
DeFazio

Frankel  
Gaetz  
Jackson Lee

Jones  
Kelly (PA)  
Kuster (NH)

LaMalfa  
MastRooney (FL)  
RyanTitus  
Wilson (FL)

□ 1859

Messrs. RATCLIFFE, GOSAR, BABIN, WEBER of Texas, GREEN of Tennessee, and POSEY changed their vote from “yea” to “nay.”

Messrs. DUNCAN, RICHMOND, and EMMER changed their vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### MOMENT OF SILENCE COMMEMORATING THE EIGHTH ANNIVERSARY OF THE TUCSON, ARIZONA, SHOOTING

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

Mrs. KIRKPATRICK. Mr. Speaker, 8 years ago today, at 10:10 a.m., 19 members of the Tucson community were shot in a despicable act of violence that shocked the Nation.

They were attending a Congress on Your Corner event, where Congresswoman Gabby Giffords was meeting with her constituents, when they were gunned down in a senseless tragedy that killed 6 and wounded 13.

The shooter fired his weapon 33 times in less than 20 seconds and was attempting to reload his handgun when the courageous actions of three people stopped him. Had they not done so, many others would have been wounded or killed.

The six people who died were: Christina-Taylor Green, Dorothy “Dot” Morris, Federal Judge John Roll, Phyllis Schneck, Dorwan Stoddard, and Gabriel “Gabe” Zimmerman.

People who were wounded by the gunmen were: Bill Badger; Congressman Ron Barber, who is now my district director; Ken Dorushka; James Fuller; Randy Gardner; Congresswoman Gabby Giffords; Suzi Hileman; George Morris; Mary Reed; Pam Simon; Mavy Stoddard; Jim Tucker; and Kenneth Veeder.

The members of my community had never seen such a devastating tragedy before, and yet they responded with compassion and kindness toward the survivors and the families of those who were murdered. They did not let this horrific tragedy define who we were.

Three memorials sprang up spontaneously: at the site of the shooting, at Congresswoman Gifford’s office, and at the university hospital where the most seriously wounded were taken.

Thanks to the quick actions of members of the public and first responders who rushed to treat the wounded, lives were saved that morning.

The mental health of everyone in attendance was adversely affected, and many of the survivors still endure the

physical and mental impact the shooting had on their lives.

The families of the six people who were killed grieve the loss of their loved ones to this day. I am so honored that our colleague Gabby Giffords is with us tonight.

Gabby served with great distinction in this House and, despite her nearly fatal injuries, has gone on to encourage and inspire us to take action to reduce gun violence in our country.

Today, a bipartisan group of our colleagues responded to Gabby’s call by introducing and cosponsoring H.R. 8. This bill, which I support, will keep guns out of the hands of people who are currently prohibited by law from purchasing guns. It will eliminate loopholes in the current background check system.

The bill will not prevent responsible gun owners from buying guns, but it will make sure that their gun purchases are made in compliance with our existing laws.

Mr. Speaker, I look forward to the debate that we will have regarding H.R. 8, and hope that we will soon pass this bill out of our Chamber.

Gun violence in our Nation is a major public health problem, and it must be addressed. The American people who sent us here are waiting for us to step up and act responsibly on their behalf. We must do so.

Mr. Speaker, I ask that the House observe a moment of silence in remembrance of those whom we lost.

The SPEAKER pro tempore. The House will observe a moment of silence.

#### CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM EXTENSION ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 251) to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 3, not voting 16, as follows:

[Roll No. 14]

YEAS—414

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Allred  
Amodei  
Armstrong  
Arrington  
Axne

Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Barragán  
Bass  
Beatty  
Bera

Bergman  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (UT)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost

Boyle, Brendan F.  
Brady  
Brindisi  
Brooks (AL)  
Brooks (IN)  
Brown (MD)  
Brownley (CA)  
Bucshon  
Budd  
Burchett  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Carbajal  
Cárdenas  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Case  
Casten (IL)  
Castor (FL)  
Castro (TX)  
Chabot  
Cheney  
Chu, Judy  
Cicilline  
Cisneros  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Cline  
Cloud  
Clyburn  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Conaway  
Connolly  
Cook  
Cooper  
Correa  
Costa  
Courtney  
Cox (CA)  
Craig  
Crawford  
Crenshaw  
Crist  
Crow  
Cuellar  
Cummings  
Cunningham  
Curtis  
Davids (KS)  
Davidson (OH)  
Davis (CA)  
Davis, Danny K.  
Davis, Rodney  
Dean  
DeGette  
DeLauro  
DelBene  
Delgado  
Demings  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Doyle, Michael F.  
Duffy  
Duncan  
Dunn  
Emmer  
Engel  
Escobar  
Eshoo  
Espallat  
Estes  
Evans  
Ferguson  
Finkenauer  
Fitzpatrick  
Fleischmann  
Fletcher  
Flores  
Fortenberry  
Foster  
Foxx (NC)  
Fudge

Fulcher  
Gabbard  
Gallagher  
Gallego  
Garamendi  
Garcia (IL)  
Garcia (TX)  
Gianforte  
Gibbs  
Gohmert  
Golden  
Gomez  
Gonzalez (OH)  
Gonzalez (TX)  
Gooden  
Gosar  
Gottheimer  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green (TN)  
Green (TX)  
Griffith  
Grijalva  
Grijalva  
Grothman  
Guest  
Guthrie  
Haaland  
Hagedorn  
Harder (CA)  
Harris  
Hartzler  
Hastings  
Hayes  
Heck  
Hern, Kevin  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Higgins (NY)  
Hill (AR)  
Hill (CA)  
Himes  
Holding  
Hollingsworth  
Horn, Kendra S.  
Horsford  
Houlahan  
Hoyer  
Hudson  
Huffman  
Huizenga  
Hunter  
Hurd (TX)  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Johnson (TX)  
Jordan  
Joyce (OH)  
Joyce (PA)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kennedy  
Khanna  
Kildee  
Kilmer  
Kim  
Kind  
King (IA)  
King (NY)  
Kinzinger  
Kirkpatrick  
Krishnamoorthi  
Kustoff (TN)  
LaHood  
Lamb  
Lamborn  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Lesko  
Levin (CA)  
Levin (MI)  
Lewis  
Lieu, Ted  
Lipinski

Loeb sack  
Lofgren  
Long  
Loudermilk  
Lowenthal  
Lowe  
Lucas  
Luetkemeyer  
Luján  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Marchant  
Marino  
Marshall  
Matsui  
McAdams  
McBath  
McCarthy  
McCaul  
McClintock  
McCollum  
McEachin  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meeks  
Meng  
Meuser  
Miller  
Mitchell  
Moolenaar  
Mooney (WV)  
Moore  
Morelle  
Moulton  
Mucarsel-Powell  
Mullin  
Murphy  
Nadler  
Napolitano  
Neal  
Neguse  
Newhouse  
Norcross  
Norman  
Nunes  
O'Halleran  
Ocasio-Cortez  
Olson  
Omar  
Palazzo  
Pallone  
Palmer  
Panetta  
Pappas  
Pascarell  
Payne  
Pence  
Perlmutter  
Perry  
Peters  
Peterson  
Phillips  
Pingree  
Pocan  
Porter  
Posey  
Pressley  
Price (NC)  
Raskin  
Raskin  
Ratcliffe  
Reed  
Reschenthaler  
Rice (NY)  
Rice (SC)  
Richmond  
Riggleman  
Roby  
Roe, David P.  
Rogers (AL)  
Rogers (KY)  
Rose (NY)  
Rose, John W.  
Rouda  
Rouzer  
Roy  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rutherford

Sánchez Stanton Velázquez  
 Sarbanes Stauber Visclosky  
 Scalise Stefanik Wagner  
 Scanlon Steil Walberg  
 Schakowsky Steube Walden  
 Schiff Stevens Walker  
 Schneider Stewart Walorski  
 Schrader Stivers Waltz  
 Schrier Suozzi Wasserman  
 Schweikert Swallow (CA) Schultz  
 Scott (VA) Takano Taylor  
 Scott, Austin Thompson (CA)  
 Scott, David Thompson (MS)  
 Sensenbrenner Thompson (PA)  
 Serrano Serrano  
 Sewell (AL) Thornberry  
 Shalala Timmons  
 Sherman Tipton  
 Sherrill Tlaib  
 Shimkus Tonko  
 Simpson Torres (CA)  
 Sires Torres Small  
 Slotkin (NM)  
 Smith (MO) Trahan  
 Smith (NE) Trone  
 Smith (NJ) Turner  
 Smith (WA) Underwood  
 Smucker Upton  
 Soto Van Drew  
 Spanberger Vargas  
 Spano Veasey  
 Speier Vela

## NAYS—3

Amash Biggs Massie  
 Buchanan Jones Rush  
 Buck Kelly (PA) Ryan  
 DeFazio Kuster (NH) Titus  
 Frankel LaMalfa Wilson (FL)  
 Gaetz Mast  
 Jackson Lee Rooney (FL)

□ 1917

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 161, answered “present” 2, not voting 35, as follows:

[Roll No. 15]

YEAS—235

Adams Bergman Butterfield  
 Aguilar Bishop (GA) Carbajal  
 Allred Blumenauer Cárdenas  
 Amodei Blunt Rochester Carson (IN)  
 Arrington Bonamici Carter (TX)  
 Bacon Boyle, Brendan Cartwright  
 Banks F.  
 Barragán Brady Castor (FL)  
 Bass Brown (MD) Castro (TX)  
 Beatty Budd Chu, Judy  
 Bera Bustos Cicilline

Cisneros Johnson (GA)  
 Clark (MA) Johnson (TX)  
 Clarke (NY) Joyce (OH)  
 Clay Kaptur  
 Cleaver Katko  
 Clyburn Keating  
 Collins (GA) Kelly (IL)  
 Collins (NY) Kennedy  
 Comer Khanna  
 Cooper Kildee  
 Correa Kim  
 Courtney King (IA)  
 Cox (CA) King (NY)  
 Craig Kinzinger  
 Crist Lamb  
 Cuellar Langevin  
 Welch Larsen (WA)  
 Curtis Larson (CT)  
 Davis (KS) Lawrence  
 Davidson (OH) Lawson (FL)  
 Davis (CA) Lee (CA)  
 Davis, Danny K. Lee (NV)  
 Dean Lesko  
 DeGette Levin (CA)  
 DeLauro Levin (MI)  
 DeBene Lewis  
 Delgado Lieu, Ted  
 Demings Lipinski  
 DeSaulnier Loebach  
 Deutch Lofgren  
 Dingell Long  
 Doggett Lowenthal  
 Doyle, Michael Lowey  
 F. Lujan  
 Engel Luria  
 Escobar Lynch  
 Eshoo Malinowski  
 Espallat Maloney,  
 Evans Carolyn B.  
 Finkenauer Maloney, Sean  
 Fleischmann Marchant  
 Fletcher Matsui  
 Fortenberry McBeth  
 Foster McClintock  
 Foxx (NC) McCollum  
 Gabbard McEachin  
 Gallego McGovern  
 Garamendi McMorris  
 García (IL) Rodgers  
 García (TX) McNerney  
 Gomez Meeks  
 Gonzalez (TX) Moore  
 Granger Morelle  
 Green (TX) Moulton  
 Grijalva Murphy  
 Grothman Nadler  
 Haaland Napolitano  
 Harder (CA) Neal  
 Hastings Neguse  
 Heck Norcross  
 Higgins (LA) Norman  
 Higgins (NY) Ocasio-Cortez  
 Hill (CA) Omar  
 Himes Pallone  
 Hollingsworth Panetta  
 Horn, Kendra S. Pappas  
 Houlahan Pascrell  
 Hoyer Payne  
 Jayapal Perry  
 Jeffries Peters

## NAYS—161

Abraham Conaway Gottheimer  
 Aderholt Connolly Graves (GA)  
 Allen Cook Graves (LA)  
 Amash Costa Graves (MO)  
 Armstrong Crawford Green (TN)  
 Axne Crenshaw Griffith  
 Babin Crow Guest  
 Baird Davis, Rodney Guthrie  
 Balderson DesJarlais Hagedorn  
 Barr Diaz-Balart Harris  
 Beyer Duffy Hartzler  
 Bilirakis Duncan Hern, Kevin  
 Bishop (UT) Dunn Herrera Beutler  
 Bost Emmer Hice (GA)  
 Brindisi Estes Hill (AR)  
 Brownley (CA) Ferguson Horsford  
 Bucshon Fitzpatrick Huizenga  
 Bloch Flores Hunter  
 Burgess Fudge Hurd (TX)  
 Byrne Fulcher Johnson (LA)  
 Calvert Gallagher Johnson (OH)  
 Carter (GA) Gianforte Johnson (SD)  
 Chabot Gibbs Jordan  
 Cheney Golden Joyce (PA)  
 Cline Gonzalez (OH) Kelly (MS)  
 Cloud Gooden Kilmer  
 Cole Gosar Kind

Krishnamoorthi Palmer Stivers  
 Kustoff (TN) Pence Suozzi  
 LaHood Perlmutter Thompson (CA)  
 Lamborn Peterson Thompson (PA)  
 Latta Posey Timmons  
 Loudermilk Ratcliffe Tipton  
 Lucas Reed Turner  
 Luetkemeyer Rice (NY) Upton  
 Marino Rice (SC) Van Drew  
 Marshall Roe, David P. Walden  
 Massie Rogers (AL) Walker  
 McAdams Rogers (KY) Walorski  
 McCarthy Rose, John W. Waltz  
 McCaul Rouzer Waters  
 McHenry Roy Watkins  
 McKinley Ruiz Weber (TX)  
 Meng Rutherford Westerman  
 Meuser Scalise Williams  
 Miller Schrier Wilson (SC)  
 Mitchell Scott, Austin Wittman  
 Moolenaar Sensenbrenner  
 Mooney (WV) Shimkus Womack  
 Mucarsel-Powell Smith (MO) Woodall  
 Mullin Smith (NE) Wright  
 Newhouse Smucker Yoho  
 Olson Stauber Young  
 Palazzo Steube Zeldin

## ANSWERED “PRESENT”—2

Gohmert Tonko

## NOT VOTING—35

Biggs Holding O'Halleran  
 Brooks (AL) Hudson Price (NC)  
 Brooks (IN) Huffman Rooney (FL)  
 Buchanan Jackson Lee Ruppelberger  
 Buck Jones Ryan  
 Casten (IL) Kelly (PA) Schrader  
 Cohen Kirkpatrick Sires  
 Cummings Kuster (NH) Titus  
 DeFazio LaMalfa Tlaib  
 Frankel Mast Wilson (FL)  
 Gaetz Meadows Wright  
 Hayes Nunes Yarmuth

□ 1928

So the Journal was approved.  
 The result of the vote was announced as above recorded.

□ 1930

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 264, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H.R. 265, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H.R. 266, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H.R. 267, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; AND WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 116-1) on the resolution (H. Res. 28) providing for consideration of the bill (H.R. 264) making appropriations for financial services and general government for the fiscal year ending September 30,



2019, and for other purposes; providing for consideration of the bill (H.R. 265) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 266) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 267) making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

#### WALL WON'T SOLVE DRUG PROBLEM

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

Ms. KAPTUR. Madam Speaker, the President's demand for \$5 billion for a wall won't stop the drug trade, and here is why: The drugs will keep flowing in here, due to NAFTA and CAFTA's exploding continental trade resulting from U.S. jobs being shipped south of our border and the goods they produce down there being transshipped back here with an endless flow of trucks, planes, ships, and railcars. Colombian drug cartels figured this out when NAFTA came along.

Madam Speaker, I have a story from last Friday's Wall Street Journal, entitled: "'El Chapo' Jury Told of Cartel's Tricks, From Submarines to Laundry Carts." Two characters among the most significant drug traffickers ever extradited to our country are undergoing trial.

They explain how massive amounts of cocaine and methamphetamines were ferried from Colombia through Mexico into major U.S. cities and how the cartel hired families from the United States to drive down through El Paso into Mexico and bring back contraband material hidden in compartments in their cars. This is a shot of Laredo, Texas, just one of hundreds of portals into our country.

Madam Speaker, the trucks go for miles from the control point all the way back. This is how the majority of contraband material comes into this country, through those portals of entry. A wall will not solve the major reason these materials end up in this country.

#### 2019 LEGISLATIVE AGENDA TOUR

(Mr. WILSON of South Carolina asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, yesterday, I hosted press conferences for a 2019 agenda in the Midlands, Aiken, and Barnwell with my wife, Roxanne.

I am grateful for the 2018 successes of serving as Armed Services Readiness Subcommittee chairman to rebuild the military, leading the House delegation to open the Embassy in Jerusalem, and tax cuts creating jobs with record-high middle-class income.

In 2019, I will work to create jobs and economic growth, support conservative alternatives, achieve foreign affairs opportunities, and promote our military and veterans. Building on bipartisan successes, I am confident this year we can be productive for American families.

Congratulations to the Clemson Tigers for their victory for the national championship. Coach Dabo Swinney and Quarterback Trevor Lawrence are an inspiration for the youth of America.

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

#### WE NEED TO OPEN THE GOVERNMENT

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

Mr. KILMER. Madam Speaker, yesterday, I met with a group of Federal workers in Tacoma to discuss the impacts of the government shutdown. One of the folks there was a prison guard. She told me that, without her paycheck, she didn't know if she could pay for childcare or for the prescriptions she needs after successfully fighting cancer just last year.

Because of this shutdown, that is the conversation that is unfolding across 800,000 kitchen tables as Federal workers try to figure out how to scrape together mortgage payments and rent payments, trying to make due without a paycheck.

This crisis doesn't just impact Federal workers. It hurts entire communities. It hurts the economy around Olympic National Park, such as hotel owners and restaurateurs, when people cancel their visit to the park because of the shutdown. It affects college students, prospective home buyers, and small business owners who won't have access to Federal loans because of this shutdown.

Madam Speaker, while we can have a legitimate discussion about immigration reform, America doesn't need a wall. It doesn't need a 5th century answer to a 21st century challenge. America needs an open government. The Senate and the President can and should make this happen right now.

#### EMERGENCY DECLARATION: BUILD THE WALL

(Mr. PALAZZO asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PALAZZO. Madam Speaker, the American people are sick and tired of our porous borders and of the inability of Washington to get things done.

Every day that we fail to secure these borders, more drug runners, human traffickers, and violent criminals enter our communities. It is time we quit playing politics and give the American people what they want and what they voted for.

Although President Trump has certainly pushed the topic into the spotlight, the idea of a wall is nothing new. We have been talking about a wall for decades. This is not a work in progress. This is a failure of leadership.

Presidents, Republican and Democratic alike, have failed to secure our border. It is time for the President to take emergency action. And make no mistake: Our border security absolutely constitutes a national emergency.

Every day, our brave soldiers are breaking their backs to support our national security across the globe, yet we can't secure our own country here at home. If you were to ask any of them what the priority in this Nation is, I think you would receive resounding support for a border wall and border security.

We simply cannot continue to operate as we have. The time has come for our President to take decisive action, and I urge him to do everything in his power to build this wall.

#### HELP SOLVE THE GUN CRISIS

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

Ms. BROWNLEY of California. Madam Speaker, on November 7, 12 lives were stolen from us during the shooting at the Borderline Bar & Grill in my district. As our community began to reckon with this tragedy, I said: "Today we mourn. Tomorrow we work to end the senseless gun violence ravaging our Nation."

But we didn't even have time to recover from our shock before wildfires raged through our community. Our trauma was made unthinkable worse, but we were also united by these dual tragedies, united in reflection and healing.

My community knows that there is no single solution to ending mass shootings, but we also know that to do nothing, to not even try, would be unimaginable. We cannot bring back those lives lost, but we can take sensible action to find solutions that will make the lives of our constituents better and safer.

One very obvious, commonsense solution that more than 90 percent of this country supports is universal background checks. H.R. 8 will not solve all of the gun violence that is ripping our Nation apart, but it will help. That is

what we are here to do. I urge my colleagues to support H.R. 8.

#### HONORING THE LIFE OF JOHNNY MURPHY

(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. Madam Speaker, I rise today to remember the life of Mr. Johnny Murphy, who passed away on December 19 at the age of 63.

When Mr. Murphy passed, he was serving as the mayor pro tem of Richmond Hill in Georgia's First Congressional District. However, this is far from the only way that he served his community. Without his effort and dedication to the area, Richmond Hill likely wouldn't be where it is today.

In 1984, Mr. Murphy started a real estate company called the Richmond Hill Land Company, when the town was much smaller and didn't yet have a red light. Since then, he started the Richmond Hill-Bryan County Chamber of Commerce, Richmond Hill Reflections magazine, and served on the city council and as mayor pro tem. Now the city has grown to have multiple neighborhoods and something for everyone to do, including one of the largest festivals in the area, the Richmond Hill Seafood Festival.

I am proud to have had someone in our district who can make an impact like that of Mr. Murphy. His family will be in my thoughts and prayers during this difficult time.

#### CONGRATULATING LUIGI BATTAGLIOLI

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

Mr. TONKO. Madam Speaker, I rise to congratulate Luigi Battaglioli, a visionary senior at Burnt Hills-Ballston Lake High School, whose app was recently selected as the winner of the 2018 Congressional App Challenge for New York's 20th Congressional District.

Luigi's submission stood out in an impressive field from students across our district. His app, CodeGeek.org, is an online classroom that teaches novice students how to code through video lessons, educational texts, and challenge assignments.

Growing a modern, sustainable, and competitive economy requires exceptional STEM training and education. Luigi's commitment to making coding accessible to anyone on the internet truly embodies the spirit of the Congressional App Challenge. He has earned the pride and praise of our entire capital region community. May his work inspire others to share his passion in the coming year and beyond.

#### SUGAR LAND, TEXAS: BEST OF THE BEST

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

Mr. OLSON. Madam Speaker, the world knows no one takes better care of their friends than Texans. The whole world knows my hometown of Sugar Land is the best of the best. The world saw this in global stories about Hurricane Harvey, but the world misses so many stories.

There was a Fort Bend Star article about an eight-alarm fire that destroyed eight apartments weeks before Christmas. The world needs to know about Nazila, Isabella, Blanca, Ann, and Troy. That fire burned all they owned, except two cellos Ann uses to teach kids music at Austin High School. As the world can see, Ann and her loved ones have a fully furnished apartment, courtesy of BEL Furniture in Sugar Land, Texas.

Sugar Land is the best of the best—the best in America, the best in the world.

And that is just the way it is.

#### HONORING GEORGIA GOVERNOR NATHAN DEAL

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

Mr. FERGUSON. Madam Speaker, I rise today to honor one of Georgia's most successful public servants, Governor Nathan Deal.

Governor Deal has led our State with grace and tenacity for the last 8 years, and his time in office has been marked by years of success for our State. In fact, since 2014, Georgia has been ranked the best State in the Nation to do business. That distinction is a direct result of Governor Deal's leadership, his focus on economic development, his investment in statewide workforce development initiatives and training programs, and a sheer desire to see our fellow Georgians succeed. His commitment has, in fact, led to more and better jobs for my fellow Georgians and produced a workforce that is second to none in the world.

Governor Deal and his wife, Sandra, are headed to a much-deserved retirement, some rest, and an awful lot of fun. We wish them the best. I know all Georgians offer their gratitude as well.

Governor Deal, thank you for making Georgia a better place.

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#### BORDER SECURITY

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

Mr. GOHMERT. Madam Speaker, in 2007 there was a vote in this body about whether or not we provide a barrier, a wall, a fence, and we had Democratic

leaders who voted for it back then, both here and in the Senate. Seventy-nine Senators voted for it back then.

The problem is not better on our border, and, in fact, the drugs coming across are worse. There was enough fentanyl coming across in the past year to kill every American adult. The problem is worse.

Folks here were for a wall, a barrier. It seems the only difference is now there is a President that some in here absolutely despise.

#### BORDER SECURITY

The SPEAKER pro tempore (Ms. STEVENS). Under the Speaker's announced policy of January 3, 2019, the gentleman from Pennsylvania (Mr. MEUSER) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEUSER. Madam Speaker, it is with a great sense of honor, respect, and patriotism I make my first address on this floor.

This government shutdown needs to be resolved. The people know it is up to this Congress to do it and to do so in short order.

Despite the high level of political morass we must wade through in these first days of the 116th Congress, I continue to believe that this Congress can do things better and actually work together to get things done for the American people.

The need exists to advance and improve our border security, as well as correct aspects of our illegal immigration laws.

The problem-solving, however, starts with securing our borders. Our borders are a serious problem. We all know this. The data is indisputable by anyone who seriously reviews the information.

We have hundreds of thousands entering our country illegally every year, and our Border Patrol agents cannot manage the situation with the resources and tools Congress has appropriated.

There is a cost and a plan to make our borders properly secure. Congress has the responsibility to provide the right level of funding so border security staff can, in fact, do their job and so our country has lawful immigration.

The experts at Homeland Security say this cost is \$5.7 billion. There are many in this Congress who will not vote for this, but less than 7 years ago, these same Members voted for border security funding which did, in fact, include a physical barrier.

Politics has no place in this serious matter. The border agents, including Chris Cabrera of the National Border Patrol Council, emphasizes that a wall, or a barrier, is an essential tool. We here in Congress must provide the means so Border Patrol can do their job.

I, myself, do believe in a policy of high fences and wide legal gates, but before we can talk about legal gates and deal with the issues such as DACA

and extended work visas for agricultural workers, we must secure the border.

The people want us to work together for our country, not for ourselves or our political parties. Let's not continue to let the people down. Let's show that this Congress can do things better.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today and January 9 until 6 p.m. on account of medical procedure.

Mr. MAST (at the request of Mr. MCCARTHY) for today through January 17 on account of the birth of his child.

#### PUBLICATION OF BUDGETARY MATERIAL

Mr. YARMUTH. Madam Speaker, pursuant to section 103(c) of the H. Res. 6, adopted rules of the House of Representatives for the One-Hundred Sixteenth Congress, I hereby submit for printing in the CONGRESSIONAL RECORD the lists of discretionary accounts identified for advance appropriations in Fiscal Year 2019 appropriation bills.

#### ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS FOR FISCAL YEAR 2020

Labor, Health and Human Services, and Education:

Employment and Training Administration.  
Education for the Disadvantaged.  
School Improvement Programs.  
Career, Technical, and Adult Education.  
Special Education.

Transportation, Housing and Urban Development:

Tenant-based Rental Assistance.  
Project-based Rental Assistance.

#### FOR FISCAL YEAR 2021

Labor, Health and Human Services, and Education:

Corporation for Public Broadcasting

#### VETERANS ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS

Military Construction, Veterans Affairs:  
Veterans Medical Services.  
Veterans Medical Support and Compliance.  
Veterans Medical Facilities.  
Veterans Medical Community Care.

#### ADJOURNMENT

Mr. MEUSER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 9, 2019, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

12. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's Major final rule — Nuclear Classification and Declassification [AU60-2016-1045] (RIN: 1992-AA49) received January 3, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

13. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's interim staff guidance — Digital Instrumentation and Controls Licensing Process [DI&C-ISC-06, Revision 2] received January 7, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

14. A communication from the President of the United States, transmitting a notification of a deployment of United States Armed Forces personnel to Libreville, Gabon, to be in position to support the security of United States citizens, personnel, and diplomatic facilities in Kinshasa, Democratic Republic of the Congo, pursuant to 50 U.S.C. 1543(a); Public Law 93-148, Sec. 4(a); (87 Stat. 555) (H. Doc. No. 116—5); to the Committee on Foreign Affairs and ordered to be printed.

15. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2018, to December 31, 2018, pursuant to 2 U.S.C. 104a (H. Doc. No. 116—6); to the Committee on House Administration and ordered to be printed.

16. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of the General Counsel, Department of Energy, transmitting the Department's final rule — Inflation Adjustment of Civil Monetary Penalties received January 3, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCGOVERN: Committee on Rules. H. Res. 28. A resolution providing for consideration of the bill (H.R. 264) making appropriations for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 265) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 266) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 267) making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules. (Rept. 116-1). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. THOMPSON of California (for himself, Mr. KING of New York, Mr. NADLER, Mr. FITZPATRICK, Ms. JACKSON LEE, Mr. MAST, Ms. KELLY of Illinois, Mr. UPTON, Mrs. MCBATH, and Mr. SMITH of New Jersey):

H.R. 8. A bill to require a background check for every firearm sale; to the Committee on the Judiciary.

By Mr. QUIGLEY:

H.R. 264. A bill making appropriations for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations.

By Mr. BISHOP of Georgia:

H.R. 265. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations.

By Ms. MCCOLLUM:

H.R. 266. A bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations.

By Mr. PRICE of North Carolina:

H.R. 267. A bill making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations.

By Mrs. LOWEY:

H.R. 268. A bill making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mrs. BROOKS of Indiana, Ms. DEGETTE, Mr. LATTA, Mrs. DINGELL, Mr. GUTHRIE, Mr. PALLONE, and Mr. WALDEN):

H.R. 269. A bill to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Homeland Security, Veterans' Affairs, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. considered and passed.

By Mr. O'HALLERAN (for himself, Mr. GONZALEZ of Texas, Ms. SPANBERGER, Mr. JOHNSON of Georgia, Mr. COOPER, Mrs. MURPHY, Mr. BEYER, Mr. CARBAJAL, Mrs. DINGELL, Mr. CUELLAR, Mr. VEASEY, Mr. CASTEN of Illinois, Mr. DELGADO, Mr. SEAN PATRICK MALONEY of New York, Mr. LIPINSKI, and Mr. ALLRED):

H.R. 270. A bill to direct the Congressional Budget Office to submit daily reports during the period in which a Government shutdown is in effect on the effects of the shutdown on the economy and the costs of the shutdown to taxpayers, and for other purposes; to the Committee on Oversight and Reform.

By Mr. BROOKS of Alabama (for himself and Mr. POSEY):



H.R. 271. A bill making appropriations for Federal employees working during the Government shutdown beginning on or about December 22, 2018, and for other purposes; to the Committee on Appropriations.

By Mr. KING of Iowa (for himself, Mr. PETERSON, Mr. MARSHALL, Mr. ESTES, and Mr. GIBBS):

H.R. 272. A bill to prevent States and local jurisdictions from interfering with the production and distribution of agricultural products in interstate or foreign commerce, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself and Mr. PASCRELL):

H.R. 273. A bill to improve presidential and vice presidential tax transparency, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mrs. KIRKPATRICK, Mrs. LESKO, Mr. SCHWEIKERT, Mr. STANTON, Mr. O'HALLERAN, and Mr. GALLEGO):

H.R. 274. A bill to authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. WELCH (for himself, Mr. ROONEY of Florida, Mr. POCAN, Ms. DELAULO, Ms. CASTOR of Florida, Mr. CICILLINE, Mr. CUMMINGS, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. LIPINSKI, Mr. LYNCH, Mr. SHERMAN, and Mr. COHEN):

H.R. 275. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; 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 Ms. TITUS (for herself, Mr. LOWENTHAL, Mr. MCNERNEY, Ms. JACKSON LEE, Ms. BROWNLEY of California, Ms. MCCOLLUM, Mr. FITZPATRICK, Mr. KHANNA, Ms. NORTON, Mr. LARSEN of Washington, Mr. GARAMENDI, Mr. THOMPSON of Pennsylvania, Mr. DIAZ-BALART, Mr. SCHIFF, Ms. ROYBAL-ALLARD, Mr. MCGOVERN, Mr. DESAULNIER, Mr. YARMUTH, Mr. SWALWELL of California, Mrs. LEE of Nevada, and Mr. CARBAJAL):

H.R. 276. A bill to direct the Secretary of Education to establish the Recognizing Inspiring School Employees (RISE) Award Program recognizing excellence exhibited by classified school employees providing services to students in prekindergarten through high school; to the Committee on Education and Labor.

By Ms. VELÁZQUEZ (for herself and Mr. CHABOT):

H.R. 277. A bill to adjust collateral requirements under the Small Business Act for disaster loans, and for other purposes; to the Committee on Small Business.

By Mr. NEWHOUSE:

H.R. 278. A bill to direct the Secretary of the Interior to convey certain facilities, easements, and rights-of-way to the

Kennewick Irrigation District, and for other purposes; to the Committee on Natural Resources.

By Mr. CARBAJAL (for himself, Ms. BROWNLEY of California, Ms. LOFGREEN, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. GARAMENDI, Mr. HUFFMAN, Mr. CÁRDENAS, Mrs. DAVIS of California, Ms. BARRAGAN, Mr. SWALWELL of California, Mr. MCNERNEY, Mr. KHANNA, Ms. SPEIER, Mr. LOWENTHAL, Mr. AGUILAR, Mr. SHERMAN, Ms. LEE of California, Ms. ROYBAL-ALLARD, Ms. HILL of California, Mr. TAKANO, Mr. LEVIN of California, Mr. CISNEROS, Mr. DESAULNIER, Mr. ROUDA, Mr. PANETTA, Mr. GOMEZ, Mr. THOMPSON of California, Mr. CORREA, Ms. ESHOO, Ms. SÁNCHEZ, Ms. MATSUI, Mr. RUIZ, Mr. BERRA, Mr. COX of California, Mr. PETERS, Mrs. TORRES of California, Ms. PORTER, Ms. JUDY CHU of California, Mr. VARGAS, Mr. TED LIEU of California, and Ms. BASS):

H.R. 279. A bill to permanently prohibit oil and gas leasing off the coast of the State of California, and for other purposes; to the Committee on Natural Resources.

By Mrs. BEATTY:

H.R. 280. A bill to provide for systemic research, treatment, prevention, awareness, and dissemination of information with respect to sports-related and other concussions; to the Committee on Energy and Commerce.

By Mrs. BEATTY (for herself, Mr. DAVID SCOTT of Georgia, Mr. MEEKS, Ms. VELÁZQUEZ, Mr. CLAY, and Ms. JAYAPAL):

H.R. 281. A bill to amend the Federal Reserve Act to require Federal Reserve banks to interview at least one individual reflective of gender diversity and one individual reflective of racial or ethnic diversity when appointing Federal Reserve bank presidents, and for other purposes; to the Committee on Financial Services.

By Mrs. BEATTY (for herself, Ms. NORTON, Ms. MCCOLLUM, and Mrs. HAYES):

H.R. 282. A bill to improve public safety through sensible reforms to firearms regulations; to the Committee on the Judiciary.

By Mr. BISHOP of Georgia (for himself, Mr. AUSTIN SCOTT of Georgia, and Mr. LOUDERMILK):

H.R. 283. A bill to adjust the boundaries of the Ocmulgee Mounds National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Ms. BROWNLEY of California:

H.R. 284. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for mortgage insurance premiums; to the Committee on Ways and Means.

By Ms. BROWNLEY of California:

H.R. 285. A bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion from gross income of discharge of qualified principal residence indebtedness; to the Committee on Ways and Means.

By Ms. CASTOR of Florida (for herself, Mr. ROONEY of Florida, Mr. CRIST, and Mr. BUCHANAN):

H.R. 286. A bill to amend the Outer Continental Shelf Lands Act to prohibit oil and gas preleasing, leasing, and related activities in certain areas of the Outer Continental Shelf off the coast of Florida, and for other purposes; to the Committee on Natural Resources.

By Mr. CICILLINE (for himself, Ms. CLARK of Massachusetts, Mr. COURTNEY, Ms. DELAULO, Mr. GOLDEN, Mrs. HAYES, Mr. HIMES, Mr. KEATING, Mr. KENNEDY, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. LARSON of

Connecticut, Mr. LYNCH, Mr. MCGOVERN, Mr. MOULTON, Mr. NEAL, Mr. PAPPAS, Ms. PINGREE, Ms. PRESSLEY, Mrs. TRAHAN, and Mr. WELCH):

H.R. 287. A bill to prohibit oil and gas leasing on the outer Continental Shelf off the coast of New England; to the Committee on Natural Resources.

By Mr. COLE:

H.R. 288. A bill to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes; to the Committee on Natural Resources.

By Mr. COLE:

H.R. 289. A bill to establish the Commission on Long Term Social Security Solvency, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLE:

H.R. 290. A bill to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUNNINGHAM (for himself and Mr. ROONEY of Florida):

H.R. 291. A bill to amend the Outer Continental Shelf Lands Act to place a ten-year moratorium on oil and gas preleasing, leasing, and related activities on the Outer Continental Shelf in the North Atlantic, Mid-Atlantic, South Atlantic, and Straits of Florida planning areas and in the Eastern Gulf of Mexico; to the Committee on Natural Resources.

By Mr. CURTIS:

H.R. 292. A bill to allow certain State and tribal permitting authority to encourage expansion of broadband service to rural and tribal communities, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAULO:

H.R. 293. A bill to prevent and reduce the use of tobacco products, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mr. MCEACHIN, Mr. ESPAILLAT, Mr. HASTINGS, Mrs. NAPOLITANO, Mr. COHEN, Mr. MOULTON, Ms. NORTON, Mr. SCHIFF, Mr. LUJÁN, Ms. CLARKE of New York, Mrs. BEATTY, Ms. JAYAPAL, Mr. DESAULNIER, Mr. KHANNA, Mr. TED LIEU of California, Mr. RASKIN, Mr. BLUMENAUER, Mr. BROWN of Maryland, and Mr. CARSON of Indiana):

H.R. 294. A bill to treat the Tuesday next after the first Monday in November in the same manner as any legal public holiday for purposes of Federal employment, and for other purposes; to the Committee on Oversight and Reform.

By Mr. FITZPATRICK (for himself, Mr. KEATING, Mr. MCCAUL, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 295. A bill to increase the role of the financial industry in combating human trafficking; to the Committee on Foreign Affairs, 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 Ms. FOXX of North Carolina (for herself, Mrs. HARTZLER, Mr. SCALISE, Ms. CHENEY, Mr. DUNCAN, Mr. JONES, Mr. GROTHMAN, Mr. DAVID P. ROE of Tennessee, Mr. NORMAN, Mr. AMASH, Mr. BIGGS, Mr. POSEY, Mr. LAMBORN, Mr. HICE of Georgia, Mr. SMITH of Missouri, Mr. LAMALFA, Mr. MEADOWS, Mr. FLEISCHMANN, Mr. HIGGINS of Louisiana, Mr. YOHIO, Mr. GOSAR, Mr. PALAZZO, Mr. ARRINGTON, Mr. LONG, Mr. WILLIAMS, Mr. RATCLIFFE, Mr. GIBBS, Mr. MARSHALL, Mr. COMER, Mr. BRADY, Mr. BUDD, Mr. MULLIN, Mr. LATTI, Mr. JORDAN, Mr. KELLY of Mississippi, Mr. ESTES, Mr. KUSTOFF of Tennessee, Mr. WALKER, Mr. BILIRAKIS, Mr. BALDERSON, Mr. HUNTER, Mr. CRAWFORD, Mr. FORTENBERRY, Mr. SMUCKER, Mr. MARCHANT, Mr. AUSTIN SCOTT of Georgia, Mr. CONAWAY, Mr. ADERHOLT, Mr. BANKS, Mr. ABRAHAM, Mr. WENSTRUP, Mr. FLORES, Mr. HARRIS, Mr. WESTERMAN, Mr. OLSON, Mr. CLOUD, Mr. EMMER, and Mr. BABIN):

H.R. 296. A bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GIANFORTE:

H.R. 297. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; to the Committee on Natural Resources.

By Mr. GIANFORTE:

H.R. 298. A bill to reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Oversight and Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO (for himself, Mr. COURTNEY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SERRANO, Mr. NEAL, Mr. PETERS, Mrs. DAVIS of California, Mr. MCEACHIN, Mrs. DINGELL, Ms. KUSTER of New Hampshire, Mr. BISHOP of Georgia, Ms. NORTON, Ms. GABBARD, Ms. BROWNLEY of California, Mr. LIPINSKI, Mrs. NAPOLITANO, Mr. LOEBSACK, Mr. ENGEL, Ms. MENG, Mr. DEFAZIO, Mr. LANGEVIN, Ms. MCCOLLUM, Mr. CONNOLLY, Ms. CLARKE of New York, Mr. TONKO, Mr. BROWN of Maryland, Ms. SCHAKOWSKY, Mr. MASSIE, Mrs. WATSON COLEMAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Miss RICE of New York, Mr. BEYER, Mr. KATKO, Mrs. MURPHY, Mr. SEAN PATRICK MALONEY of New York, Mr. CARBAJAL, Mr. KILDEE, Mr. RYAN, Mr. SABLAN, Ms. STEFANIK, Mr. SIRES, Mr. PALLONE, Ms. VELÁZQUEZ, Mr. LAWSON of Florida, Ms. PINGREE, Mr. POCAN, Mrs. BEATTY, Mr. CISNEROS, Mr. GARAMENDI, Mr. CORREA, Mr. HASTINGS, Mr. ESPAILLAT, Mr. PERLMUTTER, Ms. ADAMS, Mr. RUSH, Ms.

TITUS, Mr. THOMPSON of Mississippi, Mr. CARTWRIGHT, Ms. KELLY of Illinois, Mr. SCHNEIDER, Mr. CICILLINE, Mr. AGUILAR, Mr. DUNCAN, Mr. O'HALLERAN, Mr. COHEN, Mr. KHANNA, Mr. FORTENBERRY, Mr. GONZALEZ of Texas, Mr. WELCH, Mr. BOST, Mr. SOTO, Mr. SWALWELL of California, Mr. LYNCH, Mr. FOSTER, Ms. BONAMICI, Mr. PASCRELL, Mr. LAMB, Mr. BARR, Mr. SCOTT of Virginia, Mr. BILIRAKIS, Mr. CÁRDENAS, Mr. COOK, and Mr. PALAZZO):

H.R. 299. A bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. FOXX of North Carolina (for herself and Mr. CUELLAR):

H.R. 300. A bill to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committees on the Budget, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBS (for himself, Mr. STIVERS, Ms. STEFANIK, Mr. MEADOWS, Mr. TIPTON, Mr. GRIFFITH, and Mrs. BROOKS of Indiana):

H.R. 301. A bill making appropriations for Federal employees working during the Government shutdown beginning on or about December 22, 2018, and for other purposes; to the Committee on Appropriations.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. SERRANO, Mr. DUFFY, and Mr. FITZPATRICK):

H.R. 302. A bill to amend the Internal Revenue Code of 1986 to provide equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit and to provide the same treatment to families in Puerto Rico with one child or two children that is currently provided to island families with three or more children; to the Committee on Ways and Means.

By Mr. BILIRAKIS (for himself and Ms. GABBARD):

H.R. 303. A bill to amend title 10, United States Code, to permit additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or combat-related special compensation; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mrs. KIRKPATRICK, Mrs. LESKO, Mr. SCHWEIKERT, Mr. STANTON, Mr. BIGGS, and Mr. GALLEGÓ):

H.R. 304. A bill to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. HICE of Georgia (for himself, Mr. CRAWFORD, Mr. DUNCAN, Mr. GROTHMAN, Mr. JOHNSON of Ohio, Mr. JONES, Mr. KING of Iowa, Mr. LATTI, Mr. LONG, Mr. MEADOWS, Mr. MOONEY of West Virginia, Mr. NORMAN, Mr. OLSON, Mr. WITTMAN, Mr. ALLEN, and Mr. AUSTIN SCOTT of Georgia):

H.R. 305. A bill to provide that human life shall be deemed to begin with fertilization; to the Committee on the Judiciary.

By Mr. HICE of Georgia:

H.R. 306. A bill to direct the Secretary of the Interior to conduct a special resource study of the site of the Kettle Creek Battlefield in Wilkes County, Georgia, and adjacent property, and for other purposes; to the Committee on Natural Resources.

By Mr. HICE of Georgia (for himself, Mr. ABRAHAM, Mr. BISHOP of Georgia, Mr. CARTER of Georgia, Mr. CARTWRIGHT, Mr. COLE, Mr. COOK, Mr. FITZPATRICK, Mr. FORTENBERRY, Mr. GALLEGÓ, Mr. HARRIS, Mr. HUNTER, Mr. KILMER, Mr. KIND, Ms. LOFGREN, Mr. LONG, Mr. LOUDERMILK, Mr. MCEACHIN, Mr. SCOTT of Virginia, Mr. SIRES, Ms. STEFANIK, Mr. TONKO, Mr. WITTMAN, Mr. KATKO, and Mr. COLLINS of New York):

H.R. 307. A bill to provide for partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, and for other purposes; to the Committee on Natural Resources.

By Mr. HICE of Georgia:

H.R. 308. A bill to redesignate Gravelly Point Park, located along the George Washington Memorial Parkway in Arlington County, Virginia, as the Nancy Reagan Memorial Park, and for other purposes; to the Committee on Natural Resources.

By Mr. HUFFMAN (for himself, Mr. CARBAJAL, Ms. BARRAGAN, Mr. KEATING, Mr. QUIGLEY, Ms. LEE of California, Mr. CARTWRIGHT, Mr. SOTO, Mr. TONKO, Mr. WELCH, Mr. LOWENTHAL, Mr. DESAULNIER, Ms. PINGREE, Mr. MCEACHIN, and Ms. BONAMICI):

H.R. 309. A bill to prohibit drilling in the Arctic Ocean; to the Committee on Natural Resources.

By Mr. HUFFMAN (for himself, Mr. SWALWELL of California, Mr. TAKANO, Mr. DESAULNIER, Mr. LEVIN of California, Ms. ROYBAL-ALLARD, Mr. DEFAZIO, Ms. DELBENE, Mr. SCHRAEDER, Mr. KHANNA, Ms. BARRAGAN, Mr. KILMER, Mr. ROUDA, Mr. GARAMENDI, Mr. SMITH of Washington, Mr. LOWENTHAL, Ms. ESHOO, and Ms. BONAMICI):

H.R. 310. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Natural Resources.

By Mr. JONES:

H.R. 311. A bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps; to the Committee on Armed Services.

By Mr. KEATING (for himself, Mr. KENNEDY, Mr. YOUNG, Mr. GRIJALVA, Mr. LAMALFA, Mr. GALLEGÓ, Mr. MCCLINTOCK, and Mr. COLE):

H.R. 312. A bill to reaffirm the Mashpee Wampanoag Tribe reservation, and for other purposes; to the Committee on Natural Resources.

By Mr. KEATING:

H.R. 313. A bill to authorize the Secretary of the Interior to carry out a land exchange involving lands within the boundaries of the Cape Cod National Seashore, and for other purposes; to the Committee on Natural Resources.

By Mr. KINZINGER (for himself, Mrs. BUSTOS, Mr. BOST, Mr. RODNEY DAVIS of Illinois, Ms. KELLY of Illinois, Mr. SHIMKUS, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Mr. LAHOOD, Mr. LIPINSKI, Mr. FOSTER, Ms. SCHAKOWSKY, Mr. KRISHNAMOORTHY, and Mr. CASTEN of Illinois):

H.R. 314. A bill to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. LAHOOD:

H.R. 315. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to authorize partnerships between States and nongovernmental entities for the purpose of reclaiming and restoring land and water resources adversely affected by coal mining activities before August 3, 1977, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMALFA (for himself, Mr. O'HALLERAN, and Mr. SIMPSON):

H.R. 316. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for recreation services on lands managed by Federal agencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMALFA (for himself and Mr. CARBAJAL):

H.R. 317. A bill to reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMBORN (for himself and Mr. BROWN of Maryland):

H.R. 318. A bill to reauthorize the National Geologic Mapping Act of 1992; to the Committee on Natural Resources.

By Mr. LANGEVIN (for himself, Mr. COURTNEY, and Mr. CICILLINE):

H.R. 319. A bill to amend the Wild and Scenic Rivers Act to designate certain river segments within the Wood-Pawcatuck watershed as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Ms. LEE of California:

H.R. 320. A bill to expand and enhance existing adult day programs for younger people with neurological diseases or conditions (such as multiple sclerosis, Parkinson's disease, traumatic brain injury, or other similar diseases or conditions) to support and improve access to respite services for family caregivers who are taking care of such people, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE of California:

H.R. 321. A bill to amend the Public Health Service Act to create a National Neuromyelitis Optica Consortium to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE of California (for herself and Mr. GARAMENDI):

H.R. 322. A bill to amend the Internal Revenue Code of 1986 to provide the work opportunity tax credit with respect to the hiring of veterans in the field of renewable energy; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Ms. WASSERMAN SCHULTZ, and Ms. WILSON of Florida):

H.R. 323. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for expenses for household and elder care services necessary for gainful employment; to the Committee on Ways and Means.

By Ms. LEE of California:

H.R. 324. A bill to prohibit monetary payments by the Federal Government to em-

ployees, officers, and elected officials of foreign countries for purposes of bribery, coercion, or any activity that is illegal or undermines the rule of law or corrupts a public officer or the office such officer represents, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. CONNOLLY, Mrs. DINGELL, Mr. GARAMENDI, Ms. NORTON, Ms. MCCOLLUM, Mr. POCAN, Mrs. RADEWAGEN, Mr. SOTO, Mr. MCGOVERN, Mr. LOEBACK, and Mr. HASTINGS):

H.R. 325. A bill to provide for the issuance of the Peace Corps Semipostal Stamp; to the Committee on Oversight and Reform, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. LANGEVIN, Mrs. DINGELL, Mr. SOTO, and Mr. THOMPSON of California):

H.R. 326. A bill to direct the Secretary of State, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs to provide assistance for individuals affected by exposure to Agent Orange, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California:

H.R. 327. A bill to prohibit entities from requiring individuals to submit to arbitration for disputes arising from a security breach, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TED LIEU of California (for himself and Mr. YOHIO):

H.R. 328. A bill to require the Secretary of State to design and establish a Vulnerability Disclosure Process (VDP) to improve Department of State cybersecurity and a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TED LIEU of California:

H.R. 329. A bill to amend title 18, United States Code, to provide a criminal penalty for certain Federal officers and employees using their public office for private gain, and for other purposes; to the Committee on the Judiciary.

By Mr. TED LIEU of California (for himself, Mr. GOMEZ, Ms. LEE of California, Ms. DELAURO, and Ms. NORTON):

H.R. 330. A bill to reduce greenhouse gas emissions and protect the climate; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California:

H.R. 331. A bill to direct the Federal Trade Commission to review and potentially revise its standards for safeguarding customer information to ensure that such standards require certain consumer reporting agencies and service providers of such agencies to maintain sufficient safeguards against cyber attacks and related threats, to provide for

additional authority to enforce such standards with respect to such agencies and providers, and for other purposes; to the Committee on Financial Services, 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. TED LIEU of California (for himself and Mr. MCGOVERN):

H.R. 332. A bill to modify the expedited procedures in the House of Representatives under section 36 of the Arms Export Control Act with respect to consideration of joint resolutions prohibiting proposed sales of defense articles or services, prohibiting proposed licenses for exports of defense articles or services, and prohibiting approval of United States commercial technical assistance or manufacturing licensing agreements; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Georgia:

H.R. 333. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability rated less than 50 percent to receive concurrent payment of both retired pay and veterans' disability compensation, to extend eligibility for concurrent receipt to chapter 61 disability retirees with less than 20 years of service, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California (for himself, Mr. CARTWRIGHT, Ms. KUSTER of New Hampshire, and Mrs. TORRES of California):

H.R. 334. A bill to increase cybersecurity education and job growth, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Ways and Means, Education and Labor, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAST:

H.R. 335. A bill to require the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia to develop a plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mr. MCHENRY, and Mr. HURD of Texas):

H.R. 336. A bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Science, Space, and Technology, and Armed 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. MCEACHIN (for himself, Mr. JONES, Mrs. LURIA, Mr. PRICE of North Carolina, Mr. CONNOLLY, Mr. SCOTT of Virginia, and Mr. BEYER):

H.R. 337. A bill to amend the Outer Continental Shelf Lands Act to withdraw the outer Continental Shelf in the Mid-Atlantic planning area from disposition, and for other purposes; to the Committee on Natural Resources.

By Mr. MEADOWS:

H.R. 338. A bill to allow Federal employees excepted from furlough during the lapse in appropriations beginning on or around December 22, 2018, to make withdrawals from their Thrift Savings Plan accounts, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Mr. KHANNA, Mr. BEYER, Mr. RASKIN, Mr. CONNOLLY, Ms. PRESSLEY, Mr. WEXTON, Mr. TRONE, Ms. BONAMICI, Mr. POCAN, Ms. MOORE, Mrs. TRAHAN, Ms. MENG, Ms. SCHAKOWSKY, Mrs. TORRES of California, and Ms. OMAR):

H.R. 339. A bill to provide for the compensation of Federal contractor employees that may be placed on unpaid leave as a result of the Federal Government shutdown, and for other purposes; to the Committee on Oversight and Reform.

By Mr. NUNES:

H.R. 340. A bill to authorize the conveyance of and remove the reversionary interest of the United States in certain lands in the City of Tulare, California; to the Committee on Natural Resources.

By Mr. PALLONE (for himself, Mr. NORCROSS, Mr. SIRE, Mrs. DEMINGS, Ms. NORTON, Mr. MCEACHIN, Mr. SARBANES, Mr. DEUTCH, Mr. LOWENTHAL, Ms. WILSON of Florida, Mr. CARBAJAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. PASCRELL, Ms. CLARK of Massachusetts, Mr. CUNNINGHAM, Ms. SHALALA, Mr. MCGOVERN, Mr. MALINOWSKI, Ms. WASSERMAN SCHULTZ, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. SCOTT of Virginia, Mrs. LURIA, Mrs. DINGELL, Mr. SERRANO, Mr. VAN DREW, Mr. PAYNE, Mr. LIPINSKI, Ms. BONAMICI, Ms. CASTOR of Florida, Mr. PANETTA, Mr. HIGGINS of New York, Mr. GOTTHEIMER, Mr. KIM, Mr. RUPPERSBERGER, Mr. CICILLINE, Ms. ADAMS, Mr. THOMPSON of California, Ms. SHERRILL, Mr. KEATING, Mr. ROONEY of Florida, Mr. COHEN, Mr. SMITH of New Jersey, Ms. OMAR, and Mr. BEYER):

H.R. 341. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic, South Atlantic, North Atlantic, Straits of Florida, and Eastern Gulf of Mexico planning areas; to the Committee on Natural Resources.

By Mr. POSEY:

H.R. 342. A bill to improve mapping under the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. RATCLIFFE:

H.R. 343. A bill to require the Secretary of Agriculture to transfer certain National Forest System land in the State of Texas; to the Committee on Agriculture.

By Mr. ROGERS of Alabama (for himself and Mr. LOEBACK):

H.R. 344. A bill to require the Secretary of Defense to develop and implement a plan to

provide chiropractic health care services for certain covered beneficiaries as part of the TRICARE program; to the Committee on Armed Services.

By Mr. SOTO:

H.R. 345. A bill to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Energy and Commerce.

By Mr. THORNBERRY (for himself, Mr. COLE, Mr. CARTER of Texas, Mr. BRADY, and Mr. CONAWAY):

H.R. 346. A bill to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on Natural Resources.

By Mr. TIPTON (for himself and Ms. DEGETTE):

H.R. 347. A bill to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado; to the Committee on Energy and Commerce.

By Mr. TIPTON:

H.R. 348. A bill to designate certain mountain peaks in the State of Colorado as "Fowler Peak" and "Boskoff Peak"; to the Committee on Natural Resources.

By Ms. TITUS:

H.R. 349. A bill to designate a peak in the State of Nevada as Maude Frazier Mountain, and for other purposes; to the Committee on Natural Resources.

By Mr. VAN DREW:

H.R. 350. A bill making continuing appropriations for the Coast Guard; to the Committee on Appropriations.

By Mr. YOHO (for himself, Mr. JONES, and Mr. DUNN):

H.R. 351. A bill to direct the Secretary of Defense to carry out a pilot program to lend Department of Defense farm equipment to eligible farmers, and for other purposes; to the Committee on Armed Services.

By Mr. YOHO (for himself, Mr. WEBER of Texas, Mr. BABIN, Mr. DESJARLAIS, and Mr. GIBBS):

H.R. 352. A bill to remove penalties for health insurers under the Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce.

By Mr. YOHO (for himself, Mr. MCCAUL, and Mr. ENGEL):

H.R. 353. A bill to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes; to the Committee on Foreign Affairs.

By Mr. YOHO:

H.R. 354. A bill to amend title 5, United States Code, to provide agency heads with additional authority to discipline Federal employees, and for other purposes; to the Committee on Oversight and Reform.

By Mr. YOHO:

H.R. 355. A bill to amend title 5, United States Code, to extend the basis for the denial of retirement credit, for service as a Member of Congress, to include conviction of any felony under Federal or State law, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHABOT (for himself, Mr. HIGGINS of Louisiana, Mr. KING of Iowa, Mr. DAVID P. ROE of Tennessee, Mr. RICE of South Carolina, Mr. GUTHRIE, Mr. OLSON, Mr. BACON, Mr. GRIFFITH, Mr. TURNER, Mr. SIMPSON, Mr. CONAWAY, Mr. FLORES, Mr. CALVERT, Mr. LATTA, Mr. HUDSON, Mr. PALAZZO, Mr. EMMER, Mr. COMER, Mr. ALLEN,

Mr. ABRAHAM, Mr. ARRINGTON, Mr. SMUCKER, and Mr. KUSTOFF of Tennessee):

H.J. Res. 22. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Ms. LEE of California:

H. Con. Res. 3. Concurrent resolution expressing the sense of Congress that the United States should provide, on an annual basis, an amount equal to at least one percent of United States gross domestic product for nonmilitary foreign assistance programs; to the Committee on Foreign Affairs.

By Mr. JEFFRIES:

H. Res. 26. A resolution electing Members to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. BILIRAKIS, and Ms. BONAMICI):

H. Res. 27. A resolution expressing the sense of the House that more should be done to instill Holocaust education in school curricula around the country; to the Committee on Education and Labor.

By Mr. COLE:

H. Res. 29. A resolution honoring the 150th anniversary of Fort Sill in Lawton, Oklahoma; to the Committee on Armed Services.

By Ms. LOFGREN (for herself and Mr. RODNEY DAVIS of Illinois):

H. Res. 30. A resolution requiring each Member, officer, and employee of the House of Representatives to complete a program of training in workplace rights and responsibilities each session of each Congress, and for other purposes; to the Committee on House Administration.

## MEMORIALS

Under clause 3 of rule XII,

1. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Senate Concurrent Resolution Number 21, urging the Congress of the United States to enact bills advancing the development of an Appalachian storage hub; which was referred to the Committee on Energy and Commerce.

## 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. THOMPSON of California:

H.R. 8.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. QUIGLEY:

H.R. 264.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ."

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

"The Congress shall have the Power . . . to pay the Debts and provide for the common

Defence and general Welfare of the United States . . .”

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BISHOP of Georgia:

H.R. 265.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .”

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

“The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .”

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Ms. MCCOLLUM:

H.R. 266.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .”

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

“The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .”

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. PRICE of North Carolina:

H.R. 267.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .”

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

“The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .”

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mrs. LOWEY:

H.R. 268.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .”

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

“The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .”

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Ms. ESHOO:

H.R. 269.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. O'HALLERAN:

H.R. 270.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. BROOKS of Alabama:

H.R. 271.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution

By Mr. KING of Iowa:

H.R. 272.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' powers to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. ESHOO:

H.R. 273.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, clause 1 of the Constitution.

By Mr. GOSAR:

H.R. 274.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause). Under this clause, Congress has the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States—and with this authority Congress is vested with the power to all owners in fee, the ability to sell, lease, dispose, exchange, convey, or simply preserve land. The Supreme Court has described this enumerated grant as one “without limitation” *Kleppe v New Mexico*, 426 U.S. 529, 542–543 (1976) (“And while the furthest reaches of the power granted by the Property Clause have not been definitely resolved, we have repeatedly observed that the power over the public land thus entrusted to Congress is without limitation.”) The exchange codified by this legislation is thus constitutional.

By Mr. WELCH:

H.R. 275.

Congress has the power to enact this legislation pursuant to the following:

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 Ms. TITUS:

H.R. 276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. VELÁZQUEZ:

H.R. 277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

“The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .”

By Mr. NEWHOUSE:

H.R. 278.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. CARBAJAL:

H.R. 279.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mrs. BEATTY:

H.R. 280.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mrs. BEATTY:

H.R. 281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. BEATTY:

H.R. 282.

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. BISHOP of Georgia:

H.R. 283.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—Congress shall have power “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

Article IV, Section 3—“The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . . .”

By Ms. BROWNLEY of California:

H.R. 284.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI

By Ms. BROWNLEY of California:

H.R. 285.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI

By Ms. CASTOR of Florida:

H.R. 286.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the U.S. Constitution

By Mr. CICILLINE:

H.R. 287.

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. COLE:

H.R. 288.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article IV, Section 3, Clause 2 which grants Congress the power to make all needful Rules and Regulations respecting . . . Property belonging to the United States.

By Mr. COLE:

H.R. 289.

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. COLE:

H.R. 290.

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. CUNNINGHAM:

H.R. 291.

Congress has the power to enact this legislation pursuant to the following:

"This bill is enacted pursuant to Section 8 of Article I of the United States Constitution."

By Mr. CURTIS:

H.R. 292.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the U.S. Constitution

By Ms. DeLAURO:

H.R. 293.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I Section 8

By Ms. ESHOO:

H.R. 294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section IV, clause 1 of the Constitution

By Mr. FITZPATRICK:

H.R. 295.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 3

By Ms. FOXX of North Carolina:

H.R. 296.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution; whereby 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; but all Duties, Imposts and Excises shall be uniform throughout the United States. Furthermore, this bill makes specific changes to existing law, in accordance with the Fourteenth Amendment, Section 5, which states that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws"

By Mr. GIANFORTE:

H.R. 297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. GIANFORTE:

H.R. 298.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 7, Clause 9.

By Mr. TAKANO:

H.R. 299.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution.

By Ms. FOXX of North Carolina:

H.R. 300.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GIBBS:

H.R. 301.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 section 9 of article 1 of the Constitution of the United States which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Miss GONZALEZ-COLON of Puerto Rico:

H.R. 302.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1 and 18 of the U.S. Constitution, which provide as follows: 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 . . . ]

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. BILIRAKIS:

H.R. 303.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. GOSAR:

H.R. 304.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause). Under this clause, Congress has the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States- and with this authority Congress is vested with the power to all owners in fee, the ability to sell, lease, dispose, exchange, convey, or simply preserve land. The Supreme Court has described this enumerated grant as one "without limitation" *Kleppe v New Mexico*, 426 U.S. 529, 542-543 (1976) ("And while the furthest reaches of the power granted by the Property Clause have not been definitely resolved, we have repeatedly observed that the power over the public land thus entrusted to Congress is without limitation.") The exchange codified by this legislation is thus constitutional.

By Mr. HICE of Georgia:

H.R. 305.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 that states that Congress shall have the Power "To

make all Laws which shall be necessary 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."

Additionally, Section 1 of the XIV Amendment states, ". . . nor shall any State deprive any person of life, liberty, or property, without due process of law. . ." and under Section 5 of the XIV Amendment, "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

By Mr. HICE of Georgia:

H.R. 306.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which states: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

By Mr. HICE of Georgia:

H.R. 307.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. HICE of Georgia:

H.R. 308.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which states: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

By Mr. HUFFMAN:

H.R. 309.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section III, Clause II: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By Mr. HUFFMAN:

H.R. 310.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section III, Clause II: The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By Mr. JONES:

H.R. 311.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. KEATING:

H.R. 312.



Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. KEATING:

H.R. 313.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. KINZINGER:

H.R. 314.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. LAHOOD:

H.R. 315.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, SECTION 8, CLAUSE 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LAMALFA:

H.R. 316.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. LAMALFA:

H.R. 317.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution provides Congress with the authority to regulate commerce with Indians in the United States.

By Mr. LAMBORN:

H.R. 318.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. LANGEVIN:

H.R. 319.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3

By Ms. LEE of California:

H.R. 320.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 321.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 322.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8,

By Ms. LEE of California:

H.R. 323.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 324.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 325.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. LEE of California:

H.R. 326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. TED LIEU of California:

H.R. 327.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. TED LIEU of California:

H.R. 328.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. TED LIEU of California:

H.R. 329.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. TED LIEU of California:

H.R. 330.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the Constitution

Article 1, Section 8, clause 1 of the Constitution

By Mr. TED LIEU of California:

H.R. 331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 provides Congress with the power to "regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. TED LIEU of California:

H.R. 332.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BISHOP of Georgia:

H.R. 333.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sect. 8, Clause 1: to provide for the common defense and general welfare.

Art. I, Sect. 8, Clause 12: to raise and support Armies.

Art. I, Sect. 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

Art. I, Sect. 8, Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress.

Art. I, Sect. 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof

By Mr. TED LIEU of California:

H.R. 334.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. MAST:

H.R. 335.

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 Mr. McCAUL:

H.R. 336.

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. McEACHIN:

H.R. 337.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MEADOWS:

H.R. 338.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 states "The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department of Officer thereof."

By Ms. NORTON:

H.R. 339.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: clause 7 of section 9 of article I of the Constitution.

By Mr. NUNES:

H.R. 340.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. PALLONE:

H.R. 341.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. POSEY:

H.R. 342.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States. 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. RATCLIFFE:

H.R. 343.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. ROGERS of Alabama:

H.R. 344.

Congress has the power to enact this legislation pursuant to the following:

The power of Congress to make laws to provide for the common defense, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SOTO:

H.R. 345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. THORNBERRY:

H.R. 346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Article IV, Section 3 of the United States Constitution.

By Mr. TIPTON:

H.R. 347.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2  
By Mr. TIPTON:

H.R. 348.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2  
By Ms. TITUS:

H.R. 349.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. VAN DREW:

H.R. 350.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 9 of Article 1 of the Constitution of the United States.

Also, Clause 1 of Section 8 of Article 1 of the U.S. Constitution.

By Mr. YOHO:

H.R. 351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. YOHO:

H.R. 352.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. YOHO:

H.R. 353.

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. YOHO:

H.R. 354.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. YOHO:

H.R. 355.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. CHABOT:

H.J. Res. 22.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution is derived from Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution of the United States.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. BURGESS, Mr. JONES, and Mr. RATCLIFFE.

H.R. 31: Ms. WATERS, Mr. FOSTER, Mr. MALINOWSKI, Mr. LOWENTHAL, Ms. TITUS, Mrs. TORRES of California, Mr. BARR, Mr. BILIRAKIS, and Mr. CARTWRIGHT.

H.R. 35: Mr. BISHOP of Georgia, Mr. MEEKS, Mr. BLUMENAUER, Mr. HASTINGS, Ms. SCHAKOWSKY, Ms. NORTON, Mr. VELA, Mr. COHEN, Mr. EVANS, Mr. CUMMINGS, Mrs. NAPOLITANO, Mr. KHANNA, Ms. BASS, Mr. RUPPERSBERGER, Mr. CARSON of Indiana, Mr. FOSTER, Mr. CARBAJAL, Mr. SERRANO, Mr. SOTO, Mr. LAWSON of Florida, Ms. VELÁZQUEZ, Mr. BROWN of Maryland, Mr. DANNY K. DAVIS of Illinois, Mr. CICILLINE, Mrs. BEATTY, Mr.

THOMPSON of Mississippi, Mr. JOHNSON of Georgia, Mr. ESPAILLAT, Mr. SMITH of Washington, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CASTRO of Texas, Mr. CARTWRIGHT, Ms. JACKSON LEE, Mr. TED LIEU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. VARGAS, Ms. SPEIER, Mr. SCOTT of Virginia, Mr. SEAN PATRICK MALONEY of New York, Ms. TLAIB, Mr. BUTTERFIELD, Mr. MOULTON, Ms. KELLY of Illinois, Mr. CLAY, Mrs. WATSON COLEMAN, Mr. DEUTCH, Mrs. LAWRENCE, Mr. HIGGINS of New York, Mr. GREEN of Texas, Mr. SIRES, Mrs. CAROLYN B. MALONEY of New York, Mr. SCHNEIDER, Mr. LEWIS, Mr. PALLONE, Mr. COOPER, Mr. QUIGLEY, and Ms. BONAMICI.

H.R. 36: Mr. LIPINSKI, Ms. ESHOO, Mr. MEEKS, Mr. BISHOP of Georgia, Mr. VEASEY, Mr. LAWSON of Florida, Mr. HASTINGS, Mr. LEWIS, Mr. TAKANO, Ms. KELLY of Illinois, Ms. SEWELL of Alabama, Ms. CLARKE of New York, Mr. CARSON of Indiana, Ms. BONAMICI, Ms. SPEIER, Mrs. DEMINGS, Mr. CLEAVER, Mr. BEYER, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Mr. BUTTERFIELD, Ms. NORTON, Mr. FITZPATRICK, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, and Mr. COHEN.

H.R. 38: Mr. ZELDIN, Mr. CRENSHAW, Mr. EMMER, Mr. ESTES, Mr. WALBERG, Mr. RODNEY DAVIS of Illinois, Mr. RATCLIFFE, Mr. WENSTRUP, Mr. BRADY, Mr. BARR, and Mr. RESCHENTHALER.

H.R. 51: Mr. TRONE, Mr. AGUILAR, Ms. TLAIB, Ms. HILL of California, Ms. WEXTON, Ms. HAALAND, Mr. KENNEDY, Mr. COX of California, Ms. UNDERWOOD, Ms. GARCIA of Texas, Mr. LEVIN of Michigan, and Ms. OMAR.

H.R. 66: Mr. LONG and Mr. DESAULNIER.

H.R. 67: Mr. SMITH of New Jersey, Mr. KILMER, Ms. DAVIDS of Kansas, Mrs. TRAHAN, Ms. HAALAND, Mrs. BUSTOS, Mrs. DAVIS of California, Mr. PERLMUTTER, Ms. WILSON of Florida, Ms. ESCOBAR, Mr. SARBANES, Mr. OLSON, Mr. JONES, Mr. LEVIN of California, and Ms. SCHRIER.

H.R. 70: Mrs. LESKO.

H.R. 74: Mr. BABIN, Mr. GOSAR, Mr. GROTHMAN, Mr. NORMAN, and Mr. PERRY.

H.R. 78: Mr. BABIN and Mr. GOSAR.

H.R. 80: Mr. GALLEGO, Mr. STANTON, Mr. O'HALLERAN, and Mr. SCHWEIKERT.

H.R. 85: Mr. BABIN, Mr. GOSAR, and Mr. NORMAN.

H.R. 88: Mr. GOSAR and Mr. WEBER of Texas.

H.R. 89: Mr. WEBSTER of Florida and Mrs. LESKO.

H.R. 92: Mr. KIND, Mr. COHEN, Mr. MCNERNEY, Mr. TAKANO, and Mr. HASTINGS.

H.R. 95: Mr. DEUTCH, Mr. PETERS, Ms. SCHAKOWSKY, and Ms. DEGETTE.

H.R. 113: Mr. FITZPATRICK.

H.R. 115: Mr. FITZPATRICK and Mr. SHERMAN.

H.R. 117: Mr. DESAULNIER and Ms. WILD.

H.R. 118: Ms. JOHNSON of Texas, Mr. POCAN, and Mr. DESAULNIER.

H.R. 120: Mrs. WATSON COLEMAN.

H.R. 125: Mr. SIRES, Ms. FUDGE, Mr. TONKO, Ms. PINGREE, Ms. JOHNSON of Texas, Mr. FOSTER, Mr. JOHNSON of Georgia, Ms. MCCOLLUM, Mr. ESPAILLAT, and Mr. DAVID SCOTT of Georgia.

H.R. 128: Mr. HARDER of California.

H.R. 129: Mr. BRINDISI, Mr. SCHNEIDER, Mr. BERA, Mr. HIMES, Mr. RODNEY DAVIS of Illinois, and Mr. KIND.

H.R. 132: Mr. VELA.

H.R. 133: Mr. SHERMAN and Mr. CICILLINE.

H.R. 139: Mr. LAHOOD.

H.R. 140: Mr. JONES, Mr. MARCHANT, and Mr. HUDSON.

H.R. 141: Ms. NORTON, Mr. FITZPATRICK, Mr. AGUILAR, Mr. SWALWELL of California, and Ms. SÁNCHEZ.

H.R. 144: Mr. HARRIS, Mr. POSEY, and Mr. JONES.

H.R. 147: Mr. JONES.

H.R. 152: Mr. MEADOWS.

H.R. 153: Mr. JONES.

H.R. 154: Mr. AGUILAR, Mr. DEFazio, and Ms. MCCOLLUM.

H.R. 155: Mr. EMMER, Mr. ESTES, Mr. RATCLIFFE, Mr. MITCHELL, Mr. MEADOWS, Mr. HARRIS, Mr. HUDSON, Mr. HICE of Georgia, Mr. DAVIDSON of Ohio, Mr. NORMAN, Mr. BIGGS, Mr. KUSTOFF of Tennessee, Mr. RESCHENTHALER, and Mr. SMITH of Missouri.

H.R. 167: Ms. CLARKE of New York, Mr. JOHNSON of Georgia, Ms. NORTON, Mr. KHANNA, Mr. LYNCH, Mr. CISNEROS, Mr. DAVID SCOTT of Georgia, Mrs. NAPOLITANO, Mr. ROSE of New York, Ms. MCCOLLUM, Mr. GOMEZ, and Mr. CÁRDENAS.

H.R. 169: Ms. SCHAKOWSKY.

H.R. 180: Mr. SIRES.

H.R. 184: Mr. COLE.

H.R. 185: Mr. BROOKS of Alabama and Mr. RATCLIFFE.

H.R. 192: Mr. FITZPATRICK, Mr. SHERMAN, and Mr. SCHIFF.

H.R. 195: Mr. RUIZ and Ms. CLARKE of New York.

H.R. 201: Mr. HIGGINS of New York.

H.R. 211: Mr. PETERS, Ms. BONAMICI, Mrs. LEE of Nevada, Mr. CISNEROS, and Mr. HARDER of California.

H.R. 214: Mr. FULCHER.

H.R. 221: Mr. DEUTCH, Mr. FITZPATRICK, Mr. BILIRAKIS, Mr. HURD of Texas, Mr. DESAULNIER, Mr. SHERMAN, Mr. COHEN, Mr. HASTINGS, Mr. ROSE of New York, Mr. LIPINSKI, Mr. SCHWEIKERT, Mr. RUPPERSBERGER, Mr. BEYER, Ms. NORTON, Ms. MENG, Ms. SCHAKOWSKY, Ms. TITUS, Mr. FOSTER, Mr. CICILLINE, Mr. FLEISCHMANN, Mr. SUOZZI, Mrs. NAPOLITANO, Mr. WEBER of Texas, Ms. FRANKEL, Mr. VELA, Miss RICE of New York, Mr. HIMES, Mr. MEADOWS, Mr. NORCROSS, Ms. VELÁZQUEZ, Mr. SWALWELL of California, Mr. CHABOT, Ms. WASSERMAN SCHULTZ, Mr. KHANNA, Mr. DESJARLAIS, Mr. SIRES, Mr. TED LIEU of California, Mrs. LAWRENCE, Mr. MORELLE, Mr. GOTTHEIMER, Mr. GAETZ, Mr. MOOLENAAR, Ms. KELLY of Illinois, Mr. CONNOLLY, Mr. KILMER, Mr. COURTNEY, Ms. BROWNLEY of California, Mr. JOYCE of Ohio, Mr. CARBAJAL, Mr. HIGGINS of New York, Ms. OMAR, Ms. ESHOO, Mr. SEAN PATRICK MALONEY of New York, Mr. STEWART, Mr. BROWN of Maryland, Mrs. TORRES of California, Mr. HARDER of California, Mr. KUSTOFF of Tennessee, and Mr. GUTHRIE.

H.R. 226: Mr. THOMPSON of Mississippi and Mr. HARDER of California.

H.R. 227: Mr. HARDER of California.

H.R. 230: Mr. SMITH of Washington.

H.R. 242: Mrs. NAPOLITANO, Mrs. WATSON COLEMAN, Mr. TAKANO, Ms. GABBARD, Ms. DELAURO, Ms. PRESSLEY, Ms. OMAR, Mr. NEGUSE, Ms. TLAIB, Mrs. CAROLYN B. MALONEY of New York, Ms. BARRAGÁN, Mr. BLUMENAUER, Mr. GARCÍA of Illinois, and Mr. LEWIS.

H.R. 256: Mr. BABIN, Mr. GAETZ, and Mr. JONES.

H.R. 257: Mr. ZELDIN and Miss RICE of New York.

H.J. Res. 2: Mrs. CAROLYN B. MALONEY of New York, Mrs. MURPHY, Miss RICE of New York, Mr. COOPER, Mr. HASTINGS, Mr. SARBANES, Mr. RUPPERSBERGER, Mr. COHEN, Mr. PRICE of North Carolina, Ms. MOORE, Mr. SWALWELL of California, Mr. SOTO, Mr. LANGEVIN, Mr. COURTNEY, Mr. SCHIFF, Mrs. NAPOLITANO, Mr. WELCH, Ms. BONAMICI, Mr. ESPAILLAT, Ms. NORTON, Mr. PETERS, Mr. SEAN PATRICK MALONEY of New York, Ms. KAPTUR, Mr. GARAMENDI, Mr. PASCRELL, Ms. MCCOLLUM, Mr. ROUDA, Mr. JOHNSON of Georgia, Mr. DEFazio, Mr. MORELLE, Mr. SCHNEIDER, Mr. HARDER of California, Mr. LAMB, Mr. SHERMAN, Mr. SIRES, Mr. O'HALLERAN, and Ms. CLARKE of New York.

H.J. Res. 8: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.J. Res. 18: Mr. HUIZENGA and Mr. BACON.  
H.J. Res. 20: Mr. BIGGS, Mr. GIANFORTE, Mr. HOLLINGSWORTH, Mr. HUDSON, Mr. BACON, and Mr. GOODEN.

H. Res. 14: Ms. STEVENS, Ms. SEWELL of Alabama, Mr. HASTINGS, Mr. CARBAJAL, Mr. CISNEROS, Ms. DELAURO, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. GARCIA of Texas, Mrs. DINGELL, Mrs. FLETCHER, Ms. NORTON, Mr. COURTNEY, Mr. CUMMINGS, Ms. DELBENE, Mrs. NAPOLITANO, Mr. HARDER of California, Ms. WASSERMAN SCHULTZ, Ms. JOHNSON of Texas, Mr. DEFazio, and Ms. SPANBERGER.

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CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks,

limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. QUIGLEY

H.R. 264, making appropriations for financial services and general government for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. BISHOP OF GEORGIA

H.R. 265, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MS. MCCOLLUM

H.R. 266, making appropriations for the Department of the Interior, environment, and

related agencies for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. PRICE OF NORTH CAROLINA

H.R. 267, making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MRS. LOWEY

H.R. 268, making supplemental appropriations for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.



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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Merciful God, enthroned far above all other powers, we need You to exercise Your might for our Nation during this challenging season. As we wrestle with the stalemate of this partial government shutdown, inspire our lawmakers to do what is best for our Nation and world. Remind them that Your power is far above any conceivable command, authority, or control. Help them to appreciate their accountability to You, as You guide them to contribute to unity and finding common ground. Be near to those who are the collateral damage of this impasse, supporting them with Your wisdom, power, mercy, and grace.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader is recognized.

### MEASURES PLACED ON THE CALENDAR—S. 28, H.R. 21, AND H.J. RES. 1

Mr. MCCONNELL. Mr. President, I understand that there are three bills at the desk due for a second reading en bloc.

The PRESIDING OFFICER. The majority leader is correct.

The clerk will report the bills by title for the second time en bloc.

The senior assistant legislative clerk read as follows:

A bill (S. 28) to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and for other purposes.

A bill (H.R. 21) making appropriations for the fiscal year ending September 30, 2019, and for other purposes.

A joint resolution (H.J. Res. 1) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

Mr. MCCONNELL. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar en bloc.

### THE MIDDLE EAST

Mr. MCCONNELL. Mr. President, for years America's vital interests in the Middle East have been jeopardized by regional chaos. The security of our ally Israel continues to be challenged by the long reach of the Iranian regime and its affiliates. In Syria, the Assad regime has made its own nation a graveyard for hundreds of thousands of innocent civilians, and the resulting chaos continues to provide Iran and Russia opportunities to expand their malign influence throughout the region. That is why the Senate is going to vote later today to take up pressing legislation that tackles all of this head on.

The bill at hand would reaffirm the United States' commitment to Israel's security and authorize military assistance, cooperative missile defense, and loan guarantees. It would counter an aggressive and hostile attempt to delegitimize the State of Israel through economic boycotts. It would also reauthorize efforts to strengthen defense cooperation with our ally Jor-

dan, as its people and government grapple with the security and humanitarian ramifications of the Syrian crisis.

Importantly, the legislation also includes the Caesar Syria Civilian Protection Act. This provision would hold accountable individuals responsible for the senseless evils of the Assad regime and impose severe penalties on the entities that support them.

We will vote later today on whether or not Members of this body believe these issues should be addressed. It is my sincere hope that the Senate will approve these bipartisan proposals and send the strong message of support that our friends and partners in the Middle East deserve.

During the last Congress there was broad agreement on both sides of the aisle on the need for action. I expected today's action to be a big bipartisan vote, not some partisan showdown, but over the last few days something seems to have happened. The Democratic leader and several of his colleagues have stood up and said they want to block the Senate from even considering this legislation—never mind that it includes legislation cosponsored by the Senate Democrats last Congress and never mind that Senate Democrats mentioned the Syria crisis literally dozens of times last month here on the Senate floor.

### BORDER SECURITY

Mr. MCCONNELL. Mr. President, in spite of all of that, some Democrats have now threatened to block us from even taking this legislation up later today. We would have to ask why. It is because we are 18 days into the partial government shutdown caused by Democrats' total unwillingness to negotiate with the White House over border security.

Democrat intransigence has made sure that a quarter of the Federal Government has been shut down for more

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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than 2 weeks—2 weeks. Now they are threatening to shut the Senate down too. They have shut down the government for 2 weeks, and now they want to shut the Senate down. They are threatening to shut down efforts to protect our allies and strengthen our relationship with Israel—something they all recently claim to support.

Let's remember what we are talking about. In light of the urgent humanitarian and security crisis on our border, the President is requesting \$5.7 billion for physical barriers and border security. For some context, that is just about one-tenth of 1 percent of Federal spending—one-tenth of 1 percent—for physical barriers like fences and barriers that already exist, which Democrats have previously voted for with enthusiasm.

Back in 2006, then-Senators Hillary Clinton, Barack Obama, Joe Biden, and our colleague, the current Democratic leader, all voted for more than \$1 billion to construct about 700 miles of physical barriers.

Then-Senator Obama called it “badly needed funding for better fences and better security . . . that should help stem some of the tide of illegal immigration.” That is what Senator Barack Obama said.

Senator SCHUMER later described his vote proudly as “miles of border fence that create a significant barrier to illegal immigration.”

As recently as 2015, Secretary Clinton boasted: “I voted numerous times . . . to spend money to build a barrier to try to prevent illegal immigrants from coming in.” That is what Hillary Clinton said.

Obviously, that was then, and today the new Speaker of the House is trying to argue that a physical barrier is “immoral”—“immoral.”

Today, my friend the Democratic leader is proposing to add a Senate shutdown to the partial Federal Government shutdown and block even more of the people's business, all—all—to avoid more of what he already voted for. Maybe the Democratic Party was for secure borders before they were against it, maybe they are just making it up as they go along, or maybe they are dead set on opposing this particular President on any issue, for any reason, just for the sake of opposing him.

Walls and barriers are not immoral—how silly. Enforcing our laws wasn't immoral back in 2006 when then-Senator Clinton, then-Senator Obama, and our friend the Democratic leader were proud—proud—to vote for physical barriers. The only things that have changed between then and now are the political whims and, of course, the occupant of the White House.

This is no newfound, principled objection. It is just political spite—a partisan tantrum being prioritized over the public interest. For more than 2 weeks, they have indulged in that partisan tantrum rather than negotiate in good faith over border security funding—hardly something that should be a

partisan subject in the first place. They have put that partisan tantrum ahead of keeping a quarter of the government open. Now they are saying their partisan tantrum is more urgent than pressing legislation that concerns our alliance with Israel and the Syrian civil war.

I hope that isn't the case. I hope our Democratic colleagues don't pile on even more pointless obstruction. I hope they don't block the Senate from turning to this important legislation—legislation, by the way, they support. We will find out later today.

We all know what is necessary to move past the funding impasse: a negotiated solution that can pass the House, earn 60 votes in the Senate, and get the President's signature. That is what it takes to make a law.

As I have stated clearly, the Senate will not waste floor time on show votes, messaging votes, or any other proposals that fail to check those boxes regarding the funding bills.

The Democratic leader actually shared that opinion earlier. Here is a fairly recent quote from the Democratic leader. He said: “The President must publicly support and say he will sign an agreement before it gets a vote in either Chamber.” That is a fairly recent quote.

I am glad we seem to agree on that—no wasted floor time on appropriations bills that fail to clear the President's reasonable threshold.

For the sake of the humanitarian crisis on our border—as the President will describe in his address to the Nation this evening—for the sake of our national security, and for the sake of all the Americans who need all of their Federal Government reopened, I would urge our Democratic colleagues to get past these harmful political games and get serious about negotiating with the President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

# S. 1

Mr. CORNYN. Mr. President, today the Senate will vote to begin consideration of legislation that will address some of the seemingly never-ending challenges the world—including the United States—is facing in the Middle East.

The decision made at the beginning of the 20th century by then First Lord of the Admiralty, Winston Churchill, to convert British ships from coal to oil for fuel changed world history by making access to Middle East oil reserves a national security imperative for all developed nations.

More recently, on 9/11 of 2001, when nearly 3,000 Americans lost their lives

in a terrorist attack directed from Afghanistan on New York's World Trade Center and the Pentagon, we learned a hard lesson: Although separated by an ocean, what happens in the region does not stay in the region.

Finally, with the proliferation of nuclear weapons and the nuclear aspirations of Iran—the No. 1 state sponsor of terrorism in the world—to attain them, the relative stability and security of the Middle East have a direct connection to our national security, as well as that of our allies, like Israel.

With the administration's recent announcement that the United States will begin withdrawing troops from Syria, this debate and these votes could not be more timely.

While I am comforted by National Security Advisor John Brennan's recent statement that the withdrawal from Syria will be conditions-based, the precise details of how and when it will be executed remain to be seen. One thing, however, is perfectly clear: We cannot allow the creation of a power vacuum in the Middle East to bolster our adversaries' influence in the region. That is precisely what this legislation addresses. The Strengthening America's Security in the Middle East Act incorporates four bipartisan, non-controversial bills that were nearly enacted last year, but the clock on the 115th Congress ran out on December 31. As we begin what I hope will be another productive year in the Senate, I am glad we will have a chance to vote on this legislation.

Our national interests demand that we fully support and ensure the security of Israel—our closest ally in the region. As the majority leader said last week, this bill affirms that the United States needs to do more than just talk the talk; we must also walk the walk to support Israel's security.

This legislation will help Israel maintain its qualitative military edge against ongoing threats by authorizing military assistance and allowing the transfer of equipment and defensive weapons. Importantly, it will also assist Israel in countering the emerging threat of unmanned aerial vehicles deployed by Iran, in particular.

In addition to supporting Israel, it will empower State and local governments in the United States to counter the anti-Israel boycott, divestment, and sanctions movement—better known as BDS—and its discriminatory economic warfare against the Jewish state.

In addition to nurturing our relationship with Israel, the bill also recognizes the importance of supporting Jordan—another key regional ally. It reauthorizes legislation to strengthen our defense cooperation and support Jordan's response to the overwhelming humanitarian crisis caused by the Syrian civil war. According to the United Nations, there are more than 740,000 refugees in Jordan. That equates to 89 refugees per 1,000 inhabitants, making them the second highest refugee host nation per capita in the world.

The impact of the crisis in Syria is immense and potentially destabilizing and requires our support to maintain the peace.

Finally, this bill takes critical steps to address the ongoing war and humanitarian crisis in Syria by providing aid to impacted communities and condemns the heinous human rights violations committed by the murderous Assad regime.

Until this horrendous conflict is resolved, new sanctions will be imposed on anyone who supports Syria either financially or militarily.

It is true that this bill will not solve all the problems in the Middle East. It will not, for example, provide justice to innocent civilians killed by the Assad regime. It will not rebuild the communities treated as collateral damage throughout this crisis. But it is a step to ensure our allies are prepared to fight for and defend our shared national security interests.

Senate Democrats have indicated, unfortunately, that they are likely to block this legislation from coming to the floor, as their discussions with the President on border security remain at an impasse. Leader MCCONNELL, though, has made it clear that the Senate will not waste time holding show votes on legislation that the President will not sign, so we continue to wait for Speaker PELOSI and Minority Leader SCHUMER to take serious, credible action to break that impasse. Until that time, there is a lot of work we can and should do, such as debating and voting on this legislation, which will protect our national security interests in the Middle East.

Twenty-five percent of our government has already been shut down because of this impasse. I urge our Democratic colleagues in the Senate not to shut down the work of the Senate too.

I want to thank the majority leader for scheduling this important debate and vote, and I look forward to voting yes when the time comes.

#### BORDER SECURITY

Mr. CORNYN. Mr. President, as I mentioned, this partial government shutdown continues, now on its 18th day. But 18 days in, not much has changed. The newly elected Democratic House refused to come to the negotiating table with a serious offer or to negotiate in good faith.

This entire debate has been surreal. I would say it has been a joke, but it is really not funny. It has now degenerated into a game of silly semantics, while losing sight of just how much is at stake for the people affected.

A secure and vibrant border is critical to the safety and livelihood of our entire country, and it, of course, plays a vital part in the daily life for many Texans, especially those who live and work in the border region. If you visit El Paso, for example, out West, you will see firsthand how interconnected the city is with its neighbor, Juarez.

Mexico is literally on the other side of the international bridge. Each day at that single port of entry, an average of 20,000 people cross the border on foot legally—going to work, going to school, visiting friends and family, or shopping. That is in addition to the 35,000 car crossings and the 2,500 cargo trucks that cross each day just at the El Paso port of entry.

I often compare the United States and Mexico to an old married couple who have occasional differences but who can't get divorced. We depend on one another, and we depend on a safe, secure, and efficient border to allow both countries to live in harmony.

Not everyone or everything attempting to cross the border is in our country's best interest. Transnational criminals, drug smugglers, and human traffickers try to take advantage of any opportunity, any gaps in our border, and they use it to infiltrate, threaten, and endanger our communities.

For too long, our frontline officers and agents haven't had the tools and resources they need to do their job. Whether it is outdated infrastructure, personnel shortages, or technology, the fact remains that we need additional border security funding to empower these hard-working officers and agents to complete their mission at both our ports of entry and between those ports of entry.

After talking to the experts—Border Patrol officials in Texas, as well as local stakeholders—I introduced legislation in the fall of 2017 to address a number of their concerns. That legislation, called the Building America's Trust Act, would have authorized approximately \$15 billion over 4 years for a long-term border security and interior enforcement strategy. Notably, the bill provided a great deal of discretion to the Department of Homeland Security's experts on the ground to determine what tactics were needed and where.

As my friend Manuel Padilla, former Chief of the Border Patrol's Rio Grande Valley Sector, once told me—he said: The answer to border security from the Border Patrol's perspective is finding the right balance of three things: personnel, technology, and infrastructure.

The landscape along the U.S.-Mexico border—particularly the 1,200 miles of common border between Mexico and Texas—the geography varies significantly, and there is no one-size-fits-all solution to border security. That is why it is important to listen and learn from law enforcement and key stakeholders how to adapt the right mix to each area. That way, we can ensure we are deploying the most effective and practical solutions to achieve operational control along the southern border.

Yes, we need physical infrastructure in places—a fence, a wall, a vehicle barrier, for example—because the hard-working agents and officers on the ground tell us that it works, and we

would benefit from more of it. But we also need personnel to enforce the laws along the border and ensure our ports of entry are operating efficiently. And, yes, we need technology, things like scanners to scan for drugs that are embedded in shipments that come across the border. We need drones, radar, and sensors to help maximize border security, as well as access to the Rio Grande for Border Patrol agents so they can police the border for illegal entry.

This shouldn't be a partisan debate, and historically, our differences on this topic have not been so polarizing. I think the nature of our political system today makes it easy to forget that not too long ago, border security was something supported by both political parties.

In 2006, the Senate passed the Secure Fence Act by a vote of 80 to 19. That is what I would call a bipartisan victory. Among those who voted for that bill include many current and former leaders of the Democratic Party, including Minority Leader CHUCK SCHUMER, then-Senator Barack Obama, and then-Senator Hillary Clinton. They didn't believe that fences and walls and physical barriers were immoral, as apparently the current Speaker of the House of Representatives does. Not only did that legislation call for more than 800 miles of fencing along the U.S.-Mexico border, it also authorized the other important components of border security that I talked about, things like technology and personnel. That was in the 2006.

In 2013, more recently, all 54 Democratic Senators voted for \$46 billion in border security—every single one—and now President Trump's request for \$5 billion is somehow a nonstarter.

The Border Security, Economic Opportunity, and Immigration Modernization Act provided funding for, yes, infrastructure, personnel, and technology. That is exactly the right mix that Chief Padilla mentioned, which I referred to a moment ago. These are really the same types of issues we are talking about today. These are not radical ideas. We need a sensible combination of physical barriers, technology, and personnel.

My Democratic colleagues supported border security during the Bush administration. They supported border security during the Obama administration. Now I urge them to come to the table with a serious proposal to help secure our border and end this standoff and to stop the foolishness and the political games.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.



### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

### STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—Motion to Proceed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 1, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1) to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

Mr. CORNYN. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

### CERTIFICATE OF ELECTION

The VICE PRESIDENT. The Chair previously laid before the Senate the certificate of election from the State of Florida. The certificate was in the form suggested by the Senate and was printed in the RECORD.

(The certificate of election was printed in the RECORD of January 3, 2019.)

### ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-elect will now present himself at the desk, the Chair will administer the oath of office.

The Senator-elect, Rick Scott, escorted by Mr. RUBIO, Mr. LeMieux, Mr. Martinez, and Mr. McGillicuddy III, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he thereupon subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator.

(Applause, Senators rising.)

### STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—Motion to Proceed (Continued)

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG). Without objection, it is so ordered.

S. 1

Mr. RUBIO. Mr. President, a few moments ago we welcomed our new colleague, my colleague for the State of Florida, former Governor and now U.S. Senator RICK SCOTT, who will do a phenomenal job here on behalf of the State of Florida. I welcome him to the U.S. Senate, the world's greatest deliberative body—and, on occasion, perhaps the strangest as well.

In about 1 hour 15 minutes, the Senate is going to take up S. 1, which is a combination of four separate bills that enjoy widespread support in this Chamber from colleagues on both sides of the aisle, all of them sponsored and cosponsored by both sides of the aisle, and apparently we will fail to get a significant number of votes to get on this bill, nonetheless.

So it is perhaps one the few places on Earth where people vote against things they are for because of reasons unrelated to the issue at hand. I don't want to dig too deep into that. That will be a topic for conversation later on, and maybe I will be wrong. Maybe they will change their minds in the next 1 hour 15 minutes, and we will have the votes we need, but I don't think it makes a lot of sense to say: I am upset about the government shutdown—by the way, the Senate voted unanimously to fund the government by a voice vote. We didn't even have a rollcall vote. So this Chamber has already enacted in that regard. At this point, it is incumbent on the leaders of the Democratic Party in the Senate, combined with the White House, to come up with a deal to reopen the government. This government shutdown is not good for anybody. I have never seen anybody win one of these.

That said, I don't know why we would shut down the Senate, too, given the issues we face.

About 3 weeks ago, the President announced that the United States was withdrawing from our engagement in Syria. I—and I think the majority of the people in the Senate—believed that decision was a mistake and is a mistake.

While I was certainly encouraged by some of the comments by the head of the National Security Council, Ambassador John Bolton, on the pace and scale and scope of the withdrawal, nonetheless, there have been conflicting statements since then which put this all in question.

At the time he made this decision, we walked through all of the reasons why this was a mistake—not because we want to be in war in Syria forever. That is false. Of course, it has to come to an end, but it needs to come to an end in a way that is in the interest of the United States of America. It is not in the interest of the United States of

America to see ISIS reemerge the way they did after 2011, when the United States left Iraq.

When the United States left and pulled back its presence in Iraq, it allowed ISIS to reconstitute itself and reemerge. They were called something different then, but they were basically a spinoff of al-Qaida. They started out as an insurgency and grew very rapidly. They are larger today and they are more powerful today than when they reconstituted themselves almost a decade ago. I have no doubt that if this moves forward, ISIS will reconstitute itself, maybe not as a caliphate but as something equally dangerous, and that is an insurgency with the capability not just to create havoc, mayhem, murder, and destruction in Syria and potentially once again in Iraq but also to externally plot and attack us here on Homeland.

This raises all other types of possibilities, like the Iraqi troops along with irregular forces sponsored by Iran—the Shia militia that have been on the ground in Iraq—coming across the border and into Syria. We all have read and heard about the Turkish troops that want to come into the Kurdish areas.

If Assad is sitting there now with the United States pulling out and all of this is going on, he figures that at this point what does he need a political solution for, what does he need the U.N. or anybody for? The saddest part is that this diminishes the chances that Assad will ever have to face accountability for the crimes committed by his regime against innocent civilians—children, women, and others—not just for the gassing and use of chemical weapons but for widespread torture and murder. We will discuss that more as the week goes on.

We are also concerned about Iran's growing influence with the United States leaving, especially in southeast Iraq and on the border of Jordan and Israel, with Hezbollah and other Iranian proxies and Iran itself, or the IRGC and General Soleimani, who is a maven of murder in that area, basically doing whatever they want. They have more freedom of movement, and there is the direct threat that it poses to both Israel and to Jordan.

By the way, when the Turks come in or potentially Iraqi troops come in—when ISIS is reconstituted and starts killing people again—you are going to have new refugee flows. Maybe it will be mostly Kurds this time, maybe folks from the Syrian defense forces who had fought alongside us for a while and their families. Where will all of these new refugees go? Potentially, some will wind up in Jordan, further destabilizing or testing that country's ability to deal with all of this.

On that last point, both the Kurds and the Syrian defense forces have in excess of 700 ISIS fighters in custody, in prison. Are they going to let them all go? Because without us there supporting them, I don't know how they

are going to hold them, and none of the countries they came from want them back. So you can potentially face hundreds of ISIS fighters being released overnight. These are all the consequences—and more.

What are we going to do if in a few days, a few weeks, or months from now ISIS decides to deploy chemical weapons against the Kurds or others in these areas? That is the parade of horrors, and the possibilities are extraordinary. We could go on and on for a while.

That is why, among other reasons, it was a mistake, and when we came out and said it was a mistake, a lot of people said: What are you going to do about it? Don't just talk; act.

It is difficult in an issue like this. Congress can stop wars. Congress can defund them and deauthorize actions, but Congress cannot force the Commander in Chief to stay in a military engagement. We cannot force the President to deploy troops or keep them somewhere. We can keep him from doing it, but we can't force him to do it. Our options in this field are limited.

We wanted to do something. We felt so strongly about this. The response is S. 1, which is the item before us here today. S. 1, as I said, combines these four bills that enjoy widespread bipartisan support. You would think that in the midst of everything else that is going on, this would be a really good way to start the new Congress, in foreign policy, in an area that traditionally has not been partisan—or shouldn't have been—by combining these four bills into S. 1, which is what is before us today.

I want to briefly outline the four provisions combined in this bill. Two of them deal directly with our ally in Israel. First, it makes very clear that "it shall be the policy of the United States to provide assistance to the Government of Israel in order to support funding for cooperative programs to develop, produce, and procure missile, rocket, projectile, and other defense capabilities to help Israel meet its security needs and to help develop and enhance United States defense capabilities."

That last line is important because much of the technology that is being innovated and developed by Israel to defend Israel can also be used by the United States to protect us from rocket attacks there or when we are deployed abroad. The reason why this is so critical is that Hezbollah has a large presence in Syria and has their base of operations in Lebanon. Today, Hezbollah is better funded, better equipped, and has more armaments than at any time in its history.

We all recall the Hezbollah-Israel war from about over a decade and a half ago. The next Israel-Hezbollah war will be far deadlier and costly because Hezbollah no longer simply depends on Iran to provide them the weapons. They make them themselves.

Hezbollah no longer has a few rockets. It has enough to potentially overwhelm defenses. That means you could have the best missile defense system in the world, but if you fire enough of them, eventually some of them will get through, and when they get through in a small country like Israel—which at its narrowest point is only 9 miles wide—and it hits a population center and kills thousands of people, then, you know we are facing a catastrophe. Israel will respond to that sort of attack with overwhelming force. This could spiral quickly out of control.

How could we wind up at that point? We could wind up at that point because now that the United States is leaving Syria, the Israelis are going to say: We are not going to allow Iran and Hezbollah to build up its presence. We are going to step up our military attacks inside of Syria.

It is possible, when they step it up, that it is likely that Iran and Hezbollah will respond by hitting back. Then, Israel will hit back even harder. At that point of escalation, you could easily see the missiles start coming out of Lebanon into Israel, and Israel responding with overwhelming force, and then we have a much broader conflict, with thousands—if not hundreds of thousands—of people whose lives are on the line.

So making it clear to Hezbollah or to any enemy of Israel that the United States stands ready to equip them in the case of such a contingency is one of the best things we can do to prevent it from happening. If Israel's enemies believe there is any doubt that the United States will step forward and help Israel resupply in case of such conflict, you have increased the probability that they will miscalculate and take such action.

But if they know that we are committed to rearming Israel as often and as much as possible and necessary in order to help them defend themselves, then, the chances of them attacking are diminished. That is why this bill authorizes U.S. security assistance in foreign military financing to Israel at an amount no less than \$3.3 billion a year for the next 10 years.

By the way, this, in essence, is authorizing a memorandum of understanding signed between the Obama administration and Israel. We are authorizing that and putting it into law. We are also authorizing the President to transfer precision-guided munitions to reserve stocks as needed for legitimate self-defense by Israel. The world now knows—and Israel's enemies now know—that the United States has put aside reserve precision-guided munitions that are there if Israel needs them for us to quickly transport them to them in case they come under attack and run low on the munitions they need to defend themselves. That is the first thing this bill does.

Another thing it does, by the way, is the Combating BDS Act of 2019. For those not familiar with BDS, it is boy-

cott, divestment, and sanctions. It is, in essence, by and large, to punish Israel by convincing companies—international companies and others—to boycott doing business with Israel or Israeli entities, to divest of investments in Israel or Israeli entities, and convincing governments to sanction Israel.

This provision of the law does not outlaw boycott, divestments, and sanctions. If a United States company caves to this pressure and decides it is going to boycott or divest from Israel, they have the legal right to do so. This doesn't outlaw it. However, it does say if a State or local government decides that it is not going to do business or if the government is not going to issue contracts for goods or services with any company that is boycotting or divesting from Israel, they have a right to do that.

I have heard the argument that this is about free speech. First of all, it is not about free speech. It is about foreign policy. We will talk about that more as the week goes on, but there are court cases out there that talk about how this is not an effort to influence a domestic political debate or to speak or take action in the form of speech that influences a domestic political debate. This is about influencing the behavior of a foreign government's foreign policy. The courts give broad discretion to Congress and the President in the setting of our foreign policy.

Putting that aside for a moment, as I told already you, this doesn't in any way prevent anyone from participating in boycotting or divesting from Israel. All it says is that if you do, your clients, in the form of State or local governments, can boycott or divest from you in return. Free speech is a two-way street.

Beyond that, it makes it very clear in the law that nothing in this law should be construed to violate anyone's First Amendment rights.

These are the two provisions that help Israel and to prevent the sort of economic warfare that is being driven against them and to make clear to their adversaries that the United States stands ready to resupply and strengthen Israel's ability to defend itself—not just helping Israel defend itself if it comes under attack but, frankly, in the hopes of deterring an attack against Israel. We do that by authorizing and putting into law the memorandum of understanding that was signed by the Obama administration in September of 2016.

In addition, the third thing the bill does is to deal with Jordan. Jordan is a U.S. ally. It is, by the way, a nation that, along with Egypt, has been a linchpin of Israel's security in the region, and it is also a nation that has faced an onslaught of refugees fleeing the conflict in Syria. They face the threat from ISIS, as well. In S. 1, we reauthorize the United States-Jordan Defense Cooperation Act, which passed

in 2015. It is an act that, among other things, includes Jordan on the list of countries that are eligible for certain streamlined defense sales, because Jordan itself is facing many of the same challenges, particularly because of our pullout from Syria.

If you think the pullout from Syria—especially from southeastern Syria—is a good thing for Jordan, you are wrong. Once the United States leaves that area, the Iranian influence will grow, and potentially, the ISIS influence will grow. It will become harder—not easier—on Jordan. This is the least we can do to strengthen an important ally in this region.

The last piece is one sponsored by the soon-to-be chairman of the Foreign Relations Committee, Senator Risch—the Caesar Syria Civilian Protection Act. It does three principle things. It requires the Treasury to determine whether the Central Bank of Syria is a financial institution that launders money for the regime. I am not sure it will take them long to conclude that they are, but that opens the door for the second thing it does, and that is new sanctions on anyone who does business with or provides financing to the Syrian regime.

It also, by the way, requires the administration to brief us here in Congress as part of our oversight role on what our strategy is to facilitate the delivery of humanitarian products and humanitarian assistance inside Syria.

Hopefully, we will be on this bill, but as the week goes on, I sadly will have to come to the floor and point out the horrifying atrocities that have been committed and that, I believe 50 and 100 years from now, people will look back at as one of the most horrifying things that have happened in this century. The people who have done this should be held to account.

This law puts in place not just requiring the administration to tell us what they plan to do in the short term to help people to the extent possible, but it also puts in place the ability to hold those who have done this responsible and accountable for what they did and what they continue to do.

I sincerely hope that we can get on this because the American people in the face of all this noise that is out there are in desperate need of reassurance that our Republic still works and that, at a minimum, we can still agree on what we agree on and we don't use the pretext of a shutdown to shut down the Senate.

As I remind everyone again—and I know we have some new Members—this body unanimously passed a bill to fund the government. I have my views on this shutdown, and I don't understand the objection. It is \$5 billion for spending on border security. By the way, it is not \$5 billion on a wall. It is \$5 billion to fund the top 10 priorities of the border security plan, and included in those top 10 are those of strengthening existing walls and barriers and building some new ones, but it includes far more

than just a wall. I remind many of my colleagues who were here in 2013 that when we sponsored the Senate bill on immigration, we authorized four times as much in that bill for border security. Of course, the politics have changed, and so people's positions on the issue of border security have changed.

That said, I am not in favor of government shutdowns. I don't think they make sense. The people have nothing to do with this. They are not responsible for this. Border agents, TSA employees, and Federal employees from these Agencies all across the country are missing paydays now. Their mortgage companies and their credit card companies don't care that there is a shutdown. They want to get paid or they will ruin your credit. I hope we can find a resolution for them—but also for the country—without our abandoning the reality that we need to deal with border security.

Here is what I know, though. I don't believe shutting down the Senate and not allowing us to move forward on something as important as a Syria policy is the way to resolve the shutdown issue. You don't solve a shutdown with a shutdown. Shutting down the Senate and saying we are not doing anything here until we resolve this issue is not a constructive approach, and it is certainly not the way to start this new Congress.

At a time when, I think, the Senate serves as important a role as it has in two decades, this country needs a Senate that is capable of functioning and agreeing on the things we agree on—on passing bills that have broad support and not allowing them to fall victim to debates that are unrelated to the issues at hand. I remind all of my colleagues who, just 2 or 3 weeks ago, joined me and others in criticizing the decision to draw down from Syria; that there isn't a lot we can do in Congress to force the President to stay there, but there are some things we can do to reassure our allies in the region that at least in the U.S. Senate they have our support—that Israel and Jordan and the innocents who have been tortured and killed in Syria have our support. We have a bill before the Senate, S.1, that does that, and I don't know why we are not looking forward to at least debating it.

The vote we are taking in about 60 minutes or 59 minutes from now is not a vote to pass it. It is just a vote to begin debate on it. That is all it is. It is a vote to begin debate on it. To not even allow debate to begin on something we basically largely agree on may make a lot of sense in the hallways here, but it doesn't make a lot of sense to the men and women back home who are already watching the government shutdown with disdain and who then, on top of it, see that not even the Senate can function in the midst of all of this.

I hope, whether it is today or later this week, my colleagues across the

aisle will reconsider their objection to even beginning debate so we can get on this and get to work on behalf of the men and women of this country for whom we work and represent.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from New Mexico.

#### GOVERNMENT FUNDING

Mr. UDALL. Mr. President, I rise to call on the President to stop holding the government hostage and trying to force taxpayers to pay for his border wall—a wall that would be ineffective and wasteful and that is rejected by the American people.

President Trump said he is “proud”—that is his word that he used—to shut down the government. He is proud to force hundreds of thousands of people across this country to miss their hard-earned paychecks. He is proud to shutter critical services. He is proud to try and extort the American people into paying for a wall they don't support. This Trump shutdown is nothing to be proud of. It is a national disgrace, and it is time to end this recklessness.

I join with my Democratic colleagues today in calling on the Republican leaders to do their jobs and reopen the government right now. The American people don't support Trump's border wall, and they don't support this Trump shutdown. The funding bills that are being held up and used by the President as a bargaining chip have broad bipartisan support. The Democrats in both Chambers want to pass these appropriations bills now. Yet, as the Democrats stand ready to reopen the government, President Trump plans to address the Nation tonight to tell us again why he is proud to keep the government shut down.

We will likely hear more bizarre talk tonight about what we need at the border from a President who doesn't know the first thing about the border. Once again, we will likely hear blatant lies about immigrants, about our border, and about our border communities. The American people are tired of this President's assault on the truth. They are tired of having their lives and livelihoods caught up in this President's inability to rise to the office he holds. No address from the Oval Office will change that.

We need the Republican leadership in this Chamber to muster the political will to stand up to the President and get Federal employees back to work and critical services restored. We are now on day 18 of this shutdown—the second longest period that the government has been shuttered since 1980. We have already begun to see real-life consequences for families all across the Nation, and my home State of New Mexico is one of the States that is being hit the hardest by the President's temper tantrum, by his act of political extortion.

In New Mexico, roughly 5,800 Federal workers are either furloughed or are working without pay. These aren't just

numbers, these are real people. They are real people who are wondering how they will make their mortgages or rent payments or will feed their families. A Federal employee in Albuquerque wrote to my office to tell me how this shutdown is affecting her and her family.

She wrote to me to “go on the record that I am not one of the Federal employees the President is touting . . . as wanting to be out of work, without a paycheck, until he gets his wall.”

She had an important message for the Republican leadership of the Senate:

The Senate does not work for the President—it is supposed to represent the citizens of the United States . . . Federal employees do not want to stay out of work; we want to go back to work and get paid.

She ended:

This is not our fight—just his.

Economic anxiety is pervasive in all corners of the State. In fact, New Mexico was recently ranked as the most vulnerable to the impacts of the shutdown because of our significant Federal workforce and the importance of the Federal Government to our economy. As the ranking member of the Subcommittee on the Interior, Environment, and Related Agencies, I am acutely aware of how the lapse in appropriations is affecting the Agencies that are funded in our bill and the services they provide. These include the Department of the Interior, the Environmental Protection Agency, and the Indian Health Service.

As the ranking member of the Senate Indian Affairs Committee, I am especially cognizant of how this shutdown is hurting Native communities. For Tribes across Indian Country, the shutdown's consequences are particularly dire after their going more than 2 weeks without Federal funds. Simply put, Tribes report that Federal programs that are critical to health and public safety are grinding to a halt and that lives are in danger.

In New Mexico, the shutdown has left the Mescalero Apache Tribe's reservation—larger in size than the entire city of Houston, TX—with only one on-duty police officer, which would be unacceptable even under normal circumstances. Yet, due to a huge winter storm that left my State under heavy snowfall and subfreezing temperatures, that lone officer is responsible for not only responding to domestic violence and child welfare but also to snow-related accidents and emergencies across 720 square miles—all because furloughed road crews aren't clearing the snow and ice from the reservation's roads. One elder already died because he was unable to make it to dialysis. Sadly, Mescalero's experiences are not uncommon.

The Yurok Tribe of California will soon have to close its courts, curtailing the Tribe's efforts to rein in the opioid epidemic. Urban Indian Health Programs in Baltimore and Boston are days away from closing completely,

leaving Native families in these cities without support. The Yankton Sioux Tribe in South Dakota was just informed that its Indian Health Service unit must begin reducing services.

The 276 Tribes that depend on the USDA's Food Distribution Programs on Indian reservations—a program that feeds nearly 100,000 American Indians and Alaska Natives—are also faced with reliving the 2013 shutdown crisis, when food rotted in locked warehouses while hungry families gathered outside—all because the President and some extreme Members of his party refuse to do their jobs and keep the government open.

It is disgraceful, and it is dangerous. Every day that the President continues to treat Tribal health and public safety programs like hostages for political gain, it endangers families across Indian Country. The United States has trust and treaty obligations that Tribes obtained in exchange for ceding millions of acres of land. The consequences of the President's outright disregard for treaty obligations are real. The consequences of the Senate majority leader's inaction are real. The consequences of the Republicans' unwillingness to stand up for Tribes in their States—to stand up for basic humanity and common sense—are also real.

We are talking about people's lives and the fundamental obligation of our Nation to honor its commitment to Native Americans. It is really that simple. We all know how pressing these problems are. The impacts of the Trump shutdown are far and wide. There are thousands of stories across the Nation. Let me tell you another from my home State of New Mexico.

A local Santa Fe small business—a construction company, Sarcon Construction Corporation—is ready to begin an \$8.4 million project to build two new hangars at the Santa Fe Municipal Airport. This 32,000-square-foot project will generate \$650,000 in local tax revenue and will employ 75 to 100 people. Many of those people are literally unemployed now while waiting for this project to begin. This project is a big deal for my home city of Santa Fe.

Do you know why the project is stalled? Sarcon can't get the necessary approval from the Federal Aviation Administration because of the Trump shutdown, as the FAA personnel who are responsible for its approval are furloughed.

This shutdown has real consequences for real people, especially for people like those unemployed New Mexicans who are ready and eager to work but who are unable to because of our President's tantrum. The President says he can “relate” to Federal workers who can't pay bills during the shutdown, but in the next breath, he blithely assumes they will “make adjustments” and be fine.

As he has demonstrated time and again, this President cannot and does

not relate to the struggles of everyday Americans who are hurt by his policies. He cannot and does not relate to Federal employees who live paycheck to paycheck or to Santa Fe construction workers who wait anxiously to get back to work. He has shown us time and again that his policies and behavior are heartless and that he is unfit for the office he holds. I will say it again. The President told the American people on camera that he is “proud to shut down the government.” The responsibility falls squarely on him and now on his Republican collaborators in the Senate.

The impacts reach every corner of our Nation. His shutdown has already had real impacts on our Nation's public lands, including our most iconic national parks.

Many national parks, such as Bandelier National Monument and Valles Caldera National Preserve in New Mexico, remain closed. Restrooms have been closed for 2 weeks, trash has accumulated, and roads have not been plowed. For 2 weeks, we have heard horror stories of poor sanitation and public safety issues at national parks because of the shutdown, including overflowing toilets, vandalism, and other resource damage. In Big Bend National Park, because of the lack of emergency services, Good Samaritans had to rescue a hiker who fell and broke his leg while hiking on Christmas Eve.

In fact, the effects have been so devastating that, in a legally questionable move, this administration just made the unprecedented decision to dip into the park's entrance fees to fund basic services at a handful of parks across the country. These are fees that Congress authorizes the Park Service to collect to pay for deferred maintenance projects and other critical needs, not to take the place of appropriated funds. We still don't know which parks will be affected by the administration's decision, but I fully expect this bandaid approach to fall far short of protecting our treasured national resources or restoring services to the public in a meaningful way. It is merely a cynical attempt to get the problems caused by the President's shutdown off the front page of the newspaper.

If we want to reopen the parks, there is a simple solution: Pass the Interior appropriations bill without delay, and we can reopen the entire National Park System. In the meantime, reopening some park sites but not others will not help many gateway communities that depend on parks and public lands to provide needed revenue and that are facing economic crisis as this shutdown wears on.

The National Parks Conservation Association estimates that in January, visitors spent an average of \$20 million per day in nearby communities. That is real and vital revenue. In New Mexico alone, national parks generated more than 1,700 jobs in 2017 and created more than \$140 million in economic output

for my State. I can tell you that New Mexico can't afford for these sites to be closed.

It is not just the parks that are at risk. Fire prevention programs funded by the U.S. Forest Service are being deferred during the shutdown, despite a recordbreaking fire season. Environmental protection programs are suffering. EPA has halted most activities related to hazardous waste cleanups under its national Superfund Program. Enforcement activities against polluters have ground to a halt, as have Federal permitting efforts. States aren't receiving funds to operate their regulatory programs.

Even our Nation's cherished national museums are shuttered. On January 2, the Smithsonian ran out of funds and closed its doors, preventing more than 110,000 visitors a day from accessing its prized collections. Its next-door neighbor, the National Gallery of Art, is also closed, leaving school groups, families, and everyday citizens out in the cold.

Again, there is a simple solution to stop this damage. All we have to do is pass an appropriations bill and reopen the government.

I want to end where I began. The President has nothing to be "proud" of here. President Trump needs to stop holding Federal programs hostage to his demands for a wasteful, ineffective, and destructive wall and end this shutdown now. We can do it easily. The Senate can immediately take up and pass H.R. 21—the appropriations bill passed by the House last week. This should cause no controversy. These are bills drafted by Republicans with broad bipartisan support. In fact, the Interior bill is the exact same legislation that was passed by this Chamber by a vote of 92 to 6 last August—a margin that would override a veto of the bill, I might add.

I call on Leader MCCONNELL and Members of his party to let us get to work. We need to do what is right and immediately take up and pass the House bill today. There is no reason this shutdown must go on one day longer. The lives and livelihoods of everyday Americans hang in the balance.

As a final comment, I will say that I so much appreciate working with Senator LEAHY, who is vice chairman of the Appropriations Committee and who I know feels, sees, and hears from all of his Appropriations members how concerning this situation is.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, the Appropriations Committee has worked extremely hard to get these bills through. We passed them almost unanimously. Every single bill to keep this government open has been passed by this Senate or the Senate Appropriations Committee and will be passed again if Republicans allow it to come to a vote. They passed almost unanimously out of committee. Senator SHELBY and I worked very, very hard to

have bipartisan bills, and we did. I think the appropriations bills have had more bipartisan votes than they have had in over 20 years.

Now, where are we? We are on the 18th day of the Trump shutdown. For more than 2 weeks now, the President has withheld the paychecks of more than 800,000 Americans. He has held them hostage in order to extort Congress into funding his border wall—a wall for which he gave his word to the American taxpayers over and over again that Mexico would pay for, not the American taxpayers. Now he says: I want the American taxpayers to pay for it.

For more than 2 weeks, the President has withheld vital government services from the American people in order to gain leverage to fulfill a divisive campaign promise and rally his base. He has totally ignored that we had passed the bills that would reopen the government. Shamefully, he cares more about this cynical bumper sticker symbol of his Presidency than he does about the millions of Americans impacted by his shutdown or the hardships to come if the Trump shutdown continues. He wants rhetoric, not reality. I want reality.

I ask, what will the President say to the 800,000 Federal workers who will not get a paycheck this Friday because of this political stunt? What will he say to the men and women who have mortgages, families to feed, and bills to pay? What will he say to those forced to deplete their hard-earned savings or retirement funds or to those who have no safety net at all?

I will give an example. Just yesterday, a man called my office. He has a job with the Internal Revenue Service in Vermont. He has been furloughed. He will not receive a paycheck this week. He fears he will not be able to pay his bills past mid-January if he does not get paid. He has already turned off the cable and most of his family's cell services to save money. He is concerned about feeding his family, and his wife has serious medical issues that require attention. Incidentally, I was looking at the weather report for parts of Vermont. Tomorrow, it will be 5 degrees below zero. He also has to heat his home in that weather. So he was upset, he was worried, and he was looking for help.

Does the President even care about these people? The President claims he can relate to them, but he dismisses their fears, glibly saying they will "make adjustments." Make adjustments for their child's medical bills? Make adjustments for their mortgage payments? Make adjustments for heating their homes when it is 5 degrees below zero? He even absurdly claims they support his silly wall. Really? Come on. There are 800,000 Federal employees who are affected by the Trump Shutdown. Let somebody poll them and find out how many support what many in Vermont have called a "dumb wall." I have never heard any-

thing more tone-deaf from a President of the United States of America.

Perhaps for a man who was made a millionaire by his father at the age of 8, the idea of living paycheck to paycheck is a foreign concept, but it is not to the millions of Americans—both Republicans and Democrats alike—across this country who struggle to make ends meet. They should not be bargaining chips in the President's game. This is not a game for them, and the President should not treat it as such.

In fact, in addition to all of the Federal employees who are wondering when they will get their next paycheck, vital services on which many Americans rely and have paid taxes to support have come to a grinding halt. Remember that. Americans have paid taxes for these services, and they have come to a grinding halt.

Farmers can't get loans from the U.S. Department of Agriculture—USDA—to get them through the next planting season because no one is in the office to process the applications. We passed a 5-year farm bill. I am proud of the bipartisan bill that Senator ROBERTS and Senator STABENOW led through the Senate. I was one of the conferees on that farm bill, and it was bipartisan. It is complicated, and there are new rules in it, but the USDA cannot implement the new farm bill because all of the staff have been furloughed. How about all of the midwestern farmers who don't know what the rules are going to be before they start planting? They have to make that decision now. They paid their taxes to have the Department of Agriculture to help them, but it is closed now.

Our national parks—the prize of this country since the time of Teddy Roosevelt—are being vandalized and littered with trash and human waste. Since the Trump shutdown began, seven people have died in national parks. The parks were left unsupervised and unstaffed.

Homebuyers are finding out that their Federal Housing Administration loan applications are on hold.

Food safety inspections are slowing. How many people are going to die of food poisoning?

The Small Business Administration has stopped issuing new business loans, and our Federal courts are running out of money.

This is the United States of America. We are an embarrassment to the rest of the world because of this. The President should be embarrassed because he is the one who has asked for the Trump Shutdown.

Everyone agrees that we need to secure our borders, but there are smart ways to do it. A wall is not one of them. It is a 5th-century solution to a 21st-century problem. In 2015, the President's own acting Chief of Staff said that the idea of a wall was "absurd and almost childish." He said that a "fence doesn't stop anybody who really wants to get across . . . you go under,

you go around, you go through it.” It may be one of the few times Mick Mulvaney and I are in agreement.

To do what the President wants to do would require seizing land from ranchers and farmers. Some of these ranchers and farmers have had that land in their families for years. They are proud, hard-working, taxpaying Americans, and we say that we are going to come in with a wall through their land. It would require building walls through wildlife refuges and nature preserves. It would forever scar the landscape and ecosystem of the southwest border in ways we cannot anticipate. After all of that and billions of wasted taxpayer dollars, what would we have accomplished?

Tonight, the President will assert that the security of our Nation is in crisis. He will assert that criminals and drugs are pouring across the border. But his claims are not grounded in fact. That is typical of the claims he makes. The disinformation coming from the White House has been staggering.

In his zeal to feign a national emergency at the border, the President has employed nothing short of a propaganda campaign like we have seen in dictatorships of the past.

The reality is that between the year 2000 and 2018, apprehensions at the border have dropped. How much? They have dropped by 75 percent. The reality is that apprehensions at the southwest border have dropped to similar levels we had in the 1970s. It has dropped.

The reality is, many southern border communities have violent crime rates that are lower than the national American average. The reality, according to the Drug Enforcement Administration, is that the vast majority of drugs apprehended at the border are seized at ports of entry so a wall between such ports would be entirely useless at stopping drugs.

The demographic that is increasing in number are families—women and children—seeking asylum. Many are not even trying to sneak past the Border Patrol; they present themselves to Border Patrol agents when they cross. They are not here to perpetuate violence; they are fleeing violence, they are fleeing murder, they are fleeing rape, they are fleeing crime from their countries. Wasting billions of American taxpayer dollars to build a wall will not stop them from coming. We need comprehensive immigration reform—like the bipartisan bill the Senate passed in 2013—and smart foreign policy to address these issues, not fearmongering, not distortions, not lies, and certainly not thousands of miles of concrete or steel.

The Constitution vests the power of the purse to Congress. It is our job to be good stewards of taxpayer dollars. A border wall doesn't meet that threshold. Even if it did, the President has never provided us with a detailed plan for how he would spend the money, and he has been all over the map about how

much he is demanding. The only thing he has said is: We are going to have a wall, and Mexico will pay for it. Fine, let Mexico pay for it. For someone who spent years as the host of a reality TV show, reality has never been his strong suit.

We are not in the business of providing blank checks to satisfy Presidential whims. The President's own budget request to Congress was \$1.6 billion for the wall, and he has never submitted an addendum. No matter how much he or others talk about it, he never has. Instead, he makes demands by tweets and through the press. I have lost track of all the times his demands for the wall have changed, but I still go back to the original request. The only request in his budget was \$1.6 billion.

This weekend, Democrats asked the Vice President for more details on their border wall request. The administration sent Chairman SHELBY and me a letter asking for \$7 billion in border security investments that the President is demanding as part of this negotiation, including \$5.7 billion for the wall. This letter came out of nowhere 3 months into the fiscal year and 18 days into the shutdown, and it did not come from the President, it came from the Acting Director of the Office of Management and Budget. I think I may have that letter. They are asking for \$5.6 billion more for the Department of Homeland Security than they proposed in their original budget request, including an additional \$4.1 billion for the wall. This came up this weekend, but the letter included no budget justification, no details, and no suggestions for how to pay for it. The letter has a lot of clichés but does not say where the money comes from or what it is going to do. That is not the way we operate. It should not be the way we operate.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, January 6, 2019.

Hon. PATRICK LEAHY,

Vice Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR SENATOR LEAHY: The President continues to stress the need to pass legislation that will both reopen the Federal Government and address the security and humanitarian crisis at our Nation's Southwest border. The Administration has previously transmitted budget proposals that would support his ongoing commitment to dramatically reduce the entry of illegal immigrants, criminals, and drugs; keep out terrorists, public safety threats, and those otherwise inadmissible under U.S. law; and ensure that those who do enter without legal permission can be promptly and safely returned home.

Appropriations bills for fiscal year (FY) 2019 that have already been considered by the current and previous Congresses are inadequate to fully address these critical issues. Any agreement for the current year should satisfy the following priorities:

Border Wall, Customs and Border Protection (CBP): The President requests \$5.7 billion for construction of a steel barrier for the Southwest border. Central to any strategy to achieve operational control along the southern border is physical infrastructure to provide requisite impedance and denial. In short, a physical barrier—wall—creates an enduring capability that helps field personnel stop, slow down and/or contain illegal entries. In concert with the U.S. Army Corps of Engineers, CBP has increased its capacity to execute these funds. The Administration's full request would fund construction of a total of approximately 234 miles of new physical barrier and fully fund the top 10 priorities in CBP's Border Security Improvement Plan. This would require an increase of \$4.1 billion over the FY 2019 funding level in the Senate version of the bill.

Immigration Judge Teams—Executive Office for Immigration Review (EOIR): The President requests at least \$563 million for 75 additional Immigration Judges and support staff to reduce the backlog of pending immigration cases. The Administration appreciates that the Senate's FY 2019 bill provides this level of funding, and looks forward to working with the Congress on further increases in this area to facilitate an expansion of in-country processing of asylum claims.

Law Enforcement Personnel, Border Patrol Agent Hiring, CBP: The President requests \$211 million to hire 750 additional Border Patrol Agents in support of his promise to keep our borders safe and secure. While the Senate's FY 2019 bill supports some Border Patrol Agent hiring, fulfilling this request requires an increase of \$100 million over the FY 2019 funding level in the Senate version of the bill.

Law Enforcement Personnel, Immigration and Customs Enforcement (ICE): The President requests \$571 million for 2,000 additional law enforcement personnel, as well as support staff, who enforce our U.S. immigration laws and help address gang violence, smuggling and trafficking, and the spread of drugs in our communities. This would require an increase of \$571 million over the FY 2019 funding level in the Senate version of the bill.

Detention Beds, ICE: The President requests \$4.2 billion to support 52,000 detention beds. Given that in recent months, the number of people attempting to cross the border illegally has risen to 2,000 per day, providing additional resources for detention and transportation is essential. This would require an increase of \$798 million over the FY 2019 funding level in the Senate version of the bill.

Humanitarian Needs: The President requests an additional \$800 million to address urgent humanitarian needs. This includes additional funding for enhanced medical support, transportation, consumable supplies appropriate for the population, and additional temporary facilities for processing and short-term custody of this vulnerable population, which are necessary to ensure the well-being of those taken into custody.

Counter-narcotics/weapons Technology: Beyond these specific budgetary requests, the Administration looks forward to working with Congress to provide resources in other areas to address the unprecedented challenges we face along the Southwest border. Specifically, \$675 million would provide Non-Intrusive Inspection (NII) technology at inbound lanes at U.S. Southwest Border Land Ports of Entry (LPOE) would allow CBP to deter and detect more contraband, including narcotics, weapons, and other materials that pose nuclear and radiological threats. This would require an increase of \$631 million over the FY 2019 funding level in the Senate version of the bill.



In addition, to address the humanitarian crisis of unaccompanied alien children (UACs), Democrats have proposed in-country asylum processing for Central American Minors. This would require a statutory change, along with reallocation of State Department funds to establish in-country processing capacities at Northern Triangle consulates and embassies. Furthermore, for the new procedure to achieve the desired humanitarian result, a further corresponding statutory change would be required to ensure that those who circumvent the process and come to the United States without authorization can be promptly returned home. Without the latter change, in-country processing will not reduce the unauthorized flow or successfully mitigate the humanitarian crisis."

These upfront investments in physical barriers and technology, as well as legislation to close loopholes in our immigration system, will reduce illegal immigration, the flow of illicit drugs entering our country and reduce the long term costs for border and immigration enforcement activities.

The Administration looks forward to advancing these critical priorities as part of legislation to reopen the Government.

Sincerely,

RUSSELL T. VOUGHT,  
*Acting Director.*

Mr. LEAHY. The President may not care about the impact the shutdown is having on millions of Americans, but the U.S. Senate—a body that should be the conscience of the Nation—should care. Stoking fear through misinformation in order to promote a political agenda is simply wrong. We could and should reopen the government this week.

Last week, the House passed a bipartisan, six-bill minibus to reopen most of the government and a continuing resolution for the Department of Homeland Security. To show how bipartisan it is, the six appropriations bills the House passed originated in the Republican-controlled Senate last Congress and had bipartisan support, including by Senator SHELBY as chairman and by myself as vice chairman of the Appropriations Committee.

I worked hard with Senator SHELBY—and I admire his efforts—to produce these bills last summer and fall, and all of them received nearly unanimous support when they were considered on the floor of the Senate or in the Appropriations Committee. Senator MCCONNELL should bring them to the floor of the U.S. Senate today and put them up for a vote. We have already shown virtually every Republican and every Democrat in this body will vote for them.

Bring them up. Let's vote for them. End this nonsense. End it. The leader owes that to the American people. We owe that to the American people. Let us be the conscience of the Nation, not an institution that is simply a foil for the latest tweet or posting. We can do it. We have passed these bills before. Bring them up. Bring them up. Bring them up, and pass them again. Republicans and Democrats have voted for them in the past. The Republican chairman and I strongly support them. Bring them up. Bring them up. Bring them up and pass them and open the

government and let 800,000 Americans stop their suffering.

I yield the floor.

I see the Senator seeking recognition, so I withhold my request.

The PRESIDING OFFICER. The Senator from South Carolina.

CONGRATULATING THE CLEMSON TIGERS

Mr. GRAHAM. Mr. President, I will be quick. I know we have a lot to do before we vote, but if you are from South Carolina, you have a lot to be happy about today. If you watched the football game last night, I thought you saw a real display of college football.

I am a South Carolina graduate. I went to the University of South Carolina. I have lived near Clemson most of my life, and I am here to congratulate the Clemson Tigers because after last night, the Clemson Tigers have become the gold standard for college football, both on and off the field.

What I like most about Clemson is, they believe you can't win on the field if you lose off the field, and it starts at the top. Coach Swinney is the very definition of "all in"—with his family, his faith, his coaches and staff and his dedication and loyalty to his current and former players. He is one of the most beloved men I have ever met in the coaching profession. His players understand that he cares about them, and when he pushes them, it is only because he wants them to be the best they can be and the best the team can be.

Clemson University is not a football school, for those who are wondering. It is one of the top-tiered, academically challenging public universities in the entire country—and it is not bragging if it is true—which happens to have a great football team and a great coach.

To those who don't want to see Clemson versus Alabama part 5, I can understand that. I have some advice for you. Get better and beat one of them. Don't complain. These are the two best teams in the Nation.

To my friends from Alabama, your program is going to go down as one of the most historic programs in the history of college football, but last night, the best team in the Nation was the Clemson Tigers. They won decisively. They won with class. The 2018 season will be remembered as long as there is a Clemson University.

I live 5 miles from the stadium. I grew up in the shadow of Clemson University. I got an honorary degree from Clemson. That is about the only way I would have ever gotten a degree. I am very proud of what Clemson University has accomplished on and off the field. TIM and I will be introducing a resolution recognizing this great accomplishment by the Clemson Tigers.

I just want to end with this. In these troubled times, when there is a lot going on in the world, and there is a lot of bad news, this is a chance to celebrate something very positive. America is a football country, and college football is one of our most beloved sports. Last night, you saw two quality

teams. I can say, without a doubt, if you are going to follow college football, get to know the Clemson Tigers because you are going to see them again. Go Tigers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

S. 1

Mr. GARDNER. Mr. President, to my colleague from South Carolina, Senator GRAHAM, we will challenge the Clemson Tigers to the NCAA skiing championship anytime.

I rise to speak about the bill we are working on today, S. 1, Strengthening America's Security in the Middle East Act.

I am proud to be a sponsor of this legislation, along with Senator RUBIO and Senator RISCH. I commend Chairman RISCH for working with the majority leader in attempting to move this important legislation and effort without delay.

I think it is important to recognize that this bill combines four non-controversial pieces of legislation from the 115th Congress that are intended to support our strong allies, Israel and Jordan, and to impose sanctions against the gross human rights abuses of the Assad regime in Syria.

We have no stronger ally in the Middle East than the State of Israel. Israel has proven itself to be a resilient beacon of democratic values, despite facing existential threats daily since its founding in 1948.

Our two nations have worked closely to fight terrorism, to stop the spread of radical Islamist extremism, and to prevent nuclear and chemical weapons proliferation by rogue regimes, such as Syria and Iran. The legislation before us today simply reaffirms our strong support for Israel, including \$3.3 billion per year in annual U.S. security assistance, consistent with the 10-year U.S.-Israel memorandum of understanding, which was signed in 2016 by President Obama.

In the 115th Congress, 72 Senators—72 Senators, Republicans and Democrats—cosponsored this legislation. It passed in the Senate unanimously on August 1, 2018. There is no reason why my colleagues across the aisle should not support this legislation today—no reason—in order to show our strong bipartisan support to our friend and ally, Israel, at a time of great need.

This package also includes provisions supporting State governments that have taken action against the anti-Israel and anti-Semitic movement known as Boycott, Divestment, and Sanctions, or BDS. To date, 26 States—including my home State of Colorado—have adopted laws or executive orders against BDS. This legislation before us today simply endorses those decisions and clarifies that these measures adopted or enforced by a State or local government are not preempted by any Federal law if they comply with the requirements in the legislation.

This anti-BDS legislation had 48 bipartisan cosponsors in the 115th Congress. There is no reason it should not be passed with bipartisan support today.

BDS is a vile movement—a vile movement—and should be vociferously opposed by Republicans, Democrats, and everyone alike. This is why, on December 20, I led a letter, with 14 of my Senate colleagues, to the majority leader and the minority leader to take immediate action against BDS.

Mr. President, I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, December 20, 2018.

Hon. MITCH MCCONNELL,  
*Senate Majority Leader,*  
*The Capitol, Washington, DC.*

Hon. CHARLES SCHUMER,  
*Senate Minority Leader,*  
*The Capitol, Washington, DC.*

DEAR LEADERS MCCONNELL AND SCHUMER: We write today to bring to your attention a disturbing development concerning the anti-Israel and anti-Semitic movement known as Boycott, Divestment, and Sanctions (BDS). Regrettably, in recent days, future members of the U.S. House of Representatives have publicly expressed support for this extreme movement.

We urge you to issue a joint statement publicly condemning BDS and to prioritize legislative efforts in the next session of Congress to counter this destructive trend. We note there were bipartisan legislative efforts, including the Combating BDS Act (S. 170) and the Israel Anti-Boycott Act (S. 720), which were introduced in the 115th Congress.

Israel is our country's most steadfast ally in a highly volatile region of the world. The State of Israel has proven itself to be a resilient beacon of democratic values, despite facing existential threats daily since its founding in 1948. Working closely together, our two countries have worked to fight terrorism, to stop the spread of radical Islamist ideologies, and to prevent nuclear and chemical weapons proliferation by rogue regimes, such as Syria and the Islamic Republic of Iran.

As then-President Barack Obama stated in his speech in Jerusalem on March 21, 2013: "Israel has established a thriving democracy with a spirited civil society, proud political parties, a tireless free press, and a lively public debate—lively may even be an understatement. And Israel has achieved this even as it has overcome relentless threats to its security—through the courage of the Israel Defense Forces, and a citizenry that is resilient in the face of terror."

Simply put, the BDS movement seeks to delegitimize the State of Israel and its people. Senator Schumer, as you so eloquently stated on March 6, 2018: "We must continue to stand firm against the profoundly biased campaign to delegitimize the State of Israel through [BDS] . . . While Iran publicly executes its citizens, Turkey jails its journalists, scores of Arab nations punish homosexuality with imprisonment and torture, why does BDS single Israel out alone for condemnation?"

It is disheartening to see future members of Congress take a position on BDS that is not only highly biased, but contrary to fundamental facts and detrimental to U.S. national security interests. We therefore respectfully urge you to immediately condemn

these comments and to show bipartisan support for our ally Israel.

Sincerely,

Cory Gardner, Lindsey Graham, Marco Rubio, Chuck Grassley, Ted Cruz, Susan M. Collins, Jon Kyl, John Hoeven, Steve Daines, John Thune, Cindy Hyde-Smith, Roger Wicker, James E. Risch, David Perdue, Tim Scott.

Mr. GARDNER. In that letter, we asked for immediate bipartisan response against BDS, including moving today's legislation forward. In that letter, we quote the minority leader, Senator SCHUMER, when he spoke at the annual American-Israel Public Affairs Committee conference just this past March. Less than a year ago, here is what Senator SCHUMER told the audience at AIPAC on March 5, 2018:

[W]e must continue to stand firm against the profoundly biased campaign to delegitimize the State of Israel through [boycotts, divestment, and sanctions].

While Iran publicly executes its citizens, Turkey jails its journalists, scores of Arab nations punish homosexuality with imprisonment and torture, why does BDS single Israel out alone for condemnation?

When there is such a double standard, when the world treats everybody one way and the Jew or the Jewish State another way, there's only one word for it: anti-Semitism. Let us call out the BDS movement for what it is. Let us delegitimize the delegitimizers by letting the world know when there is a double standard. Whether they know it or not, they are actively participating in an anti-Semitic movement.

Those are the words of the Democratic minority leader in March of 2018. I completely agree with Senator SCHUMER. Yet today I understand that he and Members of his caucus plan to vote against the motion to proceed on bipartisan legislation that would condemn BDS. It is regrettable. It is unfortunate. It is horrible.

It is also part of a new and disturbing trend that we see from some of our colleagues in the Democratic caucus. As we noted in our letter, several Members of the House of Representatives have now publicly endorsed BDS and have not been condemned by Senator SCHUMER and other Democratic leaders. We saw the manifestation of this dangerous trend 2 days ago, when a Democratic Representative issued a statement alleging that the Senators who introduced the bill before us today, myself included, forget what country they represent. This is a reprehensible charge of dual loyalty utterly unbecoming of a sitting Member of Congress, and we all need to come together to condemn such vile insinuations.

I am glad to see that respected, non-partisan organizations, like the American Jewish Committee, AJC, have now issued strong statements rebuking this Democratic Member of Congress.

The AJC statement reads in part:

AJC is outraged at the tweet posted by [the Representative] that U.S. senators who had introduced Israel-related legislation "forgot what country they represent."

That assertion, which completely avoids legitimate debate about the content of the

bill itself, insinuates that a number of respected, long-serving senators are somehow more loyal to Israel than they are to the United States.

The charge evokes classical anti-Semitic tropes about dual loyalty—in this case applied to some lawmakers who are not even Jewish—that have no place in our political discourse.

Mr. President, I ask unanimous consent to have printed in the RECORD the statement from AJC dated January 7, 2019.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AJC OUTRAGED BY REP. TLAIB'S TWEET

(Jan. 7, 2019)

NEW YORK.—AJC is outraged at the tweet posted by Representative Rashida Tlaib (D-MI) claiming that U.S. senators who had introduced Israel-related legislation "forgot what country they represent." That assertion, which completely avoids legitimate debate about the content of the bill itself, insinuates that a number of respected, long-serving senators are somehow more loyal to Israel than they are to the United States.

The charge evokes classical anti-Semitic tropes about dual loyalty—in this case applied to some lawmakers who are not even Jewish—that have no place in our political discourse. Ironically, it was Representative Tlaib who took the unusual step of wrapping herself in a foreign flag upon winning election to Congress, and who said she would serve as "a voice for" another nation in the House of Representatives.

Her ad hominem attack on congressional colleagues joins a growing list of troubling statements by the newly elected member, including her rejection of a two-state solution to the Israeli-Palestinian conflict.

AJC calls on Rep. Tlaib to apologize for her offensive remarks.

Mr. GARDNER. Mr. President, I believe this body can do different, so I ask my colleagues to put politics aside and vote yes on the motion to proceed to this legislation that will help enhance our national security and will take strong action against a reprehensible and racist movement known as BDS.

I know there are some who believe we should shut down the Senate because of the current funding situation in the Federal Government, but let me remind Members of this Chamber that in 2013, under Democratic Majority Leader Harry Reid, what was voted on during the shutdown in 2013—here it is—a bill to authorize the Secretary of the Interior to take actions to implement the agreement between the United States of America and the United Mexican States concerning transboundary hydrocarbon reservoirs in the Gulf of Mexico. Somehow, in 2013, it was OK to find time for that measure.

While complaining about finding time for other measures right now, during the shutdown in 2013, they found time to address the Security Clearance Oversight and Reform Enhancement Act. They found time for the Small Airplane Revitalization Act. They found time to ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor

vehicles for sleep disorders is adopted pursuant to a rulemaking proceeding and for other purposes. Now they don't want to bring up anti-BDS legislation because we shouldn't be talking about anything else, but in 2013, they had time to vote on and to consider things like extending the period during which Iraqis who are employed by the U.S. Government in Iraq may be granted special immigrant status and temporarily increasing the fee or surcharge for processing machine-readable non-immigrant visas.

I am not downplaying the importance of these bills. I am saying that there seems to be a significant double standard and a significant partisan double standard because what is being complained about today is the same thing that was fine in 2013—had time to vote on a couple of district judges as well, but now there is no time for that.

People are saying we shouldn't vote on this legislation until the government is funded. I have said it very clearly—we need to fund the government. What also needs to be very clear is how people will vote on this legislation, to not hide behind the shutdown how they would vote on anti-BDS legislation.

We have heard the rhetoric. We have heard the very real comments from not fictitious Members of Congress but from actual Members of Congress who support an anti-Semitic movement. We can condemn it today with a simple vote to proceed. If people don't want to take too much time to debate it, I think everybody knows that it is right to support an anti-BDS position. They know it is right to oppose Assad and his chemical attacks and the other torturous actions he has taken against his own people. It is a pretty simple vote on this motion to proceed—vote yes; support the underlying legislation. Bipartisan Members, Republicans and Democrats, just last year supported this legislation, voted for this legislation, and I hope they will not let partisan politics get in the way of doing what is right.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, we are now in day 18 of an unnecessary and shameful government shutdown. I am proud to be joined on the floor by my colleague and partner, the senior Senator from Maryland, BEN CARDIN, Senator TIM KAINE and Senator WARNER from Virginia, and many of my colleagues, to say loud and clear that the first order of business in this Senate should be to reopen the Federal Government because every day that goes by, more and more Americans are losing access to important government services, 800,000 hard-working Federal employees are going without pay and facing mounting monthly bills, 400,000-plus are working without pay to help protect our country, and over 300,000 are forcibly furloughed. Small businesses that do contract work for the

government are getting clobbered, as are the employees who work for them.

We have it within our power to vote tonight to end this shutdown by voting on the two bills that passed the House of Representatives last Thursday. They made it their first order of business, and so should we. I have copies of those bills.

I have a copy of H.J. Res. 1 right here in my hand. It would reopen the Homeland Security Department at current levels until February 8, allowing us an opportunity to discuss with the President the best and most effective approach to border security. It is identical to what this Senate passed on a bipartisan basis just before Christmas.

The second bill that passed the House—and I have that right here at my desk as well—would reopen the other eight Departments of the Federal Government for the remainder of the fiscal year and, importantly, at levels that were supported in this Senate on a bipartisan basis either through votes on this Senate floor or in the Senate Appropriations Committee.

Both of these bills—H.J. Res. 1 and H.R. 21—are on the Senate calendar. We could bring them up, and we could vote tonight to end the government shutdown. Then we could have a discussion with the President on the best way to secure our borders. Let's stop holding the entire Nation and 800,000 hard-working Federal employees hostage in a disagreement they have nothing to do with.

President Trump did say that he was going to be proud to shut down the government, and he did it. Every day that goes by in this Senate without a vote on the House bills to reopen the government makes this Senate more and more complicit in the shutdown. No Senator—no Senator—should be contracting out their constitutional responsibilities and their votes to the President of the United States. Let's not be an accomplice to this shutdown. Let's bring up the vote, bring up the bill, vote on it now—no business-as-usual tonight—and let's, first of all, do the people's business and reopen the government. Let's do it now.

I am proud to now give time to Senator CARDIN, my friend, the senior Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I take this time to support what Senator VAN HOLLEN has said. I am here with Senators WARNER and KAINE. We have the honor of representing Maryland and Virginia in the Senate, where there are so many Federal workers.

I want to underscore one point Senator VAN HOLLEN made about the two bills that are on our calendar that passed the House. These are not Democratic bills; these are bipartisan bills. These are bills that passed this body just a few weeks ago by unanimous votes to keep government open as we continue to negotiate on border security. They deal with appropriations

bills that passed our Appropriations Committees—in one case unanimously, and in one case, all but one Senator voted for it. So these are bipartisan bills that have been sent over to us from the House that have already cleared this body once. Now we can pass them, keep government open for most of the agencies, and in the case of Homeland Security, a continuing resolution.

This shutdown caused by President Trump is a disaster. It is hurting people. In this morning's Sun paper, there was an article about an important economic development project in Baltimore City on the east side that cannot move forward because HUD can't process the paperwork so it can go forward. We are getting hurt every day.

Senator VAN HOLLEN mentioned the 800,000 Federal workers. About half are being asked to show up and work every day without a paycheck. The others are being locked out and are being furloughed without pay. People are getting hurt.

The taxpayers of this country expect to be able to get government services from their agencies, and they can't get those services. They are being hurt.

Contractors are being hurt, small businesses are being hurt, and our economy is being hurt.

It makes no sense whatsoever. The first order of business should be to take up these two bills. Let's put aside what is currently pending. Let's bring up these two bills. We can return to that calendar immediately thereafter. We can do that, but let's make sure we get these bills passed so we can open government now. The Senate should not be complicitous in the shutdown that President Trump has caused. Let's act in good faith. Let's open up government. Let's negotiate border security. If we can't get that done quickly, we could at least have a continuing resolution and continue our debate on border security, but don't hold the American people hostage. That is exactly what the President of the United States is trying to do.

Mr. President, I yield the floor to Senator WARNER.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that Senator KAINE and I each be permitted to speak for up to 5 minutes prior to the scheduled vote.

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

Mr. WARNER. Mr. President, I want to join my colleagues from Maryland and my friend, the Senator from Virginia, as well, to speak out on this manufactured crisis.

This President is holding 800,000 Federal workers hostage, folks who are going to work, some of them without pay, and others who are furloughed. As has been mentioned, this is not just affecting Federal workers. Senator KAINE and I have been talked to by a number of contractors, small business owners.

A couple of them are closing their doors this week because they have now gone for weeks without being paid. You can't put a business back together after you have closed its doors. So there are 800,000 Federal employees, there are contractors, but there is a whole slew of other folks who are already immediately affected.

The complete lack of thought this administration had in this shutdown—they tried to say: We are not going to make it seem like a shutdown. We are going to leave the parks open. Now we see destruction going on in our parks. We see in our State that Shenandoah National Park has trash overfilling. We have the battlefields where people have engaged in inappropriate activities. We have seen as well a whole slew of businesses that depend upon a high volume of tourist travel during the holidays—none of that took place.

I also wonder whether Donald Trump, who says this is about security—well, if it is about security, we ought to make sure our Coast Guard is paid. We ought to make sure our TSA agents are paid. We are seeing dramatic numbers of folks calling in sick, dramatically reducing the ability to maintain security at our airports, where, frankly, most of our vulnerability on the border actually takes place. That is going to get exponentially worse after Friday when these employees go without a paycheck.

The fact is, these workers don't work for Donald Trump; they work for America. Echoing what my colleague said, our first order of business ought to be making sure we get this government reopened.

The final point I want to make is this: The heartlessness of this President in his comments about our Federal workers that somehow they can manage through without a paycheck, that somehow they can negotiate with their landlord if they can't pay their rent—rather than Donald Trump putting on a political show tonight on TV and a political trip to the border tomorrow, I invite the President to come anywhere in Virginia, Maryland, or the District and sit down with Federal employees and explain this crisis and why they are not getting paid.

So my hope is that, echoing what our Senators from Maryland have said, the Senate shouldn't be complicit in this. We need to reopen the government. If we want to negotiate additional border security, I am all for it, but not holding hostage, literally, our Federal employees and countless others.

I yield to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Mr. President, before I begin, I ask unanimous consent that following my remarks, Senator Risch be permitted to speak for up to 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. Kaine. Mr. President, tonight following this vote, Senator Shaheen

and I have organized a group of more than 15 Democrats who will take the floor to talk about the effect of the government shutdown in each of our States. We will talk about the effect on workers, on families, and on citizens needing services. I don't want to repeat what I will say in about an hour, but I want to address the issue of the vote that is now coming before us.

The vote is a vote to proceed to a number of issues that are important to the security of other nations. I am the cosponsor of one of bills that is before us—a U.S.-Israel security assistance bill—and strongly, strongly support it, but as passionate as I have been for the security of the nation of Israel, I am every bit as passionate about the security of the United States, and I think the first business of this Senate should be to reopen the Government of the United States.

I think to take any other action or to focus on any other issue when we have bipartisan bills pending in the Senate that have been supported by our Republican colleagues that would reopen government—to skip by those bills and push them aside for another 18 days or longer—makes absolutely no sense.

So I will be opposing the motion that is on the floor this evening because the first business of this body should be to reopen government.

I think of the question that Abraham Lincoln raised at Gettysburg. He talked about this Nation dedicated to the proposition that all are created equal and the question about whether any nation dedicated to that proposition can long endure. I don't think President Lincoln, the founder of the modern Republican Party, would have supported a government shutdown for a year, for a week, for a day, or for a minute. This issue that is on the table before us is about the endurance of the United States Government and giving people confidence in us that we support the government's operation.

We should not take up other items until we take up the bipartisan proposal before this body and make sure that the government of the United States is funded and that people are protected.

I yield the floor.

S. 1

The PRESIDING OFFICER. The Senator from Idaho.

Mr. Risch. Mr. President and fellow Senators, I rise today to present S. 1, the Strengthening America's Security in the Middle East Act of 2019.

It is really a compilation of three bills, addressing three different issues in the Middle East. It is left over from the last Congress, the 115th.

It is fitting that the first piece of legislation on the Senate floor in the 116th Congress is made up of bills that have previously enjoyed the support of my colleagues on both sides of the aisle. This is a bipartisan piece of legislation—all three of them that are put together in this bill—with many Senators from both sides of the aisle hav-

ing contributed to the construction of this bill.

We need to get this important work done now, not in a month or two. It is leftover business, as I said, and it is about as unanimous as anything around here gets.

Now, I understand that there is friction around here at the moment, as my good friend from Virginia just talked about. But, look, we are the U.S. Senate. We can walk and we can chew gum at the same time.

These issues that are in this bill desperately need our attention, and it is disheartening to see that there is going to be a vote against this simply because the parties want to focus on just one issue. That isn't the issue in front of us. If it were, of course, we could vote that way.

I don't think there is anybody on this floor that wants to see the government shut down. There are a lot of us that would like to see a smaller government, a less intrusive government, and a less regulatory government, but we were elected to govern. We were not elected to not govern, and it is important that we do resolve that.

But in the meantime, we have these important matters left over from the last Congress, and I hope we can move to them and get them done.

Israel and Jordan have been steadfast allies and friends of the United States. This legislation reaffirms our strong friendship with these countries and extends critical aid to these two allies. Israel and Jordan deserve the support and cooperation that this legislation would extend. We should not let them down.

Also included in this legislation is the Caesar Syria Civilian Protection Act, which very nearly passed in the full Senate by unanimous consent in the closing hours and minutes of the last Congress. There was only 1 objection to it, but 99 Senators agreed to this act.

The Caesar bill declares that it is U.S. policy to use all diplomatic and economic means to compel the government of Bashar al-Assad to stop the slaughter of the Syrian people and to work toward a democratic government.

Sanctions are an important tool of U.S. foreign policy. Carefully designed sanctions allow the United States to create the conditions to influence decision-making and serve U.S. national security interests without having to implement additional military measures and put U.S. troops in harm's way. The sanctions method has been particularly effective in some very important situations.

The Caesar Syria Civilian Protection Act includes strong financial sanctions to target those individuals responsible in the Assad regime for the terrible loss of life and destruction in Syria. Further, it extends sanctions to those who would support the Syrian regime's actions in the war in Syria, such as Iran and Russia.

In order for us to bring a permanent defeat of ISIS, which necessitates getting Iran out of Syria, we should encourage politically negotiated solutions that will bring major change to the current Syrian regime structure.

With nearly 500,000 killed in Syria, this legislation is deserved, and it is long overdue. We must exert maximum pressure in coordination with our allies and friends to bring the Syrian dictator, Assad, and his Iranian friends and their allies to account.

It is my hope that the Senate can move to this bill and take up this important legislation with its three-pronged approach that supports our important allies. Let's not let these allies down.

Again, I come back to I understand that there is some friction here on other issues that we should be addressing, but right now the vote is this: Do you or do you not support the allies and the civilian population of Syria, who are being slaughtered in the fashion that they have?

My fellow Senators, I urge an affirmative vote on this good piece of legislation.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER (Mr. RUBIO). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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 proceed to Calendar No. 1, S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

Mitch McConnell, Chuck Grassley, John Barrasso, Cory Gardner, John Hoeven, Mike Rounds, Mike Crapo, Roy Blunt, Tom Cotton, John Boozman, John Cornyn, John Thune, Roger F. Wicker, Marco Rubio, Bill Cassidy, Shelley Moore Capito.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 1, an act to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted: yeas 56, nays 44, as follows:

[Rollcall Vote No. 1 Leg.]

#### YEAS—56

Alexander	Gardner	Perdue
Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Rubio
Capito	Isakson	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Jones	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sinema
Cramer	Lee	Sullivan
Crapo	Manchin	Thune
Cruz	McSally	Tillis
Daines	Menendez	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

#### NAYS—44

Baldwin	Harris	Rosen
Bennet	Hassan	Sanders
Blumenthal	Heinrich	Schatz
Booker	Hirono	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Coons	McConnell	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Peters	Wyden
Gillibrand	Reed	

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 44.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk on the motion to proceed.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 1, S.1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

Mitch McConnell, John Hoeven, Roger F. Wicker, John Cornyn, Rick Scott, Mitt Romney, Cory Gardner, Marco Rubio, John Thune, Chuck Grassley, Todd Young, John Barrasso, Deb Fischer, Lindsey Graham, Johnny Isakson, James E. Risch, John Boozman.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

The Senator from Louisiana.

REMEMBERING THE VICTIMS OF THE I-75 COLLISION NEAR GAINESVILLE, FL

Mr. CASSIDY. Mr. President, I rise to speak in memory of five children from Louisiana, my home State, who were tragically killed in an awful car wreck last Thursday in Florida—Jeremiah Warren, 14; Joel Cloud, 14; Cara Descant, 13; Brianna Descant, 10; and Cierra Bordelon, 9 years old—all from Marksville, LA, a small town of less than 6,000 people.

All of the children were members of the Avoyelles House of Mercy Church family. They were traveling together in a van with four other children and three women from the House of Mercy Church while on their way to Disney World. A tractor-trailer that was traveling in the opposite direction hit a car that crossed the highway, hit their van and another 18-wheeler, and created a ball of fire. The drivers in the two tractor-trailers died as well—Steve Holland of Florida and Douglas Bolkema of New Mexico. We include them in our prayers.

Losing five children is such a devastating tragedy for the Marksville community. One can hardly imagine the grief and shock that grips everyone who knew them—their neighbors, friends, family, and fellow church members.

Pastor Eric Descant said: “I cried so much this morning that my tears felt like lava running out of a volcano.” His granddaughters Brianna and Cara died in the crash. His wife, Karen, is still hospitalized.

During a Monday night vigil at Marksville High's stadium, Pastor Descant spoke to the crowd over the PA system by phone from Florida. He said: “I never knew a heart could break so much and still work.”

He also delivered an important reminder that even in the midst of such immense heartache and loss, “God will get the glory out of it.”

He added: Don't stop. Keep praying.

I know so many around Louisiana and the country are doing just that.

We are also praying for the full recovery of those who were injured and who are still hospitalized: Karen Descant, Robyn Rattay, Amy Joffrion and her 14-year-old son Noah, Ali Laborde and her 11-year-old daughter Chelsea, and two other children, 9-year-old Trinity Woodward and 9-year-old Chance Bernard.

We are sincerely grateful to the people in Florida who assisted the victims and their families—the first responders, law enforcement, everyone at Health Shands Hospital, North Florida Regional Medical Center, and the Pentecostals of Gainesville.

To those around the country who have heard about this tragedy and have donated money through GoFundMe, thank you for your generosity, support, and prayers.

To my fellow Louisianans, I remind you of what Scripture says in Psalm 34: “The Lord is near to the brokenhearted, and saves the crushed in spirit.”

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

#### MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### REMEMBERING THE VICTIMS OF THE I-75 COLLISION NEAR GAINESVILLE, FL

Mr. KENNEDY. Mr. President, I want to take a few minutes to join my colleague, Senator CASSIDY, to talk about the unspeakable tragedy that happened last Thursday near Gainesville, FL, when a large tractor-trailer crashed into a car, crossed into oncoming traffic, and struck a church van that was bound for Disney World.

I wish I understood why bad things happen to good people. There were five kids—five youngsters—from Marksville, LA, who lost their lives in that terrible collision. They were Joel Cloud and Jeremiah Warren, both 14 years old; Cara Descant, aged 13; Brianna Descant, aged 10; and Cierra Bordelon, aged 9. These five youngsters were members of the United Pentecostal Church in Marksville, LA. They were five beautiful lives, full of potential, who were gone before their time. It is heartbreaking, and there are, simply, no words.

I will say it again. I wish I understood why bad things happen to good people. I can't imagine any greater suffering than a parent's being asked to bury a child. The love of a child is not like the love for a parent or a spouse or a sibling. That is deep love. Yet, as my late father used to tell me, "Son, you will never, ever understand love until you have a child." I can't think of any greater suffering than to ask a parent to bury his or her child.

I want to tell each of these kids' families, the United Pentecostal Church in Marksville, the whole community in Marksville, and the Avoyelles Parish that the entire State of Louisiana grieves with you and that you are in our prayers.

The Marksville van was carrying some very precious cargo. In total, there were 12 passengers: 3 women—one of whom is pregnant—and 9 children. There were survivors—thank you, Lord—but many of the survivors were gravely injured, and I pray that they all have a swift and full recovery.

I want to express my sympathies to the families of the two drivers who died in that accident. I also thank the first responders who put themselves at risk every day to try to save lives during these catastrophes.

There are no words to describe this tragic accident. It happened far too close to the holidays, but there is never

a good time. I am going to say it again. If I make it to Heaven, the first question I am going to ask is, Why do bad things happen to good people? For now, I just pray that these families will find the strength they need to go on and that all the injured are healed quickly.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. KAINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### GOVERNMENT FUNDING

Mr. KAINE. Mr. President, I rise, together with a number of colleagues who will follow me tonight, to talk about the need to end the Trump shutdown and to reopen the government of the greatest Nation on Earth. I am glad to have so many colleagues here who each will share the stories that have been experienced by folks living in our States regarding a shutdown that has now gone on for 18 days and will soon become the longest shutdown in the history of the U.S. Government.

The shutdown is unnecessary, the shutdown is embarrassing, and the shutdown is painful. It is unnecessary. Why punish American workers? Why punish American citizens? No patriotic leader in their right mind would want to do that.

The thing that is so troubling about this shutdown is that the overwhelming majority of people who are affected are not connected to the dispute between Congress and the President over immigration reform and border security. Why should that dispute lead to farmers not being able to reach their extension agents? Why should that dispute lead to small businesses not getting their small business loan applications processed? Why should a dispute about immigration block the courts of DC from issuing marriage licenses to people?

The President praying for, urging, and then being proud of a shutdown is hurting all kinds of people who are completely unconnected with the issue in dispute between Congress and the President. In that sense, it is unnecessary.

Second, it is unnecessary because there are bills on the floor right now that would solve this—bills that are bipartisan, bills that were supported by the Presiding Officer and other Republican colleagues in the Chamber just a few weeks ago. If we took action right now, we could stop the punishment. We could end the pain—the gratuitous pain—that is affecting American families and workers.

The shutdown is unnecessary. The shutdown is embarrassing. This is the United States of America. This is the greatest Nation on Earth. The fact that we are in an 18-day shutdown of critical components of our government,

where people are not getting paychecks and citizens are not being served, is beneath what we should aspire to as Americans and certainly as U.S. Senators.

Finally, before I yield to my colleague from New Hampshire, the shutdown is painful. There are statistics about the numbers affected during the shutdown. Others may get into the statistics; I just want to share stories because Virginians are reaching out to Senator WARNER and me and sharing their stories with us.

Allen is a veteran and a Federal civil servant in Yorktown, VA. He has been working without pay since the shutdown began. He wrote to our office saying that his emergency savings are exhausted, he is behind on his bills, and the situation will not get any better as long as his Agency is unfunded. I will repeat that. Allen is a veteran who voluntarily served the military, this country, and this is how this President is treating him.

Joanna is from Woodbridge, VA. She wrote to me saying that she doesn't know what she will do if she doesn't get paid by the end of the month, as her family "can't afford to miss a single paycheck." She writes that "even a slight decrease" in her pay means her family cannot afford their rent.

A family from Culpeper wrote to me wondering how they will feed their children and pay their mortgage without being paid for their service to our government. They say that if this shutdown goes on for a month or more, they will have to worry about losing their home.

Michael and Chris, two Federal employees in Annandale, have three kids, two in college. They are going to have to miss their kids' tuition payments that are due for the semester this month. If the shutdown continues, they are not sure whether they will be able to make their mortgage payment.

James is a furloughed Federal employee from Fredericksburg. He says he is the "sole breadwinner" for his family. He tells me a shutdown that goes into months would spell financial ruin for his family and others.

A Virginian from Haymarket wrote me and told me that her loved one is a Federal employee who is working without pay. She had to postpone a necessary medical procedure because their family could no longer cover the costs of copays for testing and surgery.

Teresa is a Federal employee from Springfield. She is worried about paying her mortgage, utilities, food and more, but most of all, she is worried about the health of her son, Tommy. Tommy has a disability. She writes: Because of his medical fragility, Tommy must have numerous prescription medications; therefore, there are copays to pay. Missing a single dose could land him in the ICU. President Trump needs to stop holding Federal employees hostage. When I start missing paychecks, Tommy is possibly jeopardized in his own life.



Finally, John—a NASA contractor from Virginia—and his wife, who also works for the same Agency, have lost 100 percent of their household income since President Trump's shutdown started. Get this: Their daughter, who lives at home, is a schoolteacher, and it is their schoolteacher daughter who is helping pay for the parents' expenses during this shutdown.

The shutdown is unnecessary. The shutdown is embarrassing. The shutdown is painful. We need to end the Trump shutdown and reopen the government.

With that, I yield the floor to my colleague from New Hampshire.

**THE PRESIDING OFFICER.** The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to join my colleague Senator KAINE and so many others who are here on the floor today to talk about the hardship that has been created for so many Americans by this government shutdown—a government shutdown that is wasteful, unnecessary, and totally about politics.

Today is the 17th day since this partisan brinkmanship shut down 9 out of 15 Departments and dozens of government Agencies that we depend on to protect our health and safety.

We could reopen the government's doors today if Senate Republicans take up the bills that were passed by the House—bills that were written and overwhelmingly approved by the Republican-controlled Senate just a few weeks ago.

If there is bipartisan and bicameral agreement on the appropriations bills, then why has the government shut down? Sadly, it is because the President wants to force American taxpayers to foot the bill for an ineffective and costly wall on the southern border—a wall which the President promised Mexico would pay for and which is opposed by the majority of Americans.

Meanwhile, the men and women who work in Agencies that protect the American people and who protect our borders are either not working or on the job but not getting paid. In total, more than 380,000 Federal employees have been furloughed, and more than 450,000 are working without pay.

This shutdown affects the entire country, including New Hampshire. It is not just the thousands of Federal workers who are affected by the shutdown; it is also harming millions of Americans who depend on essential services provided by the affected Agencies, people like those Senator KAINE described.

Last Friday, I had a chance to meet with farmers in New Hampshire who are affected by the ongoing closure of the Department of Agriculture's Farm Service Agency. They are not receiving the essential services and loans they need to prepare for spring planting.

Many dairy farmers, who have been under extreme hardship anyway because of the tariffs with China and falling dairy prices, talked about the im-

pact on them. Last year, New Hampshire dairy farmers lost \$1 million because of the tariffs, and our farmers tell me they are in danger of losing several million more this coming year. So they can't afford to have another hit.

The fact that this new dairy safety net program, which was passed in the farm bill—and congratulations to Senator STABENOW, the ranking member of the Agriculture Committee. She and Senator ROBERTS did a great job providing help for the first time for so many dairy farmers. Even though they are hurting because of the tariffs, those farmers can't benefit from that right now because the program's implementation has been delayed. They don't know how long they will be able to hold on before they are able to get help.

Furloughs have also slowed work at the Office of National Drug Control Policy and the programs it oversees that are integral to New Hampshire's effort to fight the deadly opioid epidemic. Everybody who is getting ready to speak has seen the effects in their States because of the delays in these programs. Last year, New Hampshire had the second highest rate of deaths due to opioid-related drug overdoses. Continued delays from the Agency will pull the rug out from under our first responders, who rely on ONDCP resources and critical Federal opioid response efforts. Just as we are beginning to see some progress in fighting the opioid epidemic because of the work of Congress, we are seeing steps taken that move us backward.

Of course, there are the air traffic controllers. Last Friday, I visited with New Hampshire's air traffic controllers to discuss how the shutdown is affecting their operations and safety at our airports. I have received 38 handwritten letters from New Hampshire air traffic controllers who are opposed to the shutdown.

(Mr. DAINES assumed the Chair.)

Mr. President, I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEAR SENATOR SHAHEEN, My name is Dara and I have been an air traffic controller with the FAA for close to 19 years. I am writing this letter to express my concern about our current government shutdown.

On Christmas Eve, my dear mother passed away. Ever since I was a child I have been taking care of her since she was permanently disabled from Multiple Sclerosis. The day before Thanksgiving she was diagnosed with metastatic cancer and was given 3-6 months to live. When she passed I was devastated! I had to call people on Christmas Day to tell them the news. That was so hard. I had to contact the funeral parlor down in NJ (that's where we're from) to coordinate a burial. I had to take 3 days off to make it work. But I still worked during this difficult time on Christmas Eve and Christmas Day and the 26th. I also ended up having to pay thousands of dollars for her funeral.

Honestly, this government shutdown has been the last thing on my mind. But now the

realization of not being able to pay my mortgage, credit cards from Christmastime, and now this funeral is too much to bear.

Air traffic control is a very stressful profession, but I am proud to be able to do it and work with such a group of professionals who come to work and are dedicated to safety in the National Airspace System. My colleagues and I deserve better.

Please end the government shutdown immediately!

DORA (Bedford, NH).

DEAR SENATOR SHAHEEN, As an Air Traffic Controller and constituent, I want you to know how the partial government shutdown is affecting me. For the last two weeks, air traffic controllers have remained on the job, dedicated to the safety of every flight. But we don't know when we will receive our next paycheck. My colleagues and I have suffered the sudden loss of our income due to the government shutdown. My husband is a firefighter/EMT in Londonderry. We both have very important and stressful jobs and take our responsibility for public safety very seriously. We have a home, a mortgage and are trying to start a family and the stress of not knowing when I will receive my paycheck is a heavy burden to bear. Many of my colleagues had to cancel vacation time over the holidays and miss out on time with their family out of concern that they would not be reimbursed for time off that they worked hard to earn.

It is not too much to ask to get paid for the time we are required to show up and work our hardest five days a week.

Many air traffic facilities are already critically staffed with many having scheduled 6 day work weeks. In our building, we currently have 6 employees whose training is at a standstill because their trainers are non-essential contractors.

Senator Shaheen, I truly appreciate your time and beg you to do all you can to end this shutdown immediately.

Sincerely,

SARAH (Deerfield, NH).

DEAR SENATOR SHAHEEN, As an Air Traffic Controller, I want you to know how the government shutdown is affecting my family and I. My husband and I are both Air Traffic Controllers and are extremely proud of what we do. However, not knowing when we will get paid puts a log of stress on us in addition to an already stressful environment that we work in. I myself am in training at A90 and this shutdown has the possibility of delaying my final rating, which means a pay raise. Bills do not stop and we are both out of a paycheck. This puts a huge burden on my family and I. Please end the government shutdown.

Sincerely,

MICHELLE (Pelham, NH).

DEAR SENATOR SHAHEEN, Thank you so much for all the hard work you are doing on my behalf to end this harmful government shutdown.

It was a pleasure to meet with you yesterday and discuss my concerns with the shutdown. As an Air Traffic Controller and President of Boston TRACON NATCA, located in Merrimack, NH, I was able to discuss with you firsthand how the shutdown is harmful to my coworkers and the FAA as a whole.

Please keep up the fight to end the shutdown.

Sincerely,

CURT (Merrimack, NH).

DEAR SENATOR SHAHEEN, I am writing to you today to share with you the effect the government shutdown has had on my family. I'm married to someone who is older and retired, so his income is considerably less than

mine. We have two small children and own a home in Merrimack, NH. We not only have a mortgage to pay, but other bills for heat and utilities and my car. This shutdown has been extremely stressful, more than the others I have worked through. The current administration has been so unpredictable as well as volatile, it's an actual thought that this could drag out for months and that non-essential friends and family that are currently furloughed will not receive pay. This shutdown is unfair to the dedicated and professional government employees, not just myself and the other air traffic controllers.

I am asking you to please end the shutdown. Please re-open the government and allow us to work knowing we will earn our paychecks again.

Sincerely,

LISA (Merrimack, NH).

DEAR SENATOR SHAHEEN, I am writing you today to share the impact the government shutdown is having on me and more importantly my family. First, I would like to tell you a little about my wife and I. We were high school sweethearts and have been married almost 15 years. While Kelly is not perfect, she is perfect for me. Kelly struggles with and is receiving treatment for anxiety and depression. Due to childhood trauma, she struggles with uncertainty. In previous shutdowns the not knowing causes stress and strife. Even the anticipation of a possible shutdown raises her anxiety so I have started to keep them to myself and not tell her until the last possible moment to save her the anguish. It has been over two weeks with no end in sight and this wreaking havoc on our relationship.

Next I would like to tell you about my two daughters. My oldest Kaley is 13, a bright honor roll student athlete. Kaley has been having gastrointestinal issues for a few years and just had her second endoscopy last month. Even with FEHB coverage the procedures are not free. We have a follow up with her G.I. tomorrow. I find myself hoping she won't need major medical treatments as money is starting to get tight.

Next would be my other daughter Savanna. She is 10 and like her mom suffers from anxiety. Like her mother, I have also tried to shield her from this so she won't worry because no 10-year-old should have to. Unfortunately, the time where I can protect her from this is drawing to a close as this week I will have to inform her dance studio that I won't be able to afford February's tuition. I know dance classes can seem frivolous in the grand scheme of things, but they are her outlet, her freedom, and her happiness. I hope and pray for accommodation and understanding from a N.H. small business owner to allow her to continue without payment. Another Savanna story for you, she has sensory issues and through therapy is finally learning how to voice them. About a week before Christmas while tucking her into bed, I jokingly asked her why she had 9, yes 9 blankets on her bed. Her response was a big break through for us. "Dad, I like the weight of it. It helps me calm down." That Saturday we were finishing up our Christmas shopping for mom and I took her into Yogibo at the Pheasantland mall. They have weighted blankets and I let her try it out. "Oooh dad, this is nice." Well, those N.H.-made blankets are \$80. Normally, a purchase would have been made that day. Unfortunately, that was the eve of the shutdown, and Savanna is still waiting patiently for dad's next check.

Lastly, how has this affected me? I put myself last as I normally do with the girls. It pains me to watch them go through this. Furthermore, I was faced with a thought that would never have come up normally. Thursday night my 64-year-old mother was rushed to the emergency room in Brockton, MA, about an hour away from Nashua. For a

brief fleeting moment I actually thought about fuel for my truck. I had fuel and have resources for more for now, but I need to keep driving to work without pay. I did go down to check up on her and she came home last night thankfully. I do despise the fact however that the thought of not going even crossed my mind. Starting next week I have to start looking for a second job to offset some of the losses. I will have 16 years of government service at 3 different air traffic facilities in March.

I humbly request your assistance in ending the government shutdown and returning some normality to our house hold.

Sincerely,

JAMES (Nashua, NH).

DEAR SENATOR SHAHEEN, First and foremost, I want to thank you for taking the time to read my letter. During times of a government shutdown, federal employees (either furloughed or working without pay) feel like no one is actively listening to their stories. With that in mind, thank you for hearing what I have to say.

I am a single mother of three, and I thank God every day for the job that I have. My career as an air traffic controller has enabled me to take care of my children and afford to give them opportunities that many families cannot afford. I have two girls attending out of state colleges. One is at Purdue University studying Airport management, the other at University of South Carolina studying Political Science. My son, 14, is in middle school and actively engaged in sports.

Some days, when I feel the stress of bills piling on, I feel guilty because I have a great job, make a really good salary, and have great benefits. However in the end, no matter how much any of us make, we all have bills and responsibilities. I work for the sole purpose of earning a wage to support my family. This government shutdown has left me worried. I called one of my creditors and they were not sympathetic at all. I'm worried about using credit cards and being charged a high interest rate and yet, life still happens. Food needs to be put on the table, cars need to run, and my daughter's rent at college still needs to be paid. Unfortunately, everything goes on except my paycheck.

Holding federal employees paychecks 'hostage' should never be an option in the midst of Congressional funding arguments. The ironic thing about it is that I am "paying the price" and I am not even receiving a paycheck! I understand that everyone has an opinion on border security. I would hope that 100% of Congress (and the President) agree that employees of the federal government should not be a pawn in this matter.

I hope that you and your fellow members of Congress can come to an agreement to let federal employees go back to work, get paid, and feel safe knowing that their family needs are being met.

Sincerely,

SHERRI (Hollis, NH).

DEAR SENATOR SHAHEEN, As an air traffic controller and a constituent, I want you to know how the partial government shutdown is affecting me and my colleagues.

The lack of paid leave means missing time with the family. It means coming to work at a stressful job when you might not feel at your best. It means not being able to plan time off to get my car fixed or get that new furniture delivered during the week.

The world of air traffic is constantly evolving. New and revised rules and procedures are a constant. The lack of support personnel means that eventually those changes could be missed and safety compromised.

The lack of training in classrooms and simulators means an already short-staffed controller workforce will continue to shrink and controllers will not be able to progress in their careers. Eventually the lack of pay

may convince eligible controllers to retire or make others decide to seek other employment. The number of fully certified air traffic controllers is now at a 30-year low.

Please end the shutdown immediately.

Sincerely,

TODD (Manchester, NH).

DEAR SENATOR SHAHEEN, As an Air Traffic Controller and constituent, I want you to know how the partial government shutdown is affecting me.

In the past year my in-laws have moved in with my family. My father-in-law lost his job and him and his wife were no longer able to afford living on their own. The extra financial burden with the combination of the government shutdown is going to make it hard for me to meet my financial obligations.

Please end the shutdown immediately!

SHANE (Bedford, NH).

DEAR SENATOR SHAHEEN, I appreciate your efforts for our state and country. At this time I feel it is vital that you understand the impact that Washington politics is having on my family and friends. The inability for our elected officials to find common ground and demonstrate leadership is disheartening to say the least. It is time for our elected officials to put politics aside and put people as their priority. Our federal workforce has good men and women with a strong desire to place the needs of this country first, yet our elected officials are preventing this. Please end this shutdown now and allow us to do our jobs.

GERALD (Brookline, NH).

HON. SENATOR JEANNE SHAHEEN, I would like to first thank you for reaching out and meeting with our NATCA legislative leadership team yesterday. They do so much work, on their own time, to help support all the air traffic controllers throughout New England. As a constituent directly impacted by this government shutdown, I would like you to stress to all colleagues, Democrat or Republican, that this has and will continue to put an undo stress upon me and my family. As an air traffic controller, with one of the most stressful jobs in the world, the last thing that I need is to worry about when I'm going to receive my next check for work. I've been performing at a professional and safe level that is expected.

In the weeks leading up to the shutdown, and knowing that it was almost certain it would happen, my federal coworkers and I raised over \$12,000 in donations in the Southern New Hampshire area. This included 200 gifts and gift cards, totaling over \$18,000 to the Nashua Children's Home and \$4,020 donated to Family Promise of Greater Nashua at Anne Marie House. We will continue to contribute to our communities but please bring an end to this shutdown immediately.

Thank you for your time,

EVERETT (Bedford, NH).

THE HON. SENATOR JEANNE SHAHEEN, As an air traffic controller and constituent, I want you to know how the partial government shutdown is affecting me. For the last two weeks, air traffic controllers have remained on the job, dedicated to the safety of every flight. But, we don't know when we will receive our next paycheck. My colleagues and I have suffered the sudden loss of our income due to the government shutdown. It's going to be hard for me to meet all of my financial obligations.

Please end the shutdown immediately!

ANDRE (Derry, NH).

THE HON. SENATOR JEANNE SHAHEEN, I am currently working at Boston TRACON for

the FAA. For the past thirty years I have been providing air traffic services for the United States. For the first nine and half years I was serving the country in the Air Force during Operations Desert Storm and Desert Shield.

I am a one income family that relies on my federal paycheck. I have two children, one that is planning on going to college in the upcoming year. That being said, I should be financially planning to pay for her college, not my mortgage! While the Congress is celebrating, high fiving each other, I'm wondering, How will I meet my financial obligations. Please help end this nonsense soon.

Sincerely,

DOUGLASS (New Boston, NH).

Mrs. SHAHEEN. Air traffic controllers keep our airways safe, but, as we all know, they are being asked to work long shifts without being sure they are going to get paid for that work. One air traffic controller I heard from was recently transferred to the Boston area, which is covered in New Hampshire. She is the sole provider to her mother. Now she is paying not only her mortgage but her mother's mortgage.

In a letter she addressed to my office, she wrote:

As a sole source of income to my household, the foreseeable future of this shutdown is detrimental. . . . [It has created] a substantial burden on not just me but the thousands of federal employees it's impacting.

Sadly, the shutdown also stands to affect the safety of air travel—not because our air traffic controllers aren't on the job. They are on the job. They are doing the work even though they are not getting paid. But the fact is, men and women who provide administrative and maintenance functions on the runway—those people who fix equipment when it stops working, who are in the control tower and at airport facilities—they will not be at work to support our air traffic controllers. So when a runway or taxiway light goes dark, it is going to go unrepaired. That jeopardizes the safety and the efficiency of aviation operations.

Then there are the impacts to those Agencies that are funded by the Commerce-Justice-Science appropriations bill. I understand this particularly well as the ranking member on the CJS Subcommittee of Appropriations. I know what a devastating effect this shutdown is having on these Agencies.

More than 41,000 law enforcement agents of the Department of Justice—including agents within the FBI, the Drug Enforcement Administration, and the Bureau of Prisons—are working for IOUs. We are hearing this directly in New Hampshire, where every staff member at the Federal Correctional Institution in Berlin, NH, which is in northern New Hampshire, is excepted. That means they are required to report for work, and they are not being paid.

I would like to read an excerpt from a letter I received from Chris Allen. Chris is the president of the union at FCI Berlin, which represents 180 staff members. He highlighted the kinds of choices staff members are being forced to make. He said:

While some staff members can call and potentially have a mortgage or a car payment

excused if they are missing only one source of income, even buying simple groceries or paying for childcare becomes difficult for a family when all sources of income have been stopped and you are required to continue working.

Mr. President, I ask unanimous consent to have Chris's letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES COUNCIL OF PRISON LOCALS, LOCAL #2008,

Berlin, NH.

DEAR SENATOR SHAHEEN: My name is Chris Allen and I am the President of AFGE Local 2008. I represent 180 staff members at the Federal Correctional Institution in Berlin, NH. Today I write to you with great concern for these federal employees. As you are aware, these staff members are currently being affected by the current lapse in funding for the Justice Department. Every staff member employed at FCI Berlin is considered "excepted" and are required to report for work without being paid at this time. Next week, on January 17, 2019, which would have been our next scheduled pay day, we will be missing our first full pay check.

We are fortunate to have some banks willing to lend a helping hand to employees during this difficult time. However, it hasn't been a save all either. Staff members are running into issues with banks asking for documentation that they are truly furloughed and guaranteed to be paid when the shutdown ends. With no firm date that the shutdown could be resolved and no legislation in place to guarantee they will be paid in the end, banks are giving staff a harder time while they are applying for loans at a 0% interest rate. The other fear is that the shutdown continues past one or two pay periods. Many of the banks are only offering short term loans equal to only one or two pay checks. If the shutdown continues, banks are undecided on whether future low or no interest loans will be continued for our staff.

We also have a number of families working at FCI Berlin that have two incomes coming from the Justice Department. While some staff members may have a significant other being paid from outside the government, many of our families are now missing two sources of income. While some staff members can call and potentially have a mortgage or car payment excused if they are missing only one source of income, even buying simple groceries or paying for childcare becomes difficult for a family when all sources of income have been stopped and you are required to continue working.

I ask you and your colleagues in Washington to please keep the excepted staff of FCI Berlin in mind during this time of shutdown so they can be paid for the professional work they do day in and day out to keep our communities safe.

Sincerely,

CHRIS ALLEN,  
President, AFGE Local 2008.

Mrs. SHAHEEN. Mr. President, because of the shutdown, the Department of Commerce is not processing U.S. companies' requests to be excluded from the President's steel and aluminum tariffs. That delay will cost companies millions of dollars and will increase economic uncertainty. The shutdown is also preventing the Department of Commerce from assessing new anti-dumping and countervailing

duties cases that help ensure our companies are competing on a level playing field.

Finally, this shutdown, like all shutdowns, is going to put a lasting burden on the economy. The 16-day shutdown in 2013 cost the government \$2.5 billion in pay and benefits, and it lowered fourth-quarter gross domestic product for the country by about \$3 billion in lost output.

The 2018 Trump shutdown has furloughed about 380,000 employees, nearly half of the number furloughed in 2013. So it is fair to say that the shutdown has already cost the government at least \$1 billion, and the number is growing every day. The toll this shutdown is taking on the American people was completely avoidable. That is what is so frustrating, and I know it is frustrating to everybody in this Chamber.

Last week, the House passed legislation to reopen the government that is virtually identical to legislation that passed the Senate or was reported by the Appropriations Committee with strong bipartisan margins. In fact, here, as we remember, that continuing resolution to allow us to keep negotiating passed by a voice vote.

I urge Senator MCCONNELL to bring these bills to the floor. Let President Trump decide to sign them or not sign them. He can make that choice as President, but we are a separate branch of government, and it is up to us to make the determination to end the shutdown immediately and to do what is right for the American people. We need to ensure that all government employees affected by the shutdown receive the pay they deserve. I know there is legislation, led by Senators CARDIN and COLLINS, to do that. I urge Congress to take up and pass this critical legislation as soon as possible.

One of the most fundamental constitutional duties of Congress is the appropriations process—to supply annual funds for Federal programs that support national defense, transportation, small businesses, food assistance for low-income families, research and development, and so much more. Right now, by refusing to allow legislation to reopen the government, this Senate—this Congress—is failing, and millions of Americans are suffering as a result.

I urge President Trump, Senator MCCONNELL, and congressional Republicans to reopen the government and allow Americans to get back to work.

I yield the floor.

Mr. WARNER. Mr. President, I rise today out of deep frustration with the Trump administration's treatment of Federal workers due to the government shutdown.

It has been 17 days since more than 380,000 Federal workers were furloughed and more than 450,000 began working without pay.

Once upon a time, we were told that Mexico would pay for the President's border wall. Now the President is demanding taxpayers cough up more than \$5 billion, and he is holding our Federal workers hostage until he gets it.

At first the President tried to paint Federal workers and contractors as political actors. Now he imagines that Federal workers are actually cheering him on.

But rather than imagining what Federal workers are going through, I encourage the President and my Republican colleagues to listen to the firsthand accounts of how this shutdown is affecting the real families caught up in it.

Here are some of the messages I have received from Virginians whose families are experiencing significant financial hardship because of this President's shutdown.

Rebecca in Chesapeake writes: "... I just want my husband to be able to go back to the work he loves and to have stability for my family returned ... The stress of not knowing how long this will last is eating at both my husband and me."

Rosemarie in Falls Church shared this: "My husband was diagnosed last week with advanced lung cancer and now on top of that stress, I have to worry about not getting a paycheck ..."

The President, who has never worked for a paycheck in his life, says he can relate. He says he is sure Federal workers "will make adjustments." Here is what those "adjustments" actually look like.

Lisa in Arlington writes: "I am forced to look for multiple part-time jobs to make ends meet and my savings will soon run out. Creditors and landlords have only so much patience with us."

How disheartening it must be to dedicate your life to serving others, only to find your own livelihood in jeopardy through no fault of your own.

That is why I am doing everything I can to make sure Federal employees receive back pay for any time spent furloughed or working without pay.

That means low-wage Federal contractors, too. The other day, I received a letter from a Federal contractor from Ashburn, who says the shutdown has "rocked the financial stability of my family."

These folks who serve the Federal Government as custodians, cafeteria workers, security guards, and in many other important roles should not suffer because of this President's actions.

We also need to reverse the President's unilateral Federal pay freeze—a slap in the face to hardworking Federal employees—announced just a few days before Christmas.

The truth is, Federal workers are sick and tired of being treated like bargaining chips by this administration.

Here is what Chad, furloughed NASA engineer from Suffolk, told me: "I'm disappointed to once again find myself barred from doing the job that I love. I find it offensive to be used as a political pawn and find the recent executive order to freeze civil servant pay at 2018 levels, while on furlough no less, to be shockingly disrespectful and wrong."

Federal workers aren't in this business to get rich; they are public servants who often forgo higher pay in the private sector to serve their country.

Dishonoring this sacrifice with a shutdown, with a pay freeze, and with the President's utter indifference to our Federal workers is a national disgrace.

It is having a devastating effect on morale and the Federal Government's ability to recruit and retain talent.

Here is how Joanna, a DHS employee from Woodbridge, put it: "I love my job, but being a pawn for those who have no compassion for me or those I work beside is going to drive me and many, many others out of public service."

At a time when the share of Federal employees eligible for retirement is expected to jump to 30 percent in 5 years, the last thing we should be doing is actively undermining the competitiveness of the Federal workforce.

In conclusion, I thank my friend, Senator Kaine, for bringing us together this evening and for his partnership in fighting for Virginia's Federal workers and contractors.

Thank you as well to my constituents Rebecca, Rosemarie, Lisa, Chad, Joanna, and others for allowing me to share their stories.

I want to reassure them and every Virginian that I remain committed to ending this unnecessary shutdown and making sure every worker impacted by it is made whole.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from New Hampshire, as well as the Senator from Virginia and my other colleagues who are gathered here.

My trek each week to this desk starts in Illinois. It means that for a number of years, I have gone through the airports of the Midwest—primarily in Illinois and Missouri—more than most. In fact, I probably know O'Hare Airport and every corner of it better than anyone who doesn't work there on a regular basis, and I know the people who work there, too, at all different levels.

Starting in 2001, we brought in TSA as a means of making certain that we would be safe boarding airplanes, that people would not bring guns or weapons or bombs onto planes. These men and women, of course, get on our nerves once in a while as we have to open a valise or piece of baggage and take off our shoes, and perhaps we forgot there was a water bottle onboard. It is a little frustrating, and I know I have had that feeling, but I often think to myself: They are doing their job, and thank goodness they are. If it weren't for the men and women of TSA carefully screening passengers every single day, we would not be as safe, nor would our families be as safe, on these airplanes.

At 10 this morning, I went out to O'Hare. Instead of heading to the gate

to catch a plane, I had a press conference and brought four of these TSA agents in to explain what has happened to them and what will happen this coming weekend because, you see, this is showdown weekend for these employees. President Trump's shutdown of the Federal Government will mean that for the first time this coming weekend, these employees of the Transportation Security Agency are not going to receive a paycheck. They show up for work every day. They have to. They are known as essential personnel, which means our government has decided we can't really function as a nation without them. Yet our government has decided—at least in the White House—that as important as they may be, as essential as they may be, starting this weekend they will work without pay.

I had not met them personally before, but I asked each of them to explain, what is this going to mean to you and your family—not getting a paycheck.

They really brought home to me what workers across America—not just Federal employees but workers across America—face every payday. They each said to me, with only one exception: Senator, we live paycheck to paycheck. If we don't receive our paychecks, we have to make some basic decisions.

One young woman, who had worked for 16 years for TSA, said to me: I live 39 miles away from O'Hare, roundtrip 78 miles every single day, and I make it because I need this job, and I need gasoline for my car to get here. It costs me a lot of money each and every day and every week. I don't know what I am going to do without the paycheck.

Another one talked about the fact that they are dealing with expenses we all face—whether it is mortgage or rent—and what it will mean to them if they can't make their mortgage payment. Well, if you don't make your mortgage payment on time, and time passes, it affects your credit rating. It could affect the interest rate you pay on your mortgage or whether you even have a mortgage when it is all over. So, for these people, it is a critical element.

One woman brought up something, which I am sure many working families know instantly. She said: Senator, if I can't get my paycheck, I can't pay the daycare center that takes care of my kids while I come to work here every day. That is the reality of life for working families.

So why in the world has President Donald Trump decided that in order to make his case to the American people, he is going to penalize these workers, many of whom are essential to America's security and safety? Why did he do this?

I would have to say, with all due respect to President Donald Trump: Pick on somebody your own size. Stop picking on people living paycheck to paycheck who are trying to serve this Nation in important ways.

What we hear from the President: I just have to do it because I have to have my wall.

We remember the wall. You couldn't miss it in his campaign. He talked about it incessantly, the sea to shining sea concrete wall that was going to protect America and be paid for by the Mexicans. Remember that? Well, here we are. We have given the President money over the last 2 years in his Presidency to construct fences and barriers where they are needed—not his almighty wall, 2,000 miles long—but we have asked him to justify each year how he is going to spend this money, taxpayers' dollars, and whether it really is worthwhile.

The President has decided he is impatient. He can't wait any longer. He has to have huge sums of money, maybe even \$5 billion, dramatically increasing spending on barriers at the border, and he has to have it now, and the only way to make his point is to shut down the government.

I was at a meeting last week when the President said: Make no mistake, I am not talking about shutting down this government for a few days. I am prepared—and he repeated it afterward in front of the cameras. Donald Trump said: I am prepared to shut down this government for months, even years.

Now, this President is making history. No President in the history of this country has ever shut down his own government. We have elected men to lead and manage this government, and we understand that their responsibility is to keep the lights on and make sure taxpayer dollars are well spent, but this President doesn't understand that to be his responsibility, and a lot of innocent people are suffering.

Yesterday, I was at the Department of Agriculture research lab in Peoria, IL. It turns out it is the largest one, with 200 researchers there. You think to yourself, they are doing important research when it comes to agriculture. It turns out this lab has some amazing history behind it.

It was during World War II at this lab where they discovered penicillin. It was at the Peoria ag lab where they came up with penicillin that we could use for our troops who were being wounded in World War II, saving countless lives in the process. They are pretty proud of that legacy, and they should be.

Do you know what they are working on now? The Peoria ag lab is working on something called tunicamycin. I had never heard of it, and I am a liberal arts lawyer so I don't understand a lot about it, but here is what it gets down to: This element, which occurs naturally in nature, can boost the healing power of antibiotics that have been spent—they no longer have an effect on people—but if tunicamycin is added, they can once again be effective and save lives. Peoria may have done it again: first penicillin, now tunicamycin. Well, the lights have been turned off at the Department of Agriculture research laboratory in Pe-

oria. They have been turned off because of President Trump's shutdown.

I met with one of the research team. She has worked there for 15 years, she has a degree in chemistry, and she is doing her best to do her job, but she is not going to get paid this weekend. I asked her what she was going to do as a result of it. She said: I hoped I might be able to apply for unemployment compensation, but, Senator, the records I need to produce for unemployment compensation are in that laboratory building, and I can't get in there. They have shut me out.

She can't even apply for unemployment compensation so her family can get by until the shutdown is over. Why did we do this to her? Why does this President want to impose this kind of shutdown and hardship on people who are doing worthy work—at taxpayers' expense, for sure, but for the taxpayers of America? Whether it is TSA agents or it is people at the ag lab, these are good people who are dedicated to this government and have given their life and their life's work to this government. They deserve better treatment than this.

Let me close by saying a word about the border. The President says it is all about walls. Well, it turns out there are things he hasn't shared with the American people, and he is not likely to do it when he makes his presentation this evening.

Take a look here at the apprehensions at the border. These are the apprehensions being made by Federal agencies and people trying to cross the border illegally. Notice something? You may have noticed, in the year 2000, there were 1.6 million apprehensions. Then take a look at the year 2018. The apprehensions are down to slightly under 400,000. So from 1.6 million to slightly under 400,000.

We are going to be told we are facing a security crisis at the border, and it turns out that we have fewer people seeking to cross the border illegally now than we have in 45 years, and the apprehensions of those people have gone down dramatically from 1.6 million to slightly under 400,000, and we have already dramatically increased the number of people in Border Patrol.

Meanwhile, let me add something that the President doesn't talk about because it doesn't fit into his wall scenario. We are facing the worst drug epidemic in the history of the United States of America. It is opioids, heroin, and fentanyl, and fentanyl has now been identified by the CDC as the deadliest narcotic on the streets of America.

Where is the fentanyl coming from? I can tell you where a large part of it is coming from, from China through Mexico. Oh, they must be putting it in backpacks and jumping over the border. No, 80 percent of the fentanyl seized by CBP in 2018 was coming through ports of entry, places where vehicles and railroad cars go through now. So 80 percent of this deadly

fentanyl seized by CBP was coming through ports of entry. What are we doing to stop it? Let me tell you, we are not doing enough. Ninety-eight percent of the railroad cars that come into the United States are scanned, a basic x ray, to find out what is inside that car. Is it something that wasn't disclosed? When it comes to cars and trucks coming into this country, 18 percent are being scanned, fewer than one out of five of the cars and trucks coming into this country. Ever wonder how the fentanyl is coming into this country and killing people in every town across the State of Illinois and across America? It is coming in through ports of entry.

If the President would stop preaching about his almighty wall and take a look at real border security, he would be doing what is necessary to stop this fentanyl and these drugs coming into this country—and we are not doing enough.

I am for border security. Make it smart. I am not worried about a President keeping a campaign promise that didn't make sense from the start. I am worried about keeping this border safe for our families across the entire Nation. Tonight, let's make sure the people who work that border and work at TSA and work for the Federal Government get back to work this week. That is priority No. 1.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I am very proud to join with my colleagues tonight. I thank the Senator from Virginia, the Senator from New Hampshire, and other colleagues who are here to speak out and talk about common sense and what is happening and what we believe should be happening for the American people.

In Michigan, we are building a new bridge, and Canada is paying for it. That is the truth. Canada is paying for a bridge in Michigan. Here in Washington, President Trump is demanding walls that he is expecting American taxpayers to pay for—walls that the majority of experts and the majority of people do not believe will be effective in keeping us safe. Meanwhile, in Michigan hundreds of Customs and Border Patrol officers, who keep us safe every day, are working without pay, and that is wrong.

The President says we need more security. I support strong border security, as my colleagues do—strong, effective border security. I also support economic security for hard-working Michigan families.

Some Federal employees in Michigan, as other colleagues have spoken about, are wondering how they are going to support their families, pay their mortgages, and keep the heat on without the paychecks they are supposed to receive on Friday.

President Trump is talking about a humanitarian crisis. Here is a humanitarian crisis: 38 million people who depend on food assistance—the Supplemental Nutritional Assistance Program—to keep food on their tables now have to worry that it might suddenly be gone. Most of those Americans are senior citizens, people with disabilities, and children. This shutdown fight should not be about politics, but it is. It should be about people. What is happening here is about people, and the American people are losing.

One issue we should be able to agree on is the border. We all support border security. I can't say that enough, and my colleagues say that as well. I certainly know the importance of border security, as a Member from a border State—in fact, the State with the most active crossings at the northern border. The professionals on our northern border keep us safe every day, and they know what they need to do their jobs. They will say: It is more resources, more staff, more people. Above all, they need more technology. What they don't need is a 1st-century solution to a 21st-century problem. Building a wall on our border is a little like providing the U.S. Army swords and shields and expecting them to defend our Nation today.

Unfortunately, this administration is more focused on the merits of concrete versus steel than actually protecting the American people in a real and effective way. If our border is a national emergency right now, then, why hasn't the President spent the hundreds of millions of dollars that we have already given him in the last year's budget. We have already allocated dollars for border security—the majority of which has not been spent.

We all agree that border security is a high priority, and we should also be able to agree that workers—people working—deserve to be paid, and they should be able to take care of their families.

I have heard from Michigan workers who can't pay their bills and are desperately seeking temporary jobs—families who have been left without health insurance, businesses that contract with the Federal Government, that know that even if Federal workers get paid back at the end of this, they will not. There are also thousands of small businesses that depend on spending by Federal employees to remain open—the dry cleaner, the neighborhood store, the local restaurant.

This shutdown is also hurting American agriculture. My colleagues have talked about the fact that at the end of last year, just a few weeks ago, we passed a strong bipartisan farm bill to help farmers struggling with low prices, with growing trade concerns, and unpredictable weather, to say the least.

During these difficult times, our farmers desperately need the predictability and confidence of a 5-year farm bill. That is what Senator ROBERTS and

I spoke about every day on the floor of the Senate: We need to put in place a 5-year farm bill with predictability for farmers in rural communities and families. However, the President has undermined the certainty that the farm bill provided by continuing this shutdown at the U.S. Department of Agriculture.

Every day the USDA is shut down is another day the improvements we made in the 2018 farm bill are delayed. Local farm service offices all across Michigan are closed. Farmers can't apply for the loans they need, as they look to next year. We have dairy farmers in very desperate situations. We dramatically increased support for them in the farm bill—a new dairy program—and they need it now. They needed it yesterday. They needed it last week.

Important crop reports have been halted that farmers need to make decisions about upcoming planting seasons: What is the market? What are the prices? And there are all kinds of technical information they need to plan to move forward. Frankly, the USDA World Development Office is the economic development arm for every small town in every rural community in Michigan. Our rural homeowners cannot receive the housing loans they need to finance their homes and pay their mortgages. There are so many other ways things have stopped.

We can't forget about our families on food assistance. Thirty-eight million people are able to put food on their table thanks to the Supplemental Nutrition Assistance Program, or SNAP. While we should certainly do everything we can to ensure that food assistance is available in the near term—and I appreciate the Department working on that—our families deserve long-term certainty, especially considering that nearly 70 percent of those on SNAP are seniors, children, and people with disabilities. It is unconscionable to risk letting those most in need go hungry because of the politics of a government shutdown.

Beyond SNAP, school meals, support for WIC—a very important program for women, infants, and children—and food for seniors are all at risk if this continues to go on. Due to the shutdown, local food banks are no longer receiving funds to distribute and to store food. There are very real consequences going on. We could go through every single Department to speak about what is happening to real people and what will happen if this does not get resolved.

We can disagree about a lot of things. We should be able to agree, though, that people keeping us safe every day should be paid; that Federal workers should be able to pay their bills and take care of their families; that children, seniors, and people with disabilities shouldn't have to worry about where their next meal is coming from because of a government shutdown.

It is time for the President to end this. It is very easy. The House and the

Senate now have both passed the appropriations bills on a bipartisan vote. At the end of last year, we passed it in the Senate. It was just passed last week in the House. We can repass those bills. They should go to the President's desk, and this shutdown should end. He should sign the bipartisan appropriations bills and put the American people first.

We can and will continue to debate what border security looks like and how we can be most effective, doing what we all want to see get done. It is time to stop the shutdown and for the President to sign the appropriations bills that are bipartisan and make sure the American people know he is on their side when it comes to what is happening in the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, we are now in the third week of President Trump's government shutdown. This is yet another manufactured, unnecessary, and irresponsible crisis from this President. This one comes at a steep, steep cost for very real people. A government shutdown ripples throughout the entire economy. It shakes consumer confidence. It impacts hard-working families.

In my home State of New Mexico, almost 6,000 Federal workers have been furloughed or are working without pay, many of whom were already living paycheck to paycheck before this President's shutdown.

Carol from Tijeras wrote to me: "I feel I am being held Hostage by my government which I have always felt it was an honor to work for."

Carol is worried about how she and her coworkers are going to pay their mortgages and their car payments if this shutdown continues.

Kathy from Los Lunas wrote to me: "I am a federal employee and I am dismayed that the president is holding us hostage. . . . He needs to quit toying with our lives and all of the public that we support and serve and end this shutdown."

It is hard to say it any better than that. The shutdown's impacts hit far more than our Federal employees. Hundreds of thousands of New Mexicans rely on the Federal agencies that President Trump refuses to reopen.

During President Trump's shutdown, our public lands have had to lock their gates or leave parks and facilities unstaffed. The impacts of reduced visitation, the challenges for furloughed public land workers, and the costs of repairing the damage accrued during the shutdown will hurt communities across our State and many others.

In this era of increasingly extreme and catastrophic wildfires, I am particularly worried about the impact that a prolonged shutdown will have on our national forests.

Nicholas, a wildland firefighter fighter from Las Cruces wrote to me that he and his coworkers have been furloughed. He says: "If this shutdown is



not resolved, it will impact my ability to provide for my family.”

Nicholas deserves to be able to support his family. Our communities can't afford to wait for Nicholas and his co-workers to do their essential work that keeps our forests healthy and prevents more destructive wildfires.

Our State's farmers and rural communities are also facing increased uncertainty. That is because President Trump's shutdown has shuttered the Department of Agriculture, which funds agricultural loans and many economic development programs in rural communities.

If the shutdown continues into next month, as President Trump seems entirely willing to allow, the Supplemental Nutrition Assistance Program—sometimes referred to as food stamps—will run out of funding. That would mean that millions of Americans—including more than half a million in New Mexico alone—would be left struggling to put food on the table.

Over the weekend, KOB, one of our local television stations in Albuquerque, talked to New Mexicans who would be impacted by a lapse in food stamps funding. One man named Steven said:

All of us who use food stamps rely on it. That's how we eat, that's how we get our nutrition.

He said that if he can't receive his support for food next month, he might have to take out a loan and go into debt.

New Mexico is also home to many Tribal nations, which are disproportionately impacted by a lapse in Federal funding and are now under distress to meet very basic needs in their communities. That includes things like law enforcement, education, housing, and transportation.

Let me tell you one example I heard from the Mescalero Apache Tribe in southern New Mexico. Mescalero's lands span more than 700 square miles. Because of President Trump's shutdown, the Tribe's federally funded police force has been furloughed. Just think about what that means for someone who needs help, someone who needs to report a crime, or someone who needs medical attention.

I need to remind us that this shutdown comes right after Congress failed in December to reauthorize the Violence Against Women Act. Now, without this law and without funding, Tribes are especially strained in addressing an epidemic of sexual violence that has been so acutely felt in their communities.

Mescalero has seen every single one of its Bureau of Indian Affairs social workers and victims specialists furloughed. That is extremely dangerous for women and children who are victims of abuse. These are real people's lives being unnecessarily damaged by President Trump all because he will not stop holding our government hostage.

Perhaps most telling about President Trump's shutdown is the impact it is

having on our Federal workers responsible for keeping our Nation safe along our southern border. As a border State, New Mexico is more familiar than President Trump with responsible and smart border security policies. In fact, our State is the proud home of the Federal Law Enforcement Training Center, one of the primary training centers for U.S. Customs and Border Patrol officers. Because of President Trump's shutdown, the workers at FLETC and all of the officers working at our ports of entry and agents along our border are either furloughed or working without pay. How can it possibly be the best way to keep our Nation's border region safe and secure?

The President has said he would be proud to shut down our government, and, well, I have to say there is nothing—nothing—to be proud of about any of this. The President can—the President must—put an end to this shutdown.

Look, the way out of this is pretty straightforward. The votes are not there in either the House or the Senate to make Americans pay the bill for President Trump's wasteful border wall.

Signing a bipartisan government funding bill to reopen the government is the only responsible way forward. The only thing he is doing by refusing to back down is hurting Americans like the families I represent in New Mexico, like the people who work along our southern border. They expect and deserve so much better than this irresponsible—this preventable—shutdown.

President Trump has all the power to end this madness right now. I will say this one last time. Mr. President, if you are listening, listen to the American people. Listen to the people who work for you and me and this entire Nation whom you are hurting. Do the right thing and end this now.

Mr. Kaine. Mr. President, will the Senator yield for a question?

Mr. HEINRICH. Mr. President, I will.

Mr. Kaine. Mr. President, prior to Senator Markey, I wanted to ask Senator Heinrich this: If I heard correctly, you indicated that half a million New Mexicans are currently participating in the SNAP program.

Mr. HEINRICH. That is correct.

Mr. Kaine. What is the total population of New Mexico?

Mr. HEINRICH. A little over 2 million people.

Mr. Kaine. So nearly one-quarter of the State is participating in the Food Stamp Program that is jeopardized by this shutdown.

To the Senator from New Mexico, are you aware that 95 percent of the employees of the Agency that administers SNAP have been sent home and furloughed? Are you aware of that?

Mr. HEINRICH. I was aware of that.

Mr. Kaine. That is causing problems not only for your half a million but for any new family who falls into hunger and needs to apply for SNAP every day.

Mr. HEINRICH. Thank you.

Mr. Kaine. Mr. President, I yield the floor to the Senator from Massachusetts.

Mr. Markey. Mr. President, I thank the Senator from Virginia and I thank the Senator from New Hampshire for their great leadership on this issue.

Just talking about SNAP very briefly, 50 percent of all children in the United States, at some point in their lives, are going to be on SNAP, are going to need some help to eat so they can avoid hunger—50 percent of all children. So we are playing games with the program that is central to the lives of millions of families across this country, and we are playing out this entire drama in an all-too-familiar scene.

For the third time in just 2 years of the Trump Presidency, we are once more in the midst of a government shutdown. It is important to remember how we got here.

In December, the Senate majority leader brought to the floor a temporary funding bill to keep the Federal Government open. It passed this Chamber unanimously. Everyone—all 100 Senators at the time—agreed that, at the very least, it was important to keep the government open while we debate the issue of border security and immigration reform.

So why on Earth is the government shut down? Well, simply because President Trump has decided to hold the government hostage because he didn't get funding for a costly, ineffective wall. Shutting down the government over billions of dollars for a wall is like canceling the World Series because your team didn't make it.

At nearly 3 weeks into the Trump shutdown, we can track and see the devastating effects of the President's hostage-taking. Some 800,000 Federal employees are going without pay, and the longer this goes on, the more their worries mount. Mortgages, student loan payments, car payments, heating bills, food on the table—President Trump may operate from crisis to crisis, but countless American families are living paycheck to paycheck.

I have heard from many of the individuals and families who are part of the approximately 7,800 Federal workers across Massachusetts, and they are rightfully anxious about how they will make ends meet. Twenty-two percent of Federal employees in Massachusetts are veterans—22 percent. So how does Donald Trump repay thousands of individuals who have served and sacrificed for their country? By not paying them.

Let's be clear about who these workers are. They are janitors, cafeteria workers, secretaries, security guards. WORK, Incorporated, is the largest employer of individuals with disabilities in New England under the Federal AbilityOne Program. It employs hundreds of individuals with significant disabilities who work across Federal facilities in the region, but because of the Trump shutdown, they aren't going to work. If they are not working, they are not being paid, and they are not

providing the critical services which are needed for families in New England and across the whole country.

We have gone from Mexico paying for the border wall to Americans going without pay. That is how absurd the President is being in terms of who ultimately winds up paying the price for his campaign promises.

What is more, the Trump shutdown reaches beyond workers and empty paychecks.

The shutdown of the Environmental Protection Agency means almost all of the 516 employees in EPA region 1, which includes New England, have been furloughed. That has halted cleanup of rivers and other brownfields all across our region. It endangers the water, the air, all of the work that is done to protect the 13 million people who live in New England.

It means the Federal investigation into the deadly September 13 natural gas explosions and fires in Merrimack Valley is suspended and residents are left waiting for answers. The Trump shutdown is shutting down justice for the residents of Lawrence and Andover and North Andover because that investigation is now suspended.

We are heading for absolute catastrophe if the shutdown stretches on much longer as millions of vulnerable, low-income Americans relying on the Supplemental Nutrition Assistance Program—or SNAP—may have had their benefits cut severely. That is going to put 764,000 of the poorest Massachusetts residents at risk of hunger.

President Trump may think it is OK to furlough workers, but he can't furlough hunger, he can't furlough dirty drinking water, he can't furlough pipeline accidents. We need an open government to prevent these things from happening.

In just a few hours, we will hear from the President. He will go on TV tonight and present a fear and hate-ridden case about a manufactured national security emergency at our border.

The irony is, the longer President Trump extends this government shutdown, the more insecure and unsafe American families become because Federal workers aren't there to protect them against the things that they work every day to ensure that each and every family in our country are spared from—the pain that otherwise would be inflicted.

So the Department of Homeland Security is one of the agencies the President has shut down. An outsized number of Transportation Security Agency screeners and agents who screen and apprehend dangerous suspects at airports are calling in sick rather than work without pay. Some have even quit.

Sadly, our own American President is the architect of this crisis. The truth is, there are more Americans today going without their paycheck than immigrants who illegally crossed the southern border in the past 2 years.

Trump has completely manufactured this emergency, but there is an im-

pending one if this Trump shutdown continues and Americans are left without government services. So let's end this.

To my Republican colleagues, let's pass the bipartisan legislation to reopen the government. You supported it before; support it again. Raise your voices. Let's put people back to work, and let's provide certainty for the American public.

Once again, I thank Senator Kaine and Senator Shaheen for their leadership in organizing this very important colloquy.

I yield back.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today to join my colleagues in calling for an end to this senseless government shutdown. I, too, want to thank my friend and colleague from New Hampshire as well as my friend from Virginia for their leadership in bringing us together tonight to speak about the need to move forward and end this shutdown.

All across our country, Americans are feeling the impact of this shutdown, and government services people rely on have been put to a halt.

In New Hampshire, our farmers were relieved last month at the passage of the farm bill. Now, thanks to the shutdown, they are again facing uncertainty that they may not receive the financial assistance they need to help them operate.

Our craft breweries, which contribute to our economy, are unable to move forward with new projects because the brewers can't get the projects approved through the Alcohol and Tobacco Tax and Trade Bureau.

At the White Mountain National Forest, some visitors' services are closed, and at this amazingly beautiful national resource, trash is piling up.

Additionally, the shutdown is creating safety concerns with regard to air travel. The Airline Pilots Association International recently wrote to the President to say that the shutdown is "adversely affecting the safety, security and efficiency of our national airspace system."

We know this shutdown is impacting our Federal workforce. These are law enforcement officers, border security agents, members of our Coast Guard, workers from our National Park Service, TSA agents, and so many other people who dedicate their lives to serving their fellow citizens, but because of the shutdown, many workers are scrambling to make ends meet.

President Trump has said these workers can simply "make adjustments" to stay financially secure, but in making such a claim, the President grossly ignores the reality that hard-working Americans face. What an out-of-touch statement.

One missed paycheck can be the difference between people being able to put food on the table or not, of making their monthly mortgage payments, of affording their medications.

If, as the President suggests, the shutdown drags on for months or even years, those hardships to our families and our economy will grow as paychecks continue to be delayed.

It doesn't have to be this way. Last week, the House of Representatives passed bills that have received substantial support from Members of both parties in the Senate and would reopen the government immediately. Those included robust funding for border security, funding to support commonsense improvements, including better technology that border agents say they need. Unfortunately, the President is more focused on campaign slogans than on strengthening border security based on the facts on the ground. As a result, the President has created a crisis for families across the country, including for the border protection agents and law enforcement officers whose duty it is to protect us.

The fact is that we can keep our country safe while also reopening our government. That is why Leader McConnell must bring the bipartisan bills that have passed the House to the Senate floor and the President must sign them into law.

In the meantime, I am focused on ensuring that our Federal workforce gets the pay that they deserve and that they have earned. That is why I have joined with a bipartisan group of colleagues on legislation to ensure that any government employee furloughed as a result of this shutdown or any future ones will be paid retroactively as soon as appropriations are restored. I cosponsored legislation that would fund Coast Guard operations during lapses in appropriations—including pay—for members of the Coast Guard.

Mr. President, it is time for these games to end. We need to keep providing the government services that Americans rely on, and the people who provide these services deserve stability not only for their own sake but for that of the people and country they serve. More broadly, the American people deserve to know our government can operate effectively without these constant games and irresponsible tactics from the President.

Let's move on from this shutdown. Let's reopen our government.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Thank you, Mr. President.

First, I want to thank my colleague from Virginia, Mr. Kaine, for bringing us together this evening on the floor of the Senate to talk about the urgent need to end the government shutdown because of the mounting toll it is taking on the American public and on Federal employees who are going without paychecks at this very moment.

This is a shutdown that President Trump said he would be "proud" to put in place, but I think, if he begins to look around and see the consequences,

he has to ask himself what he means by being proud.

Just yesterday, I had a roundtable discussion with many Federal workers in my State of Maryland. I wish President Trump had been there at the roundtable to hear what these public servants had to say. Maybe if he had listened, he would know that a government shutdown is nothing anybody should be proud of. I want to share some of the stories my constituents shared with me yesterday, and I hope President Trump is listening to all of us here this evening.

Tyra was one of the people who came yesterday. She works for the Court Services and Offender Supervision Agency. She has to keep reporting to work every day, but she is not getting a paycheck. Tyra talked about the challenges of juggling the cost of medicine, food, and gas for her daily commute to a job where she is not getting paid right now. She told me yesterday: "I am trying to figure out how to get my child lunch." That is what the shutdown means for Tyra.

I heard the President say the other day: "I can relate, and I am sure that the people that are on the receiving end will make adjustments. They always do." That is the President of the United States saying he can relate to these hard-working Federal employees who are now going without a paycheck. Someone needs to tell the President that in the United States of America, 40 percent of our fellow citizens lack the \$400 in their bank account that would be needed for an emergency. So when you are talking about skipping a pay period, you are talking about thousands of families who are not going to be able to make ends meet. Mr. Trump can hang out at Trump Tower, and he can fly down to Mar-a-Lago, but it is pretty clear that one thing he cannot do is relate to the people who are going without a paycheck right now but who have bills they have to pay.

Another individual who joined us yesterday was Trish. Trish is an aerospace engineer at NASA. Trish is trying to buy a home, but the shutdown is throwing a wrench in those plans because her mortgage company, not surprisingly, says that they need current pay stubs from her in order to close on her purchase. What can she tell them? She doesn't have any current pay stubs coming in, so she may not be able to get that mortgage.

Mary works at the Commodity Futures Trading Commission, the CFTC. She told us about the important work CFTC does to safeguard the financial system against financial wrongdoing and fraud. She explained that because of this shutdown, the CFTC cannot pursue legal cases against bad actors who were defrauding American consumers and that they have had to ask the courts to suspend those cases.

So I guess the shutdown is good for those who are trying to take advantage of our fellow citizens through various financial schemes. It certainly is not

fair to those who are working hard and playing by the rules and who want to do the public's business, like our Federal employees.

Mary said that because of the shutdown, she has had to make some difficult decisions in her own household. Mary's mother was recently widowed, and the shutdown is hurting her ability to help her mother make do during this tough time.

Before I had this forum with a number of Federal employees who have been shut out of work, I visited Prince George's Community College in Maryland. It is a great community college. The president of that community college is Dr. Dukes. As I was going to meet Dr. Dukes, I met a mom on the elevator. The mom had been there to talk about her daughter who is enrolled there. It turned out that her mother is a Federal employee who has been shut out of the Department of Commerce. Then I talked to Dr. Dukes, and the president of this great community college told me that she has been getting phone calls all week from parents who have students enrolled at Prince George's Community College who are on a monthly installment payment plan, and they are calling the president of this community college and saying: What are we going to be able to do? We are not going to be able to make our next payment on our child's community college tuition bill.

Just today, I got a number of letters from air traffic controllers in Maryland. They, like thousands of other Federal employees, are working every day right now, but they are not getting paid for it.

Tension is mounting, frustration is mounting for the air traffic controllers, a lot of Federal law enforcement officers, and the people at the border, our border security. So, Mr. President, you don't know how to relate to these fellow Americans who are struggling because of your shutdown.

In the Senate, our failure to take up the bills that have already passed the House and are sitting right here in the Senate to reopen the Federal Government is making this Senate complicit in this Trump shutdown. Every day that goes by where we don't make our first order of business ending the shutdown makes the Senate an accomplice in the Trump shutdown. The House made it its first order of business to say: Let's reopen government. They passed two bills. Both bills have overwhelming support for their components here in the Senate.

I have the first bill they passed right here in my hand. H.J. Res. 1 says to open the Department of Homeland Security at current funding levels through February 8 while we negotiate the best way to provide border security. This is on the Senate calendar. We can vote on this tonight. Of course, the irony here is that this Senate, just before the Christmas break, voted on exactly this measure. We voted on a bipartisan basis to open the Homeland

Security Department at current levels through February 8 while we negotiate. We have already done it. So why are we not taking up this bill this evening?

The other bill that passed the Senate I have right here in my hand. It is also on the Senate calendar. This bill that passed the House on their opening day would open eight of the nine Departments that are closed. The first bill would open the Department of Homeland Security, while we negotiate, until February 8. The other bill opens eight of the nine other Federal Departments that have been closed.

Here is the kicker: The House did not adopt the House appropriations levels. The House looked at what the Senate had passed on a bipartisan basis either here on the Senate floor or in the Senate Appropriations Committee, and they took the Senate funding levels to open those eight Departments through the entire fiscal year, through September 30.

Mr. President, we all have a very simple question: Why is the majority leader and why are our Republican colleagues not bringing up those House bills that are sitting right here in the Senate? We have already supported those bills on a bipartisan basis. We can pass these bills to reopen the government tonight, and there is no excuse for not doing it.

I am going to close by sharing the comments of one of the other individuals who joined me yesterday at that gathering. His name is Otis Johnson. He works here at the National Gallery of Art. His message to President Trump: "Mr. President, if you really can relate to how the Federal employee is feeling, you need to go ahead and open the government back up so our people who want to work can get back to work and handle America's business."

I wish President Trump was listening to Otis and all the other hard-working Federal employees I met with yesterday. If he talked to them, he would hear their stories, and he would know they are suffering, as are the American people who every day are losing access to important services.

I want to again thank my colleague from Virginia, Mr. Kaine, and my other colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I come to the floor today to join my colleagues in voicing my sincere hope that the President will end this senseless shutdown.

The American people are tired of our country being held hostage and our economy threatened. There are real consequences. I see it all the time. Of course my State, unlike Mr. VAN HOLLEN's State of Maryland and the State of Virginia, may not have as high a percentage of Federal workers, but for every worker who has been hit by this, it is the same story.

At our airport just this weekend, I talked to countless TSA officers. They

said: We will continue to do our job, but now we are not going to get paid. You think about these people on the frontline who are doing the work for our country, who are keeping us safe, and who are not getting paid because of this senseless shutdown. You hear about the garbage piling up in our national parks. You hear about people having trouble paying their rent or mortgage. You hear about the fears about airport security lines. Everyday Americans are affected by this as well.

Other consequences of this shutdown are less visible but deeply painful for those affected. There are entrepreneurs who want to take their companies public but can't get approval by the SEC. You have rural home buyers who can't get their mortgages backed by the Agriculture Department. Farmers can't access critical loans or information about how the Department will implement the new farm bill. We were so proud to pass the new farm bill in this Chamber on a bipartisan basis—something the President took credit for—and now we can't even implement it and help our farmers as they approach growing season in the spring. They don't even know what is going to happen with the new provisions of this farm bill, especially the dairy farmers of Minnesota, who have been hit so hard by low prices and by the trade war that we are in.

While this trade war is going on, we are also going to not be able to help them and to deny the help that vulnerable Americans need. Funding for the Supplemental Nutrition Assistance Program, which helps put food on the table for 38 million Americans, would be severely reduced or cut off all together. The Department of Housing and Urban Development payments that maintain housing for 3 million Americans could be in jeopardy.

It is time to put aside the political games, and it is time to get in the real game—and that is the lives of American people—and to stop this shutdown. It means reopening our entire government so we can work on the issues that matter.

This is a time in our country when we should not be governing from crisis. We should be governing from opportunity. After the downturn, the economy had stabilized, and we should be working with the rest of the world. We should be selling our goods to market and building the infrastructure in this country. We should be doing something about prescription drug prices. We should be training our workers for the jobs that are available today and the jobs that will be available tomorrow.

There are simple proposals out there. There is the Senate and the House of Representatives legislation that passed through this body unanimously—not a single Senator opposed it—yet the President suddenly changed course and, once again, insisted that he needs over \$5 billion immediately. The new House has now passed legislation to fund all shuttered agencies other than

the Department of Homeland Security through the end of the fiscal year. That includes the Treasury Department, the Agriculture Department, the Interior Department—government agencies that provide critical services. These noncontroversial bills were originally drafted and approved by the Senate Appropriations Committee run by the Republican Party. None of this makes sense to me at all. The measures that were passed by the House are sensible, and they are ones that have been supported in the past by Republicans in this Chamber.

Shutdowns are not good for the economy. I lived through the 2013 shutdown. That was estimated to cost our economy over \$20 billion. The President's own economic adviser, Kevin Hassett, has estimated that this shutdown will shrink our economy by 0.1 percent every 2 weeks. Maybe that doesn't sound like much. Do you know how much it really is? It is roughly \$10 billion every single week. That is real money for real Americans. So stop the games.

Shutting down the government should not be a negotiating tactic. If President Trump were to agree to sign the bills that the House has now passed and every Member of the Senate supported last month, we would end this shutdown. Instead, critical services and our economy are being threatened with poison pill partisanship.

To my colleagues in the Senate, I say this: Let's get this done. We owe it to the people whom we were elected to serve. We owe it to the country. As one former Congresswoman once said, America should be as good as its promise. This is a promise we made to them when we were elected—to do the best for them and to serve our country. Let's get it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I rise tonight to talk about the government shutdown. I thank my colleague from Minnesota for her remarks. I remember the 2013 shutdown that she talked about. The reason I remember that is that while this place was shut down by the Senator from Texas, my State was under water from some of the worst floods we had ever seen, and there were people at every level of government—the local level, county government, the State level—coming together to work with FEMA, coming together to work with religious organizations, coming together to work with ordinary people to literally dig themselves out of the mud and the rocks that were the consequence of floods we had never seen before. I had to stand there almost like a fool explaining that the Federal Government was shut down for politics, and here we are again.

For 10 years, I have come to this floor and said over and over that this place had become the land of flickering lights. The standard of success was only whether we kept the lights on for

one more day or one more week. The standard of success had nothing to do with whether we invested in the next generation of Americans and had nothing to do with what America's place in the world was, and tonight, 18 days later, we are shut down.

Just like in Minnesota and just like in New Hampshire, people in Colorado are suffering as a result of this. This shutdown is inflicting real harm on people who are Federal workers who can't pay their mortgage, can't take care of their kids, can't hire a plumber. We heard today that the EPA is only getting paid half of their paycheck. You can't pay only half your mortgage. You can't go to the grocery store and pay only half your bill. We have farmers and ranchers all over the State of Colorado who can't get operating loans from the FSA to buy seed or fertilizer.

We have had FEMA meetings canceled and critical projects delayed that are vital to our rebuilding after the 2013 flood, the last time there was a long shutdown like this. After a terrible fire year in Colorado, the Forest Service can't move forward with new projects or reduce wildfire risks in our communities.

Rocky Mountain National Park is closed. Why do people from Estes Park have to bear the burden of the stupidity of this place—the inability to govern like every other entity in America governs, where you could never shut down your local government and you could never shut down your school district? But for some reason, you can do it over politics. In this case, why? It is over a mnemonic device that the Trump campaign supplied to candidate Trump—the wall—and two things that weren't true: one, that Mexico would pay for the wall. If he had fulfilled that promise, we wouldn't be here because there wouldn't be a need for \$5 billion because the Mexicans would pay for this wall. That is what he said over and over. It was objectively not true, just as it is not true that what is needed is the wall that he has proposed.

We had a bill here in 2013 that 68 Senators voted for. That bill had \$46 billion of border security in it, 350 miles of fencing on the southern border, internal security, and fixed our visa system—far more effective than the ineffective wall that the President is trying to build now for \$5 billion. He can't even spend the money that has already been appropriated, and now he has shut the government down for \$5 billion to keep a campaign promise that is not true. It wasn't true then, and it is not true now.

This is ridiculous. Last week, China marked the New Year by landing a spacecraft on the dark side of the Moon. That has never happened before in human history. Here in the United States, while they were accomplishing that, we had a government shutdown. Close observers might say—and they would be right—that NASA—which, by the way, is closed—marked New Year's

Day by successfully flying the New Horizons probe past an object 4 billion miles away. We should celebrate that achievement, but let's also remember that mission was 18 years in the making because people planned for the future. An American craft is literally on the outer edge of human discovery, and last week we were shut down while the Chinese landed their craft on the other side of the Moon. Because of the fecklessness of people in this body, we can't even put an astronaut into space now. We have to call up the Russians and ask them to put us on a rocket to take us up there. Do you think our parents and grandparents would have stood for that?

There was a unanimous vote in this Chamber, and it passed in the other Chamber. We should reopen the government. This is doing too much damage to the country, and the President should understand that part of his job of being President is keeping the government open, not cheering it when it is closed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Mr. President, first of all, let me say how much I appreciate my colleagues on the floor—particularly, Senator BENNET's comments—and the passion that everyone has shown for the people in this country and why we are here for the people that we represent, whether they voted for us or not. That is not the issue. We are here to represent all the people, and I really appreciate those incredible words from my colleagues and, particularly, the passion shown by Senator BENNET.

I am rising today to give my voice to the thousands of Alabamians who are also suffering as a result of this government shutdown. It is not just the folks who are employed but those who are affected by this shutdown by whatever means necessary.

There are people who are not employed by the government who are also affected. In the midst of all the political posturing that we have seen, the costly government shutdown has hurt over 5,100 Alabama workers, their families, and the people who rely on them to do their job. Thousands more are contractors who will not get backpay. Unlike the Federal workers, who traditionally get backpay, these contractors who are not working now because there is no work to be had with the Federal Government will not get backpay from their employers.

Our Coast Guard employees, who aren't paid through the Department of Defense budget that passed last year, don't know whether their paycheck will come or not. By the way, it is the Coast Guard who is interdicting so much of the illegal drugs that are attempting to come into this country. It is not the southern border. It is the Coast Guard, which we are putting at risk, that is doing the best job of interdicting the illegal drugs that are attempting to come into this country.

These folks pay the price of this shutdown while this political drama that we have seen in Washington, DC, drags on and on—on cable TV, on Twitter, and on other social media platforms. These folks are hard-working Alabamians who keep our airports safe. They protect our communities. They monitor our prisons.

We have three Federal prisons in Alabama. Three of the workers in the Aliceville prison were on CNN today talking about the effects on them and their community in Aliceville, AL. These are people who support our national defense, like folks in Redstone Arsenal and at all of the military bases in our State. They support the aerospace programs in our State. These are the folks who are getting hurt. Many of these people are veterans who have gone on to serve their country a second time by working in Federal service.

Most of these folks support strong border security. I venture to guess that all of them support strong border security. Some will support the wall, as the President has described it, but they don't agree with—they don't support—shutting down the Government of the United States of America in a way to just get that wall or that border security done. They do not support that at the expense of their communities and their families.

Over the past 18 days or so since this shutdown, I have heard from any number of my constituents. They call the office here in Washington, and they call the offices in Huntsville, in Mobile, in Birmingham, and in Montgomery. They talk about how they are hurting already because of the shutdown.

One constituent who wrote to me is a small business owner in North Alabama, near Huntsville, whose 30-plus employees have provided very important, continuous support for NASA programs for the past 7 years. As their work gets delayed or stopped altogether, these folks don't know whether they are going to have jobs. If their work stops, those employees are going to need jobs, and they are going to start looking for other jobs. In the economy that we have now, in which unemployment is low, people are looking for workers, and they are going to find those jobs. So his business may get shut down.

There is a military spouse who also works for the Federal Government whose husband is deployed to Afghanistan right now. She also wrote to me and urged an end to this shutdown. She said that while she supports the wall, she doesn't believe that Federal employees should be used as bargaining chips just to get it done. She said that a lapse in funding would be devastating for her job and that her family needs the paychecks to cover these bills. This is a family that is already living under stress with its having a husband and father in Afghanistan. This family doesn't need the extra stress.

On behalf of her family of four in Smiths Station, AL, another mother

wrote to me about her family's lapse in healthcare coverage since the shutdown because the employees at a Federal health insurance agency, GEHA, have been furloughed. Her family's change in coverage was never fully processed by the end of the year. So it lapsed and was canceled as of December 31. The family members are now facing important medical decisions—appointments, prescriptions, refills in the next few weeks—but don't know if they are going to have the insurance to cover it.

The administration announced today that the deadline for farmers to receive their subsidies, because of the administration's trade policies, will be extended, which all sounds really great. It sounds all good and well. We are going to extend it. We are going to put a bandaid on this for our farmers. These farmers have been hit hard by the trade war that this administration has started, which I have talked about on the floor of the Senate on any number of occasions and around my State.

To ease that pain, a few months ago the administration decided to allocate \$12 billion as almost a bailout. Now, these farmers really don't want these handouts. They want their markets. Yet, to ease their pain, to its credit, the administration came up with \$12 billion to ease that pain. Less than half of that amount—roughly, about \$5.2 billion in payments—was made before the Department of Agriculture's local offices were closed. While extending that deadline sounds very good and is, simply, putting a bandaid over the wound, the fact is that until we get this government open, farmers who did not get their payments in before this shutdown are going to have a problem.

Another problem with the shutdown is that they can't depend on the Federal Government any more than they can depend on the weather. These farmers are at risk every season, every year, of things that are out of their control. What they don't need is a government that they cannot depend on, and that is what we have right now. They are out of luck at a time at which they need it the most, as they are starting to plan for their spring planting and summer planting—their loans, their crops, buying the seed—as Senator BENNET talked about a few moments ago.

There is one constituent who wrote me a really heartbreaking letter about the impact of losing her SNAP benefits after January 31 if the shutdown continues. She is living on a razor's edge financially and depends on Social Security disability benefits and SNAP dollars to survive. It is not a lot of money on a monthly basis. It is such a small amount of money that folks in this body and folks in the House and, certainly, the folks in the administration wouldn't think twice about it. It is probably less than they spend at Starbucks every morning, but, for her, it is an incredibly important part of her life, and we have to make sure that we do everything not to let her down.

I did see, just before I came over here, that the administration has said that we are going to extend it. We are going to make sure that SNAP benefits are paid in February. Again, that is great and sounds wonderful, but it is a bandaid. Sooner or later, if we don't end up doing something about this shutdown, that bandaid is going to be ripped off, and these folks are going to be left in the cold once again.

We need to remember—and I think this gets lost sometimes in the talk about this shutdown—that this is not just about the paychecks and the direct benefits that people in this country receive from the Federal Government. It also affects all of those people in our communities who serve those who work for the government—those who take in their grocery money and take in their utility money and take in their gas money. It is going to affect those people. It is going to affect car dealers, and it is going to affect local businesses. It is just like the folks at the prison in Aliceville said today, which is that sooner or later, if they don't have money to spend around Aliceville, it is going to affect that community. This touches so many people in this country that we need not lose sight of that.

The letters and calls and voice mails are pouring in every day as this shutdown continues. More and more Americans face the increasing consequences of the impasse that we see here in Washington, DC. There is, simply put, no excuse for it. We can and must do better. We can and must find the common ground that so many of us talk about. Every day, over and over, we talk about finding common ground, but we have to practice what we preach in terms of finding that common ground.

This past year, I talked to a number of my constituents back home who had gone through a number of issues. I talked to a lot of people who asked me to support the wall. They stopped me over the holidays, and I would always stop and talk to them. They were always very respectful, unlike with some things that happen in our political discourse today. These people were always very respectful, and we had nice conversations. When I asked them what they were talking about, they said that I needed to vote for a wall.

They said: We just need border security, Senator. We need border security.

This gave me the opportunity to say: I completely agree.

Unfortunately, the so-called “wall” that we keep hearing about, primarily on Twitter, has really become just a metaphor to support a secure border. To oppose it is to oppose a secure border. That makes no sense. What is getting lost in this debate is that every Member of this body wants secure borders. Every Member of this body and every Member of the House wants border security measures that will keep our communities safe. We might have disagreements about the best way to make sure our borders are secure, and

we might have disagreements on what border security will look like, but it doesn't mean that we want open borders as I keep hearing from the administration. That is a preposterous statement.

In fact, in the last Congress, we had one of the President's nominees before us for the head of ICE. He used to work on the border. He was there. He controlled it. He was the head of border security.

I asked him in the hearing: Have you ever heard one politician—have you ever heard anybody in Washington, DC—say that he is for open borders?

He said: No, sir, not at all.

We have to get away from that political posturing so that we can find the common ground that is necessary to move this forward. The fact of the matter is that we have found common ground. We have found that common ground right here in this body.

Last February, in the midst of bipartisan talks on more comprehensive immigration reform, a number of senior administration officials came to the Senate and briefed Members on the situation at the border. They outlined how an infusion of money in the context of a larger piece of legislation could improve security and conditions for asylum seekers and on the border. In the wake of that presentation—if I recall correctly, they proposed a \$25 billion price tag for border security—Republicans and Democrats alike, which was a majority of the U.S. Senate, voted to include that \$25 billion in border security funding over the next decade. That was a bipartisan effort.

Over the course of the last spring and early summer, the U.S. Senate Appropriations Committee—led by my colleague from Alabama, Senator SHELBY, and by Senator LEAHY, the ranking member—passed a bipartisan Homeland Security funding bill by a vote of 25 to 5. It did that in June of this year. It included \$1.6 billion in border security funding, which was on top of the \$1.3 billion, I think, that was funded last year. What has started this whole process today is the administration's demand of a blank check of \$5.6 billion for a wall as the price to reopen the government. That is, simply, not how our government should work.

Now, candidly and in all fairness, in recent days, we have gone from an argument that was just, simply, about dollars and cents on both sides of the aisle—5.6 versus 1.6 or 1.3—to where we have now seen the administration begin to slowly roll out how it would actually spend that money. There was no plan in the beginning. It was just “send us \$5.6 billion.” We are learning about that plan via Twitter and on the TV talk shows, not the way this body is used to getting information from the administration—through a budget process or through some proposal about which you can ask questions and can vet.

If the administration is serious about border security—and it should be seri-

ous about border security, just like the Senate of the United States and the House of Representatives of the United States should be serious about border security—we should reopen the rest of the government. Officials should also come back to the Hill, like they did in February, and brief Members of both parties in Congress about what is needed and of exactly the new border security money and how it will be spent.

This week, the House has been voting on a series—or will be voting on a series—of funding bills that the Senate has already passed, many by a vote of 92 to 6. Think about that. As I travel around the State, I tell people all the time what I saw last year—my first year—which is that there is so much more bipartisanship in this body that you don't see just by watching C-SPAN and listening to dueling press conferences. There is a lot of it that goes on, and we passed those bills by 92 to 6.

These bills will ensure that the Federal employees and contractors can go back to work and can get paid, that food assistance and housing vouchers can go forward, that vital research can be done, that our parks and museums can reopen, that our airports are safe, and that our prisons are monitored. Instead of handing political appointees a 10-percent raise, it will ensure that we will pay the Coast Guard, whose members continue to serve throughout this shutdown without knowing if their next paychecks are going to come.

I am literally sad to say—and I really hope people will take this into account, especially the folks who have been here for a long time—that in my first year here, my first year in the Senate, this is the third government shutdown that we have seen. We should be embarrassed about that, and the administration should be embarrassed about that. At every opportunity, I have voted to keep the government open. I can't say that I would do it every time, because it will depend on the circumstances, but, thus far, I have done all I can to keep this government open.

The American people are frustrated and disheartened by the dysfunction and empty rhetoric that they hear out of this town, but we have to remember that the Senate of the United States has done its job and done so in a deliberative and bipartisan way. No one on either side of the political aisle should lose sight of that.

We came together and found common ground, and we should insist that the President of the United States not only acknowledge that but honor that, get this government up and running, and let's sit down to continue to discuss the plans for the border security that we all know is necessary and we would like.

Thank you.

I yield the floor.

#### TRIBUTE TO BILL CUNNINGHAM

Mr. McCONNELL. Mr. President, on February 1, the Kentucky Supreme



Court will bid farewell to a towering figure in our State's judiciary, Justice Bill Cunningham. A Lyon County native, Bill announced he would retire from the high court at the beginning of next month, bringing to a close a career of public service that has spanned more than half of his life. I would like to take a moment to join his colleagues, his family, and his community in western Kentucky in congratulating Bill on this remarkable milestone and to thank him for his service to the Commonwealth.

Bill first answered the call to service early in his life. Once he graduated from Murray State University and the University of Kentucky College of Law, Bill enlisted in the Army, nobly serving our Nation in uniform in Vietnam, Korea, and Germany. Upon his return to Kentucky, Bill decided to put his legal education to work for the men and women of his community. For the last 45 years, he has done just that.

Working in various courtrooms as the Eddyville City attorney, public defender for the Kentucky State Penitentiary, and the 56th judicial district's Commonwealth's attorney, Bill earned the esteem of his colleagues. In fact, his peers voted him the "Outstanding Commonwealth's Attorney for Kentucky."

Beginning in 1991, Bill moved to the other side of the bench when he was first elected as a circuit court judge in western Kentucky, serving in Caldwell, Livingston, Lyon, and Trigg Counties. He was then elected to the Kentucky Supreme Court in 2006. On the high court, Bill represents 24 counties in western Kentucky. His constituents rewarded Bill's accomplished service by reelecting him to a second term in 2014.

In addition to his dedicated leadership in our Commonwealth's legal system, Bill has written six books on Kentucky history and is a frequent contributor to local newspapers. He is also known as a captivating speaker, and I hope he will continue to share his perspective with audiences even in retirement.

As Bill's tenure on the Kentucky Supreme Court comes to a close, I would like to express my sincere gratitude for his lifetime of service to his community, our Commonwealth, and our country. In retirement, Bill said he looks forward to spending more time with his wife Paula, their five children, and their 15 grandchildren. I extend my best wishes to the entire Cunningham family, and I ask my Senate colleagues to help me congratulate Justice Bill Cunningham for his service to Kentucky.

Mr. President, the Paducah Sun recently published a column congratulating Bill on his retirement. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Paducah Sun, Dec. 30, 2018]

JUSTICE SERVED

(By Joshua Robert)

Often loquacious and poignant, Kentucky Supreme Court Justice Bill Cunningham struggled Thursday to find the right words summarizing the coming sunset to his career, emotion seeping through his typically laid-back demeanor.

"I'm just very grateful—I'm trying to say this without getting choked up here—to the Almighty for giving me the strength to (serve the public)," the justice told a Sun reporter. "I'm so grateful for the people of west Kentucky for giving me this wonderful opportunity."

That Cunningham, a state Supreme Court justice for 12 years, paired his deity with the residents of his native and beloved western Kentucky is not surprising, nor is the affection one-way.

The judge, folksy and often dressed in his trademark seersucker suit, cuts a popular figure. An accomplished jurist, engaging orator and celebrated author, Cunningham is as Kentucky as they come, though in our opinion, uncommon in the commonwealth.

Cunningham, 74, of Kuttawa, announced Thursday that he'll be leaving the Supreme Court on Feb. 1, ending a career in public service that's spanned more than half his life. He considered his exit from the high court for more than a year and was unsettled by the prospect of leaving halfway through his second term.

But the "constant bombardment of human woe and suffering" he's seen and heard from the bench proved too much to continue. The judge, who felt compelled by duty, did what good judges are supposed to—he cast aside personal feelings to make the wisest decision possible, his self-assessment unsparing that he's not at his best.

"You've got to be emotionally strong to continue," Cunningham said, "and I'm just worn out with it."

The judge said he doesn't know what he'll do next, but it'll be something of service to the people of western Kentucky.

"I'm going to stay engaged," he said. "I'm going to take a couple of months off to get my perspective, then I'm going to do what other people do when they're out of a job—I'm going to look for one."

"I'd like to be able to serve in some capacity. I just don't know what that is right now."

Running again for public office, like for a state legislative seat, is unlikely. "I'm a dinosaur, and much of the political mainstream today has passed me by," he said in his self-effacing manner.

We've gotten to know Cunningham over the years, covering the justice's speeches and appearances and publishing his thoughtful, well-written guest opinion pieces from time to time. If we're coming off as an admirer, it's because we are, unapologetically so.

We've found Justice Cunningham has admirable traits like modesty, kindness, intelligence, fairness and loyalty, rare virtues among today's public servants. His replacement will come from one of the 24 counties within the First Supreme Court District, but in truth, it'll be impossible to replace Cunningham and all he has meant to our communities.

"There's some great timber out there, so they'll probably get a better justice than what they have now," he said of the judicial nominating process. With respect to the judge, that's a dubious claim.

Cunningham is slated to be the guest speaker Feb. 5 during a Paducah Lions Club meeting at Walker Hall.

"I'll be a former judge by then, so that's if they don't cancel the invitation," he joked.

We have no doubt the invitation's still good and his speech will be captivating, as always. After all, jobs and titles may change, but character doesn't.

#### TRIBUTE TO DEAN JOHNSON

Mr. McCONNELL. Mr. President, last month marked the end of a distinguished career for Laurel County clerk Dean Johnson. Dean recently retired after 37 years of public service to his community, our Commonwealth, and this country. Today I would like to take a moment to reflect on my friend's many contributions to Laurel County and to thank him for his dedication to Kentucky.

First drawn to public service at a young age through organizations like the Key Club and the Future Farmers of America, Dean spent his career focused on integrity and efficiency. After serving in the Armed Forces and for 4 years as the county's treasurer, Dean was elected Laurel County clerk in 1985. His leadership has brought substantial innovation and development to this eastern Kentucky community.

In my State, a county clerk is responsible for providing a broad range of services to Kentuckians, including everything from voter registration and election management to licensing and recordkeeping. During Dean's tenure, the Laurel County clerk's office introduced new infrastructure and implemented new procedures to better serve a growing population. Running an election has changed quite a bit in Laurel County since Dean entered office, but his dedication has helped promote access to the ballot box for more than 44,000 registered voters.

In addition to his work in Laurel County, Dean collaborated with his peers to share best practices in the Kentucky County Clerks' Association. Earning both their trust and respect, he served a term as the organization's president, helping deliver essential services across Kentucky. Like other county clerks, Dean supported his fellow veterans by repurposing license plates into birdhouses. The products are sold with proceeds benefiting our Commonwealth's veterans.

Over the years, I have enjoyed working with Dean on behalf of our constituents, and I am proud to salute this man of great accomplishment. In his retirement, Dean plans to do more of what he loves most: spending time with his daughter, Teresa, and his granddaughter, Rebecca. He will also continue to oversee his 175-acre cattle farm. As he begins this next chapter, I would like to wish him the very best, and I ask my Senate colleagues to join me in thanking Laurel County clerk Dean Johnson for his decades-long service of our State.

Mr. President, the Sentinel-Echo in London recently published a profile of Dean's accomplished career. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Sentinel-Echo, Dec. 26, 2018]

JOHNSON REFLECTS ON 37 YEARS OF SERVICE  
(By Nita Johnson)

Society has changed drastically in the last 30 years—with technology being one of the major advancements.

As Laurel County Clerk Dean Johnson fills his final days in the position he has held for 33 years, he credits technology as the most advantageous developments for his office operations.

When Johnson took office as clerk in 1986, he came from a four-year term as county treasurer. In both offices, most paperwork was done on typewriters—a business machine that is now nearly obsolete. But when the technology craze hit full force, the first aspect of the clerk's office was to have computerized vehicle tag registrations.

Another huge change came in the voter registration processes—due to technological advancements and the growth in population over the years.

“When I came in, there were only 26 precincts,” Johnson said. “We had those big voting machines that were the size of a refrigerator.”

Within a couple of years, however, the use of Microvote was created—the small blue “suitcase” style machine used to cast votes. “We’ve moved to the self contained machines now because of the ADA (Americans with Disabilities Act) because all the machines have to be compliant with that,” he said. “The other machines were hard for people to use if they were in a wheelchair. With that, we had to relocate some of the precincts because some didn’t have handicapped access.”

Laurel County now boasts 45 precincts, all ADA compliant.

While Johnson said he hasn’t seen a huge increase in voter registration or turnout, he said the division from 26 precincts in the mid-1980s to the current 45 precincts does reflect on the county’s increased population.

“The precincts divisions are done by the population in the areas, not the number of registered voters in an area,” he explained. “And the population is always determined by the latest Census.”

He feels that the Laurel County Clerk’s office has always maintained a high level of integrity and efficiency dealing with the public for motor vehicle registrations, transfers, voter registration and election procedures, and maintaining the massive load of deeds, mortgages, and other legal documents that fall under the scope of that office. And Laurel County has excelled in being some of the first counties in the state to utilize technology to better serve the public.

“We were among the first counties in the state to create a computerized absentee ballot form. I worked with a guy to simulate the state forms,” he said. “Right now we have 44,000 registered voters in the county.”

The clerk’s office was also one of the first offices in the county to receive and use a FAX machine, he said, adding that the Laurel County Public Library was one of the first to offer the FAX service.

The growth in the county’s population over the past 30 years has massively increased the work load for those who serve in that office.

“When I came here in 1986, it was the 160th year of Laurel County being established,” Johnson added. “There were fewer than 200 mortgage books. Now we have approximately 1,200.”

While the workload of the deputy clerks in the office has increased to huge proportions over the past three decades, Johnson said the application of technological advancements has not caused a large increase in the employees needed in his office.

“When I started, there were 10 employees and now we have 18, so we haven’t had a big increase in the employees because of the computer systems,” he explained. “This office has come from a gross intake of \$8 million to \$15.5 million and we’ve never had a non-compliant comment in the 37 years I’ve worked for the county.”

Being the Laurel County Clerk required Johnson to interact with other clerks across the state over the years—some associations for which he said will remain dear to his heart.

“I built a rapport with other clerks and I was active in the Kentucky County Clerks’ Association,” he said. “I served one term as president.”

He has many other accomplishments for which he is proud—one of which is the efficiency of tabulating the votes on election night. With that process, the election officers returning their precincts totals are met at the back entrance of the Laurel County Courthouse and their equipment unloaded by persons approved by the local election commission members. The officers then carry in the case containing the printouts of the votes and sign in for their particular precinct, which are processed in the lobby in the ground floor near the Broad Street entrance. The printouts are then taken to the clerk’s office on the second floor where the employees of the clerk’s office then separate the documents and record the votes. Although the polls close at 6 p.m., most precincts have submitted their results and the final count is completed and reported by 7:30 p.m.

“I’m very proud of the efficiency we have on election night,” Johnson said. “That goes to the employees in this office and the state associations of elections for the efficient way we process the votes and the accuracy we have.”

As an example, Johnson reflected on the 2016 Gubernatorial race in which Republican candidate James Comer lost to now Governor Matt Bevin by a mere 83 votes.

“We had to do a re-canvas,” Johnson said. “That (statewide) re-canvas was completed on Thursday, with the result coming out the same, of course. We aren’t like Florida and Georgia, that took weeks to do a re-canvas. In fact, in national elections, Kentucky is nearly always the first to report their results.”

Johnson has also served as chair of the Laurel County Republican party, stepping down this year after four years in that position. He also has been involved with KACo (Kentucky Association of Counties) for 12 years, is a veteran, is a Shriner and member of the local masonic lodges.

His interest in being a public servant came early in his teens, being a President of his school’s Key Club and FFA (Future Farmers of America). He learned early on about working hard, and said he always had a drawing toward political issues.

“As a kid I liked to be active in things and I always liked being involved in politics,” he said. “There were two people in politics that I always admired—Boyd Boggs who was a county judge executive and later the sheriff, and Dwight Eisenhower. Those two had given a lot and I wanted to be able to help people. As the clerk, you are in the position to help people and I’ve tried to do that, not just with questions about elections or vehicle registered. Other people just come in and ask about different things and I always tried to help them the best I could. I leave here with a good feeling because I think I’ve done that.”

His political interests also brought him another accomplishment for which he is very proud.

“I was the Laurel County campaign chair and we brought George H.W. Bush to the

Bush community,” he said. “I was also the chair when George W. Bush and (former Governor) Ernie Fletcher came here.”

In fact, the shelves that line a section of Johnson’s office have a picture of the late president, George H.W. Bush, with Johnson when Bush visited the Bush Fire Department. Johnson laughs when looking at the picture now, saying, “My hair was a different color then.”

Johnson is also proud of his home county and of the many advancements that have come to the residents of this community.

“This county has been aggressive in growing and using its natural resources,” he said. “We’ve had good leadership and that continues on today. I hope we keep on and keep our best and brightest here and supply them with jobs so they can make a decent living and stay here.”

Johnson is also very dedicated in his church, Calvary Baptist, where he has served as the adult Sunday School teacher for several years. He stands true to his beliefs—even when that belief is not the most popular or “progressive.”

But his greatest accomplishment—and joy—comes from his daughter, Teresa, and his only grandchild, Rebecca. He looks forward to spending more time with them and his son-in-law while he continues to oversee the 175-acre farm where he raises cattle.

“I’m retiring as of December 31,” he said. “I’m going to go home and relax.”

## S. 1

Mrs. FEINSTEIN. Mr. President today I rise in opposition to S. 1. We should be working to reopen the Federal Government, not voting to infringe upon Americans’ First Amendment rights.

S. 1 is a package of four bills that were introduced during the last Congress. Three of the bills concern U.S. aid to Israel and Jordan, as well as sanctions against the Assad regime. They are noncontroversial, and I support them.

Unfortunately, the fourth bill, which is entitled the “Combatting BDS Act of 2019,” is so controversial that I am compelled to vote against the entire package before us tonight.

This Israel boycott legislation would encourage States and localities to restrict First Amendment protections for millions of Americans. It would do so by tacitly endorsing State actions to cut financial ties and terminate any government contract with anyone who engages in or supports boycotts of Israel.

My grandfather arrived in the United States as a stowaway fleeing the Polish pogroms, and my grandmother’s family fled Russia during the revolution.

As a young child during World War II, I came to view Israel as a symbol that never again will there be another Holocaust. My support for Israel isn’t about politics. It is about Israel’s right to exist.

I will always support a free and democratic Israel as the homeland of the Jewish people. That is why I have always voted to provide Israel the security assistance it needs.

However, my unwavering support for Israel does not override my support for Americans’ constitutional rights.

The right to free speech is the foundation of American democracy. Any legislation that encroaches on that foundation should be considered with great caution. I don't believe that has been the case here.

Federal courts have already ruled against similar laws regarding boycotts of Israel enacted by Arizona and Kansas.

In Kansas, the State legislature passed a law in 2017 requiring any individual or company that contracts with the State sign a certification that they are not participating in a boycott of Israel.

In Arizona, State law requires any company that contracts with the State to certify that it is not engaged in a boycott of Israel and that it will not do so in the future.

Federal courts in both States found that these laws raised substantial First Amendment concerns by infringing on individuals' right to political expression and issued preliminary injunctions blocking their enforcement.

Given the courts' rulings in Arizona and Kansas, I fail to see why supporters believe this legislation can be considered constitutional.

Equally alarming, the legislation would also apply to Israeli settlements in the West Bank, territory that Israel has never claimed as its own.

Today, there are more than 400,000 Israelis living on 132 settlements in the West Bank. Since President Trump took office, the Netanyahu government has accelerated the expansion of existing settlements, created new settlements and outposts, and taken steps to retroactively legalize settlements built on private Palestinian land.

Enacting legislation to stifle criticism of settlements on land beyond Israel's borders would set a dangerous precedent that would further erode our credibility as a neutral arbiter in the Middle East conflict.

Instead of wasting time on this unconstitutional bill, the Senate should instead focus on reopening the government by voting on the Federal funding package the House passed last week.

I fail to see why S. 1 should be a priority during the government shutdown. The Senate has a responsibility to uphold the Constitution and keep the government running. This bill does neither.

#### 150TH ANNIVERSARY OF AUBURN, MAINE

Ms. COLLINS. Mr. President, today I wish to commemorate the 150th anniversary of the city of Auburn, ME. Auburn was built with a spirit of determination and resiliency that still guides the community today, and this is a time to celebrate the generations of hard-working and caring people who have made it such a wonderful place to live, work, and raise families.

Auburn was settled in 1786 and first incorporated as a town in 1842. The name was inspired by a popular poem

by Oliver Goldsmith that begins with this line: "Sweet Auburn! Loveliest village of the plain."

With the mighty Androscoggin River providing power, Auburn soon was home to many lumber, grain, and textile mills. When the factory system of shoe manufacturing was developed there, the people of Auburn formed a skilled and dedicated workforce that built a great Maine industry. The factories attracted many French-Canadian immigrants, whose culture continues to enliven the city. The prosperity produced by hard work and determination was invested in schools and churches to create a true community.

On February 22, 1869, the fast-growing community incorporated as the city of Auburn. Together with Lewiston across the Androscoggin River, an economic powerhouse was created, and the "Cities of the Androscoggin" today form Maine's second largest municipal region.

The decline of traditional industries in the 20th century posed a great challenge. Auburn's response is described in words etched into the walls of Auburn Hall: a Latin phrase that translates to "No Steps Backward." Auburn is a community that was built by the power of a great river. Now, the power of community is building a new future on that river with new economic opportunities, wonderful food, vibrant arts and entertainment, and exciting recreation. Auburn cherishes its history as it continues to move forward.

Auburn is a city of compassionate, involved people. It is home to the Good Shepherd Food Bank, the largest hunger relief organization in Maine. The Auburn Police Activities League, which provides educational and athletic opportunities to children and teens after school and during the summer, is an outstanding example of public officials and committed citizens joining together to change lives today to create the leaders of tomorrow. The energy and planning that are going into Auburn's 150th anniversary celebration demonstrate the pride residents have in their city.

The celebration of the city of Auburn's 150th anniversary is not merely about the passing of time. It is about human accomplishment. We celebrate the people who, from the dawn of our Nation to our time, have pulled together, cared for one another, and built a great community. Thanks to those who came before, Auburn, ME, has a wonderful history. Thanks to those there today, it has a bright future.

#### TRIBUTE TO MIKE DAVIS

Mr. GRASSLEY. Mr. President, I would like to pay tribute to Mike Davis for his incredibly hard work on my Senate Judiciary Committee staff as chief counsel for nominations. He is an Iowan, so his work ethic should be no surprise, but he went above and beyond to ensure that the Senate con-

firmed a historic number of Federal judges during the 115th Congress, including the very difficult confirmation of Justice Brett Kavanaugh. In December, Mike spoke about his work for me to the Iowa Lawyers Chapter of the Federalist Society. I ask unanimous consent that the text of Mike's speech be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### KAVANAUGH AND BEYOND: JUDICIAL CONFIRMATIONS IN THE TRUMP ADMINISTRATION

Good afternoon, everyone. Thank you to Sam Langholz and the rest of the Iowa lawyers' chapter of the Federalist Society for inviting me to speak today. The Federalist Society continues to perform the critical task of building the farm team of constitutionalist, originalist, and textualist lawyers across America who can go on to serve in senior government posts, including in the federal judiciary. Sam is no doubt one of those lawyers. I have known Sam for more than 20 years, from our college internship days in Washington. Sam is an exceptional lawyer and leader, and Governor Kim Reynolds and all Iowans are fortunate to have Sam serving as a senior member of the Governor's team.

I am completing my service as one of Senator Chuck Grassley's lawyers on the United States Senate Committee on the Judiciary, where Senator Grassley is finishing his 4-year tenure as the Chairman. In January, Senator Grassley is taking over the chairmanship of the Senate Finance Committee, along with assuming the constitutional office of President Pro Tempore of the United States Senate. As President Pro Tem, Senator Grassley will become third in line in the presidential succession, behind the Vice President and the Speaker of the House. It also means that Senator Grassley must have a protective detail, which he absolutely does not want. But as I remind him, the deer across Iowa can now cross Iowa's highways a little more easily without the fear of Chuck Grassley behind the wheel. At least for the next two years, anyway.

In all seriousness, I am very proud to work for Senator Grassley. He is 85 years old, and his health is excellent. His mind is razor-sharp. He remembers everything. He still runs several miles, several times a week. He still runs circles around his staff, especially me. In fact, the "Farmer from Iowa" schools me on the law, when I am supposed to advise him on legal issues. When he does this, I tell him that at least my jokes are better than his. He laughs. Sometimes.

Senator Grassley is one of the most kind, caring, decent people I have ever met. He comes home to Iowa virtually every weekend. He puts Iowans above all. And he will never become a creature of The Swamp, even after his 44 years in Congress. Yet Senator Grassley is one of the most—if not the most—consequential lawmakers in Washington. And his chairmanship of the Senate Judiciary Committee has been one of the most consequential in our nation's history.

In fact, earlier today, following Senator Grassley's dogged and determined leadership, Senator Grassley joined the President at the White House for the bill signing of the First Step Act—a once-in-a-generation criminal-justice-reform bill that Senator Grassley wrote and shepherded through Congress. No one expected this legislation to pass, let alone with overwhelmingly bipartisan support. Yet Senator Grassley is the one senator—with the experience, credibility, and trust of his colleagues across the political spectrum—who could have made this happen.

During his 4-year chairmanship of the Senate Judiciary Committee, Senator Grassley led the effort to report out of committee 61 bills. The Senate passed 45, and 29 became law. Regardless of what you think about the particulars of any one of these laws, very few in Washington have this record of legislative success. As always, Grassley works. And Grassley delivers. Like he has done for his 38 years in the Senate.

I am particularly pleased to join you today to discuss one of Senator Grassley's most significant legislative achievements of his nearly 60-year career in public office. As Chairman of the Senate Judiciary Committee, Senator Grassley led the historic and record-shattering effort to confirm President Trump's lifetime-appointed judicial nominees.

Over the last two years, Senator Grassley has led the effort in confirming 85 new federal judges. This includes Justice Gorsuch, Justice Kavanaugh, an all-time record 30 circuit judges, and 53 district judges.

At 85 judges appointed under President Trump, Senator Grassley has led the effort to confirm nearly twice as many judges as the 43 judges that President Obama appointed in his first two years in office.

Moreover, in 2017, Senator Grassley led the effort in setting the all-time record for federal circuit judges confirmed during a president's first year in office, at 12 circuit judges confirmed.

And earlier this year, Senator Grassley led the effort in setting the all-time record for federal circuit judges confirmed during a president's first two years in office. The previous record was 22; Senator Grassley helped smash this record, by leading the effort to confirm 30 federal circuit judges in less than 2 years.

And Senator Grassley has readied the field for 2019, when Senator Graham takes over as the chairman of the Senate Judiciary Committee. Senator Grassley and the Senate Judiciary Committee have already held hearings for 50 more federal judicial nominees, including 6 more federal circuit nominees, who will have confirmation votes in early 2019. Senator Grassley has put the ball on the tee for his successor.

While Senator Grassley has made this look easy, it certainly was not. Senator Grassley and his team thoroughly vet each of these nominees, carefully examining their backgrounds and qualifications, understanding their judicial philosophy, and carefully assessing their character and fitness to serve. Senator Grassley held 20 nominations hearings this year alone, generally every other Wednesday that the Senate was in session. And Senator Grassley generally held committee meetings for debates and votes on nominees almost every Thursday that the Senate was in session. And Senator Grassley worked both behind the scenes and in public, to build support for these judicial nominees.

This took a significant amount of Senator Grassley's time. But Senator Grassley understands the critical importance of appointing judges who find and apply the law as the public understood the law at the time of its writing. And Senator Grassley also understands the dangers to liberty—in fact, the tyranny—when judges think it is their job to substitute their policy preferences for those of the American people and their elected representatives in Congress.

Fortunately, we are winning. The President is fulfilling his promise to the American people to nominate and appoint judges who are constitutionalists, originalists, and textualists.

Senator Grassley had to overcome historic obstruction by Senate Democrats. The Senate Democrats forced time-wasting and unprecedented cloture votes on 48 of the judi-

cial nominees brought to the Senate floor. How rare are cloture votes for judicial nominees? Only 2 of President Obama's nominees in the first two years faced cloture votes. Only 3 of President George W. Bush's nominees from the first two years faced cloture votes. Only 1 for Clinton; 0 for H.W. Bush; 0 for Reagan.

And the Senate Democrats' obstruction tactics were on full display during the confirmation process for Justice Brett Kavanaugh, who the Senate confirmed on October 7, 2018. Senator Grassley oversaw the most comprehensive and transparent confirmation process in history, including fully investigating a number of allegations against Justice Kavanaugh that turned out to be completely meritless.

Senator Grassley and his team reviewed the most documentation in Supreme Court nomination history—including more than 500,000 pages of Justice Kavanaugh's records from his prior government legal service.

Additionally, Senator Grassley and his team also reviewed more than 300 written opinions—more than 10,000 pages—that Justice Kavanaugh wrote or joined in his more than 12 years of service on the D.C. Circuit, the most important federal circuit court in America. We also reviewed more than 17,000 pages of Justice Kavanaugh's academic writings, speeches, and other materials provided to the Senate Judiciary Committee in response to its most expansive questionnaire ever submitted to a nominee.

Even after the 4-day hearing, in which Justice Kavanaugh testified for more than 32 hours, Senate Democrats submitted 1,287 written questions for the record—more than the total number submitted to all prior Supreme Court nominees in our history, combined.

The normal hearing process confirmed for Senator Grassley that Justice Kavanaugh was one of the most qualified, if not the most qualified, Supreme Court nominee in our history. The Senate Democrats and their liberal allies landed no punches. Justice Kavanaugh had gone through 6 prior FBI full-field background investigations, going back to 1993. He had served in the highest positions in the White House and on the second most important court in the land for more than a dozen years. It was very clear that Justice Kavanaugh unquestionably had the character and fitness to serve.

The Senate Democrats and their liberal allies ensured that what should have been a "normal" confirmation hearing was anything but normal. From the opening moments, Senate Democrats conducted themselves more like petulant children than United States senators. They interrupted the Chairman with inappropriate motions and wild yelling. Indeed, throughout the hearing, we experienced a senator—who proclaimed to become Spartacus—willfully leaking confidential records, another senator asking misleading innuendo-laced questions with no basis, and other senators doing other outrageous things.

Leftwing allies followed the disgraceful lead of these senators. With Justice Kavanaugh's two young daughters in the room, paid protestors shouted vile things, disrupting the hearing and dragging the process on for hours longer than necessary. This mob-like behavior was apparent throughout the process, as angry paid protestors harassed senators, their families, and their staffs.

When the hearing days were over and it was clear that Justice Kavanaugh was a good man with impeccable credentials, Senate Democrats and their leftwing allies went back to their playbook from the Justice Thomas confirmation. But this time, Senate Democrats and their leftwing allies went

even farther, accusing Justice Kavanaugh of being a serial gang-rapist who drugged women at parties in his teenage years and even through his 20s. While the FBI found no evidence of this in any of its previous 6 full-field background investigations conducted during Justice Kavanaugh's 25 years of public service, Senator Grassley nonetheless took the allegations seriously.

More than 20 staff members of Senator Grassley's Oversight & Investigations Unit and Nominations Unit immediately began investigating these claims. They worked around the clock. Their work was thorough and comprehensive. Senator Grassley was satisfied it contained all the answers he needed, but some senators demanded a supplemental FBI investigation. All senators were able to review that supplemental report, and most were satisfied that it confirmed what we already knew and what Justice Kavanaugh had been saying from the beginning: Justice Kavanaugh was innocent of the outrageous allegations made against him.

After Justice Kavanaugh's confirmation, Senator Grassley's staff produced a report of more than 400 pages, which catalogues the tireless work his staff did in investigating these allegations. This report made clear that some of the people who made the wild accusations against Justice Kavanaugh deserved to be criminally referred to the Justice Department. And Senator Grassley made those criminal referrals.

Senator Grassley felt strongly about making this report public, because it demonstrates his commitment to process—something many Senate Democrats wanted none of. To them, due process is inconvenient when it stands in the way of achieving their political ends. Senator Grassley, however, knows that upholding the constitutional cornerstone of due process, of innocence until proven guilty, was worth fighting for. And Senator Grassley helped deliver justice; Justice Kavanaugh prevailed.

The American people clearly felt the same way. Indeed, in an election that showed big gains for Democrats across the country, Republicans actually gained 2 seats in the Senate. Voters booted out of office Trump-state Senate Democrats who voted against Justice Kavanaugh—like Claire McCaskill from Missouri, Joe Donnelly from Indiana, Heidi Heitkamp from North Dakota, and Bill Nelson from Florida. The one Senate Democrat who actually voted the way his constituents wanted him—Joe Manchin from West Virginia—won reelection.

These legislative victories are just more in the long line of wins that the country has seen during Senator Grassley's time chairing the Senate Judiciary Committee. Again, Senator Grassley works; Senator Grassley delivers.

Thank you for your continued support of Senator Grassley. And thank you for your continued efforts in helping to find, credential, and appoint judges who share our judicial philosophy. We can never get tired of winning. The stakes are too high.

Merry Christmas and Happy Holidays!  
I am happy to answer your questions.

#### ADDITIONAL STATEMENTS

##### REMEMBERING OTTO DELIKAT

● Mr. BLUMENTHAL. Mr. President, today, with a heavy heart, I wish to pay tribute to Otto Delikat, a remarkable role model, survivor, and family man. Mr. Delikat passed away on December 23, 2018 at the age of 96.

His life was similar to many of the Jewish faith during that era, an ordinary man with extraordinary spirit and indefatigable will to survive. He will be remembered for his outstanding commitment to his communities and readiness to share his experiences in order to promote freedom and democracy.

Mr. Delikat was born in Vienna, Austria, where he grew up with his father, stepmother, brother, and two sisters. As a young man, he worked on a farm in Germany, where his family's religion was not known. When World War II began, he returned to Vienna. With his father already in a labor camp, a 17-year-old Mr. Delikat volunteered to go to the same camp. He and about a dozen others from the labor camp were sent to work in a brick factory.

One of the men working with him in the labor camp escaped, which resulted in the rest of their group getting locked up in prison for a year. When the prison sentence ended, Mr. Delikat and the other Jewish prisoners were handed over to the Gestapo and sent to concentration camps.

Mr. Delikat spent just under a year in the Flossenbürg concentration camp. Then, in October 1942, he and the other 16 people left with him were transported to Auschwitz. He was imprisoned there for around a year, working some of this time as part of a labor squad tasked with going through the luggage people took with them when they arrived on transports. After the destruction of the Warsaw Ghetto, he and about 3,000 other prisoners went to clean up the wreckage. Despite falling ill from the typhoid epidemic that killed over half of the inmates during their first winter in Warsaw, Mr. Delikat survived.

Eventually, the SS evacuated the prisoners in 1944, not even half of whom survived the several days' long march when their attempts to run toward water led to machinegun fire. Those who made it to the cattle cars, including Mr. Delikat, then went to Dachau. Mr. Delikat was soon relocated to another concentration camp in southern Germany, where he met a civilian who helped him pass letters to and from Vienna. Thanks to the kindness of this civilian, he learned his father was still alive.

After liberation, Mr. Delikat spent several months working for the American counterintelligence corps tracking down members of the SS in hiding in order to bring them to justice. During his time in the displaced persons camp, he met and married his wife, and they had their first child. The family moved to America, thanks to support from his wife's aunt, where Mr. Delikat quickly found work and they welcomed their second child.

When asked about how he survived, Mr. Delikat emphasized he "always looked for tomorrow." He did not think about the days that would follow, but instead focused on the hope he would make it through the current day and wake up the next. He also said his ex-

periences throughout the Holocaust led him to become active in Jewish communities, including 50 years at the Oceanside Jewish Center. He served as chairman of the temple's House committee, was named their man of the year in 1994, joined the men's club, and served on the Holocaust committee.

Mr. Delikat considered it of the utmost importance to share his experiences with others. He recognized his story and the stories of fellow survivors would be lost if not told. He liked to talk about what he went through at every available opportunity, emphasizing the positive ideals of our Nation by underlining the importance of living in a free and equal society.

My wife Cynthia and I extend our deepest sympathies to Otto's family during this difficult time, particularly to his two children, Janet and Michael, four grandchildren, and four great-grandchildren. May their many wonderful memories of Otto provide them solace and comfort in the days ahead.●

#### MEASURES PLACED ON THE CALENDAR

The following bills and joint resolutions were read the second time, and placed on the calendar:

S. 28. A bill to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and for other purposes.

H.R. 21. An act making appropriations for the fiscal year ending September 30, 2019, and for other purposes.

H.J. Res. 1. Joint resolution making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 47. A bill to provide for the management of the natural resources of the United States, and for other purposes.

#### 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-1. A communication from the Secretary of the Army, transmitting, pursuant to law, a report entitled "Transfer of Surplus Firearms to Corporation for the Promotion of Rifle Practice and Firearms Safety"; to the Committee on Armed Services.

EC-2. A communication from the Acting Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received in the Office of the President of the Senate on December 20, 2018; to the Committee on Armed Services.

EC-3. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the Annual Report of the Consumer Financial Protection Bureau on College Credit Cards; to the Committee on Banking, Housing, and Urban Affairs.

EC-4. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Fair Credit Reporting Act Disclosures" (RIN3170-AA94) received during adjournment of the Senate in the Office of the President of the Senate on December 31, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-5. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending Act (Regulation Z) Adjustment to Asset-Size Exemption Threshold" (RIN3170-AA93) received during adjournment of the Senate in the Office of the President of the Senate on December 31, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Home Mortgage Disclosure (Regulation C) Adjustment to Asset-Size Exemption Threshold" (RIN3170-AA92) received during adjournment of the Senate in the Office of the President of the Senate on December 31, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-7. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; California; EL Dorado County Air Quality Management District; Reasonably Available Control Technology Demonstration" (FRL No. 9988-52-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on December 28, 2018; to the Committee on Environment and Public Works.

EC-8. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Mamaroneck and Sheldrake River Basins Flood Risk Management project, Village of Mamaroneck, New York; to the Committee on Environment and Public Works.

EC-9. 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 "2019 Standard Mileage Rates" (Notice 2019-2) received in the Office of the President of the Senate on December 20, 2018; to the Committee on Finance.

EC-10. 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 "Parking Expenses for Qualified Transportation Fringes Under Section 274(a) (4) and Section 512(a) (7) of the Internal Revenue Code" (Notice 2018-99) received in the Office of the President of the Senate on December 20, 2018; to the Committee on Finance.

EC-11. 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 on the Application of Section 83(i)" (Notice 2018-97) received in the Office of the President of the Senate on December 20, 2018; to the Committee on Finance.

EC-12. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Medicare Shared Savings Program; Accountable Care Organizations Pathways to Success and Extreme and Uncontrollable Circumstances Policies for Performance Year 2017" (RINs 0938-AT45 and 0938-AT51) received in the Office of the President of the Senate on December 27, 2018; to the Committee on Finance.

EC-13. A communication from the Regulation Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Adoption of the Methodology for the HHS-operated Permanent Risk Adjustment Program for the 2018 Benefit Year Final Rule" (RIN0938-AT66) (CMS-9919-F)) received in the Office of the President of the Senate on December 20, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-14. A communication from the Acting Chief Financial Officer, National Labor Relations Board, transmitting, pursuant to law, a report entitled "Performance and Accountability Report for Fiscal Year 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-15. A communication from the Executive Director, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2018 through September 30, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-16. A communication from the Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting, pursuant to law, the Government National Mortgage Association (Ginnie Mae) management report for the fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-17. A communication from the Vice President for Congressional and Public Affairs, Millennium Challenge Corporation, transmitting, pursuant to law, the Corporation's Agency Financial Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-18. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "General Schedule Locality Pay Areas" (RIN3206-AN64) received in the Office of the President of the Senate on January 3, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-19. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Adjustments for Inflation" (RIN1651-AB32) received in the Office of the President of the Senate on December 20, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-20. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Veterans' Preferences" (RIN3206-AN47) received in the Office of the President of the Senate on January 3, 2019; to the Committee on Homeland Security and Governmental Affairs.

## 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 Ms. BALDWIN (for herself, Mr. MORAN, and Ms. KLOBUCHAR):

S. 30. A bill to require the Secretary of Defense to develop and implement a plan to provide chiropractic health care services for certain covered beneficiaries as part of the TRICARE program; to the Committee on Armed Services.

By Ms. DUCKWORTH (for herself and Mr. DURBIN):

S. 31. A bill to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCONNELL:

S. 32. A bill to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 33. A bill to update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself and Mr. COONS):

S. 34. A bill to require a report on the continuing participation of Cambodia in the Generalized System of Preferences; to the Committee on Finance.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 35. A bill to authorize the Secretary of the Interior to conduct a special resource study of the site known as "Amache" in the State of Colorado; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 36. A bill to authorize, direct, expedite, and facilitate a land exchange in El Paso and Teller Counties, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 37. A bill to ensure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 38. A bill 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, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BRAUN (for himself and Mr. MANCHIN):

S. 39. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BARRASSO (for himself and Mr. SCHATZ):

S. 40. A bill to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 41. A bill to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MURPHY (for himself, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. DURBIN, Ms. CORTEZ MASTO, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms.

DUCKWORTH, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 42. A bill to require a background check for every firearm sale; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 43. A bill to require the Secretary of Agriculture to transfer certain National Forest System land in the States of Texas; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DAINES:

S. 44. A bill to reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mr. MURPHY):

S. 45. A bill to amend the Wild and Scenic Rivers Act to designate certain river segments within the Wood-Pawcatuck watershed as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 46. A bill to repeal the Klamath Tribe Judgment Fund Act; to the Committee on Indian Affairs.

By Ms. MURKOWSKI (for herself and Ms. CANTWELL):

S. 47. A bill to provide for the management of the natural resources of the United States, and for other purposes; read the first time.

By Ms. MCSALLY (for herself and Ms. SINEMA):

S. 48. A bill to authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEE (for himself and Mr. ROMNEY):

S. 49. A bill to designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation; to the Committee on Veterans' Affairs.

By Mr. MERKLEY (for himself, Mrs. MURRAY, Mr. WYDEN, and Ms. CANTWELL):

S. 50. A bill to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes; to the Committee on Indian Affairs.

By Mr. TESTER (for himself and Mr. DAINES):

S. 51. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. RISCH (for himself, Mr. MENENDEZ, and Mr. RUBIO):

S. 52. A bill to halt the wholesale slaughter of the Syrian people, encourage a negotiated political settlement, and hold Syrian human



rights abusers accountable for their crimes; to the Committee on Foreign Relations.

By Mr. INHOFE (for himself, Mr. ROUNDS, Mr. KENNEDY, Mr. CRUZ, and Mr. CASSIDY):

S. 53. A bill to appropriate \$25,000,000,000 for the construction of a border wall between the United States and Mexico, and for other purposes; to the Committee on Finance.

By Ms. MCSALLY (for herself and Ms. SINEMA):

S. 54. A bill to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MCSALLY (for herself and Ms. SINEMA):

S. 55. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City; to the Committee on Energy and Natural Resources.

By Mr. TILLIS:

S. 56. A bill to authorize the Secretary of the Interior to annually designate at least one city in the United States as an "American World War II Heritage City", and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BENNET (for himself and Mr. GARDNER):

S. 57. A bill to amend the National Trails System Act to provide for the study of the Pike National Historic Trail; to the Committee on Energy and Natural Resources.

By Mr. BENNET (for himself and Mr. GARDNER):

S. 58. A bill to designate certain mountain peaks in the State of Colorado as "Fowler Peak" and "Boskoff Peak"; to the Committee on Energy and Natural Resources.

By Mr. BENNET (for himself and Mr. GARDNER):

S. 59. A bill to adjust the boundary of the Arapaho National Forest, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CORNYN (for himself and Mr. CRUZ):

S. Res. 10. A resolution honoring the life of Richard Arvin Overton; to the Committee on the Judiciary.

By Mr. INHOFE (for himself and Mr. LANKFORD):

S. Res. 11. A resolution honoring the 150th anniversary of Fort Sill in Lawton, Oklahoma; to the Committee on Armed Services.

## ADDITIONAL COSPONSORS

S. 1

At the request of Mr. RUBIO, the names of the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

S. 9

At the request of Mr. RUBIO, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Pennsylvania (Mr. CASEY), the Senator from Oklahoma (Mr. INHOFE), the Senator from Louisiana (Mr. KENNEDY) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 9, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 20

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 20, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 21

At the request of Mr. THUNE, the names of the Senator from Alaska (Mr. SULLIVAN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Florida (Mr. RUBIO), the Senator from Alaska (Ms. MURKOWSKI), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 21, a bill making continuing appropriations for Coast Guard pay in the event an appropriations act expires prior to the enactment of a new appropriations act.

S. 24

At the request of Mr. CARDIN, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Michigan (Ms. STABENOW), the Senator from New Mexico (Mr. UDALL), the Senator from Hawaii (Mr. SCHATZ), the Senator from Washington (Mrs. MURRAY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. CASEY), the Senator from Ohio (Mr. BROWN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 24, a bill to provide for the compensation of Federal and other government employees affected by lapses in appropriations.

S. 26

At the request of Mr. WYDEN, the names of the Senator from Delaware (Mr. COONS), the Senator from New Mexico (Mr. UDALL) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 26, a bill to amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections, to amend the National Voter Registration Act of 1993 to provide for automatic voter registration.

S.J. RES. 1

At the request of Mr. CRUZ, the names of the Senator from North Caro-

lina (Mr. TILLIS), the Senator from Georgia (Mr. PERDUE), the Senator from Indiana (Mr. BRAUN) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL:

S. 32. A bill to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 32

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Mill Springs Battlefield National Monument Act".

### SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term "Map" means the map entitled "Mill Springs Battlefield National Monument, Nancy, Kentucky", numbered 297/145513, and dated June 2018.

(2) MONUMENT.—The term "Monument" means the Mill Springs Battlefield National Monument established by section 3(a)(1).

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

### SEC. 3. ESTABLISHMENT OF MILL SPRINGS BATTLEFIELD NATIONAL MONUMENT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established as a unit of the National Park System, the Mill Springs Battlefield National Monument in the State of Kentucky, to preserve, protect, and interpret for the benefit of present and future generations—

(A) the nationally significant historic resources of the Mill Springs Battlefield; and

(B) the role of the Mill Springs Battlefield in the Civil War.

(2) DETERMINATION BY THE SECRETARY.—The Monument shall not be established until the date on which the Secretary determines that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit.

(3) NOTICE.—Not later than 30 days after the date on which the Secretary makes a determination under paragraph (2), the Secretary shall publish in the Federal Register notice of the establishment of the Monument.

(4) BOUNDARY.—The boundary of the Monument shall be as generally depicted on the Map.

(5) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(6) ACQUISITION AUTHORITY.—The Secretary may only acquire land or an interest in land located within the boundary of the Monument by—

(A) donation;  
 (B) purchase from a willing seller with donated or appropriated funds; or  
 (C) exchange.  
 (b) ADMINISTRATION.—  
 (1) IN GENERAL.—The Secretary shall administer the Monument in accordance with—  
 (A) this Act; and  
 (B) the laws generally applicable to units of the National Park System, including—  
 (i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and  
 (ii) chapter 3201 of title 54, United States Code.

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to prepare a general management plan for the Monument, the Secretary shall prepare the general management plan in accordance with section 100502 of title 54, United States Code.

(B) SUBMISSION TO CONGRESS.—On completion of the general management plan, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the general management plan.

(C) PRIVATE PROPERTY PROTECTION.—Nothing in this Act affects the land use rights of private property owners within or adjacent to the Monument.

(d) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this Act, the establishment of the Monument, or the management of the Monument creates a buffer zone outside the Monument.

(2) ACTIVITY OR USE OUTSIDE MONUMENT.—The fact that an activity or use can be seen, heard, or detected from within the Monument shall not preclude the conduct of the activity or use outside the Monument.

By Mr. DAINES:

S. 44. A bill to reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 44

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

**SECTION 1. SHORT TITLE; FINDINGS.**

(a) SHORT TITLE.—This Act may be cited as the “Balanced Budget Accountability Act”.

(b) FINDINGS.—Congress finds the following:

(1) The Federal debt exceeds \$21,000,000,000,000, continues to grow rapidly, and is larger than the size of the United States economy.

(2) The Federal budget has shown an annual deficit in 49 of the last 54 years.

(3) Deficits and the Federal debt threaten to shatter confidence in the Nation’s economy, suppress job creation and economic growth, and leave future generations of Americans with a lower standard of living and fewer opportunities.

(4) It is the duty of Members of Congress to develop and implement policies, including balancing the Federal budget, that encourage robust job creation and economic growth in the United States.

(5) Members of Congress should be held accountable for failing to pass annual budgets that result in a balanced budget.

**SEC. 2. EFFECT OF FAILURE TO ADOPT RESOLUTION PROVIDING FOR BALANCED BUDGETS.**

(a) DEFINITIONS.—In this section—

(1) the term “balanced budget” means a concurrent resolution on the budget which provides that for fiscal year 2029, and each fiscal year thereafter to which the concurrent resolution on the budget applies—

(A) total outlays do not exceed total receipts; and

(B) total outlays are not more than 18 percent of the projected gross domestic product of the United States (as determined by the Bureau of Economic Analysis of the Department of Commerce) for such fiscal year;

(2) the term “Director” means the Director of the Office of Management and Budget; and  
 (3) the term “Member” includes a Delegate or Resident Commissioner to Congress.

(b) DETERMINATION BY THE OFFICE OF MANAGEMENT AND BUDGET.—Upon adoption by a House of Congress of a concurrent resolution on the budget for a fiscal year, the Director shall—

(1) determine whether the concurrent resolution on the budget is a balanced budget; and

(2) submit to the Speaker of the House of Representatives or the President pro tempore of the Senate (as the case may be) a certification as to whether or not that House of Congress has adopted a balanced budget.

(c) RULE FOR FISCAL YEARS 2020 AND 2021.—

(1) FISCAL YEAR 2020.—

(A) HOLDING SALARIES IN ESCROW.—If the Director does not certify that a House of Congress has adopted a balanced budget with respect to fiscal year 2020 before April 16, 2019, during the period described in subparagraph (B) the payroll administrator of that House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to such Members only upon the expiration of such period.

(B) PERIOD DESCRIBED.—With respect to a House of Congress, the period described in this subparagraph is the period that begins on April 16, 2019, and ends on the earlier of—

(i) the date on which the Director certifies that the House of Congress has adopted a balanced budget with respect to fiscal year 2020; or

(ii) the last day of the One Hundred Sixteenth Congress.

(2) FISCAL YEAR 2021.—

(A) HOLDING SALARIES IN ESCROW.—If the Director does not certify that a House of Congress has adopted a balanced budget with respect to fiscal year 2021 before April 16, 2020, during the period described in subparagraph (B) the payroll administrator of that House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to such Members only upon the expiration of such period.

(B) PERIOD DESCRIBED.—With respect to a House of Congress, the period described in this subparagraph is the period that begins on April 16, 2020, and ends on the earlier of—

(i) the date on which the Director certifies that the House of Congress has adopted a balanced budget with respect to fiscal year 2021; or

(ii) the last day of the One Hundred Sixteenth Congress.

(3) WITHHOLDING AND REMITTANCE OF AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The payroll administrator shall provide for

the same withholding and remittance with respect to a payment deposited in an escrow account under paragraph (1) or (2) that would apply to the payment if the payment were not subject to paragraph (1) or (2).

(4) RELEASE OF AMOUNTS AT END OF THE CONGRESS.—In order to ensure that this subsection is carried out in a manner that shall not vary the compensation of Senators or Representatives in violation of the twenty-seventh amendment to the Constitution of the United States, the payroll administrator of a House of Congress shall release for payments to Members of that House of Congress any amounts remaining in any escrow account under this section on the last day of the One Hundred Sixteenth Congress.

(5) ROLE OF SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall provide the payroll administrators of the Houses of Congress with such assistance as may be necessary to enable the payroll administrators to carry out this subsection.

(6) PAYROLL ADMINISTRATOR DEFINED.—In this subsection, the “payroll administrator” of a House of Congress means—

(A) in the case of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this section; and

(B) in the case of the Senate, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this section.

(d) RULE FOR FISCAL YEAR 2022 AND SUBSEQUENT FISCAL YEARS.—If the Director does not certify that a House of Congress has adopted a balanced budget with respect to fiscal year 2022, or any fiscal year thereafter, before April 16 of the fiscal year before such fiscal year, during pay periods which occur in the same calendar year after that date each Member of that House shall be paid at an annual rate of pay equal to \$1.

**SEC. 3. SUPERMAJORITY REQUIREMENT FOR INCREASING REVENUE.**

(a) IN GENERAL.—In the Senate and the House of Representatives, a bill, joint resolution, amendment, conference report, or amendment between the Houses that increases revenue shall only be agreed to upon an affirmative vote of three-fifths of the Members of that House of Congress duly chosen and sworn.

(b) RULES OF SENATE AND THE HOUSE OF REPRESENTATIVES.—Subsection (a) is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill, joint resolution, amendment, conference report, or amendment between the Houses that increases revenue, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mr. MURPHY):

S. 45. A bill to amend the Wild and Scenic Rivers Act to designate certain river segments within the Wood-Pawcatuck watershed as components of the National Wild and Scenic Rivers System, and for other purposes; to the

Committee on Energy and Natural Resources.

Mr. REED. Mr. President, today I am once again introducing, along with my colleagues Senator WHITEHOUSE, Senator BLUMENTHAL, and Senator MURPHY, legislation to designate river segments within the Wood-Pawcatuck watershed as part of the National Wild and Scenic Rivers System.

Following more than three years of intense study, this legislation would formally recognize the recreational, natural, and historical qualities of portions of the Beaver, Chipuxet, Green Fall-Ashaway, Pawcatuck, Queen-Usquepaugh, Shunock, and Wood Rivers that flow through Rhode Island and Connecticut while providing access to Federal resources and promoting strong partnerships for their restoration and protection.

The Wood-Pawcatuck watershed is a National treasure that not only holds natural and scenic value, but also is an important economic driver for the area. Indeed, the 12 local river communities experience direct economic benefits from their proximity to these rivers through increased recreation and tourism. The watershed provides many opportunities for visitors to explore history and experience nature, including viewing early industrial mill ruins, trout fishing, bird watching, and kayaking.

I have long been a supporter of protecting and restoring these special rivers, which is why I sponsored the Wood-Pawcatuck Watershed Protection Act in 2013. The process that was initiated by that law has been a critical tool for bringing together stakeholders from Rhode Island and Connecticut including representatives from State agencies, local governments, and conservation groups in order to develop a collaborative path forward. The resulting Stewardship Plan, which has been formally adopted by the study committee and is supported by all twelve local river communities, builds upon currently existing efforts to preserve and manage the river ecosystems while also considering what steps will need to be taken collectively in the future in order to protect them.

I would like to commend Representatives LANGEVIN, CICILLINE, and COURTNEY for again introducing companion legislation. In October 2018 we commemorated the 50th anniversary of the landmark Wild and Scenic Rivers Act, and I am proud that after all these years we are continuing our work to protect such extraordinary places. I look forward to working with all of my colleagues to pass this legislation so that we can preserve the rivers of the Wood-Pawcatuck watershed for the enjoyment of current and future generations.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 10—HONORING THE LIFE OF RICHARD ARVIN OVERTON

Mr. CORNYN (for himself and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 10

Whereas, on May 11, 1906, Richard Arvin Overton was born to Gentry Overton, Sr., and Elizabeth “Lizzie” Overton in Bastrop County, Texas;

Whereas, in 1940, Richard Arvin Overton enlisted in the Army and began his military service at Fort Sam Houston in San Antonio, Texas;

Whereas, from 1942 to 1945, Richard Arvin Overton bravely served in the Pacific theater, including in Guam, Palau, and Iwo Jima, with the 1887th Engineer Aviation Battalion, an all-African American unit, until the conclusion of World War II;

Whereas Richard Arvin Overton attained the rank of corporal in the Army;

Whereas Richard Arvin Overton earned the Combat Infantry Badge, the Meritorious Unit Commendation, the Army Good Conduct Medal, the American Defense Service Medal, the American Campaign Medal, the Asiatic-Pacific Campaign Medal, the World War II Victory Medal, and the Expert Rifle Marksmanship Badge;

Whereas Richard Arvin Overton returned to Austin, Texas, after the end of World War II and resided there until his death;

Whereas, on November 11, 2013, Richard Arvin Overton was honored by former President Barack Obama at Arlington National Cemetery for his courage and commitment to service in combat zones such as Pearl Harbor, the Marshall Islands, Guam, Palau, and Iwo Jima;

Whereas, on January 3, 2015, Richard Arvin Overton represented The Greatest Generation at the 2015 United States Army All-American Bowl in San Antonio, Texas;

Whereas, on May 3, 2016, Richard Arvin Overton became the oldest surviving veteran of the Armed Forces after the death of Frank Levinston, a fellow World War II veteran;

Whereas, on May 11, 2016, Richard Arvin Overton attained 110 years of age and became a supercentenarian;

Whereas, in Austin, Texas, May 11th of each year is designated as “Richard Overton Day” in honor of Richard Arvin Overton’s birthday;

Whereas, in 2017, the city of Austin, Texas, officially renamed the street on which Richard Arvin Overton resided to “Richard Overton Avenue”;

Whereas Richard Arvin Overton died on December 27, 2018;

Whereas Richard Arvin Overton will be laid to rest with full military honors at the Texas State Cemetery in Austin, Texas; and

Whereas Richard Arvin Overton is a United States hero who exemplified strength, sacrifice, and service to the country: Now, therefore, be it

*Resolved*, That the Senate—

(1) extends its heartfelt sympathy to the family of Richard Arvin Overton on the occasion of his death;

(2) honors the life of Richard Arvin Overton and his service to the United States;

(3) honors and, on behalf of the United States, expresses deep appreciation for the outstanding and important service of Richard Arvin Overton to the United States; and

(4) respectfully requests that the Secretary of the Senate communicate this resolution to the House of Representatives and trans-

mit an enrolled copy of this resolution to the family of Richard Arvin Overton.

### SENATE RESOLUTION 11—HONORING THE 150TH ANNIVERSARY OF FORT SILL IN LAWTON, OKLAHOMA

Mr. INHOFE (for himself and Mr. LANKFORD) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 11

Whereas January 8, 2019, marks the 150th anniversary of Fort Sill, a military installation operating in the Lawton-Fort Sill region of Oklahoma;

Whereas the site of Fort Sill was staked out on January 8, 1869, by Major General Philip H. Sheridan, and the garrison was first called “Camp Wichita”;

Whereas Fort Sill is named after Brigadier General Joshua W. Sill, who was killed in the American Civil War and was a friend to Major General Philip H. Sheridan;

Whereas the first post commander at Fort Sill was Brevet Major General Benjamin Grierson;

Whereas, in 1877, Lieutenant Henry O. Flipper, the first African American to graduate from West Point, was assigned to the 10th Cavalry Regiment at Fort Sill;

Whereas, in 1898, the Fort Sill garrison was down to 27 officers and soldiers as the cavalry left for battles in Cuba during the Spanish-American War, and Lieutenant Allyn Capron, Jr., who had joined the “Rough Riders”, was the first officer killed in Cuba;

Whereas the last Indian land in Oklahoma opened for settlement in 1901, and 29,000 homesteaders registered at Fort Sill during July of that year for the land lottery;

Whereas Fort Sill played a major role in expanding the nearby city of Lawton, which was named after Major General Henry W. Lawton, a Fort Sill quartermaster who was killed in the Philippines in 1899 and was a Medal of Honor recipient;

Whereas, on August 6, 1901, the town of Lawton was established and quickly grew to become the third largest city in Oklahoma, later becoming part of the greater Lawton-Fort Sill community;

Whereas, with the disappearance of the frontier, the mission of Fort Sill gradually changed from cavalry to field artillery, with the first artillery battery arriving at Fort Sill in 1902, and the last cavalry regiment departing in May 1907;

Whereas, the School of Fire for Field Artillery was founded at Fort Sill in 1911 and continues to operate as the United States Army Field Artillery School;

Whereas, throughout its history, Fort Sill has served as home to—

(1) the Infantry School of Musketry, which was later renamed the Infantry School and moved to Camp Benning, Georgia;

(2) the Gas Defense School;

(3) the School for Aerial Observers;

(4) the Artillery Officers Candidate School (Robinson Barracks);

(5) the Air Service Flying School;

(6) the Army Aviation School;

(7) the School of Fire (now known as the Field Artillery School); and

(8) the Air Defense Artillery School;

Whereas, in 1915, the first air unit in the history of the United States Armed Forces, the 1st Aero Squadron, was stationed at Fort Sill for experiments in the aerial observation of artillery fire and, in 1916, was sent into combat with General Jack Pershing on an expedition into Mexico;

Whereas, in 1917, the Henry Post Army Airfield was constructed for aerial artillery observation and spotting;

Whereas, with the start of World War I in 1918, the post expanded quickly, and the Army established Camp Doniphan on the northwest edge of Fort Sill in order to assemble, house, and train entire divisions before sending the divisions to Europe;

Whereas, during World War I, Fort Sill found itself with a unique new training mission, as the War Department was unprepared to train officers and soldiers for the threat of weapons of mass destruction posed by the wide-scale use of chemical weapons in Europe, and soldiers had to be equipped and trained for the new threat;

Whereas the 35th Division was constituted in 1917 as 1 of the 17 National Guard divisions authorized for service in World War I;

Whereas the 35th Division—

(1) was organized from the National Guards of Kansas and Missouri;

(2) included 3 machinegun battalions, 3 field artillery regiments, 4 infantry regiments, 1 engineer regiment, and 1 signal battalion, with a total strength of 26,373 soldiers;

(3) trained at Camp Doniphan until April 1918, when the 35th Division embarked to Europe;

Whereas, on September 15, 1918, the 35th Division moved to the Meuse-Argonne front and, during the night of September 20, 1918, moved into forward positions in preparation for the Meuse-Argonne offensive;

Whereas, on September 26, 1918, the 35th Division launched an attack and, for the next 4 days, kept up the attack against heavy German resistance;

Whereas the 35th Division returned to the United States in April 1919 and was demobilized on May 30, 1919;

Whereas President Harry S. Truman was a captain and battery commander of 1 of the field artillery units of the 35th Division and ran a canteen at Camp Doniphan for a period of time;

Whereas, after World War I, the Field Artillery School commandants began a long-range program to improve field artillery mobility, gunnery, and equipment;

Whereas Major Carlos Brewer, the Director of the Gunnery Department in the late 1920s and early 1930s, introduced new fire-direction techniques so fire support could be more responsive;

Whereas Major Orlando Ward, the next Director of the Gunnery Department after Major Carlos Brewer, developed the fire direction center to centralize command and control and to facilitate massing fire;

Whereas Major Brewer, Major Ward, and Lieutenant Colonel H.L.C. Jones encouraged replacing horses with motor vehicles for moving field artillery guns;

Whereas the 45th Infantry Division, made up of National Guardsmen from Oklahoma, Colorado, New Mexico, and Texas—

(1) was ordered into Federal service for 1 year in September 1940 to engage in a training program that began at Fort Sill; and

(2) participated in the Louisiana Maneuvers;

Whereas the Field Artillery Officer Candidate School at Fort Sill—

(1) was opened by the Army in 1941 to help meet the need for leaders in a rapidly expanding Army;

(2) was closed during the peace period between World War II and the Korean War;

(3) was subsequently reopened and remained open until 1973; and

(4) trained 57,500 field artillery officers for World War II, the Korean War, and the Vietnam War;

Whereas 2 Field Artillery Officer Candidate School graduates, First Lieutenant James E. Robinson (Class of 62-43) and Second Lieutenant Harold B. Durham, Jr. (Class of 1-67), were awarded the Medal of Honor;

Whereas other Field Artillery Officer Candidate School graduates have made an impact on history, including—

(1) H. Malcolm Baldrige (Class of 91-44), a former Secretary of Commerce;

(2) Martin R. Hoffman (Class of 71-55), a former Secretary of the Army;

(3) retired General Jack N. Merritt (Class of 35-53), former senior military representative of the United States to the North Atlantic Treaty Organization; and

(4) John M. Shalikashvili (Class of 4-59), former Chairman of the Joint Chiefs of Staff;

Whereas the 818th “Tank Destroyer Battalion”—

(1) was formed at Fort Sill on December 15, 1941;

(2) deployed to Northern Ireland in 1943, equipped with towed guns;

(3) landed in France 36 days after D-Day; and

(4) after advancing through France with the 5th Infantry Division, fought at Metz and along the Saar River, pushing into Germany in early December 1944;

Whereas, the 5th Infantry Division—

(1) moved north on December 18, 1944, to fight in the Battle of the Bulge;

(2) was detached on December 20, 1944, and reassigned to the 26th Infantry Division, which saw action in the Ardennes; and

(3) from late January to March 1945, held defensive positions before driving west with the 26th Infantry Division through Germany, finishing the war just inside the Czech border at Kienberg;

Whereas, to best use new long-range guns and improve response times, the Field Artillery School championed the use of organic air observation to control field artillery fires, with the War Department approving organic field artillery air observation in 1942 and the field artillery air observers adjusting massed fire and performing liaison, reconnaissance, and other missions during World War II;

Whereas, in 1942, Fort Sill stood down the last horse-drawn field artillery unit, ending 73 years of the partnership between soldiers and horses that helped fuel the military strength of Fort Sill;

Whereas horses did not reappear at Fort Sill until 1963, when the commanding general authorized a special “Half Section of Field Artillery”, which names the horses after Fort Sill commanders;

Whereas, on July 10, 1943, the 45th Infantry Division, which trained at Fort Sill and was known as the “Thunderbirds”, participated in its first of 4 amphibious landings during World War II, landing in Sicily;

Whereas the Thunderbirds served 511 days in combat, fighting across Sicily, Italy, France, and Germany;

Whereas celebrities made appearances or received Army training at Fort Sill during World War II, with humorist Will Rogers and motion-picture star Gene Autry making numerous trips to entertain the troops there;

Whereas Louis L’Amor, before becoming a writer of western novels, was a boxing instructor at the famous Artillery Bowl at Fort Sill in 1943;

Whereas, following World War II, Fort Sill adapted to the atomic age and the Cold War, and the War Department consolidated all artillery training and development under the United States Army Artillery Center at Fort Sill in 1946;

Whereas the 45th Infantry Division “Thunderbirds”—

(1) deployed to South Korea in 1952;

(2) was 1 of only 2 National Guard divisions to see combat in the Korean War;

(3) was deployed with I Corps and participated in such battles as Old Baldy and Pork Chop Hill; and

(4) participated in 4 campaigns during 429 days in battle;

Whereas, during the Cold War, the 4th Battalion 31st Infantry “Polar Bears” was activated at Fort Sill to help train artillerymen in joint-combat tactics;

Whereas, although the Polar Bears unit was called “infantry”, it was a unique combined-arms team that included an armored tank company;

Whereas the high-profile Polar Bears unit participated in combined-arms live-fire exercises (the “CALFEX program”), which brought together infantry, armor, field artillery, and Air Force assets;

Whereas the CALFEX program was brought to an end by the drive for efficient use of money, with the end of the Polar Bears unit signaling the end of the high-profile CALFEX program;

Whereas, as of 2019, the Polar Bears unit has been reactivated with the 10th Mountain Division at Fort Drum, New York;

Whereas, in 1963, the Field Artillery School tested aerial rocket artillery, which equipped helicopters with rockets;

Whereas, as demonstrated during the Vietnam War, aerial rocket artillery was effective;

Whereas the Field Artillery School cooperated in the development of the Field Artillery Digital Automated Computer, which was introduced in 1966 to compute fire direction data and made the Field Artillery a leader in computer developments for the Army;

Whereas, in 1963, the 1st Aerial Artillery Group (Provisional) was organized at Fort Sill to test equipping CH-34 helicopters with rocket pods attached to each side, converting the transport aircraft, an easy target in most combat situations, into flying weapons capable of direct or indirect fires;

Whereas modern helicopter gunships are descendants of the 1963 test program at Fort Sill;

Whereas, on August 8, 1990, Fort Sill became actively involved in supporting Operation Desert Shield, with initial activities centered around the preparation of III Corps Artillery units for deployment;

Whereas, during Operation Desert Shield, Fort Sill—

(1) deployed 19 Active and 20 Reserve units;

(2) processed 9,246 Active and 1,397 Reserve personnel;

(3) trained, equipped, and validated reserve component units and personnel;

(4) supported active component units and personnel;

(5) prepared and shipped equipment to ports for shipment to the battlefield; and

(6) with help from Army Reserve units, expanded the training base for initial military training;

Whereas, during Operation Desert Shield, Fort Sill agencies supported Active and Reserve component units and personnel with all classes of supply, medical, dental, maintenance, personnel, finance, training, and transportation services prior to deployment;

Whereas Fort Sill immediately implemented its force-protection plan the morning of September 11, 2001—

(1) by opening its installation operations center to coordinate security measures around the clock; and

(2) by activating its quick-reaction force—

(A) to guard the outer perimeter roads;

(B) to serve as roving security patrols; and

(C) to perform other security duties;

Whereas, in response to the attacks of September 11, 2001, Fort Sill furnished security personnel for high-risk targets and hardened major entries with concrete and water-filled blocks, while at the same time continuing its primary mission of training officers, new soldiers, and noncommissioned officers;

Whereas Fort Sill supported Operation Enduring Freedom in Afghanistan—

(1) by serving as a mobilization station for—

A) the 5045th Garrison Support Unit (Military Police), which augmented installation security efforts;

(B) the 1st Battalion, 379th Field Artillery, which augmented the training base; and

(C) the 2nd Battalion, 379th Field Artillery, which augmented the training base; and

(2) by mobilizing the 3rd Battalion, 141st Infantry from the Texas Army National Guard to staff the entry gates of the installation;

Whereas, although the 5045th Garrison Support Unit, the 1st Battalion, 379th Field Artillery, the 2nd Battalion, 379th Field Artillery, and the 3rd Battalion, 141st Infantry were eventually deactivated, Fort Sill mobilized and deployed numerous additional units and improved force protection during Operation Enduring Freedom;

Whereas Fort Sill supported Operation Iraqi Freedom in 2003 by deploying more than 5,000 active duty soldiers and 400 reserve component soldiers, including—

(1) C Battery, 3rd Battalion, 13th Field Artillery, the first unit to deploy from Fort Sill;

(2) the 75th Field Artillery Brigade, which deployed more than 200 soldiers;

(3) the 1st Battalion, 14th Field Artillery, which deployed approximately 300 soldiers;

(4) the 2nd Battalion, 18th Field Artillery, which deployed approximately 300 soldiers;

(5) soldiers from the 17th Field Artillery Brigade;

(6) soldiers from the 212th Field Artillery Brigade; and

(7) additional soldiers and units;

Whereas Fort Sill is—

(1) the only active duty Army installation of all the forts on the South Plains built during the Indian Wars;

(2) the second-oldest continuously serving military installation west of the Mississippi River; and

(3) designated as a National Historic Landmark;

Whereas Fort Sill serves as home of—

(1) the United States Army Field Artillery School;

(2) the United States Army Air Defense Artillery School;

(3) the 428th Field Artillery Training Brigade;

(4) the 30th Air Defense Artillery Training Brigade;

(5) the 434th Field Artillery Basic Combat Training Brigade;

(6) the Marine Corps Field Artillery Military Occupational Specialty School;

(7) a Marine Corps detachment;

(8) the 75th (Forces Command) Fires Brigade; and

(9) the 31st (Forces Command) Air Defense Artillery Brigade;

Whereas thousands of soldiers and Marines have been trained for service in the Field Artillery at Fort Sill, including former President Harry S. Truman, who, during World War I, became the commander of Company D, 129th Field Artillery, entering combat in the last few months of the war, moving his horse-drawn battery to engage the enemy and support the infantry, and firing his last shot on the day of the Armistice at 10:45 a.m.;

Whereas the people of Oklahoma take great pride in the history of Fort Sill and in the continuing critical role the Field Artillery plays in the defense of the United States;

Whereas Fort Sill is known as the birthplace of military combat aviation, where the 1st Aero Squadron, under Captain Benjamin Foulois—

(1) uncatered new, unassembled airplanes and put those planes together in 1915;

(2) pushed the Curtiss JN-3 planes (known as “Flying Jennies”) to Polo Field; and

(3) on Aug 10, 1915, flew the planes for the first time;

Whereas Henry Post Army Airfield is the oldest airfield in the Army, having been surveyed and established by Captain H.R. Eyrich in August 1917;

Whereas Henry Post Army Airfield is named after Second Lieutenant Henry B. Post, who was killed in a plane crash in California in 1914;

Whereas several individuals associated with Fort Sill have received the highest honor for their bravery and sacrifice, including—

(1) Captain Gary M. Rose, who received the Medal of Honor for action in Laos in 1970 and attended the Field Artillery Officer Basic Course and Field Artillery Officer Advance Course in the 1970s;

(2) First Lieutenant Lee R. Hartell, who posthumously received the Medal of Honor for action in the Korean War; and

(3) Sergeant First Class Jared Monti, who received the Medal of Honor for heroic action in Afghanistan;

Whereas the Fires Center of Excellence consists of—

(1) the United States Army Field Artillery School;

(2) the Air Defense Artillery School;

(3) the Directorate of Training Development and Doctrine;

(4) the Capabilities Development and Integration Directorate;

(5) the Army Multi-Domain Targeting Center; and

(6) additional tenant units;

Whereas Fort Sill is a large military installation in the United States, covering approximately 94,000 acres, with—

(1) a \$2,261,000 economic impact to the Lawton-Fort Sill region of Oklahoma in 2016; and

(2) approximately 10,000 military and civilian personnel as of 2016; and

Whereas the people of the Lawton-Fort Sill region of Oklahoma fought to establish Fort Sill and have continued to support Fort Sill from its inception: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors Fort Sill in Lawton, Oklahoma, on its 150th anniversary;

(2) commends the thousands of men and women who have worked and trained at Fort Sill;

(3) honors the people of the Lawton-Fort Sill region of Oklahoma for their continued support of Fort Sill; and

(4) encourages Fort Sill to continue its instrumental role in preparing the brave men and women of the United States for the battlefield.

The PRESIDING OFFICER. The Senator from South Dakota.

#### MEASURE READ THE FIRST TIME—S. 47

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

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

The bill clerk read as follows:

A bill (S. 47) to provide for the management of the natural resources of the United States, and for other purposes.

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

The PRESIDING OFFICER. The objection having been heard, the bill will

be read for the second time on the next legislative day.

#### ORDERS FOR WEDNESDAY, JANUARY 9, 2019

Mr. ROUNDS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, January 9; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following the leader remarks, the Senate resume consideration of the motion to proceed to S. 1; finally, that the Senate recess from 12:15 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. ROUNDS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of our Democratic colleagues.

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

The PRESIDING OFFICER. The Senator from Oregon.

#### GOVERNMENT FUNDING

Mr. MERKLEY. Mr. President, I come to the floor tonight to talk about hostages, seven hostages—seven spending bills that have come through this Republican-led Chamber, bills the House is ready to move forward on that have, ironically, been taken hostage by the Republican leadership of the Senate and the President of the United States.

Those seven hostages, those spending bills, the House has said: Well, Mr. President, we have a difference of opinion that has to be worked out, and that is Homeland Security. So let's continue that debate while setting the other six free—freedom for six bills passed by the Republican-led Senate so we can put America back to work.

It sounds like a pretty good idea, but good ideas and common sense seem to be victims—victims of this Presidential temper tantrum over a symbol on the southern border. So it shut down nine Cabinet Departments: Agriculture, Commerce, Justice, Homeland Security, Housing, Interior, State, Transportation, and the Treasury—affecting all kinds of everyday functions for Americans.

The local schools keep functioning. They figure it out. The local city doesn't shut down. The county doesn't shut down. Has your State shut down? I don't think so. So why this childish behavior, why this incompetence, why

this disregard for the quality of life for Americans?

There are 800,000 workers who are either instructed to work without pay or who are instructed to go on furlough. We are all affected. Every one of us is affected by these Departments being shut down, but those 800,000 workers don't get a paycheck.

What does that mean when they try to write the check that will pay for their mortgage or their rent, their student's tuition, or their utility bill? How do they keep the lights turned on? It is all fine for the President. His lights are staying on. He is not inconvenienced, but these 800,000 Americans are more than inconvenienced. They are put into a hard place over this hostage-taking by the President and the Republican leadership of this body.

Out in Oregon, the estimate—admittedly somewhat imprecise—is that 9,000 workers have been affected. It seems in the ballpark. Oregon's population is about 1 percent of the country, and 1 percent of 800,000 is 8,000. So 9,000 sounds in the ballpark. There are 9,000 Oregonians who are affected by this foolishness.

An air traffic controller wrote to me and said, we are "tired of being a pawn in the partisan games that are being played in Washington. . . . These shutdowns have compromised aviation safety."

He said they hinder the FAA's ability to hire and train new controllers and upgrade air traffic control systems. They break down morale and an already understaffed and frustrated workforce.

Then there is the constituent who wrote to me to say: "It is unconscionable for Trump to deprive Federal employees of earned and necessary income, holding them hostage for his foolish wall."

There are seven spending bills held hostage, along with 800,000 Americans and their families' finances.

There is the young man in Lane County whom I spoke with after one of my townhall meetings last week. He was supposed to be moving to California to begin working in the Sierra National Forest this past weekend. He was all set to go, giving up his current living arrangements because he was going to be moving into Forest Service housing. Then the shutdown happened. Now he has no job, has no key to undo the lock. He has no ability to move into that Forest Service housing. He is stranded. There are just all kinds of everyday stories of challenges to Americans.

To President Trump, I say: Listen. Listen to the voices of ordinary Americans who are having a hard time because of you and because of the leadership of this Senate—the Republican leadership of this Senate. Ordinary Americans are caught in the middle of this.

This is your shutdown, Mr. President. You said so. You said it on television. You said it from the Oval Office. You

said you were proud to own this shutdown. You said:

I am not going to blame anybody else. This is my shutdown.

Yes, it is, Mr. Trump. Mr. President, it is your shutdown, and it is not a shutdown with a mission, a mission that is important, because the mission that is important, that you talk about, is border security.

Every Democrat, every Republican supports border security. All of us who were here in 2013 voted for huge sums. I have heard some describe that bill we passed in 2013 as \$35 billion for border security. I heard in an earlier speech tonight that it was over \$40 billion for border security, smart border security—smart border security.

Don't you want to spend the taxpayers' dollars smartly? Do you want to waste them? Do you want to shut down the government and create a hardship for 800,000 people because you want to waste their money?

Mr. President, and to my colleagues across the aisle, listen to the common sense of people in your home State who want border security, but they don't want a foolish shutdown.

The President said there is a crisis—crisis—at the border because so many people are coming. How many people are coming to the border? Let's take a look. This shows the number of folks who have been apprehended at the border from the year 2000—19 years ago now—to year-to-date in 2018. This is slightly out of date, so you can add a little bit more to that final bar, but you see the point. There were massive amounts in the year 2000, really high numbers in 2001 through 2007, and then the numbers dramatically decline through 2011 and beyond.

I just got the numbers before I came to the floor for the last month we had, which was October. About 60,000 people came to the border. In 1 month, in 2000, 200,000 people came to the border. That is quite a difference. That is now less than one-third than last month.

There is no crisis there, only the humanitarian crisis, Mr. Trump, that you are creating with your war on children—your war on migrant children—shoving them back into Mexico to put them at the mercy of the Mexican gangs; proceeding to let them into the United States and then ripping them out of the arms of their parents while you lock up their parents; deciding you are going to lock up the children with their parents behind barbed wire and internment camps; establishing a national system of child prisons that, last month, held 15,000 children, which is up from 7,000 in June; failing to provide medical evaluations for these children when they cross the border. Two have died—one after 6 days in the care of the American border guard.

You, Mr. President, have created a crisis, a humanitarian crisis. The arrivals on the border are not the crisis; it is your hardened heart, your dark and evil heart, your war on children; the deliberate strategy of inflicting trauma

on children in order to send a message of deterrence, a political message of deterrence.

Who here believes it is right to deliberately injure children to send a message of deterrence? That is the strategy Jeff Sessions announced last May that started this intense assault on migrant children. Who would defend it today? Find me one caretaker of children who believes that inflicting trauma on children is acceptable. Find me one religious tradition, one moral code that says that is OK—because it is not OK. Every human civilization recognizes that.

Meanwhile, our farmers are wondering what happened to their Farm Service Agencies. They are closed down across the country, including 23 in Oregon. What happened to those payments that the President promised for those affected by tariffs? The payments can't be distributed because of the shutdown. How about our Federal firefighters who need to be in training right now for the fires we are going to see next summer because of climate chaos?

We are seeing the impacts in every conceivable way, as my colleagues have been pointing out, and it is time to end it. It is time to release the hostages. It is way past time to end it. It has 18 days—3 days from the longest shutdown in history. It is time to end it, put people back to work, return to common sense, and at the same time quit afflicting children and migrant adults as a political strategy.

Almost everybody—probably everyone in this room—came here as a descendant of immigrants, almost all Americans. Not many of us are directly descended from Native Americans. Most of us are descendants from immigrants. How did we want them to be treated? We wanted them to be treated with respect and decency as they waited for an asylum hearing, and that is what we have to return to.

So release the hostages, return to common sense, and treat the American people with respect.

Thank you.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I join in raising these issues tonight about the government shutdown. The reason so many of us have referred to it simply as the "Trump shutdown" is because the President is the person who led the way to have the government shut down. He said that before the shutdown, as we all know. We have heard the statement he made in the Oval Office.

Then, of course, we went forward. I think it is important to reset where we have been and where we are.

There was an agreement in this body, the U.S. Senate, by 100 Senators, just before Christmas, to extend funding for the government for a short period of time so that if there were issues to debate between now and February, we could do that. It is hard to get 100 Senators to agree on anything around



here, but of course that is what happened.

Then it went to the House, and we know what happened after that. The President got pressure from rightwing talk show hosts, and I guess they have more influence on him than a lot of Americans, who never want a government shutdown.

As we stand here tonight, 9 of 15 Federal Departments are closed, shut down, and I am not even itemizing the number of Agencies that is. Then we came into the new year, on January 3—I don't know what hour it was, but it was in the evening—with a new majority in the U.S. House of Representatives, a Democratic majority. What did that Democratic majority do? What did the Democratic House Speaker do? In her first act as Speaker, and in essence their first vote on substance, they voted to open up the government by voting in favor of a bill that was essentially a Republican appropriations bill. That is what the Democratic-controlled House did. They voted to move forward Republican appropriations bills that were voted on here in committee but also were agreed to here, in a sense, by consensus—a 100-to-0 consensus just before Christmas. So there is ample reason, there is a lot of documentary evidence—video evidence—that this is a Trump shutdown.

I think it is important for people to understand. I know some here call it a partisan bill. No, it wasn't. It was a bipartisan bill. It just happened to have its origin in the work of Republicans in the Senate—the Senate appropriations work that was done by Republicans, with Democratic help. Of course, this Chamber is controlled by Republicans, so these were Republican bills.

It is also important to know what could happen here. There is legislation now that the Senate can vote on that will open the government up by doing the following: by funding eight Departments of government until the 30th of September. It is important for people to understand that. They see the back and forth, and they see how a bill like that is characterized on television, but it is important for people to know—and I will keep saying it for emphasis because this is important we get the facts right—this is an action by a House controlled by Democrats to move forward bills that virtually every Republican agreed to in one way or another over time on various occasions.

The effect of passing that bill here would open the government for those Agencies—those Departments is a more correct word—those Departments that are shut down right now, leaving only one Department that would now be funded over a longer term, the Department of Homeland Security. That Department would not be funded after a certain date in February if we can't agree on funding until then.

What the effect of that is, it moves forward the effort to keep the government operating, to keep—just by way of example—13,709 FBI agents who

could be working without pay, 4,399 DEA agents who could be working without pay, and I can go down the list. We have had many examples tonight. I will not restate them. It allows all of those operations of the Federal Government to go forward but still preserves the opportunity for the President or anyone to make assertions, to make arguments, and to put forth policy regarding border security, no matter what it is. We could debate that from now until that moment in February—that date in February when the Department of Homeland Security would run out of money—and see what would happen at that point.

That is what people have to understand. There is a way to continue a debate about border security, a very important debate. I voted for, I don't know how many tens of billions now—billion with a ‘b’—on border security since I have been here. I voted for the bill in 2013, the comprehensive bill that got 68 votes here in 2013—68 votes. That means a whole number of Republicans voted for it. That committed more than \$40 billion to border security, based upon the testimony of experts, based upon people who understand border security. Let's be honest, folks. A lot of House Members and a lot of Democrats and Republicans in both parties and both Houses are not border security experts. That is why we should ask for their advice in telling us the best way to secure the border. That is essentially what happened in 2013, when both parties voted—68 votes here—to pass a comprehensive bill that had more than \$40 billion for border security.

That is how you do border security. You don't just say: Well, because I used a word in a campaign, I used a sound bite in a campaign, therefore, the sound bite—which isn't based upon good policy—has to become the policy. That is not how we should do things here. No one in either party should do it that way.

Now we are, I guess, 17 days since the President decided to shut down the government because he would not get his wall. We should never confuse a wall with border security. We all want border security. I don't know of a legislator who doesn't support that. Most people here voted for it many times—border security—based upon what the experts tell us, not the politicians. If we were using politicians for that kind of expertise, we would be in big trouble. We wouldn't do that in many subject areas, including something as consequential and as important and as complicated as border security. We should do it the right way and have a debate about it and hear testimony from experts, not just hot air from politicians because they said a word or two or three in a campaign. That is not policy.

Right now, there are 820,000 Federal employees, 14,000—some in Pennsylvania, wondering how they are going to make a mortgage payment or pay the

rent or buy food. The list is longer than that. It is, in essence, appropriations hostage-taking. My colleague referred to and used that word in his remarks earlier. This is appropriations hostage-taking that hurts a lot of people and will continue to hurt more and more people as the days go on.

That is one of the reasons why I supported the legislation introduced by Senators CARDIN and VAN HOLLEN that would guarantee backpay for these hard-working Federal employees who do so many things for the American people that we don't itemize or praise, except when there is a crisis like the one we are facing right now, the crisis of not having a government fully funded.

So the President shut down the government over a wall that will not work, will not secure the border. Let's not confuse the two. We have always made investments over time—both parties, many administrations, many sessions of Congress have made investments in effective border security based upon the recommendations from experts. We should do that again, as we have done over many years. The security experts over the number of years charged with keeping our Nation safe have said this concrete or steel wall along the width of the southern border will not work. It will not work.

Former Commissioner of Customs and Border Patrol Gil Kerlikowske said, in January 2017: “I think that anyone who's been familiar with the southwest border and the terrain . . . kind of recognizes that building a wall along the entire southwest border is probably not going to work.”

That is someone who understands this subject. That is what he said. He is not a politician spewing out a sound bite or just doing an interview. He is a person who has dedicated a large portion of his life to border security, and we should listen to those voices.

Building a concrete wall will not stop illegal activity. Border security—effective border security—will. What is that? It is technology. It is 24-hour surveillance. It is, as in the 2013 bill, in essence, doubling the Border Patrol. I think we could have hired 20,000 more people at the border to do border enforcement. That is why the cost was so high—because to hire 20,000 people costs a lot of money, but that is what we voted for then. I haven't even listed all of them, but those kinds of methods—battle-tested, proven methods to secure the border will work. That is what we should be doing.

According to a 2017 national drug assessment report, most illegal smuggling happens at our ports of entry, not crossing a line in a desert at the southwest border—ports of entry. One example is at our airports. Airports are among the places we should be focusing our attention. I haven't heard the President talk about airports. Maybe I haven't been listening, but he has been President now for just about 2 years, and I am not sure he has talked about stopping smuggling at ports of entry.

If the President was serious about securing the southern border or fixing our immigration system, he would work with both parties, both Houses, on an immigration system that would secure the border and do a whole range of things we need to do because we have a broken system.

Here is my belief. I can't prove this. This is just my belief watching what he has said and listening to his speeches and listening to the policies he has supported and the policies he has not supported. I don't believe the President has any interest in fixing our broken immigration system. He seems to have an interest in building a wall that will not work—I am rather certain of that—but I don't think he has any interest in fixing this broken system. He has a strong interest, in my judgment, of scoring points, and I will give him that. He is an expert at scoring political points, but in terms of sitting down with people in both parties, taking hours and hours and hours and hours of testimony from border security experts, or at least listening to the presentations made here by way of hearings or information that can be ascertained in a hearing, I don't think he is willing to do that. I don't think he has any interest in doing that.

The Presiding Officer and many Members of this Chamber, including the Senator from New Hampshire and the Senator from Virginia, worked long and hard—not over hours but over days and weeks—to come up with a proposal last year which would have provided \$25 billion for border security over about 10 years. It is a lot of money over 10 years, and they had to agree to that based upon those expert recommendations. They also coupled that with a statutory change that would make sure those Dreamers in the DACA Program were given the benefit of the fulfillment of our promise to them. That could have been done in law by statute, and I commend Republicans who stood up then and worked in a bipartisan way.

What did the President do? He told them he would back them up, that he would sign that bill—that bill with \$25 billion and a fix for the DACA Program. Then his second promise he made was, he said: I will take the heat. It didn't happen. He didn't sign it. He denigrated it. Of course, he didn't take the heat because he went running for cover.

I don't see much evidence on the record that he wants to fix a broken system. Everyone knows the system is broken, everyone knows we have to rely upon experts to secure the border, everyone knows the path to citizenship is complicated, but we had a way to do that in the 2013 bill.

Everyone knows that the guest worker program and bringing people out of the shadows and having order and rules to our immigration system is complicated and difficult. Everyone knows you can't do that with a sound bite. You can't do that with an image. You

can't do that with a symbol. You have to do it with policy. That is what you have to do.

The President seems totally disinterested in sitting down and trying to lead an effort on the kind of immigration reform that both parties know we need and that most Americans know we need as well. We all want to fix this system with a comprehensive bill. I mentioned the 2013 effort and what that would have done.

Instead of wasting \$5.6 billion on a wall, we could use that money to rebuild our infrastructure or to invest in border security that is based upon expertise. We could use \$5.6 billion to do a lot of infrastructure in my State and a lot of States—fixing bridges, for example. I live in a State, like many, that has thousands of structurally deficient bridges. We could use that money to enhance our national security.

I am told that we are to understand the President is looking for money—the \$5.6 billion—potentially out of the Defense Department. Is that what we should be doing with DOD dollars that are meant for national security?

We could also use \$5.6 billion to invest in our children and thereby invest in our future, but I don't think the President is interested in this. He wants to win a sound bite war or an image or symbol war, not fix the problem and not make the investments we should make.

Instead of creating chaos and perpetuating chaos, the President should support the bipartisan funding bill the House passed last week—the Democratic House, which passed the Republican bills, for a little shorthand there. The bills would reopen the government and also provide \$1 billion for border security that is based upon facts and evidence and expertise and effectiveness, not based upon some sound bite and hot air.

The vast majority of Senate Republicans supported these funding measures last Congress.

On August 1, Senate Republicans joined Democrats to advance funding for the Department of Agriculture, Financial Services, Transportation, Housing and Urban Development, and Interior. That big appropriations bill is affecting all those Agencies referred to there. The vote was 92 to 6 on the floor of the U.S. Senate. I don't know who the 6 were, but 92 is a good number—and obviously in both parties.

The Commerce, Justice, Science, and Related Agencies appropriations bill passed out of committee—this is a committee vote; not a floor vote but an important vote—on June 14 by a vote of 30 to 0.

The State-Foreign Operations bill passed out of committee by a vote of 31 to 0.

So one bill passed on the floor 92 to 6, and the other committee votes were 30 to 0 and 31 to 0—again, bills passed by a Democratic House that are, in fact, Republican appropriations bills. That is what the House did.

That bill is here, in essence. All the majority leader has to do is put it on the floor, and it will pass. The government will be opened up, and we could debate border security until the cows come home—all the rest of January, longer into February, as long as we all agree to debate it. Let's have a real debate. Let's not debate a sound bite about an image that refers to a way someone thinks we should do border security. Let's have the evidence and put it on the table. I think my point of view on this would prevail, but let's hear from both sides.

We have a way out of this predicament for the American people, a way to provide certainty and relief to those families who are suffering right now and the many more families who will continue to suffer if this continues.

It is time for the majority leader to schedule a vote and stop making excuses why he shouldn't. Let's see what happens if the President has to confront a bill passed by both Houses. If he vetoes it, then it is further evidence that he is not serious about border security, but we will see. Maybe the President would sign a bill that was passed by both parties in both Houses.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank my colleague from Pennsylvania, Senator CASEY, for his compelling remarks. In fact, for the last several hours, we have heard compelling remarks from a number of our colleagues. I thank Senator Kaine from Virginia for helping to organize this effort and all of those who have come to the floor to talk about the lasting and negative effects of this senseless shutdown—a shutdown that is all about President Trump yielding to Rush Limbaugh and the rightwing commentators who told them he wasn't being tough enough.

Senators CASEY and MARKEY reminded us how we got here, that we had an agreement we thought the President had committed to sign. His Vice President, his Acting Chief of Staff, told us he was going to sign it. It passed the Senate on a voice vote.

What is so ironic, as Senator MARKEY said, is that what is happening now is actually making us less safe. The idea that we have all of these people on our southern border, all of these TSA agents, people who are working, 800,000 employees, 400,000 who are furloughed, 380,000 who are working without pay—that is actually making us less safe.

As Senator DURBIN pointed out, a wall across our southern border wouldn't do anything to interdict the fentanyl that is coming across from China. That is the biggest killer of people in New Hampshire from overdoses; it is the fentanyl. As Senator JONES pointed out, the Coast Guard's role in interdiction is what is significant. It is not a wall that is going to keep out those vehicles that are going to come through our ports of entry.

Senator STABENOW reminded us that there are 38 million people who depend on food assistance, and a quarter of the people in New Mexico, as Senator HEINRICH told us, depend on food assistance. He quoted his constituent Kathy, who pointed out that the President is holding us hostage. She said: Federal employees are being held hostage. We are now being held hostage in the Senate because the majority is unwilling to act on the legislation that has passed the House and previously passed the Senate.

Senator BENNET talked about China landing on the dark side of the Moon last week. It is a reminder that we have to compete in this world, that we can't assume that America is going to be No. 1 in everything again. Yet, while China was landing on the dark side of the Moon, our government was shut down. Thousands of researchers weren't doing their jobs at NASA, the Department of Agriculture, and so many other places because we were shut down.

The cost to the economy as a whole, as Senator HASSAN pointed out—there are craft breweries in New Hampshire, small businesses that can't get their businesses started because government is shut down.

Senator KLOBUCHAR pointed out that the cost to the economy, according to the President's own advisers, is \$10 billion a week. At a time when the stock market is going up and down, when we have people losing billions of dollars because of fluctuations in the stock market, \$10 billion a week contributes to that uncertainty.

Then, of course, Senator VAN HOLLEN and Senator MERKLEY and virtually everybody here talked about the impact on ordinary Americans from this government shutdown. We are going to hear from President Trump in about 5 minutes. He is going to speak to the country. I will bet he doesn't talk about the impact on ordinary Americans of this government shutdown. I will bet he doesn't talk about the cost to the economy or what he promised to sign when this Congress passed funding bills. I will bet he doesn't talk about the future of America and what is going to happen if we don't continue to invest in research and if we don't continue to invest in our people and instead get involved in these partisan fights. No. I think what he is going to do is tell Americans a made-up story about the emergency at our southern border—an emergency that we saw from Senator DURBIN and Senator MERKLEY is not real. We have gone from 1.6 million people coming across our southern border and being arrested down to about 200,000 in the last year.

This is not a crisis that is affecting America. We need to address border security. Everybody here believes that. All of the people who spoke tonight said we need to address border security. We need to do it in a way that is thoughtful and that spends taxpayer dollars wisely.

It is time for us to act in the Senate. It is time for Congress to fund this government, to get it back open. I very much appreciate Senator KAINE's work here tonight as we talk about the impacts on this country of this government shutdown.

Thank you, Mr. President.

I yield to my colleague from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I would like to finish the colloquy of the Democratic Senators who talked about this important issue—the need to reopen the government and to stop the shutdown—and I intend to do so before 9 o'clock. I want to thank my colleague from New Hampshire and all the colleagues who appeared on the floor today.

On Friday, January 11, if we do not end this shutdown, it will be tied for the longest shutdown of government in the history of the United States. It is also a payday where more than 800,000 Federal employees will not get a paycheck. My quick census research suggests that is essentially the population of South Dakota. More than 800,000 people who just want to serve their country, some of whom have been forced to work without a paycheck, will not get a paycheck on January.

Friday, January 11, is right after Christmas, when a lot of Christmas bills come due. Friday, January 11, is in the middle of winter, when heating bills are at their highest. Friday, January 11, is right before the beginning of the college spring semester, and families will be sitting around kitchen tables to write tuition checks for their kids to go to school for the spring semester. That will be this Friday.

This shutdown hurts workers. I told stories of workers in Virginia who have already suffered, and my colleagues have as well.

It hurts citizens. I had the experience two Saturdays ago of going to four Federal—either national forests or Park Service operations and seeing gates closed. I watched families come up. They had driven. They may not get a lot of vacation. They had a lot of kids in the car, and they were coming up to have fun with their families that day. I watched the looks on their faces as they pulled to the locations and saw the gates closed and the sign saying that they weren't able to enjoy the day they had planned with their family. That is not the same as missing a mortgage payment, but for families who are stretched in time and want to spend a day enjoying time with each other—I saw the looks on their faces as they were turned away.

Mr. President, you and I have worked together on an important initiative to train students, college students, to be our next cyber professionals. Today is the cyber jobs fair that the National Science Foundation sponsors for college students all over the country. It was at National Harbor. I went there. I

walked by a lot of students who had come because they want to serve the country as cyber professionals, and they were having interviews. But a lot of the booths—the Department of Justice—there was a booth, there was a sign, but there was nobody there. There was nobody there from the Federal Agency to hire.

These are effects on everyday citizens, kids who want jobs, Federal agencies that want to hire workers, families who just want to go to the parks.

This is hurting workers, it is hurting citizens, and it is hurting our country.

In conclusion, I just want to say: Why? Why would we want to hurt Federal workers? Why would we want them to be without a paycheck? Why do we want to hurt everyday citizens? Why do we want to hurt the reputation of the country?

Because I could see from the looks on the faces of those getting turned away at the park not just aggravation, I could see: What kind of country is this? I am a hard-working person, I pay taxes, I am coming to a national park, I am coming to a national forest, and I am getting turned away because the President wants to shut down the government over a debate about border security.

You know, Mr. President, because you and I worked on it together, in February, \$25 billion for border security, that wasn't enough. The President blew up the deal. Five years ago, \$44 billion of border security wasn't enough for the Republican House.

We want to fund border security, but as I conclude, I just would say to this President: Do not hurt American workers. Do not hurt American citizens. Do not hurt the reputation of the greatest country on Earth.

I would say to my Republican colleagues, please be willing to vote and support exactly what you voted and supported just 3 weeks ago.

Why the change in position? Why was it OK in December, and it is not OK now? Is it not OK because the President suddenly said he didn't like it? Is it the job of the article I branch to play Mother May I with the President and seek his permission to be an article I branch? I don't believe it is. Let's end this shutdown. Let's reopen government. Let's do border security and immigration reform the right way.

I yield the floor.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 9:01 p.m., adjourned until Wednesday, January 9, 2019, at 10 a.m.

# EXTENSIONS OF REMARKS

IN RECOGNITION OF DON CAPALBI

**HON. GRACE MENG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Ms. MENG. Madam Speaker, I rise today to pay tribute to Don Capalbi, my longtime staff member who also served as a civic leader in my district in Queens, New York.

Don passed away at local hospice facility in the early morning hours of December 2, 2018. He had been hospitalized at Northwell Health after sustaining a head injury from a fall.

Don was my Community Liaison from 2013 to 2018 and he served in the same capacity when I was a member of the New York State Assembly from 2009 to 2012. My staff and I are devastated by his loss.

Don worked tirelessly for the people of our Congressional district. He was an integral part of my team, providing me with information and advice about community issues, and representing me at civic meetings and local events. These included everything from community board and civic group meetings to press conferences and public ceremonies. One of the most recent issues he helped resolve was for the local Veterans of Foreign Wars (VFW) Post 3427 where he helped save costly fines.

Don was a longtime resident of the Queensboro Hill neighborhood, a residential community in Flushing, Queens. In 2009, he became president of the area's civic group, the Queensboro Hill Flushing Civic Association. Don reinvigorated the organization and fought tremendously for the community. He dedicated countless hours to preserving and improving the quality of life in the neighborhood and tackled numerous causes. He fought against excessive airplane noise, advocated for traffic and transportation improvements, pushed for beautification enhancements and partnered with local schools and libraries on a variety of projects. He also worked to combat the increase of overdevelopment and many newspapers, from the Flushing Times to the New York Times, highlighted his efforts on the issue.

In addition, Don was a member of many other community organizations in the Flushing area including the Greater Flushing Chamber of Commerce, New York Hospital Queens Community Advisory Council, 109th Precinct Community Council, Kissena Corridor Park Conservancy, Lions Club, Knights of Columbus and the NAACP.

But Don was much more than a terrific civic activist and staff member. He was also a great human being; a wonderful and special person who was selfless and full of life, and one of the kindest, friendliest and gentlest people I've known. He touched and impacted so many lives and was loved, admired and respected by all with whom he worked. Rarely did I see him without a smile on his face.

Born on March 2, 1945, Don was raised in Astoria, Queens. His mother Gaetana was an

immigrant from Italy, and his father Frank hailed from Indiana. Don graduated from La Salle Academy High School and went on to attend Long Island University where he earned a degree in Business Administration. An only child, Don was primarily raised by his mother; his father passed away when he was just 10 years old. Don loved his mother dearly and he cared for her as she grew older. With his help, she lived to the ripe old age of 103.

At the 1964–1965 World's Fair at Flushing Meadows-Corona Park, Don worked at the restaurant that was part of the famed Rheingold exhibit, and the job planted a seed for a career he had in the restaurant and food service business.

While working at the World's Fair, Don saw firsthand the popularity of the Belgian waffles that the Fair helped introduce to the nation. Showing what a visionary entrepreneur he was, Don purchased two mobile food trucks and used the vehicles to sell the famous waffles to the public, a venture that lasted several years.

Later on, Don supervised restaurant groups for Restaurant Associates Industries in Manhattan, and Inhilco division of Hilton International, where his responsibilities included the operation of six restaurants in the World Trade Center.

Don then opened the Border Cafe on the Upper West Side of Manhattan, and later the College Green pub on Kissena Boulevard near Queens College.

In addition, inspired by his love of travel, Don launched Away U Go Travel, a travel agency for people with disabilities.

Despite Queens being the home of the New York Mets, Don was a diehard Yankees fan, and often discussed his fondness for the Bronx Bombers and the game of baseball. He loved all types of food from soup dumplings to pasta, enjoyed traveling—particularly on cruises—and was proud of his Italian heritage. He was also a fan of Caribbean music. But above all, he loved Queens. He had a deep affection for the borough he called home and always embraced its diversity, history and culture.

I thank Don for his many years of dedication, and I will always remember his unwavering commitment to our constituents, and his many efforts to make our Congressional district a better place for all who live and work in west, central and northeast Queens. His contributions will have a lasting impact for many years to come.

There are so many wonderful words that can be used to describe Don. Simply put, he was a class act; a decent and honorable person and a man of great integrity who served his community and our district with tremendous distinction.

Madam Speaker, I ask all my colleagues in the House of Representatives to join me in praising the work and dedication of Don Capalbi. He will be sorely missed but the legacy of his service, and the contributions he made to help others, will never be forgotten. He will remain in our hearts forever.

PERSONAL EXPLANATION

**HON. ALAN S. LOWENTHAL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. LOWENTHAL. Madam Speaker, on Roll Call 470, in the second session of the 115th Congress, I was unable to vote because of a personal conflict. Had I been present, I would have voted "nay."

On Roll Call 472, in the second session of the 115th Congress, I was unable to vote because of a personal conflict. Had I been present, I would have voted "nay."

On Roll Call 488, in the second session of the 115th Congress, I was unable to vote because of a personal conflict. Had I been present, I would have voted "aye."

CELEBRATING THE LIFE AND SERVICE OF DR. MARTIN LUTHER KING, JR. DURING THE GARY FRONTIERS SERVICE CLUB'S 40TH ANNUAL MEMORIAL BREAKFAST

**HON. PETER J. VISCLOSKEY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. VISCLOSKEY. Madam Speaker, as we celebrate the birth of Dr. Martin Luther King, Jr. and reflect on his life and work, we are reminded of the challenges that democracy poses to us and the delicate nature of liberty. Dr. King's life and, unfortunately, his untimely death, remind us that we must continually work to secure and protect our freedoms. In his courage to act, his willingness to meet challenges, and his ability to achieve, Dr. King embodied all that is good and true in the battle for liberty.

The spirit of Dr. King lives on in the citizens of communities throughout our nation. It lives on in the people whose actions reflect the spirit of resolve and achievement that will help move our country into the future. I am honored to rise today to recognize several individuals from Indiana's First Congressional District who will be recognized during the 40th Annual Dr. Martin Luther King, Jr. Memorial Breakfast on Saturday, January 19, 2019, at the Genesis Convention Center in Gary, Indiana. The Gary Frontiers Service Club, which was founded in 1952, sponsors this annual breakfast.

The Gary Frontiers Service Club will pay tribute to local individuals who have for decades selflessly contributed to improving the quality of life for the people of Gary. This year, Dr. Janet Seabrook, M.D., MBA, will be honored with the prestigious Dr. Martin Luther King, Jr. Drum Major Award. Additionally, Sharon Chambers, Wendell Clayton Harris, Sr., Nellie Moore, and Monroe Smith will be recognized as Dr. Martin Luther King, Jr. Marchers at this year's breakfast.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

Though very different in nature, the achievements of each of these individuals reflect many of the same attributes that Dr. King possessed, as well as the values he advocated. Like Dr. King, these individuals saw challenges and faced them with unwavering strength and determination. Each one of the honored guests' greatness has been found in their willingness to serve with "a heart full of grace and a soul generated by love." They set goals and work selflessly to make them a reality.

Madam Speaker, I invite you and my other distinguished colleagues to join me in commending these honorees, as well as the Gary Frontiers Service Club officers, President Oliver Gilliam, who also served as the MLK Breakfast Chairman, Vice President Charles Jackson, Secretary Linnal Ford, Financial Secretary Melvin Ward, and Treasurer Floyd Donaldson, and all members of the service club for their initiative, determination, and dedication to serving the people of Northwest Indiana.

#### HONORING THE LIFE OF DON JACKSON

#### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. COSTA. Madam Speaker, I rise today to honor and pay tribute to the life of Don Jackson, a lifelong philanthropist highly invested in improving the Central Valley, who passed away on December 21, 2018, at the age of 82.

Mr. Jackson was born in 1936 in Chicago, Illinois and raised in Tucson, Arizona. He earned his bachelor's degree from the University of Arizona and later went on to study law at Stanford University. Upon completion of his studies, he was admitted to the California State Bar in 1962.

Shortly thereafter, Mr. Jackson started his own tax law and estate planning practice, which would become one of the largest and most successful firms in Fresno. Along with his legal expertise, Don was also heavily active in the political sphere, working on both the Reagan and Bush presidential campaigns, in addition to numerous other California campaigns. In 1998, Governor Pete Wilson appointed Mr. Jackson to the California Public Employee Relations Board. As a devoted Republican and a passionate philanthropist, Mr. Jackson served on several boards, including the Gazarian Real Estate Center Advisory Board at Fresno State, the Saint Agnes Medical Center Foundation Board, the Dominican Hospital Foundation Board in Santa Cruz, and co-founding the Central Valley Women's Conference.

In addition to these laudable accomplishments, the legacy for which he will be best remembered is his instrumental role in the founding of the Senator Kenneth L. Maddy Institute at California State University, Fresno; which works to inspire and engage a new generation of government leaders in addition to providing non-partisan policy analysis to resolve the issues facing the region, the state, and the nation. For much of their adult lives, Senator Maddy and Mr. Jackson were close friends as well as law partners. In honor of

Senator Maddy's legacy, Mr. Jackson chaired the Board from 1999 to 2009, for the first 10 years since the Institute's inception, and until this past year, he served the Maddy Institute as CFO and Treasurer.

During his tenure as Chair, Mr. Jackson established vital programs such as the Maddy Legislative Intern Program, the Maddy Associates Program, the Maddy Report, and the Maddy Daily e-newsletter. He provided scholarships for over 150 federal and state legislative interns, founding the Don Jackson Public Finance Intern Scholarship Program, and raising over \$1 million in grants, events, and programs for the Institute. He was an exceptional strategist, who will be forever remembered by those he touched for his high standard of excellence, his mentorship, and his commitment to making the Valley a better place.

Mr. Jackson is survived by his brother and sister, his 6 children, and 8 grandchildren for whom he has always shown dedication and affection. It is my honor to stand with Mr. Don Jackson's family in celebration of the life of this inspirational man.

Madam Speaker, it is with profound respect that I ask my colleagues to join me in recognizing the life, remarkable career, and achievements of Mr. Don Jackson. His legacy and dedication to our beautiful Valley will be remembered for years to come.

#### HONORING THE CAREER OF COLONEL STEPHEN MCCARTNEY

#### HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. LANGEVIN. Madam Speaker, I rise today to recognize the career of Stephen McCartney, Chief of Police of the City of Warwick, Rhode Island, my hometown. Chief McCartney retired on December 21, 2018, concluding decades of unwavering dedication to his community and to his country.

In 1969, the same year that he graduated from Providence College with a degree in history, Chief McCartney joined the United States Marine Corps. Over his thirty years of service in the armed forces, he fought in Vietnam and in the Gulf War, and he even assisted in training Rwandan law enforcement as the country rebuilt from unspeakable tragedy. He held every infantry position from the platoon up to the regimental level before transitioning to reserve service, and he received numerous military distinctions, including the Naval and Marine Corps Medal for heroism.

Soon after his return from Vietnam, Chief McCartney joined the Providence Police Department, serving for nearly 26 years in many roles. He directed the department's first mounted unit, spent several years as the director of training, and commanded the Neighborhood Response Unit. After 15 years with the patrol bureau, he moved to the detective bureau—eventually overseeing more than 150 major investigations as its director.

Chief McCartney transitioned to the Warwick Police Department in 1999, where he served nearly 20 years as the Chief of Police with distinction, honor, and dedication. His tenure was marked by his humility, his professionalism, and his commitment not only to the safety of the community, but also to each officer under

his command. Countless individuals within the department have considered him a mentor, and countless others both inside and outside of the department have considered him a true friend, myself included. Warwick has been tremendously fortunate to have had such an exemplary public servant.

Although his leadership will certainly be missed at the department, I am sure he will continue to find ways to make a difference, and I wish him well.

#### CONGRATULATING MR. TORRES ON BEING A RECIPIENT OF THE ILLINOIS BICENTENNIAL HONOR 200 CAMPAIGN

#### HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mrs. BUSTOS. Madam Speaker, I rise today to recognize Mr. Raymond Torres for being a recipient of the Illinois Bicentennial Honor 200 campaign. The award is given by the Illinois Department of Veterans' Affairs and the Illinois Bicentennial Office to honor veterans who have given back to their communities after their service.

From Sterling, Illinois, Mr. Torres honorably served our nation in the Vietnam War, where he was wounded in the battle of Khe Sanh. Upon his return, Mr. Torres developed Post Traumatic Stress Disorder and has since made it his mission to help others who have gone through similar experiences. In 2015, I had the privilege of meeting Mr. Torres and his family in my Rock Island Office where I presented him with service medals he had not previously received. Mr. Torres' honors consist of a Purple Heart, National Defense Service Medal, Vietnam Service Medal, Presidential Unit Citation and a Combat Action Ribbon. It is fitting that Mr. Torres is honored for both his past and present service to our state and our nation, as Illinois celebrates its 200th birthday. His service is exemplary and I am humbled to have had the opportunity to meet him.

It is because of dedicated leaders such as Mr. Raymond Torres that I am especially proud to serve Illinois' 17th Congressional District. Madam Speaker, I would like to again formally congratulate Mr. Torres for receiving this honor and thank him for all he does for veterans in our communities.

#### RECOGNIZING JUDGE WILLIAM OSWALT

#### HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. ADERHOLT. Madam Speaker, I would like to recognize and honor Fayette County Probate Judge William Oswalt on the occasion of his retirement. I am proud to recognize Judge Oswalt for his thirty years of public service to Fayette County and the State of Alabama. He is truly a man who embodies the American principles of hard work and devotion to one's community.

Judge Oswalt is a life-long resident of Fayette County, Alabama. After graduating from

Winfield High School in 1967, he went on to graduate from the University of Alabama in 1975 with a degree in accounting.

In 1988, Judge Oswalt was first elected to the office of Probate Judge. He was re-elected in 1994, 2000, 2006 and 2012, serving a total of five terms. As Probate Judge, he became a strong leader in the community and promoted economic development for the region. In particular, he has been actively involved in recruiting industry and has made that a priority throughout his years of service. He worked closely with county and civic leaders in Fayette, Lamar and Marion counties to create C3 of Northwest Alabama, a regional economic development cooperative. He also helped create the Fayette Community Foundation and still serves as its chairman. Furthermore, he served as chairman of the Fayette County Courthouse Restoration Foundation and as a past chairman of the Alabama Probate Judges Association.

Over the years, Judge Oswalt has worked closely with seven Alabama Governors, five Senators, two Congressmen and countless mayors and county commissioners, as well as the heads of numerous federal and state agencies to promote the needs of Fayette County. Through his leadership, Fayette County is one of Alabama's strongest and most progressive rural counties.

Judge Oswalt is a member of Grace Baptist Church where he has taught the Senior Adult Sunday School class for the last 42 years. He is married to Nelda Langston Oswalt, his wife of 47 years, and they have three children: Deidre, Whitney and Audrey and six grandchildren: Tanner, Dylan, Langston, Hollis, Houston and Harrison.

Judge Oswalt has gained the respect by the people of Fayette County for his honesty, hard work, and dedication, and I am proud to call him my friend.

Madam Speaker, it is a great privilege to honor Probate Judge William Oswalt on his many accomplishments and for his enduring impact on Fayette County and the State of Alabama. I join his family, friends and colleagues in wishing him God's richest blessings in his retirement and the next chapter in his life.

#### HONORING JUDGE PAUL CHERRY

##### HON. JIM BANKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. BANKS. Madam Speaker, I rise today to congratulate Judge Paul R. Cherry on retiring from his position as Magistrate Judge of the United States District Court of the Northern District of Indiana. Judge Cherry graduated from Huntington University in 1973 and obtained his J.D. from Ohio Northern University School of Law in 1977. He began his distinguished legal career in private practice from 1978–1988 and was elected as the DeKalb County Prosecuting Attorney three years later. Judge Cherry went on to become a DeKalb County Circuit Court Judge and on October 1, 2003, he was appointed to the United States Court of the Northern District of Indiana as a Magistrate Judge.

Judge Cherry has had a distinguished career on the bench and has helped to keep our

community safe. He has tried two capital cases, numerous drug related cases, and conducted his hearings in a fair and professional manner. In his spare time Judge Cherry is a member of several bar associations and has served as an adjunct faculty member at Huntington University, Calumet College, and Valparaiso Law School.

I applaud Judge Cherry on all his accomplishments and thank him for a lifetime of service to our community.

#### HONORING THE WONDERFUL LIFE OF MRS. CLELA VIRGINIA WANAMAKER

##### HON. DEBBIE LESKO

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mrs. LESKO. Madam Speaker, I rise today to honor and celebrate the wonderful life of Mrs. Clela Virginia Wanamaker. At 97 years old, Clela passed away peacefully at her home in Sun City West, Arizona on December 9, 2018, with her husband of 72 years by her side. Clela was born on January 9, 1921, in Iowa. Clela had a long and distinguished career as a registered nurse. She worked at Holy Family Hospital in Estherville, Iowa, before she and her husband moved to Wayzata, Minnesota in 1949. There, she worked as an industrial nurse for 27 years at Honeywell and retired in 1979. She married Bohn E. Wanamaker, her "Mr. Wonderful", on October 17, 1946, in Estherville, Iowa. They lived most of their married life in Wayzata, Minnesota, retiring in Sun City West, Arizona in 1980.

Clela was an accomplished archery champion. Her husband, Bohn, was her coach and was one of four qualified archery coaches in Minnesota in 1966. Her first award came in 1966 when she finished 10th in the 82nd National Archery Tournament where she zeroed in 492 arrows and was the first to record a "Six Gold" by shooting six arrows in succession into the gold center of the target at 40 yards. Remarkably, Clela accomplished that feat after beginning serious practice less than a year earlier. Almost as incredible was that she was 45 years old at the time. The following year she added two silver and two bronze medals in the nationals. In 1969, she qualified for the world championships. Also, in 1969, she won the first of seven Minnesota state championships. In 1971, Clela was the first woman in the United States to shoot 1,200 scores back-to-back. Only three other women at that time had ever shot a 1,200 in the United States. Clela later became involved in pistol shooting and won many awards in that sport as well.

Clela was also an active member of the community. More than 30 years ago, Clela made a decision to do something about obesity in the Sun City West community and started a diet group, Win and Lose. Clela was nominated for the "Salute to Senior Service Contest" for recognition of her 31 years of volunteer services, helping hundreds of men and women lose their excess weight and get healthy. As a result of this contest, in early summer of 2013 she was named Arizona Outstanding Senior Volunteer. She continued this club until about six months ago. She was also an active member of Arrowhead Republican Women.

Clela was a valuable member of her community and she will be greatly missed by her family, friends, and the Sun City West community. On behalf of Arizona's Eighth Congressional District, I extend my deepest condolences to Clela's husband, Bohn Wanamaker, their family, and their friends who mourn this loss.

#### HONORING COURTNEY CALLEJAS

##### HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. HUFFMAN. Madam Speaker, I rise today to pay tribute to Courtney Callejas. After joining my team as an intern in my first term in office, she departs this week, more than four years later, as a trusted legislative assistant covering a wide range of important issues.

Courtney is a native of the second congressional district of California, the most beautiful district in the country, and her fondness for the people and places of the North Bay have served her very well in her work. She graduated from Sonoma State University in 2012, and after attaining a Master of Science in International Relations degree from Kingston University in London, she returned to her hometown of Petaluma for a job with the family-owned Straus Family Creamery, a leading organic dairy in our region. Her work ethic and enthusiasm brought her success in that role, but then—fortunately—her desire to get involved in public policy brought her east to Washington, D.C.

Over the course of the next several years, Courtney has worked her way up and done a little of everything in the office: managing interns and greeting constituents, strengthening my constituent correspondence program, and, ultimately, becoming a legislative assistant. In the 115th Congress, Courtney staffed the creation of our new Congressional Freethought Caucus and has been integral to our efforts to bring accountability to the Trump administration, especially in the realms of campaign finance and foreign policy. Her intellectual curiosity, desire to help others, and dedication to public service were clear from the beginning, and her time living and working in the North Bay have given her important personal insights into the district's interests and needs.

Madam Speaker, as Courtney moves on to the staff of Congresswoman JENNIFER WEXTON of her adopted state of Virginia, we will miss her generous spirit, hometown pride, and infectious laugh, and we wish her the best of luck in her new adventure.

#### RECOGNIZING GREGORY E. SAUNDERS

##### HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. BEYER. Madam Speaker, I rise today to recognize Gregory E. Saunders for his extraordinary public service as he retires from his current position as Director of the Defense Standardization Program Office. Director Saunders leaves the federal government after



49 years protecting our country through a variety of posts within the Defense Department. His tireless efforts procuring and overseeing materiel have helped keep our nation's military effectively armed and combat-ready.

Prior to his leadership as Director of the Defense Standardization Program Office, Mr. Saunders served as the Deputy Director for Acquisition Processes in the Office of the Secretary of Defense and staff member of the Defense Material Specifications and Standards Office.

This is hardly the first time Director Saunders's prowess has been recognized. He is the recipient of many well-deserved awards, including the Department of Defense Civilian Service Award, the Joint Meritorious Unit Award, and the Vice President's Golden Hammer Award. Engineering societies from around the world have recognized Director Saunders's rigorous methodology and skillset, awarding him with recognition from the Standards Engineering Society, SAE International, and the industry's Equal Partner Award. Perhaps most notably, Dr. Saunders has received the Silver Star of the Polish Army.

Director Saunders exemplifies the ideals of service and will be sorely missed. I am sad to see him leave, but even more proud to congratulate him on a well-earned retirement after a distinguished career in civil service.

IN RECOGNITION OF THE FIFTH ANNIVERSARY OF BEAUTIFUL: THE CAROLE KING MUSICAL AND ALL THE AMAZING CONTRIBUTIONS THAT CAROLE KING HAS MADE TO NEW YORK AND OUR COUNTRY

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I rise today to recognize my dear friend Carole King, arguably the most prodigious singer-songwriter of our century, for the fifth anniversary of Beautiful: The Carole King Musical which is based on her life and career.

Beautiful: The Carole King Musical opened on Broadway on January 12, 2014. After its first season the show won a Grammy for Best Musical Theater Album as well as two Tony awards. In 2015 it opened on London's West End, garnering 2 Olivier Awards. The show is now entering its sixth year.

Carole King launched her extraordinary musical career as a songwriter at the young age of seventeen with the song "Will You Love Me Tomorrow," co-written alongside her then-husband Gerry Goffin. She continued to cowrite dozens of subsequent chart-topping songs until she wrote her first solo song, "Baby Sittin'," in 1967. She made her breakthrough as a musical artist in her own right when she released her album Tapestry in 1971, which stayed on the charts for over six years and was inducted into the Grammy Hall of Fame in 1998.

To date, King has composed more than 100 hit singles and amassed numerous prestigious musical awards, including four Grammy Awards. She was the first woman to receive the Library of Congress Gershwin Prize for

Popular Song, which she was honored with in 2013. She has also been inducted into the Songwriters Hall of Fame as well as the Rock and Roll Hall of Fame and was a Kennedy Center Honoree in 2015.

In addition to her prolific musical career, King has also dedicated her exceptional abilities towards environmental activism and ensuring the conservation of American wildlife, parks, and wild places. King is a long-time resident of Idaho and began working with the Alliance for the Wild Rockies in 1990, testifying on Capitol Hill against legislation that would harm Idahoan natural spaces. She has also been a stalwart and outspoken advocate of the Northern Rockies Ecosystem Protection Act (NREPA), a bill I have introduced in every Congress since the 103rd Congress. King testified in favor of NREPA in 2009 before the House Natural Resources Subcommittee on National Parks, Forests, and Public Lands.

Madam Speaker, I ask my colleagues to join me in celebrating the extraordinary contributions of Carole King, whose environmentalism and musical talents have bettered New York and our nation and inspired a Broadway musical.

IN HONOR OF GEORGIA STATE REPRESENTATIVE ROBERT "BOB" PAUL HANNER, SR.

### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. BISHOP of Georgia. Madam Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to a remarkable statesman, public servant, Georgia State Representative, and friend of long-standing—Mr. Robert "Bob" Paul Hanner, Sr. Sadly, Representative Hanner passed away on Wednesday, January 2, 2019. His passing marks the close of a long and prolific life, and his departure leaves a void in the hearts of many Georgians. A funeral service for Representative Hanner was held on Saturday, January 5, 2019, at First Baptist Church of Dawson in Dawson, Georgia.

Robert Paul Hanner, Sr. was born in Americus, Georgia on April 19, 1945, to the union of the late Jack and Yip Hanner. A product of Georgia's educational systems, he attended Parrott Grammar School and Terrell High School before graduating from both Gordon Military College in Barnesville and Georgia Southwestern State University in Americus. He served his country honorably in the U.S. Coast Guard in Vietnam from 1967 to 1968.

In 1975, Bob was elected to the Georgia General Assembly, where he served until 2013, and represented House District 148, which included portions of Chattahoochee, Quitman, Lee, Terrell, Webster, and Stewart counties. During his 38 year tenure, he served as a member of the House Appropriations Committee, Rules Committee, Natural Resources and Environment Committee, Public Safety and Homeland Security Committee, Chairman of the Reapportionment Committee, and Chairman of the Game, and Fish and Parks Committee. He also served as Co-Chair of the State-wide Water Management Commission. Bob served as Co-Chair of the Joint Blue Ribbon Study Commission on State Gov-

ernment Decentralization and the Joint Comprehensive Water Study Committee. He also worked with the Agriculture Water branch of the Georgia Environmental Protection Division.

His contribution to agriculture and the environment is memorialized in the Hooks-Hanner Environmental Resource Center which was established through the legislative efforts of Bob and his longtime Southwest Georgia legislative partner, State Senator George Hooks. The name of the Center honors their legacy of service to Georgia agriculture and the environment.

Bob's community involvement included membership in the Dawson Lion's Club, the P.T. Schley Lodge No. 229, the Terrell County Chamber of Commerce, as well as Vice President of both the Georgia and local chapters of Jaycees.

Bob accomplished much throughout his life, but none of this would have been possible without his enduring faith in God and the love and support of his wife, Linda; his three sons, Robert Jr., Jeff, and Matt; and his two grandsons.

On a personal note, Bob and I served under him in the State House together and I was blessed with his friendship, counsel, and support over the years. His help with my initial campaign and subsequent reelection campaigns for Congress were pivotal. Bob was truly a great representative for Southwest Georgia and a stellar example of how a public servant should serve his constituents. His leadership will be sorely missed.

Madam Speaker, I ask my colleagues to join my wife, Vivian, and me, along with the more than 730,000 residents of Georgia's Second Congressional District, in paying tribute to State Representative Robert "Bob" Paul Hanner, Sr. for his remarkable leadership in our great State of Georgia and in extending our deepest sympathies to his family, friends and, loved ones during this difficult time of bereavement. Moreover, we pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks, and months ahead.

IN RECOGNITION OF MS. TONI WASHINGTON

### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. LEWIS. Madam Speaker, I rise today to join my constituents and the African American Fire Fighters Historical Society in recognizing the tenth anniversary of Ms. Toni Washington's appointment as the fire chief of Decatur, Georgia.

On January 6, 2009, Chief Washington became the first African-American and the first woman to serve as the City of Decatur's fire chief and emergency manager. As the fourth of six African-American women appointed as fire chief in the United States, Chief Washington is the only African-American woman who is actively leading a fire department.

Chief Washington began her public safety career at the Georgia State Fire Marshal's Office and continued her career at a Metro Atlanta fire department where she was promoted up to the rank of Deputy Fire Chief. Prior to her career in public safety, Ms. Washington

worked on Turner Home Entertainment's marketing and public relations team, on actress Jane Fonda's staff, and with the Cobb Micro-enterprise Council.

Chief Washington earned an undergraduate degree in business administration with an emphasis on marketing and management from Savannah State University and continued her studies at National Louis University, where she earned a master's of science degree in managerial leadership. She maintains a commitment to professional development exemplified by her attendance of the Dr. Carl Holmes Executive Development Institute at Dillard University and the National Fire Academy, and her Chief Fire Officer designation from the Center for Public Safety Excellence.

In her limited spare time, Chief Washington is also active in numerous professional associations and community organizations. She is a proud member of the Metro Atlanta Fire Chiefs Association, International Association of Black Professional Fire Fighters, the Black Chief Officers Committee, the International Association of Fire Chiefs, the Georgia State Firefighters Association, and Delta Sigma Theta Sorority, Inc. Ms. Washington also chairs the Georgia Firefighters Bum Foundation's board of directors, is a trustee of the iWomen board, and volunteers with the Decatur Career Academy Advisory's council and various mentoring programs.

In closing, Madam Speaker, I would also like to extend my warmest greetings and congratulations to Chief Washington's loving family—her husband Gregory; daughters—Tahj, Lark, and Lauryn; son-in-laws—Lyndon and Mark; and her grandsons—Little Lyndon and Logan. I commend Chief Washington on her 10th anniversary and thank her for serving the City of Decatur and contributing to the safety and well-being of our region and nation.

#### BIRTHDAY WISHES TO PETTIS NORMAN

#### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Ms. JOHNSON of Texas. Madam Speaker, I rise today to celebrate the birthday of a dear friend and a true East Texas treasure, Pettis Norman.

Pettis Norman, once known as one of the premier athletes in the National Football League and a long-time Dallas Cowboy, is recognized as a successful businessman with a keen sense of civic responsibility and boundless energy. With more than forty years of business experience, this former Cowboys star has achieved record success on and off the field. Norman was active in changing the segregationist climate within the Cowboys and later the city of Dallas, helping organized marches during the civil rights movement influencing the changing of the team's roommate assignments and breaking social barriers.

During his collegiate and professional careers, Pettis was a stellar athlete. He was voted a First Team, Currier All-American in 1962, while attending Johnson C. Smith University as a physical education student. Upon graduating, Pettis joined the National Football League and won three championships as a starting tight end for the Dallas Cowboys and San Diego Chargers over nine seasons.

In addition to his professional sports endeavors, Pettis pursued a career in banking with South Oak Cliff State Bank in Dallas. Pettis was initially hired to work in Public Relations, but quickly rose to the position of Assistant Vice President in Business Development. Shortly thereafter, he was promoted to Vice President, becoming the first-ever African-American Banking Officer in the region.

Pettis furthered his business interests by also venturing into real estate and restaurant franchising over the course of three decades. To date, Pettis has created four companies under the umbrella known as PNI Industries. He also created The Dallas Together Forum, consisting of approximately 20 CEOs from Fortune 500 companies, to address the pressing issues of minorities and female participation in the "bounties of our nation". The Dallas Together Forum became a successful model that had been replicated across the nation.

Pettis Norman is well-regarded and is highly respected within the Dallas community. I would like to recognize him on his birthday, and I thank him for his leadership to this community and to the city of Dallas, Texas.

#### HONORING FLORIDA REPRESENTATIVE RICHARD STARK AS THE ELECTED OFFICIAL OF THE YEAR BY THE JEWISH FEDERATION OF BROWARD COUNTY

#### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. HASTINGS. Madam Speaker, I rise to recognize State Representative Richard Stark of Weston, Florida, a dedicated public servant and my good friend and who will be honored as the Elected Official of the Year by the Jewish Federation of Broward County.

Richard attended New York public schools before receiving his Bachelor of Arts degree from the University of Denver. He then moved to South Florida to join his family's furniture business. In 1990, he became an independent insurance agent, and today, operates a thriving independent agency specializing in life, health and insurance plans for seniors.

After holding leadership positions with Temple B'Nai Aviv, Rotary Club of Weston, and the American Youth Soccer Organization, Richard was elected to the Florida House of Representatives in 2012. Soon after, he was elected Chair of the Florida Jewish Legislative Caucus. Under his leadership, the Caucus has been instrumental in promoting legislation to combat the Boycott, Divestment, Sanctions (BDS) movement, securing funding for human services needs in the Jewish community, and ensuring the security of Jewish Day Schools throughout our state. As a State Representative, he works closely with rabbis, Jewish community leaders, and Hillels at Florida State University to engage students in the policy process and grow the next generation of Jewish leaders.

Richard currently Chairs the Broward County Legislative Delegation, serves as Deputy Leader of the House Democratic Caucus, and serves on the House Appropriations Committee, Commerce Committee, Justice Appropriations Subcommittee and Health Quality Subcommittee.

He has been married to his wife, Debbi, for over 30 years and his children, Lindsey and Jason, attended and graduated from Broward County public schools.

Madam Speaker, this award is a true testament to Representative Richard Stark's ongoing commitment to his community. I want to extend my warmest congratulations to him on receiving the Elected Official of the Year Award from the Jewish Federation of Broward County, and send along my best wishes on such a momentous occasion.

#### IN HONOR OF RENE DROUIN, IMMEDIATE PAST PRESIDENT AND CHIEF EXECUTIVE OFFICER, NHHEAF NETWORK ORGANIZATIONS

#### HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Ms. KUSTER of New Hampshire. Madam Speaker, I rise today to honor my good friend Rene Drouin on his upcoming retirement from the New Hampshire Higher Education Assistance Foundation (NHHEAF) Network Organizations after more than 40 years of service.

In addition to his work at the NHHEAF Network Organizations, Mr. Drouin has served as Chair of the Program Operations Committee of the National Council of Higher Education Loan Programs, as well as the distinction of being designated with a Congressional appointment to the U.S. Department of Education's Advisory Committee on Student Financial Assistance.

Through Rene's leadership, the Organizations employ nearly 200 people, with more than 800,000 student loan borrowers serviced as part of NHHEAF's Federal Direct Loan Servicing Contract, as well as servicing 40,000 Federal Family Education Loan and private loan borrowers, including many Granite State students and families. Rene has ensured the Organizations continue to have a lasting economic impact in our state and local communities, including generous charitable spending for financial literacy and college planning.

On behalf of my constituents in New Hampshire's Second Congressional District, I thank Rene for his commitment to championing college access and affordability in his 40 years of service at the NHHEAF Network Organizations. His efforts will continue to benefit our state for years to come. I am honored to recognize and congratulate Rene and wish him the very best of luck in the years ahead.

#### HONORING MR. PETER ARRIGONI

#### HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. HUFFMAN. Madam Speaker, I rise today in memory of Peter Arrigoni, who passed away on December 18, 2018, at the age of 87 after a lifetime of public service to his community.

Born in 1931 in San Francisco, Mr. Arrigoni later settled in Fairfax, where his extended family had lived for more than 100 years. He

graduated from St. Ignatius High School as an all-city athlete and attended the College of Marin where he was an all-conference half-back on the football team. After serving in the U.S. Coast Guard, where he attained the rank of second class petty officer while serving in the Korean War, Mr. Arrigoni finished his college education at the University of Arizona. He was an honor roll student and was once again named all-conference for football. After graduating with a degree in business and economics, Mr. Arrigoni started working as a stockbroker. During this time, he became involved in many volunteer activities. He was a little league coach, joined the Fairfax Park and Recreation Commission, and served on the Fairfax School District's site selection committee.

As his passion for public service grew, Mr. Arrigoni ran for public office, and he was elected to the Fairfax City Council in 1964. He went on to serve as Mayor in 1966, and then decided to run for Supervisor in 1968. He won that election and many more to keep his seat on the board of supervisors until he retired in 1976. During his tenure as Supervisor, Mr. Arrigoni led the way for historic planning policies that have protected West Marin's ranchland for decades. He was also a member of many community organizations such as the Golden Gate Bridge board, the county pension board, the Bay Area Pollution Control Board and the Association of Bay Area Governments. More recently, Mr. Arrigoni was honored by the Marin County Free Library for his dedicated leadership when the library's community room was named for him. Mr. Arrigoni also enjoyed membership with the St. Rita's Church Men's Club and Fairfax Parlor No. 307.

Mr. Arrigoni was known to many in Marin County as a pioneer in helping to restructure local government and leadership to make the governing process more efficient and open to the public. He as been aptly described by many as being largely responsible for saving the true character and nature of Marin County by fighting against major wholesale developments and to protect open space preserves and canyons, which still exist today thanks in large part to his tireless work.

On a personal note, I met Mr. Arrigoni in 1994 when I first ran for public office, a seat on the Marin Municipal Water District (MMWD). He was a strong environmentalist, and he was running the Marin Builders Exchange at that time. We came from different generations and political parties, but we became good friends. I will remember with fondness the tours he led for me of remote parts of the MMWD watershed where he used to go fishing and deer hunting as a kid. I could always count on him for a good joke, or an old political war story, or just some good cheer.

Mr. Arrigoni is survived by his loving wife Pat, his sons James and Robert, his brother Robert, and one grandchild. While he will be greatly missed, Mr. Arrigoni's legacy will live on through the indelible positive impact he had on his community and beyond.

## CELEBRATING FORREST FLYNN'S 100TH BIRTHDAY

### HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mrs. WALORSKI. Madam Speaker, I rise today to recognize Forrest Flynn as he celebrates his 100th birthday.

Forrest was born on January 23, 1919, in South Bend, Indiana, as the youngest of four children. He attended a one-room schoolhouse in Middlebury, the town where he has spent the majority of his life. Growing up in northern Indiana taught Forrest how to work hard, be kind to others, and live a meaningful life.

When America entered World War II in 1941, Forrest answered his nation's call to serve and joined the U.S. Army, where he served for three years. At the front, he was a tank retriever for the 7th Army Division, 23rd Company, ferrying tanks in need of maintenance out of enemy fire and into the hands of the Army mechanics. His strength, bravery, and love of country were as steadfast then as they are now.

After returning to civilian life, Forrest remained active in his community. He filled many roles around town, from his job gathering eggs to his work helping build the Mackinac Bridge. He is known by all as a man of great integrity, and he embodies the values of the Hoosier work ethic. And while his life is filled with inspirational moments, those lucky enough to know him well are also blessed with his bright and cheerful spirit that touches your heart and puts a smile on your face.

Madam Speaker, Forrest Flynn sets a strong example, not only as a Hoosier and an American but also as a friend, neighbor, and family man. On behalf of 2nd District Hoosiers, I offer Forrest my hearty congratulations on this incredible milestone, I thank him for his service to our country, and I wish him many more years of continued health and happiness.

## IN RECOGNITION OF THE RETIREMENT OF THE HONORABLE JUDGE WILLIAM C. RANDALL

### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. BISHOP of Georgia. Madam Speaker, it is my honor and pleasure to extend my personal congratulations and best wishes to a dear friend of longstanding and servant of humankind, The Honorable Judge William C. Randall, Chief Judge of the Civil and Magistrate Courts of Macon-Bibb County, Georgia. Judge Randall was honored in a retirement ceremony on Friday, January 4, 2019, at 5:00 pm at the Terminal Station in Macon, Georgia.

Judge Randall was born on October 14, 1943, in Macon, Georgia to the union of the late William P. and Lillian Randall. He is a product of the Bibb County Public School System, where he attended L.H. Williams Elementary School and Peter G. Appling High School. He went on to receive his Bachelor of Arts degree from Morgan State University and his

Juris Doctorate degree from Emory University School of Law. Following his graduation from law school, Judge Randall was an Earl Warren fellow with the NACCP Legal Defense Fund, Inc. in New York City. After which, he returned to his hometown of Macon and established a very successful law practice.

In 1974, Judge Randall was elected from Bibb County to the Georgia House of Representatives, where he served until 1999. During his 24 years of service in the Georgia General Assembly, he served on several committees, but most notably rose to become Chairman of the House Special Judiciary Committee.

He received several awards including the Outstanding Legislative Award by the Concerned Citizens League of Macon; the Outstanding Legislative Award from the Afro-American Law Enforcement League of Macon; the Outstanding Legislative Award from the Bibb Association of Educators; the Legislator of the Year Award by the Georgia Association for the Prevention and Treatment of Substance Abuse; and the Lifetime Achievement Award by the Georgia Legislative Black Caucus, Inc.

In 1999, he was appointed by Georgia Governor Roy Barnes to be Chief Judge of the Civil and Magistrate Courts of Bibb County.

In addition to Judge Randall's legislative service, he is also a member of the Macon Bar Association; the State Bar of Georgia; The National Bar Association; the American Bar Association; the American Judicial Association; and the Executive Committee of the Magistrate Judges Council. Judge Randall is also a member of the Prince Hall Masons; the Elks; and the National Association for the Advancement of Colored People (NAACP).

After his retirement, Judge Randall is planning to spend quality time with his wife, Laretta; his five children; and his 11 grandchildren. He has accomplished much in his life, but none of it would have been possible without the love and support of the family he cherishes so dearly.

On a personal note, I would like to thank Judge Randall for his friendship, advice, counsel, and support over the years. We were schoolmates at Emory Law School, shared the Earl Warren Legal Fellowship experience together and as a young lawyer, he assisted me by allowing me to work out of his Macon office when I had cases and trials in Bibb County Superior Court and the U.S. District Court for the Middle District of Georgia. I served under him in the Georgia House when he chaired the House Special Judiciary Committee. When I ran for Congress, his early support was pivotal in my gaining nomination and election as Congressman from the Second Congressional District. He and his family provided countless Sunday dinners during my weekend visits to Bibb County.

A true Georgian devoted to serving his great state, Judge Randall embodies Georgia's state motto, "Wisdom, Justice, and Moderation." Judge Randall is a man of great integrity who sets a high standard for himself and for others.

Madam Speaker, I ask my colleagues to join my wife, Vivian, and me, along with the more than 730,000 constituents of Georgia's Second Congressional District in extending our sincerest appreciation and best wishes to The Honorable Judge William C. Randall upon the occasion of his retirement.

HONORING MR. CLIFTON JAMES  
COWARD, JR.

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. JONES. Madam Speaker, the Vietnam War is widely regarded as one of the most brutal conflicts our young service members have faced to this day. With such brutal conditions abroad and dwindling support within the United States, the Vietnam War left an indelible mark on our nation, and most importantly, on the people who served. One man to experience these effects was Mr. Clifton James Coward, Jr., of Washington, North Carolina. I rise today to honor him.

Known as C.J. to his friends, Clifton was a happy and outgoing person when he was younger. Unfortunately, by the time he returned home following his tour in Vietnam, his world was flipped upside down.

C.J. served in the military from 1967 to 1970, completing one tour in Vietnam. As a Specialist 4th Class in the U.S. Army, he was a part of a New Equipment Training (NET) team and was the operator/gunny attached to a Sheridan M551 tank. One of the hardships the group faced while fighting was that they traveled so quickly throughout the country. Letters that their loved ones sent often wouldn't arrive until after they had moved on to a new location.

Unfortunately, by the time his tour was over and C.J. was discharged, he had developed anxiety and post-traumatic stress disorder. This greatly exacerbated other health problems, which arose later in his life. Having married Lola Woolard after returning to the states, C.J. dealt with emphysema and episodes of anxiety that led to his wife driving him around into the early hours of the morning to help calm him down. Even throughout the hardships, the couple was happily married for 48 years. The two of them have lived in my district for 45 of those 48 years. C.J. was a proud father to Lynn and Kylie Coward Carter and a grandfather to Lucas and Lily Carter. After his service, he continued supporting his family by preparing bread trays, that way he could avoid the stress of your typical 9 to 5 job and he was able to work at his own pace.

The effects of Vietnam are still felt by many, just like Clifton. Despite never returning to the same happy, outgoing young man he once was, he always tried to keep a smile on his face and was a dear friend who will be missed by many. May God continue to uplift his family.

IN MEMORY OF MR. FRANKLIN  
DEAN SMITH

**HON. ROBERT J. WITTMAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. WITTMAN. Madam Speaker, I rise today in solemn remembrance of the life of Mr. Franklin Dean "Frank" Smith, who passed away Wednesday, April 11, 2018. Frank was a lifelong patriot who bravely and proudly served our great Nation as a member of the United States Navy. Not only did he love our

country, he was a lover of God, his family, and his community, and he worked his entire life to give back to that which he loved.

Before his service, Frank was born and raised in Cherokee, Iowa. He made his way to the East Coast when he received an appointment to the U.S. Naval Academy. Following his graduation in 1956, he attended the Navy Supply Corps School in Athens, Georgia before serving on the destroyer USS *Hunt*, as well as in Vietnam during the Vietnam War. Frank later returned to his alma mater to spend two tours teaching math to the next generation of naval officers. He served at the Atomic Energy Commission under Admiral Hyman Rickover, the "father of the nuclear Navy" at Westinghouse's Bettis Atomic Power Laboratory; as the supply officer on the USS *Maury*; and as well as at the U.S. Naval Supply Center. His last official duty was with the Office of the Secretary of Defense at the Pentagon.

Frank led an accomplished life, also receiving his Master's Degree from Harvard Business School and serving as a long-time member, and even President, of the Fairfax Hunt Club. Additionally, Frank was a founding member of the "Morattico Waterfront Museum," which is the cultural center of activity in Morattico, the small town where he lived during the latter years of his life.

Frank is survived by his wife, Carol; children, Scott, Elizabeth, and Alex; stepchildren, Edward, Genie, Vicky, and James; as well as his sixteen grandchildren. His dedication to our Nation and his local community was second to none, and he will be greatly missed by all who had the pleasure of knowing him.

Madam Speaker, I ask you to join me in honoring and recognizing Mr. Franklin Dean Smith for his life of service to our Commonwealth, Nation, and the United States Navy.

HONORING THE LIFE AND LEGACY  
OF TYLER TRENT, A PURDUE  
BOILERMAKER

**HON. SUSAN W. BROOKS**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mrs. BROOKS of Indiana. Madam Speaker, I rise today to honor the life and legacy of Tyler Trent, a twenty-year-old Purdue University student journalist and super fan who devoted his all too short life to inspiring and helping others. He recently lost his battle with cancer as 2019 began. Tyler Trent is now a name known in households across the nation for his love of Purdue football and his inspiring passion and energy as a fan. The people of Indiana's Fifth Congressional District are forever grateful for Tyler's significant impact on Purdue University, the State of Indiana, and our nation.

Tyler was a life-long Hoosier, a native of Carmel, Indiana and son of Tony and Kelly Trent. The oldest of three brothers, he was always described as a special kid who "stood out" his entire life. This maturity would follow Tyler throughout his life as he faced three consecutive battles with osteosarcoma or bone cancer, starting at the age of 15. Determined not to let cancer impede his dreams of attending Purdue University, Tyler graduated from high school and scored in the 1500s on

the SAT. His hard work and dedication to success earned him the Presidential Scholarship to Purdue in early 2017. This scholarship is awarded to individuals with high academic achievement, leadership, and service in their school or community. Determined to not let cancer dictate his life, Tyler began college at Purdue University in the fall of 2017. Unwavering in his dream to be a Boilermaker and become a national sports writer, Tyler attended class during the week and returned home on the weekends for cancer treatment at Riley Hospital for Children.

His remarkable spirit was evidenced by his unwillingness to let cancer impede his passion for Boilermaker football, attending Purdue football games and cheering on his favorite team whenever possible. His passion was quickly recognized by Coach Jeff Brohm, who admired his fight and inability to quit. When asked about his future, Tyler stated, "The immediate future in my mind . . . Purdue beats number two-ranked Ohio State." And they did. He also earned the position of honorary team captain. The team often credited Tyler for their wins, particularly the Old Oaken Bucket game. Ever committed to his Boilermakers, he attended his last game while in hospice care.

Beyond Tyler's love of sports was a love of doing good. Even as he battled osteosarcoma, Tyler thought of others, forming an organization called Teens With a Cause where he raised over \$100,000 for pediatric cancer research. The organization recruited kids to do service projects for families affected by cancer, such as raking leaves, shoveling snow and running errands. Tyler also volunteered with the Purdue Dance Marathon, which raises money for Riley Hospital for Children and the Purdue Center for Cancer Research. Committed to advancing research and curing his cancer, Tyler donated the tissue from his tumor for research, one of the first osteosarcoma patients at Riley to do so. When speaking about tissue donation, Tyler said "I feel like I'm getting to view my legacy come to life. I'm incredibly thankful that I'm getting to see the impact tissue donation is having. Most people don't get to live long enough to see their impact but I'm getting blessed with that."

A true testament to his outstanding character, Tyler was the subject of ESPN features and received the Sagamore of the Wabash, the highest Hoosier honor bestowed by Governor Holcomb. In December 2018, he was the recipient of Disney's Wide World of Sports Spirit Award, given annually to college football's most inspirational individual or team. When Tyler received that award, he said, "At the end of the day, there's always a light at the end of the tunnel and as long as you rely on your faith, things will work out." Finally, Tyler wrote an autobiography entitled *The Upset: Life, Sports, Death, and the Legacy in Between*, The 'TYLER STRONG' Story, with a portion of every purchase being donated to cancer research in Trent's name.

It is with that optimistic and positive outlook on life that Tyler was able to inspire the nation. He has united Americans far and wide to be Boilermakers. Tyler will be forever missed by his family, friends, colleagues, and the entire Purdue community. I hope we can all live every day as he did: #Tyler Strong. On behalf of Indiana's Fifth Congressional District, I extend my deepest condolences to Tyler's parents, Tony and Kelly Trent, his two brothers,

Ethan and Blake, and his extended family and friends who mourn his loss. Tyler's inextinguishable ability to find good in every situation will continue to inspire the State of Indiana and our nation, now and in the future.

HONORING RUTHANN GEIB ON HER RETIREMENT FROM THE AMERICAN SUGARBEET GROWERS ASSOCIATION

### HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. HASTINGS. Madam Speaker, I rise today to honor Ruthann Geib, a great friend, who is retiring after 36 years of working with the American Sugarbeet Growers Association and the sugarbeet and sugar cane communities.

Originally from Wooster, Ohio, her grandparents had a dairy and feed grains farm nearby where she learned about the care and feeding of animals and the joys of grain harvesting.

After earning her Bachelor's Degree in Sociology with Minors in Psychology and Political Science from Malone University, Ruthann was accepted into a three-month internship program in Washington, D.C. She worked at an international development organization and was later hired to be the diplomatic liaison with embassies for the more than 20 countries where the organization had development and linguistic projects.

Following her internship and after a brief stint at a law firm, she joined the American Sugarbeet Growers Association (ASGA) in 1982. Ruthann quickly moved through the ranks, becoming Vice President of the association a few years later. Her portfolio included federal legislation, regulatory and administrative issues, Board education and communications, and management of the annual grower fly-ins. Her years with ASGA covered 19 Congresses, seven farm bills, and multiple free-trade agreements. In 2016, after over 30 years of service, the ASGA presented Ruthann with a Distinguished Service Award.

Her most memorable experiences include visiting the farms and communities in sugarbeet and sugar cane areas, and visiting Cuba in 1999 as a member of the U.S. sugar industry delegation to a United Nations sugar meeting.

Ruthann and her husband, Paul, currently live in Alexandria, Virginia, but are looking forward to moving to the mountains of Tennessee in 2019. In her retirement, she plans to travel and volunteer with various projects in her new community.

Madam Speaker, Ruthann's impact on the sugarbeet and sugar cane communities is a true testament to her longstanding commitment to the industry. I wish her well as she embarks on the next chapter of her life in the beautiful mountains of Tennessee.

IN HONOR OF CENTRAL-PHENIX CITY WINNING THE AHSAA CLASS 7A FOOTBALL CHAMPIONSHIP

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. ROGERS of Alabama. Madam Speaker, I rise to recognize the Central-Phenix City High School football team for winning the Alabama High School Athletic Association (AHSAA) Class 7A football championship.

The Red Devils defeated Thompson 52-7 in the championship game in December played at Jordan-Hare Stadium at Auburn University. The Red Devils had a perfect season going 14-0 under Coach Jamey DuBose.

Madam Speaker, please join me in congratulating the students and faculty of Central High School, the coaches, the players and all the Red Devil fans on this exciting achievement. Go Red Devils.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF HARRY GRODSKY & CO., INC.

### HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. NEAL. Madam Speaker, I would like to take this opportunity to recognize and congratulate Harry Grodsky & Co., Inc. on the occasion of its 100th anniversary. Established in 1918, Harry Grodsky & Co., Inc. is one of the largest and most experienced mechanical contractors in America. For four generations, the family-owned firm has remained focused on solving complex problems, and has built a robust reputation based on exemplary professionalism and customer care.

For 100 years, Grodsky has prioritized family and safety in every aspect of its work. The group has continued to build strong relationships with repeat customers, suppliers, and subcontractors on the way to becoming an integral part of the economy of western Massachusetts and beyond. Across the board, Grodsky has proven its commitment to quality and integrity with every project. The firm has played an active role throughout New England over the years and the communities of the region have undoubtedly benefitted from major projects carried out by Grodsky, including those at top hospitals, universities, and large financial and manufacturing facilities.

Once again Madam Speaker, over the course of its history, Harry Grodsky & Co., Inc. has demonstrated outstanding leadership, dedication, and integrity. Those traits are hallmarks of the group's long and admirable tradition of service in western Massachusetts and beyond, and are certainly worthy of recognition. On the occasion of Harry Grodsky & Co., Inc.'s 100th anniversary, I wish the Grodsky family and the dedicated individuals who work with them, all the best and much continued prosperity.

INTRODUCTION OF LEGISLATION TO DIRECT THE SECRETARY OF THE INTERIOR TO CONVEY CERTAIN FACILITIES, EASEMENTS, AND RIGHTS-OF-WAY TO THE KENNEWICK IRRIGATION DISTRICT, AND FOR OTHER PURPOSES

### HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. NEWHOUSE. Madam Speaker, I rise today to reintroduce legislation authorizing the Secretary of the Interior to transfer title of certain Bureau of Reclamation (BOR) works to the Kennewick Irrigation District (KID) in Central Washington.

The legislation will transfer title of BOR works beginning at KID's headgate extending 40 miles east. The transfer includes the conveyance of land and project facilities and must be completed no later than two years after its enactment. This title transfer will allow KID to manage water supplies more efficiently, while also reducing federal liabilities and providing a cost savings benefit to the federal government.

KID was initially built to serve the agricultural community in the Tri-Cities area. Today, the majority of ratepayers live in residential developments, and the change from farmland to urbanization is expected to continue into the foreseeable future.

Madam Speaker, in the last Congress the House overwhelmingly supported this legislation. Unfortunately, the Senate was unable to bring the bill up for consideration before final adjournment, so that is why I am reintroducing this legislation to attain swift action and consideration by our Senate colleagues to get this to the President's desk.

I hope that we can move this legislation soon to ensure there will be a safe, reliable, and efficient water supply for the next generation in Central Washington.

INTRODUCTION OF THE LOW-WAGE FEDERAL CONTRACTOR EMPLOYEE BACK PAY ACT

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Ms. NORTON. Madam Speaker, today, I introduce the Low-Wage Federal Contractor Employee Back Pay Act to grant back pay to federally contracted retail, food, custodial and security service workers who are furloughed during the current and any other federal government shutdown this fiscal year (fiscal year 2019). This bill applies to all three branches of the federal government. After government shutdowns, federal workers have received back pay, but not federal contract workers, who often perform the same jobs as civil servants. While I believe that all federal employees and federal contract workers should receive back pay after a shutdown, we know that we cannot get Congress to make whole all who are hurt by a shutdown. Therefore, my bill focuses specifically on low-wage federal contract workers, some of whom work here on the

Capitol Grounds providing Members of Congress and congressional staff with daily services, because these are the workers most likely to be irretrievably hurt by lost wages during a shutdown.

Many federal contract workers earn little more than the minimum wage and receive few, if any, benefits. While some are unionized with a little better wage, all are the lowest-paid workers in the federal government and should not be penalized because Congress has failed to do its job to keep the government functioning. Congress, historically, has provided back pay to federal employees furloughed during government shutdowns, who often work in the same buildings as these low-wage contract workers, but not to low-wage contract workers. However, both groups of workers deserve to be made whole after shutdowns. I recognize, of course, that contract workers are employees of contractors, but the distinction between federal workers and, at least, the lowest-paid contract workers, who, for example, keep buildings clean, fails when it comes to a deliberate government shutdown. Unlike many other contractors, those who employ low-wage service workers have little latitude to help make up for lost wages. Low-wage, federally contracted service workers can least afford the loss of pay during a shutdown and should not have to go without back pay while everyone else in their federal buildings receives back pay.

The nation's capital is the high-profile home of the federal government's complicity with contractors who pay low wages through leases and contracts with federal agencies. At least this legislation would provide some parity to their low-wage federal contract workers.

I strongly urge my colleagues to support the legislation.

#### RECOGNIZING THE JOLIET CATHOLIC ACADEMY FOOTBALL TEAM FOR THEIR STATE CHAMPIONSHIP WIN

##### HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. LIPINSKI. Madam Speaker, I rise today to honor the Joliet Catholic Academy Hilltoppers football team on winning the IHSA Class 5A State Championship. On November 24th, JCA captured their 14th state championship with a victory over Montini Catholic High School at Memorial Stadium in Champaign. I want to congratulate all of the players, coaches, trainers, and parents, and commend them on their hard work and on the dedication they have shown to their team, their school, and their community. I also want to congratulate Coach Jake Jaworski for his first championship and the principal of Joliet Catholic Academy, Dr. Jeffrey Budz, for helping lead these young men to victory.

In the championship game, Nick Iannantone had 40 carries for 318 yards and 3 touchdowns, with offensive linemen Colin Cox, Dave Monnot, Ryan Laule, Ty O'Janovac, and Connor Kovas clearing the way for the team to gain a total of 461 yards on 66 carries. This prolific offense came despite losing one of their key players, senior running back Keenan Hailey, due to an injury early in the game.

With the help of a defense that only allowed one touchdown in the second half, this amazing team fought back from the 21–7 deficit to win 35–27—bringing home the state championship.

Madam Speaker, I ask my colleagues to join me in recognizing the Joliet Catholic Academy Hilltoppers football team and to congratulate them on their IHSA Class 5A State Championship. I wish each player continued success as he moves forward.

#### IN MEMORY OF T. MOFFATT BURRISS, SR.

##### HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. WILSON of South Carolina. Madam Speaker, beginning with Gov. Henry McMaster lowering flags across South Carolina, tributes are being made to honor the memory of T. Moffatt Burris, Sr., who is an American War Hero, business leader, pioneer of the modern Republican Party, and devoted Family Man. I include in the RECORD the obituary from The State on January 6, 2019:

THOMAS BURRISS SR.

CHAPIN SC.—Thomas Moffatt Burris, Sr. passed away on January 4, 2019 at the age of 99. He was born in Anderson, SC, on Sept. 22, 1919, to Frank Judson Burris and Frances Moffatt. He had two siblings, Frank J. Burris, and Jean Burris Wattley, both now deceased.

Upon graduating from Clemson College in 1941, he moved to Orangeburg and taught physics and science at Orangeburg High, where he met his future wife, Louisa Righton Hay, of Morristown, Tennessee.

When the war broke out on December 7, 1941, Moffatt was called into the service at Fort Benning, Georgia, where he volunteered for paratrooper training school. While on a two week leave, he and Louisa were married on June 22, 1942, in Morristown, IN., by Louisa's father, a Presbyterian minister. In May, 1943, Moffatt's unit was ordered to North Africa to prepare for the invasion of Europe and would not see his wife again for two and a half years. Moffatt was involved in almost every major World War II European battle including Sicily, Italy, Holland, and Belgium.

In Operation Market Garden in the Netherlands, Burris's company was the lead company in the famous Waal River Crossing and the capture of the Nijmegen Bridge. As a company commander, Captain Burris's part in the battle was portrayed in the movie *A Bridge Too Far*.

For his service during the war, he received the Silver Star, three Bronze Stars, and Combat "V" for valor, the Purple Heart, three Presidential Unit Citations, French Fourragere, Belgium Fourragere, and the Dutch Lanyard.

After the war, Moffatt and Louisa moved to Columbia where he taught school for a few years and then went into the construction business.

In 1970, Moffatt and his three sons formed Burris Construction Company which was involved in major construction projects throughout the southeast. He was active in numerous civic and business organizations including the Executives Association of Greater Columbia (EAGC) of which he was president in 1964–65, a Board Member of Lions Club, Presbyterian Home of SC, Med-

ical Missions, SC Lottery Commission, and as Executive Director of the Business and Industry Political Action Committee (BIPEC). Moffatt was a founding member of Eastminster Presbyterian Church where he served as a ruling Elder.

In 1976, he was elected to the S.C. House of Representatives where he served until he retired in 1991. He was elected minority leader for nine of those years where he was instrumental in building the present day Republican Party. In 1989, he received the "Order of the Palmetto" from Governor Carroll Campbell.

In 2000, inspired and persuaded by his children, Moffatt documented his war experiences by writing the book *Strike and Hold*, a memoir of the 82nd Airborne in World War II.

In 2009, Moffatt was invited to Holland to participate in the 65th Anniversary of Operation Market Garden in Nijmegen. At the ceremony Mr. Burris was recognized by the Queen of Holland and the Mayor of Nijmegen and awarded the Nijmegen Medal of Honor for his part in capturing the Nijmegen Bridge in 1944. Mr. Burris celebrated his 90th birthday by once again parachuting at the original WWII battle site in Holland.

Over the years, Moffatt and Louisa built their vacation home at their beloved Lake Dogwood in Eastover, where he enjoyed fishing in the lake. They also enjoyed vacations in Montreat, N.C., where, even in his nineties, Moffatt helped each of his four children build their own vacation homes.

In the early 70's, Moffatt faced the toughest battle of his life when Louisa was diagnosed with early onset Alzheimer's Disease. He courageously cared for her until her death in 1986. Moffatt was later blessed to marry Jean Wheelwright Dooley, who had four grown children of her own, Richard, John, Mary, and Michael. Jean died in 2010. He is survived by his three sons and one daughter, John Hay Burris (Becca), Moffatt Burris Jr. (Suzanne), Francis Burris (Nancy), and Louisa "Weesa" Burris (Bob Toomey); twelve grandchildren, Catherine Tuttle, John Burris, Jr., Louisa Adam (Brian), Elizabeth Teal (Bart), Alle Denny (Chris), Lisa Thornton (Brian), Philip Prescott, Rich Prescott, Moffatt Prescott, Rachel Burris, Thomas Burris III, and David Burris (Rebecca); and ten great-grandchildren, all who are grateful and humbled to have shared the life of this honorable gentleman.

The family would like to thank the staff at Lowman Home and Lutheran Hospice for their compassionate care of Mr. Burris during his last two months.

A memorial service will be held at Lake Murray Presbyterian Church, in Chapin, on Sunday, January 13, at 3:00. The family will receive visitors at the church at the conclusion of the service. Shives Funeral Home, Trenholm Road Chapel, is assisting the family. Memorials may be made to Lake Murray Presbyterian Church, 2721 Dutch Fork Road, Chapin, SC 29063. Memories and condolences may be shared at [ShivesFuneralHome.com](http://ShivesFuneralHome.com).

#### IN HONOR OF CENTRAL-CLAY COUNTY WINNING THE AHSAA CLASS 5A FOOTBALL CHAMPIONSHIP

##### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Mr. ROGERS of Alabama. Madam Speaker, I rise to recognize the Central-Clay County High School football team for winning the Alabama High School Athletic Association (AHSAA) Class 5A football championship.



The Volunteers defeated Vigor 43–42 in the championship game on December 6th played at Jordan-Hare Stadium at Auburn University. The Volunteers brought home the program's first ever state title.

Madam Speaker, please join me in congratulating the students and faculty of Central-

Clay County High School, the coaches, the players and all the Volunteer fans on this exciting achievement. Go Volunteers.

## PERSONAL EXPLANATION

**HON. ILHAN OMAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 8, 2019*

Ms. OMAR. Madam Speaker, had I been present, I would have voted YEA on Roll Call No. 4.

# Daily Digest

## HIGHLIGHTS

Senator-elect Rick Scott, of Florida, was administered the oath of office by the Vice President.

See Interim Résumé of Congressional Activity.

## Senate

### Chamber Action

*Routine Proceedings, pages S35–76*

**Measures Introduced:** Thirty bills and two resolutions were introduced, as follows: S. 30–59, and S. Res. 10–11. **Pages S67–68**

**Measures Considered:**

**Strengthening America's Security in the Middle East Act—Agreement:** Senate resumed consideration of the motion to proceed to consideration of S. 1, to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people. **Pages S38–49**

During consideration of this measure today, Senate also took the following action:

By 56 yeas to 44 nays (Vote No. 1), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S48**

Senator McConnell entered a motion to reconsider the vote by which cloture was not invoked on the motion to proceed to consideration of the bill. **Page S48**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, January 10, 2019. **Page S48**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10 a.m., on Wednesday, January 9, 2019. **Page S72**

**Swearing in of Senator Rick Scott:** The Chair laid before the Senate the certificate of election of Senator-elect Rick Scott, of the State of Florida, and the oath of office was then administered as required by the U.S. Constitution and prescribed by law. **Page S38**

**Measures Placed on the Calendar:** **Page S66**

**Measures Read the First Time:** **Page S66**

**Executive Communications:** **Pages S66–67**

**Additional Cosponsors:** **Page S68**

**Statements on Introduced Bills/Resolutions:** **Pages S68–72**

**Additional Statements:** **Pages S65–66**

**Record Votes:** One record vote was taken today. (Total—1) **Page S48**

**Adjournment:** Senate convened at 3 p.m. and adjourned at 9:01 p.m., until 10 a.m. on Wednesday, January 9, 2019. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S72.)

### Committee Meetings

*(Committees not listed did not meet)*

No committee meetings were held.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 83 public bills, H.R. 8, 264–355; and 6 resolutions, H.J. Res. 22; H. Con. Res. 3; and H. Res. 26–27, 29–30, were introduced.

**Pages H280–84**

**Additional Cosponsors:**

**Pages H288–89**

**Report Filed:** A report was filed today as follows:

H. Res. 28, providing for consideration of the bill (H.R. 264) making appropriations for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 265) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 266) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 267) making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 116–1).

**Page H280**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative McGovern to act as Speaker pro tempore for today.

**Page H231**

**Recess:** The House recessed at 12:18 p.m. and reconvened at 2 p.m.

**Page H233**

**Journal:** The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 235 yeas to 161 nays with two answering "present", Roll No. 15.

**Pages H233, H277**

**Oath of Office Designation—Communication:** Pursuant to the provisions of House Resolution 22, 116th Congress, the Chair laid down a communication from the Honorable G.K. Butterfield of North Carolina reporting the administration of the oath of office to the Honorable Walter Jones of North Carolina on January 4, 2019, and stating that two copies of the oath, signed by Representative Jones, had been delivered to the Clerk of the House.

**Page H233**

**Whole Number of the House:** The Chair announced to the House that, in light of the adminis-

tration of the oath to the gentleman from North Carolina, the whole number of the House is 434.

**Page H233**

**United States Semiquincentennial Commission—Appointment:** The Chair announced the Speaker's appointment of the following Member on the part of the House to the United States Semiquincentennial Commission: Representative Evans.

**Page H234**

**Recess:** The House recessed at 2:10 p.m. and reconvened at 4 p.m.

**Page H234**

**Committee Elections:** The House agreed to H. Res. 26, electing Members to a certain standing committee of the House of Representatives.

**Page H234**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

*Medicaid Extenders Act of 2019:* H.R. 259, amended, to extend the Medicaid Money Follows the Person Rebalancing demonstration, to extend protection for Medicaid recipients of home and community-based services against spousal impoverishment;

**Pages H234–37**

*Reauthorizing certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application:* H.R. 269, to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, by a  $\frac{2}{3}$  yea-and-nay vote of 401 yeas to 17 nays, Roll No. 13;

**Pages H237–66, H275–76**

*Chemical Facility Anti-Terrorism Standards Program Extension Act:* H.R. 251, to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, by a  $\frac{2}{3}$  yea-and-nay vote of 414 yeas to 3 nays, Roll No. 14;

**Pages H266–70, H276–77**

*Incentivizing Fairness in Subcontracting Act:* H.R. 227, to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors; and

**Pages H271–73**

*Small Business Advocacy Improvements Act of 2019:* H.R. 128, to clarify the primary functions and

duties of the Office of Advocacy of the Small Business Administration. **Pages H273–75**

**Recess:** The House recessed at 5:32 p.m. and reconvened at 6:30 p.m. **Page H275**

**Suspension—Proceedings Postponed:** The House debated the following measure under suspension of the rules. Further proceedings were postponed.

**Clarity on Small Business Participation in Category Management Act of 2019:** H.R. 226, to amend the Small Business Act to include best in class designations in the annual report on small business goals prepared by the Administrator of the Small Business Administration. **Pages H270–71**

**Quorum Calls—Votes:** Three yea-and-nay votes developed during the proceedings of today and appear on pages H275–76, H276–77, and H277. There were no quorum calls.

**Adjournment:** The House met at 12 noon and adjourned at 7:50 p.m.

## Committee Meetings

**ORGANIZATIONAL MEETING; FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019; TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019**

**Committee on Rules:** Full Committee held an organizational meeting for the 116th Congress; and a hearing on H.R. 264, the “Financial Services and General Government Appropriations Act, 2019”; H.R. 267, the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019”; H.R. 265, the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019”; and H.R. 266, the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2019”. The Committee adopted its rules of procedure for the 116th Congress and subcommittee ratios, and Rep-

resentative Hastings was designated the Vice Chair of the Committee. The Committee granted, by record vote of 9–4, a rule providing for consideration of H.R. 264, the “Financial Services and General Government Appropriations Act, 2019”; H.R. 265, the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019”; H.R. 266, the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2019”; and H.R. 267, the “Department of Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019”; each under a closed rule. The rule provides one hour of debate on each bill equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees. The rule waives all points of order against consideration of each bill. The rule provides that each bill shall be considered as read. The rule waives all points of order against provisions in each bill. The rule provides each bill one motion to recommit. The rule waives the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House with respect to any resolution reported through the legislative day of January 15, 2019, relating to a measure making or continuing appropriations for the fiscal year ending September 30, 2019. Testimony was heard from Representatives Quigley, Graves of Georgia, Bishop of Georgia, Aderholt, McCollum, Calvert, Price of North Carolina, Diaz-Balart, and Newhouse.

## Joint Meetings

No joint committee meetings were held.

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## COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 9, 2019

(Committee meetings are open unless otherwise indicated)

### Senate

**Select Committee on Intelligence:** closed business meeting to consider pending intelligence matters, 2 p.m., SH–219.

### House

No hearings are scheduled.

# Interim Résumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED FIFTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House.

The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 3, 2018 through January 3, 2019

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	191	174	..
Time in session .....	1,015 hrs., 29'	657 hrs., 46'	..
Congressional Record:			
Pages of proceedings .....	8,065	10,612	..
Extension of remarks .....	..	1,751	..
Public bills enacted into law .....	73	165	238
Private bills enacted into law .....	..	1	1
Bills in conference .....	1	1	..
Measures passed, total .....	641	816	1,457
Senate bills .....	145	105	..
House bills .....	224	557	..
Senate joint resolutions .....	7	2	..
House joint resolutions .....	1	1	..
Senate concurrent resolutions .....	14	10	..
House concurrent resolutions .....	15	18	..
Simple resolutions .....	235	123	..
Measures reported, total .....	* 385	* 610	995
Senate bills .....	252	11	..
House bills .....	114	529	..
Senate joint resolutions .....	1	..	..
House joint resolutions .....	..	..	..
Senate concurrent resolutions .....	..	..	..
House concurrent resolutions .....	..	2	..
Simple resolutions .....	18	68	..
Special reports .....	14	33	..
Conference reports .....	4	4	..
Measures pending on calendar .....	405	217	..
Measures introduced, total .....	1,967	3,259	5,226
Bills .....	1,540	2,672	..
Joint resolutions .....	18	22	..
Concurrent resolutions .....	28	52	..
Simple resolutions .....	381	513	..
Quorum calls .....	2	2	..
Yea-and-nay votes .....	274	326	..
Recorded votes .....	..	172	..
Bills vetoed .....	..	..	..
Vetoed overridden .....	..	..	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 3, 2018 through January 3, 2019

Civilian nominations, totaling 710 (including 146 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	392
Unconfirmed .....	296
Withdrawn .....	22
Other Civilian nominations, totaling 2,025 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	2,015
Unconfirmed .....	9
Withdrawn .....	1
Air Force nominations, totaling 6,274 (including 76 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	6,264
Unconfirmed .....	9
Withdrawn .....	1
Army nominations, totaling 7,283 (including 12 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	7,273
Unconfirmed .....	10
Navy nominations, totaling 4,463 (including 11 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	4,462
Unconfirmed .....	1
Marine Corps nominations, totaling 1,347, disposed of as follows:	
Confirmed .....	1,345
Unconfirmed .....	2
<i>Summary</i>	
Total nominations carried over from the First Session .....	247
Total nominations received this Session .....	21,855
Total confirmed .....	21,751
Total unconfirmed .....	327
Total withdrawn .....	24
Total returned to the White House .....	0

\*These figures include all measures reported, even if there was no accompanying report. A total of 256 written reports have been filed in the Senate, 647 reports have been filed in the House.

*Next Meeting of the SENATE*

10 a.m., Wednesday, January 9

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, January 9

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of the motion to proceed to consideration of S. 1, Strengthening America's Security in the Middle East Act.

*(Senate will recess from 12:15 p.m. until 2:15 p.m. for their respective party conferences.)*

## House Chamber

**Program for Wednesday:** To be announced.

## Extensions of Remarks, as inserted in this issue

## HOUSE

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