S.J. RES. 3

At the request of Mrs. HYDE-SMITH, the names of the Senator from Utah (Mr. LEE) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. ERNST (for herself, Mr. LANKFORD, Mr. BLUNT, Mr. RISCH, Mr. COTTON, Mr. GRASSLEY, Mr. ROUNDS, Mr. CRAPO, Mrs. BLACKBURN, Mr. SASSE, Mrs. HYDE-SMITH, Mr. RUBIO, Mrs. FISCHER, Mr. MORAN, Mr. KENNEDY, Mr. THUNE, Mr. ENZI, Mr. INHOFE, Mr. HAWLEY, Mr. CASSIDY, Mr. ROMNEY, Mr. GRAHAM, Mr. HOEVEN, Mr. ROBERTS, Mr. DAINES, Mr. CORNYN, Mr. CRUZ, Mr. PAUL, Mr. BOOZMAN, Mr. CRAMER, Mr. BARRASSO, and Mr. SCOTT of South Carolina):

S. 141. A bill to prohibit Federal funding of Planned Parenthood Federation of America; to the Committee on Health, Education, Labor, and Pensions.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Thank you very much to my colleagues, the Senator from Nebraska, the Senator from Mississippi, as well as our other colleague, the Senator from Missouri. Thank you for joining us on the floor today to express our support for those who march for life. Thank you so much.

As my colleagues can attest, the invaluable message being shared by the pro-life community this week has implications far beyond that of simply the March for Life. As I travel across my home State of Iowa, I see this life-affirming message in our pregnancy resource centers, maternity homes, and adoption agencies. These comprehensive on-the-ground services provide women and families with service options that are changing and saving lives every single day.

These life-affirming services are the foundation of the pro-life movement across our Nation, and I sincerely thank those centers and agencies for their critical work to fight for vulnerable lives throughout the year.

I see the same message in the remarkable stories of individual families, such as the Pickering family from Newton, IA. I have had the opportunity to share the phenomenal story of Micah Pickering on the Senate floor before. As you may recall, Micah was born at just 20 weeks postfertilization. He was only about the size of a bag of M&M's—the size of the palm of my hand. That was Micah. Yet Micah was also a perfect, fully-formed baby boy, with 10 fingers and 10 toes. In fact, no one makes his case more eloquently than Micah himself.

When I first met Micah, I had a picture of him displayed in my office from the day that he was born—again, the size of the palm of my hand. Micah immediately ran up to that picture. He pointed at it, and he said: ''Baby.''

Micah recognized right away that even at just 20 weeks postfertilization, the humanity of the child was undeniable.

Micah's parents and the doctors and nurses at the University of Iowa Hospitals & Clinics recognized this humanity, as well, and were dedicated to his survival. Today Micah is a happy, healthy, and energetic 6-year-old boy.

Stories like Micah's are extraordinary reminders that the life-affirming services, for which the pro-life community marches, have real and significant impacts on the lives of families across America.

Since coming to Congress, I have also tried to do my part to ensure that this message from those in my home State of Iowa and from other communities all across the Nation is taken back and turned into action in Washington. For me, that has meant supporting crucial pro-life initiatives, such as the Pain-Capable Unborn Child Protection Act, which would prevent abortions after 20 weeks of development—the very same age at which my dear Micah was born.

Another critical piece of legislation, the Born-Alive Abortion Survivors Protection Act, would create concrete enforcement provisions to hold abortionists accountable if they do not provide the same degree of care to a baby who survives an abortion as they would any child born naturally premature at that same age.

Fighting for commonsense legislation that protects innocent life has been a priority of mine in the Senate. But Congress must also do more to ensure that taxpayers are not forced to subsidize abortion or the abortion industry giants, such as Planned Parenthood.

During the 115th Congress, I led the fight in the Senate to pass critical legislation, which was signed into law in 2017, that ensures States are not forced to provide entities like Planned Parenthood, the Nation's single largest provider of abortions, with Federal title X dollars.

I am grateful to have worked with former Congresswoman Diane Black, my Senate colleagues, and President Trump to make sure States are not forced to award providers like Planned Parenthood with taxpayer dollars like title X family planning grants.

As I have stated time and again, taxpayers should not be forced to foot the bill for roughly one-half billion dollars annually for an organization like Planned Parenthood, which exhibits such disrespect for human life. With that in mind, today I reintroduced legislation that would defund Planned Parenthood while still protecting vital funding for women's healthcare services. Contrary to what they claim, Planned Parenthood is not the Nation's preeminent provider of women's healthcare. In fact, Planned Parenthood facilities do not even perform in-house mammograms; something so simple is not performed by Planned Parenthood.

On the other hand, just as my colleague the senior Senator from Nebraska stated, community health centers continue to greatly outnumber Planned Parenthood clinics nationwide and provide more comprehensive preventive and primary health services, including cervical and breast cancer screenings, diagnostic laboratory and radiology services, well childcare, prenatal and postnatal care, immunizations, and so much more. Access to comprehensive health services is absolutely critical to women and families across this Nation, and federally qualified health centers offer such services, regardless of a person's ability to pay.

A recent GAO study that I requested, along with many of my colleagues in both the House and the Senate, showed that over a 3-year period, federally qualified health centers served 25 million individuals compared to only 2.4 million individuals that Planned Parenthood served. That is more than 10 times more people served by those healthcare centers.

Furthermore, a recent Marist poll shows that 54 percent of Americans do not support taxpayer dollars going toward abortions. While there are Federal regulations that prevent Federal dollars from directly covering abortion, these laws are governed by a complicated patchwork of policies and funding riders that must be reapproved during the appropriations process every single year.

Since 1976, the Hyde amendment has been attached to appropriations bills in order to block Federal funds from paying for abortions. However, this policy, which once drew widespread bipartisan support, has recently been under attack. For the first time ever, the Affordable Care Act authorized and appropriated funds that bypassed the Hyde amendment funding restrictions. In 2016, the Democratic Party added the repeal of the Hyde amendment protections to its Presidential platform.

The Hyde amendment is a longstanding and critical provision that protects Federal dollars and ensures that taxpayers are not footing the bill for abortion procedures. That is why I support the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2019, which was recently reintroduced in the Senate. This legislation would permanently codify the Hyde amendment, ensuring that funding restrictions remain in place and are applied to all Federal programs. Furthermore, this bill takes important steps to eliminate certain tax benefits related to abortions and improve disclosure requirements related to insurance coverage of abortion.

Preventing our taxpayer dollars from paying for abortion procedures—a position that a majority of Americans agree with—should not be a complicated process vulnerable to partisan

attack. Congress must take steps to ensure that permanent protections apply governmentwide.

As such, I urge the Senate to consider the No Taxpayer Funding for Abortion and Abortion Insurance Disclosure Act on the floor in order to protect not only our taxpayer dollars but the innocent lives of our most vulnerable.

I appreciate all of the marchers who will be coming to Washington, DC, in the following days and spending their time in a most worthy effort, which is our annual March for Life. God bless them all. Of course, God bless my Iowans for that journey.

Thank you very much.

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By Mr. THUNE (for himself and Mr. MARKEY):

S. 151. A bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. THUNE. 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. 151

*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 ''Telephone Robocall Abuse Criminal Enforcement and Deterrence Act'' or the ''TRACED Act''.

**SEC. 2. FORFEITURE.**

(a) IN GENERAL.—Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) in subsection (b), by adding at the end the following:

''(4) CIVIL FORFEITURE.—

''(A) IN GENERAL.—Any person that is determined by the Commission, in accordance with paragraph (3) or (4) of section 503(b), to have violated any provision of this subsection shall be liable to the United States for a forfeiture penalty pursuant to section 503(b)(1). The amount of the forfeiture penalty determined under this subparagraph shall be determined in accordance with subparagraphs (A) through (F) of section 503(b)(2).

''(B) VIOLATION WITH INTENT.—Any person that is determined by the Commission, in accordance with paragraph (3) or (4) of section 503(b), to have violated this subsection with the intent to cause such violation shall be liable to the United States for a forfeiture penalty. The amount of the forfeiture penalty determined under this subparagraph shall be equal to an amount determined in accordance with subparagraphs (A) through (F) of section 503(b)(2) plus an additional penalty not to exceed $10,000.

''(C) RECOVERY.—Any forfeiture penalty determined under subparagraph (A) or (B) shall be recoverable under section 504(a).

''(D) PROCEDURE.—No forfeiture liability shall be determined under subparagraph (A) or (B) against any person unless such person receives the notice required by paragraph (3) or (4) of section 503(b).

''(E) STATUTE OF LIMITATIONS.—No forfeiture penalty shall be determined or imposed against any person—

''(i) under subparagraph (A) if the violation charged occurred more than 1 year prior to the date of issuance of the required notice or notice of apparent liability; and

''(ii) under subparagraph (B) if the violation charged occurred more than 3 years prior to the date of issuance of the required notice or notice of apparent liability.

''(F) RULE OF CONSTRUCTION.—Notwithstanding any law to the contrary, the Commission may not determine or impose a forfeiture penalty on a person under both subparagraphs (A) and (B) based on the same conduct.''; and

(2) by striking subsection (h).

(b) APPLICABILITY.—The amendments made by this section shall not affect any action or proceeding commenced before and pending on the date of enactment of this Act.

(c) DEADLINE FOR REGULATIONS.—The Federal Communications Commission shall prescribe regulations to implement the amendments made by this section not later than 270 days after the date of enactment of this Act.

**SEC. 3. CALL AUTHENTICATION.**

(a) DEFINITIONS.—In this section:

(1) STIR/SHAKEN AUTHENTICATION FRAMEWORK.—The term ''STIR/SHAKEN authentication framework'' means the secure telephone identity revisited and signature-based handling of asserted information using tokens standards proposed by the information and communications technology industry to attach a certificate of authenticity to each phone to verify the source of each call.

(2) VOICE SERVICE.—The term ''voice service''—

(A) means any service that is interconnected with the public switched telephone network and that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1) of the Communications Act of 1934 (47 U.S.C. 251(e)(1)); and

(B) includes—

(i) transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine; and

(ii) without limitation, any service that enables real-time, two-way voice communications, including any service that requires internet protocol-compatible customer premises equipment (commonly known as ''CPE'') and permits out-bound calling, whether or not the service is one-way or two-way voice over internet protocol.

(b) AUTHENTICATION FRAMEWORK.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), not later than 18 months after the date of enactment of this Act, the Federal Communications Commission shall require a provider of voice service to implement the STIR/SHAKEN authentication framework in the internet protocol networks of voice service providers.

(2) IMPLEMENTATION.—The Federal Communications Commission shall not take the action described in paragraph (1) if the Commission determines that a provider of voice service, not later than 12 months after the date of enactment of this Act—

(A) has adopted the STIR/SHAKEN authentication framework for calls on the internet protocol networks of voice service providers;

(B) has agreed voluntarily to participate with other providers of voice service in the STIR/SHAKEN authentication framework;

(C) has begun to implement the STIR/SHAKEN authentication framework; and

(D) will be capable of fully implementing the STIR/SHAKEN authentication framework not later than 18 months after the date of enactment of this Act.

(3) IMPLEMENTATION REPORT.—Not later than 12 months after the date of enactment of this Act, the Federal Communications Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the determination required under paragraph (2), which shall include—

(A) an analysis of the extent to which providers of a voice service have implemented the STIR/SHAKEN authentication framework; and

(B) an assessment of the efficacy of the STIR/SHAKEN authentication framework, as being implemented under this section, in addressing all aspects of call authentication.

(4) REVIEW AND REVISION OR REPLACEMENT.—Not later than 3 years after the date of enactment of this Act, and every 3 years thereafter, the Federal Communications Commission, after public notice and an opportunity for comment, shall—

(A) assess the efficacy of the call authentication framework implemented under this section;

(B) based on the assessment under subparagraph (A), revise or replace the call authentication framework under this section if the Commission determines it is in the public interest to do so; and

(C) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the findings of the assessment under subparagraph (A) and on any actions to revise or replace the call authentication framework under subparagraph (B).

(5) EXTENSION OF IMPLEMENTATION DEADLINE.—The Federal Communications Commission may extend any deadline for the implementation of a call authentication framework required under this section by 12 months or such further amount of time as the Commission determines necessary if the Commission determines that purchasing or upgrading equipment to support call authentication would constitute a substantial hardship for a provider or category of providers.

(c) SAFE HARBOR AND OTHER REGULATIONS.—

(1) IN GENERAL.—The Federal Communications Commission shall promulgate rules—

(A) establishing when a provider of voice service may block a voice call based, in whole or in part, on information provided by the call authentication framework under subsection (b);

(B) establishing a safe harbor for a provider of voice service from liability for unintended or inadvertent blocking of calls or for the unintended or inadvertent misidentification of the level of trust for individual calls based, in whole or in part, on information provided by the call authentication framework under subsection (b); and

(C) establishing a process to permit a calling party adversely affected by the information provided by the call authentication framework under subsection (b) to verify the authenticity of the calling party's calls.

(2) CONSIDERATIONS.—In establishing the safe harbor under paragraph (1), the Federal Communications Commission shall consider limiting the liability of a provider based on the extent to which the provider—

(A) blocks or identifies calls based, in whole or in part, on the information provided by the call authentication framework under subsection (b);

(B) implemented procedures based, in whole or in part, on the information provided by the call authentication framework under subsection (b); and

(C) used reasonable care.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall preclude the Federal Communications Commission from initiating a rulemaking pursuant to its existing statutory authority.

**SEC. 4. PROTECTIONS FROM SPOOFED CALLS.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and consistent with the call authentication framework under section 3, the Federal Communications Commission shall initiate a rulemaking to help protect a subscriber from receiving unwanted calls or text messages from a caller using an unauthenticated number.

(b) CONSIDERATIONS.—In promulgating rules under subsection (a), the Federal Communications Commission shall consider—

(1) the Government Accountability Office report on combating the fraudulent provision of misleading or inaccurate caller identification required by section 503(c) of division P of the Consolidated Appropriations Act 2018 (Public Law 115–141);

(2) the best means of ensuring that a subscriber or provider has the ability to block calls from a caller using an unauthenticated North American Numbering Plan number;

(3) the impact on the privacy of a subscriber from unauthenticated calls;

(4) the effectiveness in verifying the accuracy of caller identification information; and

(5) the availability and cost of providing protection from the unwanted calls or text messages described in subsection (a).

**SEC. 5. INTERAGENCY WORKING GROUP.**

(a) IN GENERAL.—The Attorney General, in consultation with the Chairman of the Federal Communications Commission, shall convene an interagency working group to study Government prosecution of violations of section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)).

(b) DUTIES.—In carrying out the study under subsection (a), the interagency working group shall—

(1) determine whether, and if so how, any Federal laws, including regulations, policies, and practices, or budgetary or jurisdictional constraints inhibit the prosecution of such violations;

(2) identify existing and potential Federal policies and programs that encourage and improve coordination among Federal departments and agencies and States, and between States, in the prevention and prosecution of such violations;

(3) identify existing and potential international policies and programs that encourage and improve coordination between countries in the prevention and prosecution of such violations; and

(4) consider—

(A) the benefit and potential sources of additional resources for the Federal prevention and prosecution of criminal violations of that section;

(B) whether to establish memoranda of understanding regarding the prevention and prosecution of such violations between—

(i) the States;

(ii) the States and the Federal Government; and

(iii) the Federal Government and a foreign government;

(C) whether to establish a process to allow States to request Federal subpoenas from the Federal Communications Commission;

(D) whether extending civil enforcement authority to the States would assist in the successful prevention and prosecution of such violations;

(E) whether increased forfeiture and imprisonment penalties are appropriate, such as extending imprisonment for such a violation to a term longer than 2 years;

(F) whether regulation of any entity that enters into a business arrangement with a common carrier regulated under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) for the specific purpose of carrying, routing, or transmitting a call that constitutes such a violation would assist in the successful prevention and prosecution of such violations; and

(G) the extent to which, if any, Department of Justice policies to pursue the prosecution of violations causing economic harm, physical danger, or erosion of an inhabitant's peace of mind and sense of security inhibits the prevention or prosecution of such violations.

(c) MEMBERS.—The interagency working group shall be composed of such representatives of Federal departments and agencies as the Attorney General considers appropriate, such as—

(1) the Department of Commerce;

(2) the Department of State;

(3) the Department of Homeland Security;

(4) the Federal Communications Commission;

(5) the Federal Trade Commission; and

(6) the Bureau of Consumer Financial Protection.

(d) NON-FEDERAL STAKEHOLDERS.—In carrying out the study under subsection (a), the interagency working group shall consult with such non-Federal stakeholders as the Attorney General determines have the relevant expertise, including the National Association of Attorneys General.

(e) REPORT TO CONGRESS.—Not later than 270 days after the date of enactment of this Act, the interagency working group shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the findings of the study under subsection (a), including—

(1) any recommendations regarding the prevention and prosecution of such violations; and

(2) a description of what progress, if any, relevant Federal departments and agencies have made in implementing the recommendations under paragraph (1).

**SEC. 6. ACCESS TO NUMBER RESOURCES.**

(a) IN GENERAL.—

(1) EXAMINATION OF FCC POLICIES.—Not later than 180 days after the date of enactment of this Act, the Federal Communications Commission shall commence a proceeding to determine whether Federal Communications Commission policies regarding access to number resources, including number resources for toll free and non-toll free telephone numbers, could be modified, including by establishing registration and compliance obligations, to help reduce access to numbers by potential perpetrators of violations of section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)).

(2) REGULATIONS.—If the Federal Communications Commission determines under paragraph (1) that modifying the policies described in that paragraph could help achieve the goal described in that paragraph, the Commission shall prescribe regulations to implement those policy modifications.

(b) AUTHORITY.—Any person who knowingly, through an employee, agent, officer, or otherwise, directly or indirectly, by or through any means or device whatsoever, is a party to obtaining number resources, including number resources for toll free and non-toll free telephone numbers, from a common carrier regulated under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), in violation of a regulation prescribed under subsection (a) of this section, shall, notwithstanding section 503(b)(5) of the Communications Act of 1934 (47 U.S.C. 503(b)(5)), be subject to a forfeiture penalty under section 503 of that Act. A forfeiture penalty under this subsection shall be in addition to any other penalty provided for by law.

By Mr. DAINES (for himself, Mr. MANCHIN, Mr. CRAPO, Ms. BALDWIN, Mrs. CAPITO, Mr. TESTER, Mr. BOOZMAN, Mrs. SHAHEEN, Mr. MORAN, Mr. JONES, Mr. HOEVEN, and Ms. ROSEN):

S. 164. A bill to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under chapter 89 of title 5, United States Code; to the Committee on Armed Services.

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. 164

*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 ''TRICARE Reserve Improvement Act''.

**SEC. 2. MODIFICATION OF ELIGIBILITY FOR TRICARE RESERVE SELECT OF CERTAIN MEMBERS OF THE SELECTED RESERVE.**

Section 1076d(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''(1) Except as provided in paragraph (2), a member'' and inserting ''A member''; and

(2) by striking paragraph (2).

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 19—EXPRESSING THE SENSE OF THE SENATE THAT DISQUALIFYING A NOMINEE TO FEDERAL OFFICE ON THE BASIS OF MEMBERSHIP IN THE KNIGHTS OF COLUMBUS VIOLATES THE CONSTITUTION OF THE UNITED STATES

Mr. SASSE submitted the following resolution; which was considered and agreed to:

S. RES. 19

Whereas, throughout the history of the United States, the religious liberty protected by both the First Amendment and the No Religious Test Clause of the Constitution of the United States has been at the heart of the American experiment;

Whereas, in 1960, the presidential candidacy of John F. Kennedy was met with significant anti-Catholic bigotry;

Whereas then Senator Kennedy responded to the bigotry with these timeless words: ''For while this year it may be a Catholic against whom the finger of suspicion is pointed, in other years it has been, and may someday be again, a Jew or a Quaker or a Unitarian or a Baptist. . . . Today I may be the victim, but tomorrow it may be you, until the whole fabric of our harmonious society is ripped at a time of great national peril.'';

Whereas the Knights of Columbus (in this preamble referred to as the ''Knights'') constitute the largest Catholic fraternal service organization in the world;

Whereas the Knights have a proud tradition of standing against the forces of prejudice and oppression, such as the Ku Klux Klan and Nazi Germany;