

the claims that Cuba recognizes and that the United States and Cuba had begun to discuss during the Obama administration. But Title III takes the unusual position of allowing naturalized Cuban Americans who lost property to also file suit against alleged traffickers. Normally, international law recognizes the sovereign right of governments to dispose of the property of their own citizens. According to the Department of State, by including Cuban Americans who were not U.S. citizens when their property was taken, Title III creates the potential for an estimated 75,000–200,000 claims worth “tens of billions of dollars.”

Back in 1996, when the law was being debated in Congress, angry opposition from U.S. allies Canada, Mexico, and the European Union, whose companies doing business in Cuba would be the targets of Title III law suits, led President Bill Clinton to insist on a presidential waiver provision in Title III. As a result, the president has the authority to suspend for six months the right to file Title III law suits, and he can renew that suspension indefinitely. Every six months since the Cuban Liberty and Democratic Solidarity Act was passed, successive presidents, Democrat and Republican alike, have continued the suspension of Title III.

U.S. allies have denounced Title III’s extraterritorial reach. Mexico, Canada, the United Kingdom, and the European Union all passed laws prohibiting compliance with it. The European Union also filed a complaint with the World Trade Organization, which it did not pursue after President Clinton suspended Title III. In fact, the principal justification both President Clinton and President George W. Bush offered for continuing the suspension was the need to maintain cooperation with European allies.

If President Trump does not renew the suspension, all these old wounds with allies will be reopened as U.S. claimants try to haul foreign companies into U.S. courts for doing business in Cuba. We already have enough tough issues on our agenda with Mexico, Canada, and Europe without adding another one. At this very moment, Washington is trying to muster their support in dealing with the Venezuelan crisis, support that could be endangered if the administration picks a fight with them over Title III.

U.S. businesses would not be exempt from potential liability. A Cuban American family in Miami claims to have owned the land on which José Martí International Airport was built, so any U.S. carrier using the air field

could conceivably be sued under Title III. Another family that owned the Port of Santiago could file suit against U.S. cruise ships docking there.

Moreover, it would be almost impossible for a U.S. or foreign company to know in advance whether a proposed business opportunity in Cuba might become the subject of Title III litigation. “This will effectively end for decades any attempt to restore trade between the U.S. and Cuba,” attorney Robert Muse told the Tampa Bay Times.

When President Trump announced new sanctions on Cuba back in June 2017, senior administration officials said they were designed “to not disrupt existing business” that U.S. companies were doing in Cuba. If the president fails to continue the suspension of Title III, business relations will be disrupted far more severely and irreparably than they would be by any regulatory change.

**BUDGET ENFORCEMENT LEVELS**

Mr. ENZI. Madam President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, establishes statutory limits on discretionary spending and allows for various adjustments to those limits. In addition, sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments.

The Senate will soon consider the conference report for H.J. Res. 31, the Consolidated Appropriations Act, 2019. This measure provides full-year appropriations for Federal Government agencies and contains spending that qualifies for cap adjustments under current statute.

This measure includes \$8,165 million in budget authority that is designated as being for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of BBEDCA. Of that amount, \$165 million is for spending in the security category and \$8,000 million is for nonsecurity spending. CBO estimates that this

budget authority will result in \$2,980 million in outlays in Fiscal Year 2019.

This measure also includes \$12,000 million in nonsecurity discretionary budget authority designated for disaster relief pursuant to section 251(b)(2)(D) of BBEDCA. This designation makes the spending associated with this provision and its associated outlays of \$600 million eligible for an adjustment.

This legislation repurposes nonsecurity discretionary budget authority for emergency efforts. This funding is designated pursuant to section 251(b)(2)(A)(i) of BBEDCA. CBO estimates that this repurposing of funds will result in \$10 million in outlays this fiscal year.

As a result of the aforementioned designations, I am revising the budget authority and outlay allocations to the Committee on Appropriations by increasing revised security budget authority by \$165 million, revised nonsecurity budget authority by \$20,000 million, and outlays by \$3,590 million in Fiscal Year 2019. Further, I am increasing the budgetary aggregate for Fiscal Year 2019 by \$20,165 million in budget authority and \$3,590 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**REVISION TO BUDGETARY AGGREGATES**  
(Pursuant to Sections 311 and 314(a) of the Congressional Budget Act of 1974)

	\$s in millions	2019
Current Spending Aggregates:		
Budget Authority .....		3,619,159
Outlays .....		3,546,419
Adjustments:		
Budget Authority .....	20,165	
Outlays .....	3,590	
Revised Spending Aggregates:		
Budget Authority .....	3,639,324	
Outlays .....	3,550,009	

**REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2019**

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

	\$s in millions	2019
Current Allocation:		
Revised Security Discretionary Budget Authority .....		715,835
Revised Nonsecurity Category Discretionary Budget Authority .....		600,577
General Purpose Outlays .....		1,352,810
Adjustments:		
Revised Security Discretionary Budget Authority .....	165	
Revised Nonsecurity Category Discretionary Budget Authority .....	20,000	
General Purpose Outlays .....	3,590	
Revised Allocation:		
Revised Security Discretionary Budget Authority .....		716,000
Revised Nonsecurity Category Discretionary Budget Authority .....		620,577
General Purpose Outlays .....		1,356,400

Memorandum: Detail of Adjustments Made Above	Regular	OCO	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority .....	0	165	0	0	0	165
Revised Nonsecurity Category Discretionary Budget Authority .....	0	8,000	0	12,000	0	20,000
General Purpose Outlays .....	0	2,980	0	600	10	3,590

**RECOGNIZING IDAHO NATIONAL LABORATORY**

Mr. RISCH. Madam President, along with my colleagues Senator MIKE CRAPO and Representative MIKE SIMP-

SON, I recognize an important anniversary being celebrated at the U.S. Department of Energy’s, DOE, 890–square-mile site in eastern Idaho.

On February 18, 1949, the U.S. Atomic Energy Commission decided to build

the National Reactor Testing Station in Idaho.

For 70 years, work done by the scientists, engineers, technicians, and support staff at Idaho’s lab has helped