House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. RASKIN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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


I hereby appoint the Honorable JAMIE RASKIN to act as Speaker pro tempore on this day.

NANCY Pelosi, Speaker of the House of Representatives.

PRAYER

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

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

You sent Your prophet Isaiah to Your people when they were in need of hope and vision. May Isaiah’s prophetic words guide us still.

Send Your spirit upon this Nation and this Congress, that we may be open to hearing Your word and actively seek the salvation You alone can bring.

The issues of this coming week promise to be contentious. Send Your spirit of amity and understanding, that the proceedings of the legislative sessions might be a model of good governance.

Lord, bless the Members of the people’s House today and all days, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

Mr. COMER. 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. COMER. 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The point of no quorum is considered withdrawn.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 Pennsylvania (Mr. THOMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. THOMPSON of Pennsylvania 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.

NATIONAL DEBT

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

Mr. COMER. Mr. Speaker, pursuant to clause 1, rule I, the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

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

Mr. COMER. Mr. Speaker, I object to the vote on the ground 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.

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

Mr. THOMPSON of Pennsylvania 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.

NATIONAL DEBT

Mr. COMER asked and was given permission to address the House for 1 minute.

Mr. COMER. Mr. Speaker, I rise today in disappointment that, once again, the Federal Government is nearing another debt limit. Our national debt is a record $22 trillion.

Mr. Speaker, it will take both parties working together to control our spending. Our national debt is the single biggest challenge that faces our great country, and, surely, we can make it a bipartisan movement to cut unnecessary and wasteful spending while still funding our most important priorities of Social Security, Medicare, and our national defense.

PENN STATE'S THON 2019

Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on February 15, thousands of students from my alma mater, Penn State University, participated in a 46-hour dance marathon called THON.

THON is the accumulation of a year-long fundraising effort to raise money for the fight against childhood cancer. Since the first THON took place in the mid-1970s, students have raised more than $157 million.

All of the proceeds go to the Four Diamonds at Penn State University Children’s Hospital. Four Diamonds ensures that families who are battling pediatric cancer are not faced with any costs, allowing them to fully focus on the needs of their child.

During the THON event, participants stand and dance 46 hours straight, without sleep. THON gives students the chance to stand in solidarity with those affected by this terrible disease.

Mr. Speaker, every year, THON is the largest student-run philanthropy in the world; and every year, I am in awe of the passion and thoughtfulness that
our Penn State students have for this great cause.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o’clock and 7 minutes p.m.), the House stood in recess.

1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. Peters) at 4 o’clock and 30 minutes p.m.

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.

PREVENTING ILLEGAL RADIO ABUSE THROUGH ENFORCEMENT ACT

Mr. TONKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 583) to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes.

The Clerk reads the title of the bill.

The text of the bill is as follows:

H.R. 583

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 “Preventing Illegal Radio Abuse Through Enforcement Act” or the “PIRATE Act”.

SEC. 2. PIRATE RADIO ENFORCEMENT ENHANCEMENTS.

Title V of the Communications Act of 1934 (47 U.S.C. 501 et seq.) is amended by adding at the end the following new section:

SEC. 511. ENHANCED PENALTIES FOR PIRATE RADIO BROADCASTING; ENFORCEMENT SWEEPS; REPORTING.

(a) INCREASED PENALTY.—Any person who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting shall be subject to a fine of not more than $2,000,000.

(b) VIOLATION OF THIS ACT, RULES, OR REGULATIONS.—Any person who willfully and knowingly violates this Act or any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation, restriction, or condition made or imposed by any national radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is party, relating to pirate radio broadcasting shall, in addition to any penalties provided by law, be subject to a fine of not more than $100,000 for each day during which such offense occurs, in accordance with the limit described in subsection (a).

(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of the PIRATE Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the implementation of this section and associated enforcement activities for the previous fiscal year, which may include the efforts by the Commission to enlist the cooperation of Federal, State, and local law enforcement personnel (including United States attorneys and the United States Marshals Service) for service of process, collection of fines or forfeitures, seizures of equipment, and enforcement of orders.

(d) ENFORCEMENT SWEEPS.—

(1) ANNUAL SWEEPS.—Not less than once each year, the Commission shall assign appropriate enforcement personnel to focus specific and sustained attention on the elimination of pirate radio broadcasting within the top 5 radio markets identified as prevalent for such broadcasts. Such effort shall include identifying, locating, and taking enforcement actions designed to terminate such operations.

(2) ADDITIONAL MONITORING.—Within 6 months after conducting the enforcement sweeps required by paragraph (1), the Commission shall conduct monitoring sweeps to ascertain whether the pirate radio broadcasting identified by enforcement sweeps is continuing to broadcast and whether additional pirate radio broadcasting is occurring.

(g) PIRATE RADIO BROADCASTING DATABASE.

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, and semi-annually thereafter, the Commission shall publish a database in a clear and legible format of all licensed radio stations operating in the AM and FM bands.

(2) ACCESSIBILITY.—The database shall be easily accessible from the Commission home page through a direct link. The database shall include the following information:

(A) Each licensed station, listed by the assigned frequency, channel number, or Commission call letters.

(B) All entities that have received a notice of unlicensed operation, notice of apparent liability, or citation issued by the Commission.

(3) CLEAR IDENTIFICATION.—The Commission shall clearly identify in the database:

(A) Each licensed station as a station licensed by the Commission; and

(B) Each entity described in paragraph (1)(B) as operating without a Commission license.

(h) DEFINITION OF PIRATE RADIO BROADCASTING.—In this section, the term ‘pirate radio broadcasting’ means the transmission of communications on spectrum frequencies between 535 and 1705 kilohertz, inclusive, or

87.7 and 108 megahertz, inclusive, without a license issued by the Commission, but does not include unlicensed operations in compliance with part 15 of title 47, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Ohio (Mr. LATTA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I ask unanimous consent that all Members may extend the time and extend the time left.

Mr. Speaker, first, a heartfelt thank you to everyone who has worked on this measure. I thank Representative BILIRAKIS for agreeing to lead this effort with me in this Congress. I thank our former colleague, Congressman Leonard Lance, for all his work on this bill in the past. And I thank the New York State broadcasters for their dedication.

For years, I, along with many Members of the New York and New Jersey delegations, have voiced our concern that pirate radio operators are a threat to Americans’ public health and safety. Yet these lawbreakers are as prevalent as ever, and their consequences have been met with few consequences. This legislation responds directly to that threat.

The FCC has taken some positive steps to remedy this issue, but more needs to be done.

In short, the PIRATE Act would increase penalties and restrictions on pirate radio.

Whether a radio frequency is being used by first responders coordinating to save lives, or parents who want to keep obscenity and bigotry away from their children, for example, our communities are better served when broadcasters respect the rule of law.

Previous drafts of the PIRATE Act included provisions creating liability for those who facilitate illegal pirate radio operation. These provisions were removed as being duplicative with existing law. For example, under current law, the FCC can hold a property owner liable for allowing a pirate radio operator access or other assistance.

Cutting these provisions should not be taken as limiting the Commission’s authority to assess fines against those who assist illegal pirate operations. On the contrary, the consequences established in this act would also apply in these contexts.
The text of the bill before us today includes changes that were requested in the Senate last Congress.

Mr. Speaker, I include in the RECORD letters of support for H.R. 583 from the 50 State broadcast associations.

January 18, 2019.

50 State Broadcasters Associations Urge Passage of the Bipartisan PIRATE Act

Hon. Nancy Pelosi,
Speaker, House of Representatives,
Washington, DC.

Hon. Mitch McConnell,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. Charles Schumer,
Minority Leader, House of Representatives,
Washington, DC.

Hon. Mitch McConnell,
Majority Leader, U.S. Senate,
Washington, DC.

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

Mr. TONKO, Mr. Speaker, I urge passage of the PIRATE Act, and I reserve the balance of my time.

Mr. TONKO. Mr. Speaker, I have no further Members who choose to speak.

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

Mr. TONKO, Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise today in support of H.R. 583, the PIRATE Act, led by Chairman Tonko and Representative Bilirakis.

The bipartisan bill takes an important step to protect the vital public safety announcements, news, and educational benefits local broadcasters serve their communities.

When illegal pirate radio operators interfere with important public safety communications, it can be detrimental to the public. These illegal pirate operators also interfere with critical aviation frequencies, potentially putting lives at risk.

Legitimate, licensed broadcasters who provide the foundation of our Nation's Emergency Alert System must be protected from this type of harmful interference.

H.R. 583 would give the FCC stronger tools to continue their enforcement sweeps and fine violators in order to better protect Americans.

Mr. Speaker, I thank my colleagues on the Energy and Commerce Committee for their leadership on this bipartisan legislation, and I urge its passage today.

Mr. LATTA. Mr. Speaker, again, for all the reasons that I have stated here today on the PIRATE Act, I believe that this bill is essential to pass today, and I ask the House to pass H.R. 583.

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

Mr. TONKO. Mr. Speaker, to close, I believe that this measure, H.R. 583, moves us forward in a way that better protects public health and safety. It has the endorsement of many in the field, including 50 State broadcast associations.

Mr. Speaker, I encourage our colleagues to support H.R. 583, and I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I rise today in support of H.R. 583, the Preventing Illegal Radio Abuse Through Enforcement Act, the PIRATE Act, introduced by my friends Mr. TONKO and Mr. BILIRAKIS.

Mr. Speaker, I thank Mr. TONKO and Mr. BILIRAKIS for their bipartisan efforts to combat illegal pirate radio operations.

This bill gives the Federal Communications Commission, along with State and local law enforcement, more tools to combat illegal radio operators. Without the ability to effectively go after illegal transmitters, the FCC and other entities cannot protect the over 240 million Americans who rely on radio broadcasting for vital news and entertainment.

Furthermore, stopping bad actors from pirating our airwaves improves public safety by preventing unlawful broadcasts from interfering with first responders' lifesaving communications and public safety officials' transmission of critical information in an emergency.

Mr. Speaker, I urge passage of the PIRATE Act, and I reserve the balance of my time.

Mr. TONKO. Mr. Speaker, I have no further Members who choose to speak.

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

Mr. TONKO, Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise today in support of H.R. 583, the PIRATE Act, led by Chairman Tonko and Representative Bilirakis.

The bipartisan bill takes an important step to protect the vital public safety announcements, news, and educational benefits local broadcasters serve their communities.
The PIRATE Act gives the FCC additional tools to address the growing pirate radio problem and increases the penalties for bad actors. These illegal broadcasts deprive Americans of important programming provided by legitimate broadcast license-holders serving the public interest. And they can disrupt important public safety communications, including our nation's Emergency Alert System and critical aviation frequencies. In many cases, these pirate radio stations broadcast vile and vulgar content, which also harms consumers. By preventing illegal pirate radio operations, consumers are protected, and airwaves are kept free for legitimate broadcasts and public safety announcements.

Last Congress, this House passed the PIRATE Act by voice vote. I'd like to thank our former colleague Leonard Lance, who first authored this legislation last Congress, and my colleagues Mr. TONKO and Mr. BEUKENHOF for bringing this important bill to strengthen our public safety communications back to the House floor today. I urge its quick passage.

The SPEAKER pro tempore. The question is to suspend the rules and pass the bill. Mr. TONKO, the gentleman from New York (Mr. TONKO) that the House suspend the rules and pass the bill, H.R. 583.

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.

POISON CENTER NETWORK ENHANCEMENT ACT OF 2019

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 501) to amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

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

**SEC. 1. SHORT TITLE.** This Act may be cited as the “Poison Center Network Enhancement Act of 2019”.

**SEC. 2. REAUTHORIZATION OF POISON CONTROL CENTERS NATIONAL TOLL-FREE NUMBER.**

Section 1271 of the Public Health Service Act (42 U.S.C. 300d–71) is amended to read as follows:

**SEC. 1271. ESTABLISHMENT AND MAINTENANCE OF THE NATIONAL TOLL-FREE NUMBER.**

Section 1271 of the Public Health Service Act (42 U.S.C. 300d–71) is amended to read as follows:

**SEC. 1271. ESTABLISHMENT AND MAINTENANCE OF THE NATIONAL TOLL-FREE NUMBER.**

**SEC. 4. REAUTHORIZATION OF THE POISON CONTROL CENTER GRANT PROGRAM.**

Section 1273 of the Public Health Service Act (42 U.S.C. 300d–73) is amended to read as follows:

**SEC. 1273. MAINTENANCE OF THE POISON CONTROL CENTER GRANT PROGRAM.**

**SEC. 5. WAIVER OF ACCREDITATION REQUIREMENTS.**

**SEC. 6. LIMITATION.** The Secretary may not, after the date of enactment of the Poison...
Control Network Enhancement Act of 2019, grant to a poison control center waivers or
dissemination, technical assistance, program evaluation, data activities,
assistance helps prevent unnecessary poi-
ning deaths and injuries.
Poison control centers are also essential to
to combat the opioid crisis because not only are these centers often the first resource peo-
alized communities about opioid abuse and
The SPEAKER pro tempore. Is there
The Chair recognizes the gentleman
MR. ENGEL. Mr. Speaker, I ask unan-
Mr. Speaker, I yield myself such time as I may consume.
Mr. Speaker, I rise in strong support of H.R. 501, the Poison Center Network
This bill, which I have coauthored with the gentlewoman from Indiana,
Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to re-
Mr. Speaker, I yield myself such time as I may consume.
Mr. Speaker, I rise in strong support of H.R. 501, the Poison Center Network
Our country’s 55 poison centers are staffed by trained toxicologists, phar-
also collect real time data to alert im-
As I mentioned earlier, in West-
We must do more to end this epi-
dose. Furthermore, these centers col-
Our nation’s network of poison control cen-
There was no objection.
Mr. Speaker, I urge all my colleagues to support this bill, and I yield back the balance of my time.
Mr. Speaker, I urge passage of this bill, and I yield back the balance of my time.
Mr. WALDEN. Mr. Speaker, I urge passage of H.R. 501, the Poison Center Network
The nation’s network of poison control centers offers free, confidential, and expert medical
It is clear that these centers are a smart public health investment, but they are also an asset of our re-
It is necessary.
It has been estimated that 54 million people a year are exposed to opioids in some way—through self-medication, inappropriate disposal, or unintentional exposure by children. Poison centers also save hundreds of millions in Federal dollars by helping to avoid the unnecessary use of medical services and shortening the length of time a person spends in the hospital, if hospitalization due to poisoning is necessary.
Mr. Speaker, I urge passage of this bill, and I yield back the balance of my time.
SECTION 1. SHORT TITLE
The Act may be cited as the “Strengthening the Health Care Fraud Prevention Task Force Act of 2019”.

Be it enacted by the Senate and House of Repre-

February 25, 2019

CONGRESSIONAL RECORD — HOUSE

H2053
(a) In General.—Section 1128C(a) of the Social Security Act (42 U.S.C. 1320a–7c(a)) is amended by adding at the end the following new paragraph:

"(6) PUBLIC-PRIVATE PARTNERSHIP FOR WASTE, FRAUD, AND ABUSE DETECTION.—

"(A) IN GENERAL.—Under the program described in paragraph (1), there is established a public-private partnership (in this paragraph referred to as the 'partnership') of health plans, Federal and State agencies, law enforcement, health care delivery organizations, and any other entity determined appropriate by the Secretary (in this paragraph referred to as 'partners') for purposes of detecting and preventing health care waste, fraud, and abuse:

"(i) CONTRACT WITH TRUSTED THIRD PARTY.—In carrying out the partnership, the Secretary shall enter into a contract with a trusted third party for purposes of carrying out the duties of the partnership described in subparagraph (C).

"(ii) DUTIES OF PARTNERSHIP.—The partnership shall—

"(I) provide technical and operational support to facilitate data sharing between partners in the partnership;

"(II) analyze data so shared to identify fraudulent and aberrant billing patterns;

"(III) conduct periodic analyses of health care data that are shared across Federal, State, and private health plans for purposes of detecting fraud, waste, and abuse schemes;

"(IV) identify trends and potential vulnerabilities of partners in the partnership with respect to such schemes;

"(V) refer specific cases of potential unlawful conduct to appropriate governmental entities;

"(VI) convene, not less than annually, meetings with partners in the partnership for purposes of updating data and facilitating information sharing between the partners;

"(VII) enter into data sharing and data use agreements with partners in the partnership in such a manner so as to ensure the partnership has access to data necessary to identify waste, fraud, and abuse while maintaining the confidentiality and integrity of such data;

"(VIII) provide partners in the partnership with plan-specific, confidential feedback on any aberrant billing patterns or potential fraudulent claims identified by the partnership with respect to such partner;

"(IX) establish a process by which entities described in subparagraph (A) may enter the partnership and requirements such entities must meet to enter the partnership;

"(X) provide appropriate training, outreach, and education to partners based on the results of data analyses described in clauses (i) and (iii); and

"(XI) perform such other duties as the Secretary determines appropriate.

"(D) SUBSTANCE USE DISORDER TREATMENT ANALYSIS.—Not later than 2 years after the date of the enactment of the Strengthening the Healthcare Fraud Prevention Task Force Act of 2019, the trusted third party, as determined by the Secretary, during such period, and

"(i) provide strategic direction for the partnership, including membership criteria and a mission and goals for the partnership; and

"(ii) analyze data so shared to identify patterns of potential fraud and abuse attributable to substance use disorder treatments from data submitted by providers and suppliers of substance use disorder treatments from data shared with the partnership.

"(E) EXECUTIVE BOARD COMPOSITION.—

"(1) I N GENERAL.—There shall be an executive board of the partnership comprised of representatives of the Federal Government, representatives of the private sector and representatives of the public sector selected by the Secretary.

"(II) CHAIRS.—The executive board shall be co-chaired by one Federal Government official and one representative from the private sector.

"(III) MEETINGS.—The executive board of the partnership shall meet at least once per year.

"(IV) EXECUTIVE BOARD DUTIES.—The duties of the executive board shall include the following:

"(I) Providing strategic direction for the partnership, including membership criteria and a mission and goals for the partnership; and

"(II) Communicating with the leadership of the Department of Health and Human Services and the Department of Justice and the various private health sector associations.

"(F) REPORTS.—Not later than September 30, 2021, and each year thereafter, the Secretary shall submit to Congress and make available on the public website of the Centers for Medicare & Medicaid Services a report containing—

"(i) a review of activities conducted by the partnership over the 2-year period ending on the date of the submission of such report, including any progress to any objectives established by the partnership;

"(ii) any savings voluntarily reported by health plans participating in the partnership attributable to the partnership during such period;

"(iii) any savings to the Federal Government attributable to the partnership during such period;

"(iv) any other outcomes attributable to the partnership, as determined by the Secretary, during such period; and

"(v) a strategic plan for the 2-year period beginning on the day after the date of the submission of such report, including a description of any emerging fraud and abuse schemes, trends, or practices that the partnership intends to study during such period.

"(G) FUNDING.—The partnership shall be funded by amounts otherwise made available to the Secretary for carrying out the program described in paragraph (1).

"(H) TRANSITIONAL PROVISIONS.—To the extent permitted by the provisions of the Federal Advisory Committee Act, the Comptroller General, the national laboratories, and any other Federal agency may implement the partnership established under paragraph (1) of this section.

"(I) NONAPPPLICABILITY OF FACA.—The provisions of the Federal Advisory Committee Act shall not apply to the partnership established under subparagraph (A).

"(J) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement the partnership established under subparagraph (A) by program instruction or otherwise.

"(K) DEFINITION.—For purposes of this paragraph, the term 'trusted third party' means an entity that—

"(i) demonstrates the capability to carry out the duties of the partnership described in subparagraph (C); and

"(ii) complies with such conflict of interest standards determined appropriate by the Secretary; and

"(iii) meets such other requirements as the Secretary may prescribe.

"(b) POTENTIAL EXPANSION OF PUBLIC-PRIVATE PARTNERSHIP ANALYSES.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall conduct a study and report to Congress on the feasibility of the partnership (as described in section 1128C(a)(6) of the Social Security Act, as added by subsection (a)) establishing a system to conduct real-time data analysis to proactively identify ongoing as well as emergent fraud trends for the entities participating in the partnership and provide such entities with real-time feedback on potentially fraudulent claims. Such report shall include the estimated cost of and any potential barriers to the partnership establishing such a system.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ENGEL) and the gentleman from Ohio (Mr. LATTA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. 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 H.R. 525. The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 525, the Strengthening the Healthcare Fraud Prevention Task Force Act of 2019. This bipartisan bill would authorize the Healthcare Fraud Prevention Partnership, and improve and expand the task force’s ability to fight waste, fraud, and abuse throughout our healthcare system.

The Healthcare Fraud Prevention Partnership is a public-private partnership between the Department of Health and Human Services, insurance companies, Federal and State law enforcement agencies, and State healthcare agencies. The partnership aims to improve the detection and prevention of healthcare fraud by facilitating the exchange of data and information between the public and private sectors on fraud trends and successful antifraud practices.

The legislation we are considering today would authorize the partnership, require the partnership to report regularly to Congress, and give the agency needed tools to enhance and expand its capabilities.

We must continue to work on a bipartisan basis to enhance our fraud detection capabilities.

I urge my colleagues to continue to work together to find meaningful solutions to root out fraud, waste, and abuse in our healthcare system.

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

Hon. FRANK PALLONE, Chairman, and Representative from New Jersey, Mr. Speaker, in recognition of the desire to expedite the consideration of H.R. 525, Strengthening the Health Care Fraud Prevention Task Force Act of 2019, the Committee on Ways and Means agrees to waive the time normally required for consideration of the bill as to provisions that fall within the rule X jurisdiction of the Committee on Ways and Means.
The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during House-Senate conference on this legislation.

Sincerely,

RICHARD E. NEAL, Chairman.


Hon. Richard E. Neal, Chairman, Ways and Means, Washington, DC:

DEAR CHAIRMAN NEAL: Thank you for consulting with the Committee on Energy and Commerce and agreeing to discharge H.R. 525, Strengthening the Health Care Fraud Prevention Task Force Act of 2019 from further consideration, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will ensure our letters on H.R. 525 are entered into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR., Chairman.

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

Mr. Speaker, I rise in support of H.R. 525, the Strengthening the Health Care Fraud Prevention Task Force Act of 2019, introduced by the Energy and Commerce Committee Republican Leader WALDEN and Chairman PAL Lone.

This legislation will codify the Medicare and Medicaid fraud partnership, which is currently operated by the Centers for Medicare and Medicaid Services (CMS) and supported by the Center for Healthcare Fraud Prevention Partnership—a voluntary collaboration between the federal government, state agencies, law enforcement, private health insurance plans, and anti-fraud associations. Together, this group works to detect and prevent healthcare fraud, and abuse in our healthcare system.

Mr. Speaker, I urge passage of this bill, and I yield back the balance of my time.

Mr. ENGEL. Mr. Speaker, I urge my colleagues to work together to find meaningful solutions to our waste, fraud, and abuse in our healthcare system, and I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I rise today in support of H.R. 525, the Health Care Fraud Prevention Task Force Act.

This bipartisan legislation, introduced with Chairman FRANK PALLONE, and which is supported by Ways and Means Chairman RICHARD NEAL and Republican Leader KEVIN BRADY—a commonsense, bipartisan bill to improve the integrity of our nation's health care system.

The Center for Medicare and Medicaid Services (CMS) currently operates the Health Care Fraud Prevention Partnership—a voluntary collaboration between the federal government, state agencies, law enforcement, private health insurance plans, and anti-fraud associations. Together, this group works to detect and prevent fraud that threatens to undermine the Medicare and Medicaid programs.

The Centers for Medicare and Medicaid Services (CMS) currently operates the Health Care Fraud Prevention Partnership—voluntary collaboration between the federal government, state agencies, law enforcement, private health insurance plans, and anti-fraud associations. Together, this group works to detect and prevent fraud that threatens to undermine the Medicare and Medicaid programs.

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In fact, the House Energy and Commerce Committee had 148 bills pass the House last Congress, and 93 percent of them received bipartisan votes. I’d like to thank Chairman PAL Lone for continuing in that bipartisan spirit by helping to bring this bill back to the floor today.

I urge passage of H.R. 525.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and pass the bill (H.R. 525).

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.

INNOVATORS TO ENTREPRENEURS ACT OF 2019

Mr. LIPINSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 539) to require the Director of the National Science Foundation to develop an I-Corps course to support commercialization-ready innovation companies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 539
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 "Innovators to Entrepreneurs Act of 2019".

SEC. 2. FINDINGS.
Congress finds the following:

(1) The National Science Foundation Innovation Corps Program (hereinafter referred to as "I-Corps"), created administratively by the Foundation in 2011 and statutorily authorized in the American Innovation and Competitiveness Act, has succeeded in encouraging the commercialization of Government-funded research.

(2) I-Corps provides valuable entrepreneurial education to graduate students, postdoctoral fellows, and researchers, preparing them for roles in providing formal training for scientists and engineers to pursue careers in business, an increasingly common path for advanced degree holders.

(3) The I-Corps Teams program is successful in part due to its focus on providing the specific types of education and mentoring entrepreneurs need in the early stage of their companies, however the program does not provide similar support to them at later stages.

(4) The success of I-Corps in the very early stages of the innovation continuum should be expanded upon by offering additional entrepreneurship training to small businesses as they advance toward commercialization.

(5) The excellent training made available to grantees of participating agencies through the I-Corps Program should be made available to Federal grantees as well as other businesses willing to pay the cost of attending such training.

(6) The success of the I-Corps Program at promoting entrepreneurship and research institutions and encouraging research commercialization has been due in part to the National Science Foundation’s efforts to date on building a national network of science entrepreneurs, including convening stakeholders, promoting national I-Corps courses, cataloguing best practices and encouraging sharing between sites and institutions, and developing a mentor network.

(7) As the I-Corps Program continues to grow and expand, the National Science Foundation should maintain its focus on networking and information sharing to ensure that innovators across the country can learn from their peers and remain competitive.

SEC. 3. EXPANDED PARTICIPATION IN I-CORPS.

Section 601(c)(2) of the American Innovation and Competitiveness Act (42 U.S.C. 1862e–8(c)(2)) is amended by adding at the end the following:

"(C) ADDITIONAL PARTICIPANTS.—

"(1) ELIGIBILITY.—The Director, in consultation with relevant stakeholders, as determined by the Director, which may include Federal agencies, I-Corps regional nodes, universities, and public and private entities engaged in technology transfer or commercialization of technologies, shall provide an option for participation in an I-Corps Teams course by—
Mr. LIPINSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 539, the bill now under consideration.

The Speaker pro tempore. Pursuant to the rule, the gentleman from Illinois, Mr. LIPINSKI, and the gentleman from Oklahoma, Mr. LUCAS, each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

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

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 5086, in the 115th Congress, and, unfortunately, that is as far as the bill got. Hopefully, we can get more movement on it this time around, get it through the Senate, and to the President’s desk for his signature.

Mr. Speaker, the Innovators to Entrepreneurs Act is a bill I introduced to spur entrepreneurship and turn American innovation into American jobs. This bill expands the National Science Foundation’s highly successful Innovation Corps, or I-Corps program, a program I am proud to have championed since its inception in 2008.

I-Corps teaches scientists and engineers, including many women and underrepresented minorities, how to turn their federally-funded laboratory research into successful products and services.

The program has educated more than 1,300 teams, representing 271 universities in 47 States, the District of Columbia, and Puerto Rico. It has been linked to almost 650 startup companies that have raised almost $300 million in follow-on funding.

In the 114th Congress, I led the effort that authorized I-Corps and expanded its reach to other agencies, including the National Institutes of Health, NASA, and the Department of Energy. The 114th Congress also invested billions of dollars in research and development, both at government facilities, such as national labs, and at universities and research institutions.

I-Corps is a modest investment that leads to a higher return on our research spending by significantly increasing rates of commercialization, economic activity, and job creation.

Our economy is driven by the ingenuity of our scientists and engineers, developing ideas that become tomorrow’s great products. And yet, still only a small minority of federally-funded research with commercial potential ever makes it to the marketplace. The I-Corps program helps to change that.

This bill expands I-Corps to meet some pressing needs.

First, it helps more people participate in the program. Right now, unless you are a grantee of NSF or another agency with an I-Corps program, the training can be difficult to access. This bill will give recipients of small business grants from any Federal agency the flexibility to pay for I-Corps with their grant funds, and will also allow other entrepreneurs to apply and pay out-of-pocket to participate.

Second, the bill directs NSF to establish a new course as part of the I-Corps program to teach scientist-entrepreneurs how to start a company.

While the current I-Corps course does a great job of helping scientists and engineers determine who their customers are and whether their innovation is suitable for commercialization, it currently is limited in what it can help scientists do after a scientist makes the decision to become an entrepreneur.

Skills like how to write a business plan, hire a team, and attract investment are taught in business schools, but not in Ph.D. programs. NSF recognized this need and has already begun a pilot program to test curriculum for this new course. This bill will make sure the new course is fully developed and made available around the country.

Finally, this bill requires a GAO assessment of the I-Corps program, its first comprehensive, independent evaluation since it was created. Although this program’s success speaks for itself, it is important to continuously improve it by developing metrics to measure its performance and ensure that Federal funds are well spent.

This bill has been endorsed by a wide range of stakeholders, including the “father of modern entrepreneurship,” who developed the curriculum that I-Corps is based on, Steve Blank; the former NSF program officer who founded the program, Dr. Errol Arkilic; and several directors of I-Corps Nodes around the country.

This bill is also endorsed by the Information Technology and Innovation Foundation, the National Venture Capital Association, the Association of American Universities; the Council on Governmental Relations; and the Association of Public and Land-grant Universities.

I thank my cosponsors, DANIEL WEBSTER of Florida, ANTHONY GONZALEZ of Ohio, Science, Space, and Technology Committee Chairwoman EDDIE BERNICE JOHNSON of Texas, and Ranking Member FRANK LUCAS of Oklahoma, I also thank Senators COONS and YOUNG, who are cosponsors of the Senate companion to this bill.

Mr. Speaker, I believe that helping our scientists, engineers, and academics not only advance our knowledge and understanding of the world, but also create jobs and products that fuel our economy, is a goal we all can share.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 539, the Innovators to Entrepreneurs Act of 2019.

H.R. 539 extends the outreach of the National Science Foundation’s Innovation Corps program, also known as I-Corps.
I-Corps trains and prepares scientists and engineers to take their research from the lab and turn it into commercial products and services. Research labs are making breakthroughs in new fields like quantum computing, artificial intelligence, and bioengineering. These breakthroughs will continue to transform our lives and the world we live in.

But many scientists and engineers are not trained for commercializing these discoveries and did not go to business school or take any business development classes. I-Corps gives researchers the tools to maximize the taxpayer investment in basic research and spur innovation. H.R. 539 expands the eligible pool for I-Corps courses and allows a portion of Federal small business grants to be used to cover I-Corps training expenses. The bill also allows any private citizen to apply to participate and pay out-of-pocket.

Finally, the H.R. 539 authorizes a new I-Corps boot-camp course that teaches valuable skills, like structuring a company, attracting investors, and hiring staff.

In my district, Oklahoma State University has a successful support system for businesses both on and off campus. I-Corps is a key part of that system, helping students and faculty learn how to commercialize their ideas and build a business.

H.R. 539 will help programs like the one at OSU grow and become self-sustaining. I want to thank Representative Dan Lipinski and Representative Dan Webster for their work on this legislation. I also want to thank my friend and our new chairwoman of the Science, Space, and Technology Committee, Eddie Bernice Johnson, for her work in advancing this bipartisan bill.

Mr. Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

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

Mr. Webster of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. Webster).

Mr. Webster. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. Webster).

Mr. Webster. Mr. Speaker, I thank the ranking member for yielding me time.

I rise today to support and ask my House colleagues to pass H.R. 539, the Innovators to Entrepreneurs Act.

I would like to issue a special thanks to my friend Dan Lipinski, who introduced this legislation, and he continues to serve as a champion for the time-proven I-Corps program.

The Innovation Core program was created by the National Science Foundation in 2011 to teach scientists and engineers how to turn their laboratory innovations into successful commercial products and services. I know engineers are lacking in that area. I am one. I think I invented, before I was 21 years old, about three or four, maybe five, things which were really awesome; but nobody bought them except me, and it wasn't good.

So this program assists scientists and engineers in the development of their academic research and equips them to bring research into a private market where new inventions are created and money can be won through that. We witnessed the wonderful success of this program in my home State of Florida, the University of Central Florida.

H.R. 539 expands the I-Corps program to create a new course in commercially-ready companies. Individuals who have completed an existing I-Corps course would be eligible for this new course which will help them create, market, and, eventually, expand their private-sector company. This bill breaks down the barriers experienced by current scientists when attempting to bring their product to market. Through marketing, hiring, organizing, and attracting investors, these skills can have a better shot at not only success, but also increasing, dramatically, their business.

Additionally, H.R. 539 expands the number of groups eligible to apply to the I-Corps program and offers new options on how to initially pay for the course. The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. Lucas. Mr. Speaker, I yield the gentleman an additional 30 seconds. Mr. Webster. Mr. Speaker, in closing, I want to thank Mr. Lipinski and the House Science, Space, and Technology Committee for their work on this bill, and I encourage all my House colleagues to join together to pass this commonsense piece of legislation.

Mr. Lucas. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. Gonzalez).

Mr. Gonzalez of Ohio. Mr. Speaker, I rise in support of H.R. 539, the Innovators to Entrepreneurs Act of 2019.

I want to thank Mr. Lipinski, Chairwoman Johnson, Ranking Member Lucas, and Mr. Webster for all the hard work they have put into this important legislation.

Entrepreneurship is hard; it is risky; it is the road less traveled; it is an all-encompassing journey that tests every ounce of strength and skill that those who hold to pursue it have to offer; and its successful practice is essential to the future prosperity of our Nation.

The bill we are considering today takes the breakthrough lessons of customer development first codified by Steve Blank, whose teachings are engrained in the consciousness of many business school students—but less of our Ph.D. students—and forms the basis of the NSF I-Corps program, a program that has already proven its worth at turning breakthrough scientific research into successful commercial enterprise.

Since this program was created in 2011, more than 600 startups have been formed through the various I-Corps sites, including in my home State of Ohio at the University of Akron, The Ohio State University, and the University of Toledo.

As just one example, University of Akron I-Corps startup Fontus Blue develops software that helps water treatment plants to produce consistently excellent drinking water. The software is used by plants in 24 cities across the U.S., Canada, and Brazil.

As we confront the economic challenges of the 21st century, it will be our innovators and entrepreneurs who will create solutions to these seemingly intractable problems by channeling the entrepreneurial spirit and force of will that has driven our country to its greatest economic heights.

The Innovators to Entrepreneurs Act safeguards our economy by empowering future generations of entrepreneurs in all corners of our country to turn their wildest dreams into our collective achievements.

Mr. Speaker, as a cosponsor of this bill, I encourage my colleagues to support this legislation.

Mr. Lucas. Mr. Speaker, I thank the gentleman from Illinois for his dedicated and diligent work over this decade on this subject matter. I think we will all be better off for it. I know those folks who utilize the program and will have greater opportunities to utilize the program will benefit all of us as a society.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. Lipinski. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I want to again thank full committee Chairwoman Eddie Bernice Johnson for cospersoning. I want to thank Ranking Member Lucas, Mr. Gonzalez, and Mr. Webster for cospersoning—Mr. Webster as the lead Republican cosponsor on this bill now and in the previous Congress.

Mr. Webster. Mr. Speaker, I asked about being an engineer, I was an engineer and then an academic; although, I wasn't an academic as an engineer. I was a political scientist. But I understand that a lot of scientists, engineers, political scientists have a lot of great ideas, a lot of great research.

We as taxpayers put a lot of money into this research. There are a lot of
great ideas that come out of it, the possibility for great innovations. I will always remember when I first met with Steve Blank and saw him teaching the course that was the basis for I-Corps out of Stanford University. I thought the course was so complete, so good, the ability to teach scientists and engineers, teach them how to be entrepreneurs, teach them how to develop ideas and new products, new services, and, hopefully, new American jobs.

There has been one of the most successful programs that I have seen during my time in Washington, D.C. This bill will help to advance that, and in doing so, help advance American innovation. I think that is a goal that we can all embrace. So I ask my colleagues to support this bill, and, hopefully, we will work on it and get it through the Senate and to the President’s desk, because I think this will be a great victory for our country.

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

Ms. JOHNSON of Texas. Mr. Speaker, I support H.R. 539, the Innovators to Entrepreneurs Act of 2019, I thank Mr. LIPINSKI for his leadership on this bipartisan legislation and look forward to working with him to see it through to the President’s desk.

Each dollar the U.S. invests in research grants at our universities is a dollar toward the birth of potentially game-changing discoveries and innovation. Innovation is the lifeblood of our economy. The jobs creation and economic security gains created by scientific advances can only be enjoyed if we fully support the innovation ecosystem from discovery to commercialization. Finding ways to maximize the benefits of federally funded research is critical to U.S. competitiveness in the global market.

H.R. 539 does just that. This bill creates a link between two of our most important programs that focus on creating a sustainable path from laboratory to market for valuable scientific research. This bill expands participation in Small Business Innovation Research and Small Business Technology Transfer Programs to Small Business Innovation Program grantees. Started at the National Science Foundation, the Innovation Corps program, or I-Corps, helps prepare scientists and engineers to think beyond the university lab and gives them the skills to identify products with commercial potential and to be successful entrepreneurs. The Small Business Innovation Program and Small Business Technology Transfer Program, known as SBIR and STTR, are valuable programs that provide competitive research and development grants and contracts to innovative small businesses.

H.R. 539 also seeks make available specialized I-Corps courses in all aspects of preparing a product to go to market. This is a vital component which can help identify market failures and premature business formation. Unfortunately, too many innovative ideas do not make it to the commercialization phase. This bill will help increase those odds.

I urge my colleagues to support H.R. 539.

The SPEAKER pro tempore. The question is the motion offered by the gentleman from Illinois (Mr. LIPINSKI) that the House suspend the rules and pass the bill, H.R. 539.

The question was taken.

The SPEAKER pro tempore. The first hour of debate expired, and the SPEAKER pro tempore announced the adoption of the amendment to the bill.

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

SUPPORTING VETERANS IN STEM CAREERS ACT

Mr. LIPINSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 425) to promote veteran involvement in STEM education, career guidance, and professional development.

The SPEAKER pro tempore. Pursuant to the provisions of order of the House (H.Res. 714), the Chair will accept the proffered amendment from the Clerk at the request of the gentleman from Illinois (Mr. LIPINSKI). The Clerk will read the title of the bill.

The Clerk reads the title of the bill.

The text of the bill is as follows:

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 “Supporting Veterans in STEM Careers Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) DIRECTOR.—The term “Director” means the Director of the National Science Foundation.

(2) FOUNDATION.—The term “Foundation” means the National Science Foundation.

(3) STEM.—The term “STEM” has the meaning given the term in section 2 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6661 note).

(4) VETERAN.—The term “veteran” has the meaning given the term in section 101 of title 38, United States Code.

SEC. 3. SUPPORTING VETERANS IN STEM EDUCATION AND COMPUTER SCIENCE.

(a) SUPPORTING VETERAN INVOLVEMENT IN SCIENTIFIC RESEARCH AND STEM EDUCATION.—The Director shall, through the research and education activities of the Foundation, encourage veterans to study and pursue careers in STEM and computer science, in coordination with other Federal agencies that serve veterans.

(b) VETERAN OUTREACH PLAN.—Not later than 180 days after the date of enactment of this Act, the Director shall submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for how the Foundation can enhance its outreach efforts to veterans. Such plan shall—

(1) report on the Foundation’s existing outreach activities;

(2) identify the best method for the Foundation to leverage existing authorities and programs to facilitate and support veterans in STEM careers and studies, including teaching programs; and

(3) include options for how the Foundation could track veteran participation in the Foundation, and describe any barriers to collecting such information.

(c) NATIONAL SCIENCE BOARD INDICATORS REPORT.—The National Science Board shall provide in its annual report on indicators of the state of science and engineering in the United States any available and relevant data on veterans in science and engineering careers or education programs.

(d) ROBERT NOYCE TEACHER SCHOLARSHIP PROGRAM UPDATE.—Section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1) is amended—

(1) in subsection (a)(5)—

(A) in paragraph (A), by striking “and”; and

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

(2) in subsection (b)(2), by striking “and” and inserting “, and”;

(3) in subsection (c)(2), by inserting “and veterans” before the period at the end; and

(4) in subsection (d)(2), by inserting “and veterans” before the period at the end.

(e) NATIONAL SCIENCE FOUNDATION TRAINING FELLOWSHIPS AND MASTER TEACHING FELLOWSHIPS UPDATE.—Section 10A(d) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1a(d)) is amended—

(1) in paragraph (3)(F)—

(A) by striking “and individuals” and inserting “, and individuals”;

(B) by inserting “, and veterans” before the period at the end; and

(2) in paragraph (4)(B), by inserting “and veterans” before the period at the end.

(f) NATIONAL SCIENCE FOUNDATION COMPUTER AND NETWORK SECURITY CAPACITY BUILDING GRANTS UPDATE.—Section 5(a) of the Cyber Security Research and Development Act (15 U.S.C. 7404a(a)) is amended—

(1) in paragraph (1), by inserting “and students who are veterans” after “these fields”;

(2) in paragraph (3)—

(A) in subparagraph (I), by striking “and” and inserting “and veterans” at the end; and

(B) by redesignating subparagraph (J) as subparagraph (K); and

(B) by inserting after subparagraph (I) the following:

“(J) creating opportunities for veterans to transition to careers in computer and network security;”.

(g) GRADUATE TRAINEEHIPS IN COMPUTER AND NETWORK SECURITY RESEARCH UPDATE.—Section 5(c)(6)(C) of the Cyber Security Research and Development Act (15 U.S.C. 7404c(6)(C)) is amended by inserting “or veterans” after “disciplines”.

(h) VETERANS AND MILITARY FAMILIES STEM EDUCATION INTERAGENCY WORKING GROUP.—

In general.—The Director of the Office of Science and Technology Policy shall establish an interagency working group to coordinate Federal programs and policies for retraining and transitioning veterans and military spouses for STEM careers.

(2) DUTIES OF INTERAGENCY WORKING GROUP.—The interagency working group established under paragraph (1) shall—

(A) coordinate any Federal agency STEM outreach activities and programs for veterans and military spouses; and

(B) develop and facilitate the implementation by participating agencies of a strategic plan for veterans and military spouses for STEM careers.

(2) DUTIES OF INTERAGENCY WORKING GROUP.—The interagency working group established under paragraph (1) shall—

(A) coordinate any Federal agency STEM outreach activities and programs for veterans and military spouses; and

(B) develop and facilitate the implementation by participating agencies of a strategic plan, which shall—

(1) specify and prioritize short- and long-term objectives;

(2) specify the common metrics that will be used by Federal agencies to assess progress toward achieving such objectives;

(3) identify barriers veterans face in reentering the workforce, including a lack of formal STEM education, career guidance, and the process of transferring military credits and skills to college credits;

(4) identify barriers military spouses face in establishing careers in STEM fields;

(5) describe the approaches that each participating agency uses to administratively the barriers described in clauses (iii) and (iv); and
lower barriers for veterans workforce.

is how to get more veterans to produce individuals with STEM knowledge base and transitioning servicemembers represent a valuable, skilled talent pool from which to meet this critical need.

H.R. 425 will improve outreach to veterans through the National Science Foundation’s programs to support and train STEM workers. We can serve our veterans and help them translate their experience into meaningful STEM work.

Mr. Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. LAMB).

Mr. LAMB. Mr. Speaker, I rise to support veterans in STEM careers.

First, I would like to thank the gentleman from Florida, Dr. Dunn, for his leadership in helping connect veterans to these good jobs.

Veterans are working today. Most Americans are working today. The unemployment rate is low. And yet everywhere I go, I meet businesspeople who tell me that they can’t find the right workers for the right jobs at the right time. If we could fix this, we would stop being held back by the shortage of workforce that we face, and, most importantly, our families would not be held back by lower paychecks.

But these new jobs in cybersecurity, in medical technology, in advanced manufacturing, they are hard jobs and they require training.

We need to make the training available to people where they live at a cost that they can actually afford. We have no time to waste.

Our businesses are competing on a global stage against countries that will use the full machinery of their governments to make sure their workforces are ready. We need to meet their efforts with an even greater one.

Luckily, we already have a workforce that will go anywhere and do anything. When it comes to hard work, these folks are fearless. That is the veteran population here in the United States.

Marine officers are trained that if we are given an order to move that mountain over there, no sooner is the order completed than we are leading 100 marines down the road with shovels.

I still have great faith in the ability of 100 marines with shovels, but what we really need today are hundreds of thousands of veterans who can 3D print those shovels, put them in the hands of robots, program them to go down the road, and defend the entire network from foreign intrusion.

These are the jobs of today and tomorrow. These are the jobs that will support our families. Most importantly, these are the jobs that will grow the new middle class.

We want to make sure veterans get these jobs. To do that, we are going to use this bill to turn to the National Science Foundation. The National Science Foundation was born in the aftermath of World War II to make sure that we led the world in science and math, and the most important advancements. We knew that if we did that, we could make our country safe, healthy, and strong.

If we are going to continue that mission in the new generation, we will need veterans to lead the way.

We do have a global competition on our hands, Mr. Speaker, and I know we can win it if we have the veterans with us. This bill will help them, and I urge all my colleagues to come together to pass it.

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. Dunn), one of the great proponents of veterans and a great proponent of moving us forward in the sciences, especially our faith would grow.

Mr. Dunn. Mr. Speaker, I thank my good friend from Oklahoma, Mr. Lucas, for yielding to me.
H.R. 425, the Supporting Veterans in STEM Careers Act, is about helping expand veterans' job and education opportunities in the sciences. The bill directs the National Science Foundation to develop a veterans outreach plan and publishes a report on veterans participation in mathematics, science, and technology in its annual “Science and Engineering Indicators” report.

The bill also updates the NSF Robert Noyce Teacher Scholarship Program, its fellowship programs, and the cyber grant programs to include outreach to veterans.

Additionally, the White House Office of Science and Technology Policy is tasked with overseeing an interagency working group to examine how to increase veteran participation in the STEM career fields, including addressing any barriers for both servicemembers and their spouses.

In the next 5 years, between 1 million and 1.5 million members of the Armed Forces will separate from the military, according to the Department of Defense. Many of these veterans will be seeking new careers, and by a great margin, veterans cite finding employment as their number-one need when separating from Active-Duty service.

According to the U.S. Bureau of Labor Statistics, occupations in STEM fields are projected to grow to more than 9 million jobs by 2022. Research shows that many military veterans already possess skills and training that align with STEM careers, particularly in the area of information technology.

However, it also shows that veterans face many barriers as they reenter the workforce, including a lack of formal certified STEM education, career guidance, and the difficult task of transferring military credits to civilian college credits.

Our Nation’s veterans deserve every opportunity to transition to a rewarding and successful civilian life. This bill will help all servicemembers continue to serve our Nation in new ways by fulfilling 21st century jobs and keeping America on the cutting edge of innovation.

Mr. Speaker, I thank Congressman Lamb, a fellow member of the Science, Space, and Technology Committee and a Marine Corps veteran, for cosponsoring this bipartisan legislation. And I salute my fellow veterans on the Science, Space, and Technology Committee who joined me in introducing this bill.

Last year, the House passed this legislation by an overwhelming margin, but we did not make it across the finish line in the Senate. This year, we have a bipartisan companion bill in the Senate, introduced by my home State Senator MARCO RUBIO and Senator AMY KLOBUCHAR.

Mr. Speaker, I believe that now is the time to get this done to help our Nation’s veterans. I urge my colleagues to pass this bill and the Senate to act on it and send H.R. 425 to the President’s desk.

Mr. LIPINSKI. Mr. Speaker, I have no more speakers, and I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I have no additional speakers. I note that I think the gentleman from Florida, Dr. DUNN, very eloquently summed it up just moments ago. Veterans deserve every opportunity to transition back and to utilize those skills.

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

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

Mr. Speaker, I thank Dr. DUNN for introducing this bill again, and we will work hard to see this through to the end.

I thank Mr. LAMB for his comments. It is certainly something that I have experienced, which is employers needing to find more workers. The men and women who are coming out of our armed services have those skills that are needed. We just need to give them a little more help to get them connected. This bill does that.

Mr. Speaker, I urge my colleagues to support this bill and I yield back the balance of my time.

Ms. JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 425, the Supporting Veterans in STEM Careers Act, I commend Mr. DUNN and Mr. LAMB for their leadership in bringing this important legislation to the floor.

As Chair of the Science, Space, and Technology Committee I am committed to supporting a strong STEM workforce. In light of increasing global competition, we must do more to ensure workers are equipped with the STEM skills and knowledge employers need.

Veterans are a highly trained and highly motivated group. They have the skills, the determination and the knowledge-how to thrive in high-paying, secure STEM careers. H.R. 425 directs the National Science Foundation and the Office of Science and Technology Policy to leverage existing data and programs to better support veterans in their transition to the STEM workforce. We need all hands on deck if we are to maintain our standing as the global leader in innovation.

H.R. 425 is a good step in that direction.

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the bill was passed.

A motion to reconsider was laid on the table.

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

H.R. 276

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

SEC. 1. SHORT TITLE.

This Act may be cited as the “Recognizing Achievement in Classified School Employees Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Classified school employees provide valuable service in the United States.

(2) Classified school employees provide essential services, such as transportation, facilities maintenance and operations, food service, safety, and health care.

(3) Classified school employees play a vital role in providing for the welfare and safety of students.

(4) Classified school employees strive for excellence in all areas of service to the education community.

(5) Exemplary classified school employees should be recognized for their outstanding contributions to quality education in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) CLASSIFIED SCHOOL EMPLOYEE.—The term “classified school employee” means an employee of a State or of any political subdivision of a State, or an employee of a non-profit entity, who works in any grade from prekindergarten through high school in any of the following occupational specialties:

(A) Paraprofessional, including paraeducator services.

(B) Clerical and administrative services.

(C) Transportation services.

(D) Food and nutrition services.

(E) Custodial and maintenance services.

(F) Security services.

(G) Health and student services.

(H) Technical services.

(I) Skilled trades.

(2) OTHER DEFINITIONS.—The terms used in this Act have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 4. RECOGNITION PROGRAM ESTABLISHED.

(a) IN GENERAL.—The Secretary of Education shall establish a national recognition program to be known as the “Recognizing Inspiring School Employees Award Program” or the “award program”.

(b) SELECTION PROCESS.—In general—Prior to May 31 of each year (beginning with the second calendar year that begins after the date of the enactment of this Act), the Secretary shall select a classified school employee to receive the Recognizing Inspiring School Employees Award for the year.

(c) SELECTION PROCESS.—(1) Nomination process—In general—Not later than November 1 of each year (beginning with the first calendar year that begins after the date of the enactment of this Act), the Secretary shall select a classified school employee to receive the Recognizing Inspiring School Employees Award for the year.

(2) NON-MONETARY VALUE.—The award and recognition provided under this Act shall have no monetary value.

(3) SELECTION PROCESS.—(A) In general—Before the date of the act, the Secretary shall select a classified school employee to receive the Recognizing Inspiring School Employees Award for the year.

(B) SELECTION PROCESS.—(1) Nomination submissions.—In order for individuals in a State to be eligible to receive recognition under this section, the
Governor of the State shall consider nominations submitted by the following:
(i) Local educational agencies.
(ii) School administrators.
(iii) Professional organizations.
(iv) Labor organizations.
(v) Educational service agencies.
(vi) Nonprofit entities.
(vii) Other eligible persons.
(viii) Any other group determined appropriate by the Secretary.
(2) DEMONSTRATION.—Each Governor of a State shall notify individuals in the State to be considered for recognition under this section shall contain, at a minimum, demonstrations of excellence in the following areas:
(A) Work performance.
(B) School and community involvement.
(C) Leadership and commitment.
(D) Local support.
(E) Enhancement of classified school employees’ image in the community and schools.
(F) Demonstrations of excellence in the following areas:
(i) Local educational agencies.
(ii) Business and industry.
(iii) Professional associations.
(iv) Labor organizations.
(v) Educational service agencies.
(vi) Nonprofit entities.
(vii) Parents and students.
(G) Selection.—The Governor and the Secretary shall select the most deserving nominees based on the demonstrations made in the areas described in subparagraph (A) of this paragraph.
(H) Final Selection.—The Secretary shall develop uniform national guidelines for evaluating nominations submitted under paragraph (2) in order to select the most deserving nominees based on the demonstrations made in the areas described in such paragraph.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Nevada (Mrs. LEE) and the gentleman from Pennsylvania (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Nevada.

GENERAL LEAVE

Mrs. LEE of Nevada. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

Mrs. LEE of Nevada. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, despite being under the weather, I decided to come down here to thank my colleague and the dean of our delegation, Congresswoman DINA Titus, for leading this bipartisan effort.

This legislation would establish the Classified School Employee of the Year RISE Award Program to recognize the achievements and contributions of classified school employees to student education in schools across the country.

Classified school employees are critical members of the education workforce, making up one out of every three public school employees who assist students in our Nation’s public schools. Classified school employees provide essential services, such as transportation, facilities maintenance and operations, food service, safety, and healthcare.

It is past time that the U.S. Department of Education recognize the tireless contributions of our nation’s outstanding classified school employees. The stature of the Secretary of Education in recognizing the RISE Award will provide national leadership and partnership to encourage broad participation in the development, selection, and recognition process.

Classified school employees across the country do extraordinary and inspirational things in their schools and communities. They provide students with quality education, foster positive learning environments, and ensure student success. The RISE Award will recognize the contributions of classified school employees to student success.

Mr. Speaker, I urge my colleagues to vote “yes” and I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 276. I thank my colleagues across the aisle, the gentlewoman from Nevada, and also all those who are original cosponsors in support of this bill.

It is not uncommon for a school employee to make a lasting impression on a student or on entire generations of students. Front office attendants, school custodians, school safety personnel, food service workers, and others interact with countless students every day. Many of these school employees make lifelong impacts on the students who they serve.

Ask any student and they will probably tell you about a particular school employee who has been their teacher, but, nevertheless, imparted crucial life lessons upon them or inspired joy and confidence in students who struggled to find either. Schools are made better by these leaders, and students benefit from their kindness, thoughtfulness, compassion, and respect that they show to others around them.

Mr. Speaker, these employees truly go above and beyond the call of duty to serve America’s students, and their steadfast devotion deserves our appreciation.

H.R. 276, the Recognizing Achievement in Classified School Employees Act, will direct the Secretary of Education to establish the Recognizing Inspiring School Employees Award, otherwise known as the RISE Award. The RISE Award will be presented each year to a classified school employee in a nonteaching position in recognition of their valuable contributions to the lives of students at the schools that they serve.

The award will be nonmonetary and will go to employees who demonstrate excellent work performance, school and community involvement, leadership, and commitment, and who exemplify the very best of what it means to be a classified school employee.

H.R. 276 is just one small way to honor the men and women in our communities who demonstrate to students what it means to be outstanding citizens and civic leaders. Their tireless efforts deserve our recognition and thanks. I urge my colleagues in the House to support this commonsense legislation, and I reserve the balance of my time.

Mrs. LEE of Nevada. Mr. Speaker, I yield 5 minutes to the gentlewoman from Nevada (Ms. Titus), the lead sponsor of H.R. 276.

Ms. Titus. Mr. Speaker, I thank my friend for yielding and for her support of this bill that creates the RISE Award.

I would like to address the bill before you by telling you the story of Ms. Virginia Mills. Ms. Mills started her career as a security guard at William E. Orr Middle School in District One in Las Vegas over two decades ago.

Almost immediately upon getting to the school, she saw that children were going to school without backpacks on their shoulders to carry their books and equipment. She saw athletes trying out for the basketball team without having the proper shoes on their feet. She saw children who didn’t have enough clothes to make it through the whole week without changing.

In her very first month on the job, taking old items from her own daughter’s closet, she started a clothes closet for middle school students in need. She first enlisted the help of friends, then teachers, and then community members. Eventually, the closet grew to include school supplies and even food for children to take home on the weekends, when they might otherwise go hungry.

Ms. Mills has watched these students grow over the years to become assemblymen and -women in the legislature, business leaders, and community organizers. She said: “Giving a helping hand to these students has inspired them to become better adults. They now understand the importance of paying it forward.”

Virginia Mills has improved the lives of so many middle school students in my district, and she has filled a gap that many young people are in danger of falling into. And she wanted me to tell you that she didn’t do it alone.

There are countless people in our schools, including security guards who do more than keep students safe; they keep them motivated. There are bus drivers who provide more than just a ride; they offer friendship. There are counselors and nurses and cafeteria workers who strive tirelessly behind the scenes to ensure the success of our students in our schools. Yet, too often, their contributions go unrecognized.

That is why I introduced this bipartisan legislation to celebrate the critical role that school staff plays in helping our students learn and enabling our teachers to teach.

□ 1730

The contributions of these vital school employees can’t really be measured, but they can and should be recognized.

It is in our children’s interest and certainly in our national interest for the Department of Education to
present these RISE Awards to people like Virginia Mills who have made such a profound impact on our Nation’s youth. So for those who work so hard to help our students become the best versions of themselves, I urge my colleagues to vote ‘yes’, and I yield back the balance of my time.

Mr. Speaker, I appreciate the story that was shared about the woman who worked in that school district. I think we all probably have those stories as we think fondly back on our school experiences, whether it was elementary or high school, about individuals who weren’t necessarily teachers but were still very influential in making an impression and setting a great example to be followed in so many different ways. That is why I am so pleased to be able to support this piece of legislation.

I have had the privilege and honor to be in our schools that are recognized as the Blue Ribbon Schools and Schools to Watch, and those are wonderful. They are wonderful not just because of what has been accomplished for those kids, but they do become an inspiration to other schools to strive for and to achieve.

What this piece of legislation does, Mr. Speaker, is that through the level of the staff, because we know that the most valuable resource and asset that we have in our schools are people—whether it be the classroom or anything that is physical like that, but it is the teachers, the faculty, and the staff. Being able to recognize the staff who work so hard each and every day there who are not necessarily teachers is a great opportunity.

Mr. Speaker, in closing, I certainly am very excited about supporting this piece of legislation, H.R. 276. I urge my colleagues to vote ‘yes’, and I yield back the balance of my time.

Mrs. LEE of Nevada. Mr. Speaker, I yield myself the balance of my time.

In closing, I would like to thank Representative Tarrus for her leadership in bringing forth this bipartisan piece of legislation.

When it comes to delivering the promise of a great public school for every child, it is a team effort. Classified employees keep the lights on, students fed, and learning environments safe and welcoming.

This past year, we have seen unprecedented activism from teachers and school staff demanding better support for public schools across the country. While the media often speaks first about the contributions and working conditions for classroom teachers, it is important to recognize that behind every teacher is an army of classified school employees.

Passing this bill to recognize the contributions of classified school employees is an important first step, but I urge this body to do more. We must come together and continue to work across the aisle to invest in public education. We must invest in the staff who support our public schools and in students who count on public schools to reach their academic potential.

Mr. Speaker, I hope that swift passage of H.R. 276 is just the beginning, and I look forward to future action in this Chamber in support of public schools. I urge my colleagues to vote ‘yes’, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Nevada (Mrs. LEE) that the House suspend the rules and pass the bill, H.R. 276.

The question was taken.

The SPEAKER pro tempore. The ayes have it, and the bill is passed.

Mr. Speaker, I thank House leadership for bringing H.R. 1235, the MSPB Temporary Term Extension Act, so quickly to the floor at the request of the Committee on Oversight and Reform. Chairman Cummings and I introduced this bill to prevent a potential crisis at the Merit Systems Protection Board, a vacant Board without any members. Acting Chairman Mark Robbins is and has been the sole member on the Board floor pending the naming of a third nominee by the White House.

The Senate committee was also reportedly working on language to extend Mr. Robbins’ holdover term for another year, but no legislation was considered at the markup, thus our action today.

Given these events, it appears less and less likely that the Senate will be able to confirm new Board members before time runs out this Thursday. That is why the Committee on Oversight and Reform, Chairman Cummings and I, introduced this stopgap measure, H.R. 1235, to ensure some work by the MSPB will continue. The legislation will provide a one-time, 1-year extension for Mr. Robbins’ term to give the Senate more time to confirm the additional Board members.

This version of the bill before us eliminates the provision prohibiting dual appointments because Mr. Robbins assured us he would continue to recuse himself from working on matters related to OPM and that he would recuse himself from OPM matters that he had taken at MSPB if this bill is enacted.

This amendment is in response to many of the concerns raised by our Republican friends.

We urgently need to pass this bill because we need to ensure that MSPB can continue its operations. If Mr. Robbins’ term expires without new members confirmed, it will be the first time in the agency’s history that the Board has no members at all. We will be entrusting uncharted new territory, and not good territory.

If there is no principal officer to lead the agency, not only is it unclear...
which agency functions may continue and which ones must be suspended, but also, whether the entire agency must shut down completely. Mr. Speaker, I urge my colleagues not to risk that shutdown.

There is a lot at stake here. MSPB protects whistleblowers from retaliation, veterans from job discrimination, and Federal employees from prohibited personnel practices. The agency ensures that the Federal civil service is nonpartisan and complies with the merit system principles.

Since 2017, MSPB has been operating under certain constraints without a quorum on the Board. This has prevented the Board from hearing final appeals of agency adverse actions.

The absence of a quorum has also prevented the Board from issuing special studies of the civil service and reviews of OPM rules and regulations, as is required. This has resulted in a backlog. Mr. Speaker, there are 2,000 final appeals which will take more than 3 years to process and eight Merit Systems studies pending issuance by the Board.

The current situation is certainly less than ideal, but let's not make it worse by freezing and creating a complete vacancy on the Board.

This would cause decisions made by Mr. Robbins, by the way, to be voided, exacerbating the backlog, and any new Board member who is finally confirmed would have to start again from square one.

We should not and cannot allow that to happen. Addressing the problem should be a bipartisan concern, and I believe it is. We cannot let politics prevent MSPB from doing its job.

The bill in front of us is supported by the American Federation of Government Employees, the National Treasury Employees Union, the National Federation of Federal Employees, the Government Accountability Project, Public Citizen, Project on Government Oversight, the Make It Safe Coalition, the Senior Executives Association, and Concerned Scientists, Whistleblowers and Recipients.

Hon. ELIJAH E. CUMMINGS, Ranking Member, Committee on Oversight and Reform, Washington, DC.

February 25, 2019.

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

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

Mr. Speaker, I reserve the balance of my time.
and Government Reform reported the bill favorably, but without a single vote from my colleagues on the other side of the aisle.

We all know an effective and functional MSPB is important to the health of our Federal workforce. MSPB’s primary responsibility is to adjudicate appeals of Federal personnel actions. MSPB also plays a vital role in Federal whistleblower protections.

To be effective and issue decisions, MSPB needs at least a two-member quorum, but the Board has not had a quorum for over 2 years. In January 2017, Mark Robbins, as my friend mentioned, became the sole remaining member of MSPB.

Last year, Mr. Robbins’ 7-year term came to an end, and he was granted a 1-year extension as authorized by law, but that extension ends this week. Starting Friday, the MSPB will be without a single Board member.

My colleagues claim this bill is an emergency measure to prevent the MSPB from extending this crisis of leadership, but I disagree. The real problem is the lack of a quorum.

Without a quorum for the last 2 years, a backlog of undecided appeals has grown to over 1,700 cases. Mr. Robbins cannot fix that problem on his own. His continued tenure will not resolve those cases.

In December, the President selected Mr. Robbins to serve as the general counsel at the Office of Personnel Management, but so for the last 10 weeks, he has served in both capacities at OPM and MSPB. Mr. Robbins is planning to serve at OPM in his full capacity beginning this Friday.

Mr. Robbins has stayed at MSPB as long as he has out of a sense of duty to MSPB and its mission. I trust that my colleagues do not intend to use this bill to coerce Mr. Robbins to stay any longer than he wants to.

I urge my colleagues to join me in applauding Mr. Robbins for his dedication to MSPB, the Federal workforce, the President, and our country. I also urge my colleagues to join me in supporting the Senate’s confirmation of President Trump’s nominee.

We owe it to our Federal workers to give MSPB a quorum so the board can do the important job that Congress gave it to do.

In the future, I certainly hope we can work together to provide certainty to Federal workers and whistleblowers by making MSPB operational once again.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

Briefly, in responding to my friend: I agree with him. I think we need a full board. Our problem is the Senate. They didn’t get around to acting in a timely fashion, and so we are faced with this. I think it is also important to note that, although a quorum is necessary for most work of MSPB, it isn’t necessary for all of it.

So Mr. Robbins, in a caretaker, interim position, can still do some of the work of the board, including issuing stays, reviewing some of the work, and helping to avoid a backlog.

He can’t substitute himself fully, obviously, for a quorum in the board. My colleague is quite right about that.

What we are trying to do here is not to compel him or coerce him to stay against his wishes; it is to try to buy some time and have the board at last do some of its basic functions so that we don’t come to a complete standstill.

That would not be necessary, frankly, had the Senate acted.

I think my friend is right in suggesting that is the ultimate answer, and I would join him in calling on the Senate to act as swiftly as possible. But I think we have no choice but to act on this bill now.

With that, Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.
and BROOKS of Alabama 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 ordered.

A motion to reconsider was laid on the table.

RESIGNATION AS CLERK OF THE HOUSE OF REPRESENTATIVES

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,

Hon. NANCY PELOSI,
Speaker of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to inform you that I am resigning my position as Clerk of the House effective midnight on February 25, 2019. Thank you for the honor of nominating me to serve in the position of Clerk of the House in the 116th Congress. With best wishes, I am, Sincerely,

KAREN L. HAAS.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

THANKING KAREN L. HAAS FOR HER SERVICE AS CLERK OF THE HOUSE, AND WELCOMING CLERK—DESIGNATE CHERYL L. JOHNSON

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

Mr. HOYER. Mr. Speaker, I rise to thank and congratulate Karen Haas, and say how very appreciative this House is for the extraordinary service that has been given to us for many years, and to the people of this country, by Karen Haas.

Karen, thank you so much.

She has been the Clerk of the House for a very long time. She was the Clerk of the House in the 109th and 110th Congresses as well.

Throughout her tenure, she served with distinction, working hard to ensure that the Office of the Clerk always acted in a nonpartisan, bipartisan way, which brought credit on this House and great service to every Member.

Thank you for that, Karen.

Many of us serving in the House have known her even longer, going back to her service on the staff of former Speaker Hastert and former Republican Leader Bob Michel.

I might say of the latter, Bob Michel was one of the finest human beings I have ever known and one of the best Members that I have ever served with. Karen was proud to serve with him, and he, I know, was so fond of Karen and her service to him and to the House.

Now, I may not be totally objective.

As Cheryl Johnson takes her place, I offer her the thanks of the House,
We wish you the best in your next endeavor. You can come visit us from time to time.

Karen, thank you so much for the work that you have done on behalf of not just us as Members of Congress, but on behalf of all the American people who count on this institution to function properly, for helping us make sure that it is done in a proper, efficient, fair, and impartial way. Best of luck to you, Karen.

Mr. HOYER. Mr. Speaker, I thank the Whip for his comments, and I certainly share his views. I am now pleased to yield to my friend, the gentleman from California (Mr. McCArTHY), the Republican leader.

Mr. McCArTHY. Mr. Speaker, I thank my friend for yielding, and I rise to congratulate Karen Haas, who after five terms as Clerk of the House, is retiring.

I would like to remind all Members in this body that fewer than 11,000 people have the privilege to serve in this House. It is even fewer for a Clerk.

Karen was our 34th Clerk and only the second woman to hold that position. We thank you for that leadership. When it comes to the role of the House Clerk, you think of roll calls and recorded votes. But the Office of the Clerk is really about continuity. Without the Clerk, Congress could not fulfill its obligation to the American people, and move in a smooth manner, which many people don’t see the challenge.

Few individuals are more committed to preserving the continuity than Karen. She has done that as Clerk and as a trusted staff member and floor assistant. Always, she has been a friend and counselor to Members, regardless of what side of the aisle you sat on.

Karen Haas also equipped and modernized this House for the 21st century. Often times, you won’t see that because it is behind the scenes, but it makes the legislative process more accessible to the people it serves.

Mr. Speaker, we are grateful to Karen for her dedication, her team’s professionalism, and her steady hand on the tiller. Her service reminds us of an important fact: The people’s House is only as good as its people.

You rose to the occasion. On behalf of a very grateful House, and a grateful Nation, we say thank you, Karen. And to Cheryl, we wish you the best.

Mr. HOYER. Mr. Speaker, it is my privilege to yield to the Speaker of the House, Ms. PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the distinguished leader for recognition and calling us together to salute two great women in this Chamber.

Mr. Speaker, I rise for the great honor of swearing in Cheryl Lynn Johnson as the 36th Clerk of the House of Representatives. This is a very distinguished and privileged role.

Mr. McCArTHY. I was pleased to appoint the first African American woman Clerk of the House, Lorraine Miller, when I was Speaker before, and now I am happy to be appointing the second.

We are privileged to be joined by Cheryl’s parents, the Reverend Charlie Davis and Cynthia Davis of New Orleans, who are with us in the Chamber. Thank you for being with us.

We are also pleased to welcome Cheryl’s husband, Clarence Ellison, and her son, Bradford, to this Chamber today as well. Welcome to you, and thank you.

I join my colleagues, the distinguished Democratic leader, the Republican leader, and distinguished Republican whip in saluting House Clerk Haas for her many years of distinguished service to this institution.

Anyone who knows her is proud of her service. On behalf of the U.S. House of Representatives, I thank you, Karen, for the great integrity and dedication for which you have served the people’s House. Thank you so much.

She has been magnificent.

Cheryl Johnson embodies public service and has dedicated her career to strengthening many of the most important institutions of our democracy, including our own.

Indeed, today is a homecoming, as Leader HOYER has mentioned, as Cheryl returns to the House of Representatives where she worked with distinction and honor for Chairman Lacy Clay, Sr.—I emphasize senior—of the Committee on House Administration’s Subcommittee on Libraries and Memorials; and the House Committee on Post Office and Civil Service Subcommittee on Investigations.

Our country is stronger for her work on the then-Committee on Education and the Workforce to secure justice and progress for our children and advance fairness and respect for our workers.

In the Congress, she earned the respect of all—Members and staff, Democrats and Republicans—for being a leader of compassion, courage, and commitment.

Cheryl returns to the House after more than a decade at the Smithsonian Institution. Her great dedication to that American treasure—which is the largest museum in the world—has ensured that it will remain a source of creativity, innovation, and research for generations to come.

Our Nation is particularly grateful for her extraordinary vision and persistence in helping to transform the dream of the National Museum of African American History and Culture into a reality.

Cheryl has made a difference empowering millions of Americans and visitors to explore and be inspired by the beauty and richness of American culture and history.

Cheryl’s strong leadership and deep love and respect for the institutions of our democracy will be vital in her role as House Clerk, strengthening and safeguarding the Congress in the tradition of Karen and the Congress, the first branch of government, Article I.

I thank Cheryl for her commitment to our institution and to our democracy; and with great, again, recognition and appreciation to Karen Haas for her service.

It is now my privilege to administer the oath of office to Cheryl Johnson.

ELECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. HOYER. Madam Speaker, I offer a privileged resolution (H. Res. 143) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 143
Resolved. That Cheryl L. Johnson of the State of Louisiana, be, and is hereby, chosen Clerk of the House of Representatives, effective February 26, 2019.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SWERING IN OF THE CLERK OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. Will the Clerk-designate please take the well and all Members please rise.

The Chair will now swear in the Clerk-designate of the House.

The Clerk-designate took the oath of office as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

WELCOMING CHERYL L. JOHNSON AS THE 36TH CLERK OF THE HOUSE OF REPRESENTATIVES

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

Mr. CLAY. Madam Speaker, I rise today to congratulate the newly installed Clerk of the U.S. House, Cheryl Lynn Johnson.

She is the 36th American to be elected to this critical position. The Clerk, as we know, serves as the legislative official in the House, a position that goes back to the first Clerk and to the first Congress in 1789. As was mentioned, she comes to us from the Smithsonian Institution where she served as the Director of Government Relations.

Among her many achievements, as was mentioned, Cheryl helped to make the National Museum of African American History and Culture a brilliant reality.

But this is not her first tour of duty on Capitol Hill. In fact, she previously spent almost two decades in service to this institution, and as was mentioned, her first position was serving on the
committee staff of my father, former Congressman Bill Clay.

She spent 10 years as the chief education and investigative counsel for the Committee on Education and the Workforce where she advanced reforms in elementary and secondary education, including nutrition, labor issues, and employment and nutrition programs for seniors.

Prior to that, she served as staff director and counsel for the Committee on House Administration’s Subcommittee on Libraries and Memorials and then Subcommittee on the Post Office and Civil Service.

Ms. Johnson is a distinguished graduate of Howard University Law School and the University of Iowa. She is married to Clarence and has a son, Bradford.

I go back with Cheryl as a friend for 40 years. Our families are close. Growing up around this institution that we all love, I was fortunate to be in the company of and witness the examples set by many great public servants—Members and staff—who devoted themselves to representing their constituents in the true spirit of public service.

Cheryl Johnson exemplifies the highest standards of public service, honor, and integrity that will elevate the 116th Congress. I am pleased to welcome her as our new Clerk, and I am prouder still to call her my good friend. She will be an enormous resource for Members and staff, and I am proud to welcome her home.

Welcome back, Cheryl. Congratulations.

RECOGNIZING ACHIEVEMENT IN CLASSIFIED SCHOOL EMPLOYEES ACT

The SPEAKER pro tempore (Mr. Peters). 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. 276) 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, 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 Nevada (Mrs. Lee) 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 387, nays 19, not voting 23, as follows:

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<tr>
<th>Yeas</th>
<th>Nays</th>
<th>Not Voting</th>
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<td>Allen</td>
<td>Adams</td>
<td>...</td>
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Mr. GROTHMAN changed his vote from “yea” to “nay.”

Mr. CLINE changed his 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.

PERSONAL EXPLANATION

Mr. MORELLE. Mr. Speaker, I was unavoidably detained due to inclement weather in New York and missed votes. Had I been present, I would have voted YEA on Roll Call No. 88 regarding the “Innovators to Entrepreneurs Act of 2019 (H.R. 539)” and YEA on Roll Call No. 89 regarding the “Recognizing Achievement in Classified School Employees Act (H.R. 276).”

PERSONAL EXPLANATION

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on February 25, 2019 due to inclement weather preventing my scheduled air travel from Iowa to Washington, D.C. Had I been present, I would have voted as follows: YES on Roll Call No. 88, and YES on Roll Call No. 89.

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 to de novo.

The question is on the Speaker’s approval of the Journal.
The Clerk read as follows:

Amendment offered by Mr. Petersen:

(pursuant to clause 1, rule I, the Journal stands approved.)

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.J. RES. 46, TERMINATION OF NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019

Mr. McGovern, from the Committee on Rules, submitted a privileged report (Rept. No. 116-13) on the resolution (H. Res. 145) providing for consideration of the joint resolution (H.J. Res 46) relating to a national emergency declared by the President on February 15, 2019, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 8, BIPARTISAN BACKGROUND CHECKS ACT OF 2019, AND PROVIDING FOR CONSIDERATION OF H.R. 1112, ENHANCED BACKGROUND CHECKS ACT OF 2019

Mr. McGovern, from the Committee on Rules, submitted a privileged report (Rept. No. 116-14) on the resolution (H. Res. 145) providing for consideration of the bill (H.R. 8) to require a background check for every firearm sale, and providing for consideration of the bill (H.R. 1112) to amend chapter 44 of title 18, United States Code, to require a background check for every firearm purchase, and providing for consideration of the joint resolution (H.J. Res 46) relating to a national emergency declared by the President on February 15, 2019, which was referred to the House Calendar and ordered to be printed.

ENACTING INTO LAW A BILL BY REFERENCE

Mr. Petersen. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 483) to enact into law a bill by reference, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota? There was no objection.

The text of the bill is as follows:

S. 483

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

Section 1. (a) H.R. 1029 of the 115th Congress, as passed by the Senate on June 28, 2018, is enacted into law.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end of the Act, setting forth the text of the bill referred to in subsection (a).

Amendment offered by Mr. Petersen

Mr. Peterson. Mr. Speaker, I have an amendment at the desk.

Pursuant to clause 1, rule I, the Journal stands approved.
(A) by striking ''permit for a pesticide.''

(2) in paragraph (3), by striking any reference to a pesticide registration application or a pesticide registration application (commonly referred to as a Gold Seal letter)''; and

(B) by striking ''pesticide registration''; and

(C) by striking ''pesticide registration application'' and inserting ''covered application''.

SEC. 3. PESTICIDE REGISTRATION SERVICE FEES.

(a) EXTENSION AND MODIFICATION OF FFE AUTHORITY.—Section 33(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(c)) is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(2) by inserting after paragraph (4) the following new paragraph:

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(K) a review of the progress made in developing, updating, and implementing product performance test guidelines for pesticide products that are intended to control invertebrate pests of significant public health importance and, by regulation, prescribing product performance data requirements for such pesticide products registered under subsection 9.

(L) a review of the progress made in the priority review and approval of new pesticides to control invertebrate public health pests that may transmit vector-borne disease for use in the United States, including each territory or possession of the United States, and United States military installations globally.

(M) a review of the progress made in implementing enhancements to the good laboratory practices standards compliance monitoring program established under part 160 of title 40 of the Code of Federal Regulations (or successor regulations);

(N) the number of approvals for active ingredients, new uses, and pesticide end-use products granted in connection with the Design for the Environment program (or any successor program) of the Environmental Protection Agency; and

(O) with respect to funds in the Pesticide Registration Fund reserved under subsection (c)(3), a review that includes—

(i) a description of the amount and use of such funds—

(ii) to carry out activities relating to worker protection under clause (i) of subsection (c)(3)(B);

(iii) to award partnership grants under clause (ii) of such subsection; and

(iv) to carry out the pesticide safety education program under clause (iii) of such subsection;

(v) an evaluation of the appropriateness and effectiveness of the activities, grants, and program described in clause (i);

(vi) a description of how stakeholders are engaged in the decision to fund such activities, grants, and program; and

(vi) with respect to activities relating to worker protection carried out under subparagraph (B)(i) of such subsection, a summary of the analyses from stakeholders, including from worker community-based organizations, on the appropriateness and effectiveness of such activities.

(f) TERMINATION OF EFFECTIVENESS—Section 33(m) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(m)) is amended to read as follows:

‘‘(1) in paragraph (1), by striking ‘‘2017’’ and inserting ‘‘2023’’; and

(a) any subsequent application for another new pesticide registration, until that new pesticide registration is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed

B. (ii) by striking ‘‘2017’’ and inserting ‘‘2023’’;

(C) in subparagraph (C), by striking ‘‘SEPTEMBER 30, 2019’’ and inserting ‘‘SEPTEMBER 30, 2023.’’

SEC. 6. REVISION OF TABLES REGARDING COVERED PESTICIDE REGISTRATION APPLICATIONS AND OTHER COVERED ACTIONS AND THEIR CORRESPONDING REGISTRATION SERVICE FEES.

Paragraph (3) of section 33(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(b)) is amended to read as follows:

‘‘(3) SCHEDULE OF COVERED APPLICATIONS AND OTHER ACTIONS AND THEIR REGISTRATION SERVICE FEES. Subject to paragraph (6), the schedule of registration applications and other covered actions and their corresponding registration service fees shall be as follows:

‘‘TABLE 1. REGISTRATION DIVISION—NEW ACTIVE INGREDIENTS

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R010</td>
<td>1</td>
<td>New Active Ingredient, Food use. (2)(3)</td>
<td>24</td>
<td>753,082</td>
</tr>
<tr>
<td>R020</td>
<td>2</td>
<td>New Active Ingredient, Food use; reduced risk. (2)(3)</td>
<td>18</td>
<td>627,568</td>
</tr>
<tr>
<td>R040</td>
<td>3</td>
<td>New Active Ingredient, Food use; Experimental Use Permit application; established temporary tolerance; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows. (3)</td>
<td>16</td>
<td>482,502</td>
</tr>
<tr>
<td>R060</td>
<td>4</td>
<td>New Active Ingredient, Non-food use; outdoor. (2)(3)</td>
<td>21</td>
<td>523,205</td>
</tr>
<tr>
<td>R070</td>
<td>5</td>
<td>New Active Ingredient, Non-food use; outdoor; reduced risk. (2)(3)</td>
<td>16</td>
<td>486,704</td>
</tr>
<tr>
<td>R090</td>
<td>6</td>
<td>New Active Ingredient, Non-food use; outdoor; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows. (3)</td>
<td>16</td>
<td>323,690</td>
</tr>
<tr>
<td>R110</td>
<td>7</td>
<td>New Active Ingredient, Non-food use; indoor. (2)(3)</td>
<td>20</td>
<td>290,994</td>
</tr>
<tr>
<td>R120</td>
<td>8</td>
<td>New Active Ingredient, Non-food use; indoor; reduced risk. (2)(3)</td>
<td>14</td>
<td>242,495</td>
</tr>
<tr>
<td>R121</td>
<td>9</td>
<td>New Active Ingredient, Non-food use; indoor; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows. (3)</td>
<td>18</td>
<td>182,327</td>
</tr>
<tr>
<td>R122</td>
<td>10</td>
<td>Enriched isomer(s) of registered mixed-isomer active ingredient. (2)(3)</td>
<td>18</td>
<td>317,128</td>
</tr>
<tr>
<td>R123</td>
<td>11</td>
<td>New Active Ingredient, Seed treatment only; includes agricultural and non-agricultural seeds; residues not expected in raw agricultural commodities. (2)(3)</td>
<td>18</td>
<td>471,861</td>
</tr>
<tr>
<td>R125</td>
<td>12</td>
<td>New Active Ingredient, Seed treatment; Experimental Use Permit application; submitted before application for registration; credit 45% of fee toward new active ingredient application that follows. (3)</td>
<td>16</td>
<td>323,690</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new use (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or new inert approval. All such associated applications that are submitted together will be charged one service fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or new inert approval. All such associated applications that are submitted together will be charged one service fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or new inert approval. All such associated applications that are submitted together will be charged one service fee.
(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency.

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval that is submitted in the new active ingredient application package or first food use application package. Any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

**TABLE 2. — REGISTRATION DIVISION — NEW USES**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R130</td>
<td>13</td>
<td>First food use; indoor; food/food handling. (2)(3)</td>
<td>21</td>
<td>191,444</td>
</tr>
<tr>
<td>R140</td>
<td>14</td>
<td>Additional food use; Indoor; food/food handling. (3)(4)</td>
<td>15</td>
<td>44,672</td>
</tr>
<tr>
<td>R150</td>
<td>15</td>
<td>First food use. (2)(3)</td>
<td>21</td>
<td>317,104</td>
</tr>
<tr>
<td>R155</td>
<td>16</td>
<td>First food use, Experimental Use Permit application; a.i. registered for non-food outdoor use. (3)(4)</td>
<td>21</td>
<td>264,253</td>
</tr>
<tr>
<td>R160</td>
<td>17</td>
<td>First food use; reduced risk. (2)(3)</td>
<td>16</td>
<td>264,253</td>
</tr>
<tr>
<td>R170</td>
<td>18</td>
<td>Additional food use. (3)(4)</td>
<td>15</td>
<td>79,349</td>
</tr>
<tr>
<td>R175</td>
<td>19</td>
<td>Additional food uses covered within a crop group resulting from the conversion of existing approved crop group(s) to one or more revised crop groups. (3)(4)</td>
<td>10</td>
<td>66,124</td>
</tr>
<tr>
<td>R180</td>
<td>20</td>
<td>Additional food use; reduced risk. (3)(4)</td>
<td>10</td>
<td>66,124</td>
</tr>
<tr>
<td>R190</td>
<td>21</td>
<td>Additional food uses; 6 or more submitted in one application. (3)(4)</td>
<td>15</td>
<td>476,090</td>
</tr>
<tr>
<td>R200</td>
<td>22</td>
<td>Additional Food Use; 6 or more submitted in one application; Reduced Risk. (3)(4)</td>
<td>10</td>
<td>396,742</td>
</tr>
<tr>
<td>R210</td>
<td>23</td>
<td>Additional food use; Experimental Use Permit application; establish temporary tolerance; no credit toward new use registration. (3)(4)</td>
<td>12</td>
<td>48,986</td>
</tr>
<tr>
<td>R220</td>
<td>24</td>
<td>Additional food use; Experimental Use Permit application; crop destruct basis; no credit toward new use registration. (3)(4)</td>
<td>6</td>
<td>19,838</td>
</tr>
<tr>
<td>R230</td>
<td>25</td>
<td>Additional use; non-food; outdoor. (3)(4)</td>
<td>15</td>
<td>31,713</td>
</tr>
<tr>
<td>R240</td>
<td>26</td>
<td>Additional use; non-food; outdoor; reduced risk. (3)(4)</td>
<td>10</td>
<td>26,427</td>
</tr>
<tr>
<td>R250</td>
<td>27</td>
<td>Additional use; non-food; outdoor; Experimental Use Permit application; no credit toward new use registration. (3)(4)</td>
<td>6</td>
<td>19,838</td>
</tr>
<tr>
<td>R251</td>
<td>28</td>
<td>Experimental Use Permit application which requires no changes to the tolerance(s); non-crop destruct basis. (3)</td>
<td>8</td>
<td>19,838</td>
</tr>
<tr>
<td>R260</td>
<td>29</td>
<td>New use; non-food; indoor. (3)(4)</td>
<td>12</td>
<td>15,317</td>
</tr>
<tr>
<td>R270</td>
<td>30</td>
<td>New use; non-food; indoor; reduced risk. (3)(4)</td>
<td>9</td>
<td>12,764</td>
</tr>
<tr>
<td>R271</td>
<td>31</td>
<td>New use; non-food; indoor; Experimental Use Permit application; no credit toward new use registration. (3)(4)</td>
<td>6</td>
<td>9,725</td>
</tr>
<tr>
<td>R273</td>
<td>32</td>
<td>Additional use; seed treatment; limited uptake into Raw Agricultural Commodities; includes crops with established tolerances (e.g., for soil or foliar application); includes food and/or non-food uses. (3)(4)</td>
<td>12</td>
<td>50,445</td>
</tr>
<tr>
<td>R274</td>
<td>33</td>
<td>Additional uses; seed treatment only; 6 or more submitted in one application; limited uptake into raw agricultural commodities; includes crops with established tolerances (e.g., for soil or foliar application); includes food and/or non-food uses. (3)(4)</td>
<td>12</td>
<td>302,663</td>
</tr>
</tbody>
</table>
(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any amendments made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee.

(4) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use application fee for a new product or new inert approval(s) that is submitted in the new use application package subject to the registration service fee for a new product or new inert approval.

Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative, must be assessed 25% of the full registration service fee for the new use application.

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### TABLE 3. — REGISTRATION DIVISION — IMPORT AND OTHER TOLERANCES

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R280</td>
<td>34</td>
<td>Establish import tolerance; new active ingredient or first food use. (2)</td>
<td>21</td>
<td>319,072</td>
</tr>
<tr>
<td>R290</td>
<td>35</td>
<td>Establish Import tolerance; Additional new food use.</td>
<td>15</td>
<td>63,816</td>
</tr>
<tr>
<td>R291</td>
<td>36</td>
<td>Establish import tolerances; additional food uses; 6 or more crops submitted in one petition.</td>
<td>15</td>
<td>182,886</td>
</tr>
<tr>
<td>R292</td>
<td>37</td>
<td>Amend an established tolerance (e.g., decrease or increase) and/or harmonize established tolerances with Codex MRLs; domestic or import; applicant-initiated.</td>
<td>11</td>
<td>45,341</td>
</tr>
<tr>
<td>R293</td>
<td>38</td>
<td>Establish tolerance(s) for inadvertent residues in one crop; applicant-initiated.</td>
<td>12</td>
<td>53,483</td>
</tr>
<tr>
<td>R294</td>
<td>39</td>
<td>Establish tolerances for inadvertent residues; 6 or more crops submitted in one application; applicant-initiated.</td>
<td>12</td>
<td>330,894</td>
</tr>
<tr>
<td>R295</td>
<td>40</td>
<td>Establish tolerance(s) for residues in one rotational crop in response to a specific rotational crop application; submission of corresponding label amendments which specify the necessary plant-back restrictions; applicant-initiated. (3) (4)</td>
<td>15</td>
<td>66,124</td>
</tr>
<tr>
<td>R296</td>
<td>41</td>
<td>Establish tolerances for residues in rotational crops in response to a specific rotational crop application; 6 or more crops submitted in one application; submission of corresponding label amendments which specify the necessary plant-back restrictions; applicant-initiated. (3) (4)</td>
<td>15</td>
<td>396,742</td>
</tr>
<tr>
<td>R297</td>
<td>42</td>
<td>Amend 6 or more established tolerances (e.g., decrease or increase) in one petition; domestic or import; applicant-initiated.</td>
<td>11</td>
<td>272,037</td>
</tr>
<tr>
<td>R298</td>
<td>43</td>
<td>Amend an established tolerance (e.g., decrease or increase); domestic or import; submission of corresponding amended labels (requiring science review). (3) (4)</td>
<td>13</td>
<td>58,365</td>
</tr>
<tr>
<td>R299</td>
<td>44</td>
<td>Amend 6 or more established tolerances (e.g., decrease or increase); domestic or import; submission of corresponding amended labels (requiring science review). (3) (4)</td>
<td>13</td>
<td>385,261</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be considered as one new use decision review time. Any application for a new product or new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the differences; or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.
(4) Amendment applications to add the revised use pattern(s) to registered product labels are covered by the base fee for the category. All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the amendment application package is subject to the registration service fee for a new product or a new inert approval. However, if an amendment application only proposes to register the amendment for a new product and there are no amendments in the application, then review of one new product application is covered by the base fee. All such associated applications that are submitted together will be subject to the category decision review time.

**TABLE 4. — REGISTRATION DIVISION — NEW PRODUCTS**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R300</td>
<td>45</td>
<td>New product; or similar combination product (already registered) to an identical or substantially similar in composition and use to a registered product; registered source of active ingredient; no data review on acute toxicity, efficacy or CRP — only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data, or applicant submits specific authorization letter from data owner. Category also includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission nor data matrix. (2)(3)</td>
<td>4</td>
<td>1,582</td>
</tr>
<tr>
<td>R301</td>
<td>46</td>
<td>New product; or similar combination product (already registered) to an identical or substantially similar in composition and use to a registered product; registered source of active ingredient; selective data citation only for data on product chemistry and/or acute toxicity and/or public health pest efficacy (identical data citation and claims to cited product(s)), where applicant does not own all required data and does not have a specific authorization letter from data owner. (2)(3)</td>
<td>4</td>
<td>1,897</td>
</tr>
<tr>
<td>R310</td>
<td>47</td>
<td>New end-use or manufacturing-use product with registered source(s) of active ingredient(s); includes products containing two or more registered active ingredients previously combined in other registered products; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for up to 3 target pests. (2)(3)</td>
<td>7</td>
<td>7,301</td>
</tr>
<tr>
<td>R314</td>
<td>48</td>
<td>New end use product containing up to three registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for up to 3 target pests. (2)(3)</td>
<td>8</td>
<td>8,626</td>
</tr>
<tr>
<td>R319</td>
<td>49</td>
<td>New end use product containing up to three registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for up to 3 target pests. (2)(3)</td>
<td>10</td>
<td>12,626</td>
</tr>
<tr>
<td>R318</td>
<td>50 (new)</td>
<td>New end use product containing four or more registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for up to 3 target pests. (2)(3)</td>
<td>9</td>
<td>13,252</td>
</tr>
<tr>
<td>R321</td>
<td>51 (new)</td>
<td>New end use product containing four or more registered active ingredients never before registered as this combination in a formulated product; new product label is identical or substantially similar to the labels of currently registered products which separately contain the respective component active ingredients; excludes products requiring or citing an animal safety study; requires review of data package within RD only; includes data and/or waivers of data for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for up to 3 target pests. (2)(3)</td>
<td>11</td>
<td>17,252</td>
</tr>
</tbody>
</table>
TABLE 4. — REGISTRATION DIVISION — NEW PRODUCTS—Continued

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months),(1)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R315</td>
<td>52</td>
<td>New end-use, on-animal product, registered source of active ingredient(s), with the submission of data and/or waivers for only: • animal safety and/or • pest(s) requiring efficacy (4) and/or • product chemistry and/or • acute toxicity and/or • child resistant packaging, (2) (3)</td>
<td>9</td>
<td>9,820</td>
</tr>
<tr>
<td>R316</td>
<td>53 (new)</td>
<td>New end-use or manufacturing product with registered source(s) of active ingredient(s) including products containing two or more registered active ingredients previously combined in other registered products; excludes products requiring or citing an animal safety study; and requires review of data and/or waivers for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for greater than 3 and up to 7 target pests. (2)(3)</td>
<td>9</td>
<td>11,301</td>
</tr>
<tr>
<td>R317</td>
<td>54 (new)</td>
<td>New end-use or manufacturing product with registered source(s) of active ingredient(s) including products containing two or more registered active ingredients previously combined in other registered products; excludes products requiring or citing an animal safety study; and requires review of data and/or waivers for only: • product chemistry and/or • acute toxicity and/or • child resistant packaging and/or • pest(s) requiring efficacy (4) - for greater than 7 target pests. (2)(3)</td>
<td>10</td>
<td>15,301</td>
</tr>
<tr>
<td>R320</td>
<td>55</td>
<td>New product; new physical form; requires data review in science divisions. (2)(3)</td>
<td>12</td>
<td>13,226</td>
</tr>
<tr>
<td>R331</td>
<td>56</td>
<td>New product; repack of identical registered end-use product as a manufacturing-use product, or identical registered manufacturing-use product as an end use product; same registered uses only. (2)(3)</td>
<td>3</td>
<td>2,530</td>
</tr>
<tr>
<td>R332</td>
<td>57</td>
<td>New manufacturing-use product; registered active ingredient; unregistered source of active ingredient; submission of completely new generic data package; registered uses only; requires review in RD and science divisions. (2)(3)</td>
<td>24</td>
<td>283,215</td>
</tr>
<tr>
<td>R333</td>
<td>58</td>
<td>New product; MUP or End use product with unregistered source of active ingredient; requires science data review; new physical form; etc. Cite-all or selective data citation where applicant owns all required data. (2)(3)</td>
<td>10</td>
<td>19,838</td>
</tr>
<tr>
<td>R334</td>
<td>59</td>
<td>New product; MUP or End use product with unregistered source of the active ingredient; requires science data review; new physical form; etc. Selective data citation. (2)(3)</td>
<td>11</td>
<td>23,100</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

(4) For the purposes of classifying proposed registration actions into PRIA categories, “pest(s) requiring efficacy” are: public health pests listed in PR Notice 2002-1, livestock pests (e.g. Horn flies, Stable flies), wood-destroying pests (e.g. termites, carpenter ants, wood-boring beetles) and certain invasive species (e.g. Asian Longhorned beetle, Emerald Ashborer). This list may be updated/modified as invasive pest needs arise. To determine the number of pests for the PRIA categories, pests have been placed into groups (general; e.g., cockroaches) and pest specific (specifically a test species). If seeking a label claim against a pest group (general), use the group listing below and each group will count as 1. The general pests groups are: mites, dust mites, chiggers, ticks, hard ticks, soft ticks, cattle ticks, scorpions, spiders, centipedes, lice, fleas, cockroaches, keds, bot flies, screwworms, filth flies, blow flies, house flies, flesh flies, mosquitoes, biting flies, horse flies, stable flies, deer flies, sand flies, biting midges, black flies, true bugs, bed bugs, stinging bees, wasps, yellow jackets, hornets, ants (excluding carpenter ants), fire and harvester ants, wood destroying beetles, carpenter ants, termites, subterranean termites, dry wood termites, arboreal termites, damp wood termites and invasive species. If seeking a claim against a specific pest without a general claim then each specific pest will count as 1.

TABLE 5. — REGISTRATION DIVISION — AMENDMENTS

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months),(1)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R340</td>
<td>60</td>
<td>Amendment requiring data review within RD (e.g., changes to precautionary label statements) includes adding/modifying pest(s) claims for up to 2 target pests, excludes products requiring or citing an animal safety study, (2)(3)(4)</td>
<td>4</td>
<td>4,988</td>
</tr>
</tbody>
</table>
(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant-initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency whether the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

(4) For the purposes of classifying proposed registration actions into PRIA categories, “pest(s) requiring efficacy” are: public health pests listed in PR Notice 2002-1, livestock pests (e.g., Horn flies, Stable flies), wood-destroying pests (e.g., termites, carpenter ants, wood-boring beetles) and certain invasive species (e.g., Asian Longhorned beetle, Emerald Ashborer). This list may be updated/expanded as invasive pest needs arise. To determine the number of pests for the PRIA categories, pests have been placed into groups (general; e.g., cockroaches) and pest specific (specifically a test species). If seeking a label claim against a pest group (general), use the group listing below and each group will count as 1. The general pests groups are: mites, dust mites, chiggers, ticks, hard ticks, soft ticks, cattle ticks, scorpions, spiders, centipedes, lice, fleas, cockroaches, keds, bot flies, screwworms, filth flies, blow flies, house flies, flesh flies, mosquitoes, biting flies, horse flies, stable flies, deer flies, sand flies, biting midges, black flies, true bugs, bed bugs, stinging bees, wasps, yellow jackets, hornets, ants (excluding carpenter ants), fire and harvester ants, wood destroying beetles, carpenter ants, termites, subterranean termites, dry wood termites, arborial termites, damp wood termites and invasive species. If seeking a claim against a specific pest without a general claim then each specific pest will count as 1.

**TABLE 6. — REGISTRATION DIVISION — OTHER ACTIONS**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)(1)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R124</td>
<td>67</td>
<td>Conditional Ruling on Pre-application Study Waivers; applicant-initiated.</td>
<td>6</td>
<td>2,530</td>
</tr>
<tr>
<td>R272</td>
<td>68</td>
<td>Review of Study Protocol applicant-initiated; excludes DART, pre-registration conference, Rapid Response review, DNT protocol review, protocol needing HSRB review.</td>
<td>3</td>
<td>2,530</td>
</tr>
<tr>
<td>R275</td>
<td>69</td>
<td>Rebuttal of agency reviewed protocol, applicant initiated.</td>
<td>3</td>
<td>2,530</td>
</tr>
<tr>
<td>R370</td>
<td>70</td>
<td>Cancer reassessment; applicant-initiated.</td>
<td>19</td>
<td>198,250</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

**TABLE 7. — ANTIMICROBIALS DIVISION — NEW ACTIVE INGREDIENTS**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)(1)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A380</td>
<td>71</td>
<td>New Active Ingredient; Indirect Food use; establish tolerance or tolerance exemption if required. (2)(3)</td>
<td>24</td>
<td>137,841</td>
</tr>
<tr>
<td>A390</td>
<td>72</td>
<td>New Active Ingredient; Direct Food use; establish tolerance or tolerance exemption if required. (2)(3)</td>
<td>24</td>
<td>229,735</td>
</tr>
</tbody>
</table>
A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including any resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement of the Agency.

**TABLE 7. — ANTIMICROBIALS DIVISION — NEW ACTIVE INGREDIENTS—Continued**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A410 73</td>
<td>New Active Ingredient Non-food use. (2)(3)</td>
<td>21</td>
<td>229,733</td>
<td></td>
</tr>
<tr>
<td>A431 74</td>
<td>New Active Ingredient, Non-food use; low-risk. (2)(3)</td>
<td>12</td>
<td>80,225</td>
<td></td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including any resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement of the Agency.

**TABLE 8. — ANTIMICROBIALS DIVISION — NEW USES**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A440 75</td>
<td>New Use, Indirect Food Use, establish tolerance or tolerance exemption. (2)(3)(4)</td>
<td>21</td>
<td>31,910</td>
<td></td>
</tr>
<tr>
<td>A441 76</td>
<td>Additional Indirect food uses; establish tolerances or tolerance exemptions if required; 6 or more submitted in one application. (3)(4)(5)</td>
<td>21</td>
<td>114,670</td>
<td></td>
</tr>
<tr>
<td>A450 77</td>
<td>New use, Direct food use, establish tolerance or tolerance exemption. (2)(3)(4)</td>
<td>21</td>
<td>95,724</td>
<td></td>
</tr>
<tr>
<td>A451 78</td>
<td>Additional Direct food uses; establish tolerances or tolerance exemptions if required; 6 or more submitted in one application. (3)(4)(5)</td>
<td>21</td>
<td>182,335</td>
<td></td>
</tr>
<tr>
<td>A500 79</td>
<td>New use, non-food. (4)(5)</td>
<td>12</td>
<td>31,910</td>
<td></td>
</tr>
<tr>
<td>A501 80</td>
<td>New use, non-food; 6 or more submitted in one application. (4)(5)</td>
<td>15</td>
<td>76,583</td>
<td></td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FFDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the new active ingredient or first food use application.

(4) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including any resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement of the Agency.
(5) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

“TABLE 9. — ANTIMICROBIALS DIVISION — NEW PRODUCTS AND AMENDMENTS

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A530</td>
<td>81</td>
<td>New product, identical or substantially similar in composition and use to a registered product; no data review or only product chemistry data; cite all data citation or selective data citation where applicant owns all required data; or applicant submits specific authorization letter from data owner. Category also includes 100% re-package of registered end-use or manufacturing use product that requires no data submission nor data matrix.</td>
<td>4</td>
<td>1,278</td>
</tr>
<tr>
<td>A531</td>
<td>82</td>
<td>New product; identical or substantially similar in composition and use to a registered product; registered source of active ingredient; selective data citation only for data on product chemistry and/or acute toxicity and/or public health pest efficacy, where applicant does not own all required data and does not have a specific authorization letter from data owner.</td>
<td>4</td>
<td>1,824</td>
</tr>
<tr>
<td>A532</td>
<td>83</td>
<td>New product; identical or substantially similar in composition and use to a registered product; registered active ingredient; unregistered source of active ingredient; cite-all data citation except for product chemistry; product chemistry data submitted.</td>
<td>5</td>
<td>5,107</td>
</tr>
<tr>
<td>A540</td>
<td>84</td>
<td>New end use product; FIFRA §2(mm) uses only; up to 25 public health organisms.</td>
<td>5</td>
<td>5,107</td>
</tr>
<tr>
<td>A541</td>
<td>85 (new)</td>
<td>New end use product; FIFRA §2(mm) uses only; 26-50 public health organisms.</td>
<td>7</td>
<td>8,500</td>
</tr>
<tr>
<td>A542</td>
<td>86 (new)</td>
<td>New end use product; FIFRA §2(mm) uses only; ≥ 51 public health organisms.</td>
<td>10</td>
<td>15,000</td>
</tr>
<tr>
<td>A550</td>
<td>87</td>
<td>New end-use product; uses other than FIFRA §2(mm); non-FQPA product.</td>
<td>9</td>
<td>13,226</td>
</tr>
<tr>
<td>A560</td>
<td>88</td>
<td>New manufacturing use product; registered active ingredient; selective data citation.</td>
<td>6</td>
<td>12,596</td>
</tr>
<tr>
<td>A565</td>
<td>89 (new)</td>
<td>New manufacturing-use product; registered active ingredient; unregistered source of active ingredient; submission of new generic data package; registered uses only; requires science review.</td>
<td>12</td>
<td>18,234</td>
</tr>
<tr>
<td>A570</td>
<td>90</td>
<td>Label amendment requiring data review; up to 25 public health organisms.</td>
<td>4</td>
<td>3,831</td>
</tr>
<tr>
<td>A573</td>
<td>91 (new)</td>
<td>Label amendment requiring data review; 26-50 public health organisms.</td>
<td>6</td>
<td>6,350</td>
</tr>
<tr>
<td>A574</td>
<td>92 (new)</td>
<td>Label amendment requiring data review; ≥ 51 public health organisms.</td>
<td>9</td>
<td>11,000</td>
</tr>
<tr>
<td>A572</td>
<td>93</td>
<td>New Product or amendment requiring data review for risk assessment by Science Branch (e.g., changes to REI, or PPE, or use rate).</td>
<td>9</td>
<td>13,226</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft acceptance letter, or Amendment that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the differences; or (c) withdraws the application without prejudice for subsequent resubmission. If the applicant agrees to all of the terms of the acceptance letter, the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

(4) The appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screen, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new use application.

(5) The applicant must identify the substantially similar product if opting to use cite-all or the selective method to support acute toxicity data requirements.
(6) Once a submission for a new product with public health organisms has been submitted and classified in either A540 or A541, additional organisms submitted for the same product before expiration of the first submission’s original decision review time period will result in reclassification of both the original and subsequent submission into the appropriate new category based on the sum of the number of organisms in both submissions. A reclassification would result in a new PRIA start date and require additional fees to meet the fee of the new category.

(7) Once a submission for a label amendment with public health organisms has been submitted and classified in either A570 or A573, additional organisms submitted for the same product before expiration of the first submission’s original decision review time period will result in reclassification of both the original and subsequent submission into the appropriate new category based on the sum of the number of organisms in both submissions. A reclassification would result in a new PRIA start date and require additional fees to meet the fee of the new category.

**TABLE 10. — ANTIMICROBIALS DIVISION — EXPERIMENTAL USE PERMITS AND OTHER ACTIONS**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months),&lt;sup&gt;(1)&lt;/sup&gt;</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A520</td>
<td>94</td>
<td>Experimental Use Permit application, non-food use. (2)</td>
<td>9</td>
<td>6,383</td>
</tr>
<tr>
<td>A521</td>
<td>95</td>
<td>Review of public health efficacy study protocol within AD, per AD Internal Guidance for the Efficacy Protocol Review Process; Code will also include review of public health efficacy study protocol and data review for devices making pesticidal claims; applicant-initiated; Tier 1.</td>
<td>4</td>
<td>4,726</td>
</tr>
<tr>
<td>A522</td>
<td>96</td>
<td>Review of public health efficacy study protocol outside AD by members of AD Efficacy Protocol Review Expert Panel; Code will also include review of public health efficacy study protocol and data review for devices making pesticidal claims; applicant-initiated; Tier 2.</td>
<td>12</td>
<td>12,156</td>
</tr>
<tr>
<td>A537</td>
<td>97 (new)</td>
<td>New Active Ingredient/New Use, Experimental Use Permit application; Direct food use; Establish tolerance or tolerance exemption if required. Credit 45% of fee toward new active ingredient/new use application that follows.</td>
<td>18</td>
<td>153,156</td>
</tr>
<tr>
<td>A538</td>
<td>98 (new)</td>
<td>New Active Ingredient/New Use, Experimental Use Permit application; Indirect food use; Establish tolerance or tolerance exemption if required Credit 45% of fee toward new active ingredient/new use application that follows.</td>
<td>18</td>
<td>95,724</td>
</tr>
<tr>
<td>A539</td>
<td>99 (new)</td>
<td>New Active Ingredient/New Use, Experimental Use Permit application; Nonfood use. Credit 45% of fee toward new active ingredient/new use application that follows.</td>
<td>15</td>
<td>92,163</td>
</tr>
<tr>
<td>A529</td>
<td>100</td>
<td>Amendment to Experimental Use Permit; requires data review or risk assessment. (2)</td>
<td>9</td>
<td>11,429</td>
</tr>
<tr>
<td>A531</td>
<td>101</td>
<td>Review of protocol other than a public health efficacy study (i.e., Toxicology or Exposure Protocols).</td>
<td>9</td>
<td>12,156</td>
</tr>
<tr>
<td>A571</td>
<td>102</td>
<td>Science reassessment: Cancer risk, refined ecological risk, and/or endangered species; applicant-initiated.</td>
<td>18</td>
<td>95,724</td>
</tr>
<tr>
<td>A533</td>
<td>103 (new)</td>
<td>Exemption from the requirement of an Experimental Use Permit. (2)</td>
<td>4</td>
<td>2,482</td>
</tr>
<tr>
<td>A534</td>
<td>104 (new)</td>
<td>Rebuttal of agency reviewed protocol, applicant initiated.</td>
<td>4</td>
<td>4,726</td>
</tr>
<tr>
<td>A535</td>
<td>105 (new)</td>
<td>Conditional Ruling on Pre-application Study Waiver or Data Bridging Argument; applicant-initiated.</td>
<td>6</td>
<td>2,409</td>
</tr>
<tr>
<td>A536</td>
<td>106 (new)</td>
<td>Conditional Ruling on Pre-application Direct Food, Indirect Food, Nonfood use Determination; applicant-initiated.</td>
<td>4</td>
<td>2,482</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label.

**TABLE 11. — BIOPESTICIDES DIVISION — NEW ACTIVE INGREDIENTS**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months),&lt;sup&gt;(1)&lt;/sup&gt;</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B580</td>
<td>107</td>
<td>New active ingredient; food use; petition to establish a tolerance. (2)(3)</td>
<td>20</td>
<td>51,053</td>
</tr>
<tr>
<td>B590</td>
<td>108</td>
<td>New active ingredient; food use; petition to establish a tolerance exemption. (2)(3)</td>
<td>18</td>
<td>31,910</td>
</tr>
<tr>
<td>B600</td>
<td>109</td>
<td>New active ingredient; non-food use. (2)(3)</td>
<td>13</td>
<td>19,146</td>
</tr>
<tr>
<td>B610</td>
<td>110</td>
<td>New active ingredient; Experimental Use Permit application; petition to establish a temporary tolerance or temporary tolerance exemption. (3)</td>
<td>10</td>
<td>12,764</td>
</tr>
</tbody>
</table>
(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

**TABLE 11. — BIOPESTICIDES DIVISION — NEW ACTIVE INGREDIENTS — Continued**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months),</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B611</td>
<td>111</td>
<td>New active ingredient; Experimental Use Permit application; petition to establish permanent tolerance exemption. (3)</td>
<td>12</td>
<td>12,764</td>
</tr>
<tr>
<td>B612</td>
<td>112</td>
<td>New active ingredient; no change to a permanent tolerance exemption. (2)(3)</td>
<td>10</td>
<td>17,550</td>
</tr>
<tr>
<td>B613</td>
<td>113</td>
<td>New active ingredient; petition to convert a temporary tolerance or a temporary tolerance exemption to a permanent tolerance or tolerance exemption. (2)(3)</td>
<td>11</td>
<td>17,550</td>
</tr>
<tr>
<td>B620</td>
<td>114</td>
<td>New active ingredient; Experimental Use Permit application; non-food use including crop destruct. (3)</td>
<td>7</td>
<td>6,383</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

**TABLE 12. — BIOPESTICIDES DIVISION — NEW USES**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months),</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B630</td>
<td>115</td>
<td>First food use; petition to establish a tolerance exemption. (2)(4)</td>
<td>13</td>
<td>12,764</td>
</tr>
<tr>
<td>B631</td>
<td>116</td>
<td>New food use; petition to amend an established tolerance. (3)(4)</td>
<td>12</td>
<td>12,764</td>
</tr>
<tr>
<td>B640</td>
<td>117</td>
<td>First food use; petition to establish a tolerance. (2)(4)</td>
<td>19</td>
<td>19,146</td>
</tr>
<tr>
<td>B643</td>
<td>118</td>
<td>New Food use; petition to amend an established tolerance exemption. (3)(4)</td>
<td>10</td>
<td>12,764</td>
</tr>
<tr>
<td>B642</td>
<td>119</td>
<td>First food use; indoor; food/food handling. (2)(4)</td>
<td>12</td>
<td>31,910</td>
</tr>
<tr>
<td>B644</td>
<td>120</td>
<td>New use, no change to an established tolerance or tolerance exemption. (3)(4)</td>
<td>8</td>
<td>12,764</td>
</tr>
<tr>
<td>B650</td>
<td>121</td>
<td>New use; non-food. (3)(4)</td>
<td>7</td>
<td>6,383</td>
</tr>
<tr>
<td>B645</td>
<td>122</td>
<td>New food use; Experimental Use Permit application; petition to amend or add a tolerance exemption. (4)</td>
<td>12</td>
<td>12,764</td>
</tr>
<tr>
<td>B646</td>
<td>123</td>
<td>New use; non-food use including crop destruct; Experimental Use Permit application. (4)</td>
<td>7</td>
<td>6,383</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee and decision review time for a first food use. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the applicant’s initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.
(3) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new use application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or an amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. If the new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application.

(4) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s) without withdrawing the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

**TABLE 13. — BIOPESTICIDES DIVISION — NEW PRODUCTS**

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B652</td>
<td>124</td>
<td>New product; registered source of active ingredient; requires petition to amend established tolerance or tolerance exemption; requires 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)</td>
<td>13</td>
<td>12,764</td>
</tr>
<tr>
<td>B660</td>
<td>125</td>
<td>New product; registered source of active ingredient(s); identical or substantially similar in composition and use to a registered product. No data review, or only product chemistry data; cite-all data citation, or selective data citation where applicant owns all required data or authorization from data owner is demonstrated. Category includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission or data matrix. For microbial pesticides, the active ingredient(s) must not be re-isolated. (2)(3)</td>
<td>4</td>
<td>1,278</td>
</tr>
<tr>
<td>B670</td>
<td>126</td>
<td>New product; registered source of active ingredient(s); requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)</td>
<td>7</td>
<td>5,107</td>
</tr>
<tr>
<td>B671</td>
<td>127</td>
<td>New product; unregistered source of active ingredient(s); requires a petition to amend an established tolerance or tolerance exemption; requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)</td>
<td>17</td>
<td>12,764</td>
</tr>
<tr>
<td>B672</td>
<td>128</td>
<td>New product; unregistered source of active ingredient(s); non-food use or food use requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)</td>
<td>13</td>
<td>9,118</td>
</tr>
<tr>
<td>B673</td>
<td>129</td>
<td>New product MUP/EP; unregistered source of active ingredient(s); citation of Technical Grade Active Ingredient (TGAI) data previously reviewed and accepted by the Agency. Requires an Agency determination that the cited data supports the new product. (2)(3)</td>
<td>10</td>
<td>5,107</td>
</tr>
<tr>
<td>B674</td>
<td>130</td>
<td>New product MUP; Repack of identical registered end-use product as a manufacturing-use product; same registered uses only. (2)(3)</td>
<td>4</td>
<td>1,278</td>
</tr>
<tr>
<td>B675</td>
<td>131</td>
<td>New Product MUP; registered source of active ingredient; submission of completely new generic data package; registered uses only. (2)(3)</td>
<td>10</td>
<td>9,118</td>
</tr>
</tbody>
</table>
TABLE 13. — BIOPESTICIDES DIVISION — NEW PRODUCTS—Continued

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B676</td>
<td>132</td>
<td>New product; more than one active ingredient where one active ingredient is an unregistered source; product chemistry data must be submitted; requires: (1) submission of product specific data, and (2) citation of previously reviewed and accepted data; or (3) submission or citation of data generated at government expense; or (4) submission or citation of a scientifically-sound rationale based on publicly available literature or other relevant information that addresses the data requirement; or (5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (2)(3)</td>
<td>13</td>
<td>9,118</td>
</tr>
</tbody>
</table>

B677

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B677</td>
<td>133</td>
<td>New end-use non-food animal product with submission of two or more target animal safety studies; includes data and/or waivers of data for only:</td>
<td>10</td>
<td>8,820</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

TABLE 14. — BIOPESTICIDES DIVISION — AMENDMENTS

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B621</td>
<td>134</td>
<td>Amendment; Experimental Use Permit; no change to an established temporary tolerance or tolerance exemption. (3)</td>
<td>7</td>
<td>5,107</td>
</tr>
<tr>
<td>B622</td>
<td>135</td>
<td>Amendment; Experimental Use Permit; petition to amend an established or temporary tolerance or tolerance exemption. (3)</td>
<td>11</td>
<td>12,764</td>
</tr>
<tr>
<td>B641</td>
<td>136</td>
<td>Amendment of an established tolerance or tolerance exemption.</td>
<td>13</td>
<td>12,764</td>
</tr>
<tr>
<td>B680</td>
<td>137</td>
<td>Amendment; registered sources of active ingredient(s); no new use(s); no changes to an established tolerance or tolerance exemption. Requires data submission. (2)(3)</td>
<td>5</td>
<td>5,107</td>
</tr>
<tr>
<td>B681</td>
<td>138</td>
<td>Amendment; unregistered source of active ingredient(s). Requires data submission. (2)(3)</td>
<td>7</td>
<td>6,079</td>
</tr>
<tr>
<td>B683</td>
<td>139</td>
<td>Label amendment; requires review/update of previous risk assessment(s) without data submission (e.g., labeling changes to REL, PPE, PHI). (2)(3)</td>
<td>6</td>
<td>5,107</td>
</tr>
<tr>
<td>B684</td>
<td>140</td>
<td>Amending non-food animal product that includes submission of target animal safety data; previously registered. (2)(3)</td>
<td>8</td>
<td>8,820</td>
</tr>
<tr>
<td>B685</td>
<td>141 (new)</td>
<td>Amendment; add a new biochemical unregistered source of active ingredient or a new microbial production site. Requires submission of analysis of samples data and source/production site-specific manufacturing process description. (3)</td>
<td>5</td>
<td>5,107</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-Initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-Initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant-initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(3) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.
(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) All requests for new uses (food and/or nonfood) contained in any application for a new active ingredient or a first food use are covered by the base fee for that new active ingredient or first food use application and retain the same decision time review period as the new active ingredient or first food use application. The application must be received by the agency in one package. The base fee for the category covers a maximum of five new products. Each application for an additional new product registration and new inert approval that is submitted in the new active ingredient application package or first food use application package is subject to the registration service fee for a new product or a new inert approval. All such associated applications that are submitted together will be subject to the new active ingredient or first food use decision review time. In the case of a new active ingredient application, until that new active ingredient is approved, any subsequent application for another new product containing the same active ingredient or an amendment to the proposed labeling will be deemed a new active ingredient application, subject to the registration service fee and decision review time for a new active ingredient. In the case of a first food use application, until that first food use is approved, any subsequent application for an additional new food use or uses will be subject to the registration service fee for the new active ingredient or first food use application.

(3) An application for a new end-use product using a source of active ingredient that (a) is not yet registered and (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient. 

(4) (a) EPA-initiated amendments shall not be charged registration service fees. (b) Registrant-initiated fast-track amendments are to be completed within the timelines specified in FIFRA Section 3(c)(3)(B) and are not subject to registration service fees. (c) Registrant-initiated fast-track amendments handled by the Antimicrobials Division are to be completed within the timelines specified in FIFRA Section 3(h) and are not subject to registration service fees. (d) Registrant initiated amendments submitted by notification under PR Notices, such as PR Notice 98-10, continue under PR Notice timelines and are not subject to registration service fees. (e) Submissions with data and requiring data review are subject to registration service fees.

(5) Amendment applications to add the new use(s) to registered product labels are covered by the base fee for the new use(s). All items in the covered application must be submitted together in one package. Each application for an additional new product registration and new inert approval(s) that is submitted in the new product application package is subject to the registration service fee for a new product or a new inert approval. However, if a new use application only proposes to register the new use for a new product and there are no amendments in the amendment application, then review of one new product application is covered by the new use fee. All such associated applications that are submitted together will be subject to the new use decision review time. Any application for a new product or amendment to the proposed labeling (a) submitted subsequent to submission of the new use application and (b) prior to conclusion of its decision review time and (c) containing the same new uses, will be deemed a separate new-use application, subject to a separate registration service fee and new decision review time for a new use. The new-use application includes non-food (indoor and/or outdoor), and food (outdoor and/or indoor) uses, the appropriate fee is due for each type of new use and the longest decision review time applies to all of the new uses requested in the application. Any information that (a) was neither requested nor required by the Agency, and (b) is submitted by the applicant at the Agency’s initiative to support the application after completion of the technical deficiency screening, and (c) is not itself a covered registration application, must be assessed 25% of the full registration service fee for the new active ingredient or first food use application.

(6) Where an application involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 90 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

‘‘TABLE 15. — BIOPESTICIDES DIVISION — SCLP’’

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B690</td>
<td>142</td>
<td>New active ingredient; food or non-food use. (2)(6)</td>
<td>7</td>
<td>2,554</td>
</tr>
<tr>
<td>B700</td>
<td>143</td>
<td>Experimental Use Permit application; new active ingredient or new use. (6)</td>
<td>7</td>
<td>1,278</td>
</tr>
<tr>
<td>B701</td>
<td>144</td>
<td>Extend or amend Experimental Use Permit. (6)</td>
<td>4</td>
<td>1,278</td>
</tr>
<tr>
<td>B710</td>
<td>145</td>
<td>New product; registered source of active ingredient(s); identical or substantially similar in composition and use to a registered product; no change in an established tolerance or tolerance exemption. No data review, or only product chemistry data; cite all data citation, or selective data citation where applicant owns all required data or authorization from data owner is documented. Category includes 100% re-package of registered end-use or manufacturing-use product that requires no data submission or data matrix. (3)(6)</td>
<td>4</td>
<td>1,278</td>
</tr>
<tr>
<td>B720</td>
<td>146</td>
<td>New product; registered source of active ingredient(s); requires: 1) submission of product specific data; or 2) citation of previously reviewed and accepted data; or 3) submission or citation of data generated at government expense; or 4) submission or citation of a scientifically-sound rationale based on publically available literature or other relevant information that addresses the data requirement; or 5) submission of a request for a data requirement to be waived supported by a scientifically-sound rationale explaining why the data requirement does not apply. (3)(6)</td>
<td>5</td>
<td>1,278</td>
</tr>
<tr>
<td>B721</td>
<td>147</td>
<td>New product; unregistered source of active ingredient. (3)(6)</td>
<td>7</td>
<td>2,676</td>
</tr>
<tr>
<td>B722</td>
<td>148</td>
<td>New use and/or amendment; petition to establish a tolerance or tolerance exemption. (4)(6)</td>
<td>7</td>
<td>2,477</td>
</tr>
<tr>
<td>B730</td>
<td>149</td>
<td>Label amendment requiring data submission. (4)(6)</td>
<td>5</td>
<td>1,278</td>
</tr>
</tbody>
</table>

‘‘TABLE 16. — BIOPESTICIDES DIVISION — OTHER ACTIONS’’

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B614</td>
<td>150</td>
<td>Pre-application; Conditional Ruling on rationales for addressing a data requirement in lieu of data; applicant-initiated; applies to one rationale at a time. (6)</td>
<td>3</td>
<td>2,530</td>
</tr>
</tbody>
</table>
### TABLE 16. — BIOPESTICIDES DIVISION — OTHER ACTIONS—Continued

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)(1)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B615</td>
<td>151</td>
<td>Rebuttal of agency reviewed protocol, applicant initiated.</td>
<td>3</td>
<td>2,530</td>
</tr>
<tr>
<td>B682</td>
<td>152</td>
<td>Protocol review; applicant initiated; excludes time for HSRB review.</td>
<td>3</td>
<td>2,432</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

### TABLE 17. — BIOPESTICIDES DIVISION — PIP

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)(1)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B740</td>
<td>153</td>
<td>Experimental Use Permit application; no petition for tolerance/tolerance exemption. Includes: 1. non-food/feed use(s) for a new (2) or registered (3) PIP (12); 2. food/feed use(s) for a new or registered PIP with crop destruct (12); 3. food/feed use(s) for a new or registered PIP in which an established tolerance/tolerance exemption exists for the intended use(s).</td>
<td>6</td>
<td>95,724</td>
</tr>
<tr>
<td>B741</td>
<td>(new)</td>
<td>Experimental Use Permit application; no petition for tolerance/tolerance exemption. Includes: 1. non-food/feed use(s) for a new (2) or registered (3) PIP; 2. food/feed use(s) for a new or registered PIP with crop destruct; 3. food/feed use(s) for a new or registered PIP in which an established tolerance/tolerance exemption exists for the intended use(s); SAP Review.</td>
<td>12</td>
<td>159,538</td>
</tr>
<tr>
<td>B750</td>
<td>155</td>
<td>Experimental Use Permit application; with a petition to establish a temporary or permanent tolerance/tolerance exemption for the active ingredient. Includes new food/feed use for a registered (3) PIP.</td>
<td>9</td>
<td>127,630</td>
</tr>
<tr>
<td>B770</td>
<td>156</td>
<td>Experimental Use Permit application; new (2) PIP; with petition to establish a temporary tolerance/tolerance exemption for the active ingredient; credit 75% of B771 fee toward registration application for a new active ingredient that follows; SAP review.</td>
<td>15</td>
<td>191,444</td>
</tr>
<tr>
<td>B771</td>
<td>157</td>
<td>Experimental Use Permit application; new (2) PIP; with petition to establish a temporary tolerance/tolerance exemption for the active ingredient; credit 75% of B771 fee toward registration application for a new active ingredient that follows.</td>
<td>10</td>
<td>127,630</td>
</tr>
<tr>
<td>B772</td>
<td>158</td>
<td>Application to amend or extend an Experimental Use Permit; no petition since the established tolerance/tolerance exemption for the active ingredient is unaffected.</td>
<td>3</td>
<td>12,764</td>
</tr>
<tr>
<td>B773</td>
<td>159</td>
<td>Application to amend or extend an Experimental Use Permit; with petition to extend a temporary tolerance/tolerance exemption for the active ingredient.</td>
<td>5</td>
<td>31,910</td>
</tr>
<tr>
<td>B780</td>
<td>160</td>
<td>Registration application; new (2) PIP; non-food/feed.</td>
<td>12</td>
<td>159,537</td>
</tr>
<tr>
<td>B790</td>
<td>161</td>
<td>Registration application; new (2) PIP; non-food/feed; SAP review.</td>
<td>18</td>
<td>223,351</td>
</tr>
<tr>
<td>B800</td>
<td>162</td>
<td>Registration application; new (2) PIP; with petition to establish permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption.</td>
<td>13</td>
<td>172,300</td>
</tr>
<tr>
<td>B810</td>
<td>163</td>
<td>Registration application; new (2) PIP; with petition to establish permanent tolerance/tolerance exemption for the active ingredient based on an existing temporary tolerance/tolerance exemption. SAP review.</td>
<td>19</td>
<td>236,114</td>
</tr>
<tr>
<td>B820</td>
<td>164</td>
<td>Registration application; new (2) PIP; with petition to establish or amend a permanent tolerance/tolerance exemption of an active ingredient.</td>
<td>15</td>
<td>204,206</td>
</tr>
<tr>
<td>B840</td>
<td>165</td>
<td>Registration application; new (2) PIP; with petition to establish or amend a permanent tolerance/tolerance exemption of an active ingredient. SAP review.</td>
<td>21</td>
<td>268,022</td>
</tr>
<tr>
<td>B851</td>
<td>166</td>
<td>Registration application; new event of a previously registered PIP active ingredient(s); no petition since permanent tolerance/tolerance exemption is already established for the active ingredient(s).</td>
<td>9</td>
<td>127,630</td>
</tr>
<tr>
<td>B870</td>
<td>167</td>
<td>Registration application; registered (3) PIP; new product; new use; no petition since a permanent tolerance/tolerance exemption is already established for the active ingredient(s).</td>
<td>9</td>
<td>38,290</td>
</tr>
</tbody>
</table>
Due to the time it takes to schedule and prepare for meetings with the SAP, additional time and costs are needed.

Their advice is invaluable to the EPA as it strives to protect humans and the environment from risks surrounding new technologies. The scientists of the SAP neither make nor recommend policy decisions. They provide advice on the science used to make these decisions.

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) New PIP = a PIP with an active ingredient that has not been registered.

(3) Registered PIP = a PIP with an active ingredient that is currently registered.

(4) Transfer registered PIP through conventional breeding for new food/feed use, such as from field corn to sweet corn.

(5) The scientific data involved in this category are complex. EPA often seeks technical advice from the Scientific Advisory Panel on risks posed by pesticides. Due to the time it takes to schedule and prepare for meetings with the SAP, additional time and costs are needed.

(6) Registered PIPs stacked through conventional breeding.

(7) Deployment of a registered PIP with a different IRM plan (e.g., seed blend).
The negotiated acreage cap will depend upon EPA’s determination of the potential environmental exposure, risk(s) to non-target organisms, and the risk of targeted pest developing resistance to the pesticidal substance. The uncertainty of these risks may reduce the allowable acreage, based upon the quantity and type of non-target organism data submitted and the lack of insect resistance management data, which is usually not required for seed-increase registrations. Registrants are encouraged to consult with EPA prior to submission of a registration application in this category.

(9) Application can be submitted prior to or concurrently with an application for commercial registration.

(10) For example, if both are applicant-initiated.

(11) EPA-initiated amendments shall not be charged fees.

(12) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

‘‘TABLE 18. — INERT INGREDIENTS

<table>
<thead>
<tr>
<th>EPA No.</th>
<th>New CR No.</th>
<th>Action</th>
<th>Decision Review Time (Months)*</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I001</td>
<td>186</td>
<td>Approval of new food use inert ingredient. (2)(3)</td>
<td>13</td>
<td>27,000</td>
</tr>
<tr>
<td>I002</td>
<td>187</td>
<td>Amend currently approved inert ingredient tolerance or exemption from tolerance; new data. (2)</td>
<td>11</td>
<td>7,500</td>
</tr>
<tr>
<td>I003</td>
<td>188</td>
<td>Amend currently approved inert ingredient tolerance or exemption from tolerance; no new data. (2)</td>
<td>9</td>
<td>3,308</td>
</tr>
<tr>
<td>I004</td>
<td>189</td>
<td>Approval of new non-food use inert ingredient. (2)</td>
<td>6</td>
<td>11,025</td>
</tr>
<tr>
<td>I005</td>
<td>190</td>
<td>Amend currently approved non-food use inert ingredient with new use pattern; new data. (2)</td>
<td>6</td>
<td>5,513</td>
</tr>
<tr>
<td>I006</td>
<td>191</td>
<td>Amend currently approved non-food use inert ingredient with new use pattern; no new data. (2)</td>
<td>3</td>
<td>3,308</td>
</tr>
<tr>
<td>I007</td>
<td>192</td>
<td>Approval of substantially similar non-food use inert ingredients when original inert is compositionally similar with similar use pattern. (2)</td>
<td>4</td>
<td>1,654</td>
</tr>
<tr>
<td>I008</td>
<td>193</td>
<td>Approval of new or amended polymer inert ingredient, food use. (2)</td>
<td>5</td>
<td>3,749</td>
</tr>
<tr>
<td>I009</td>
<td>194</td>
<td>Approval of new or amended polymer inert ingredient, non-food use. (2)</td>
<td>4</td>
<td>3,087</td>
</tr>
<tr>
<td>I010</td>
<td>195</td>
<td>Petition to amend a single tolerance exemption descriptor, or single non-food use descriptor, to add ≤ 10 CASRNs; no new data. (2)</td>
<td>6</td>
<td>1,654</td>
</tr>
<tr>
<td>I011</td>
<td>196 (new)</td>
<td>Approval of new food use saferen with tolerance or exemption from tolerance. (2)(8)</td>
<td>24</td>
<td>597,685</td>
</tr>
<tr>
<td>I012</td>
<td>197 (new)</td>
<td>Approval of new non-food use saferen. (2)(8)</td>
<td>21</td>
<td>415,241</td>
</tr>
<tr>
<td>I013</td>
<td>198 (new)</td>
<td>Approval of additional food use for previously approved saferen with tolerance or exemption from tolerance. (2)</td>
<td>15</td>
<td>62,975</td>
</tr>
<tr>
<td>I014</td>
<td>199 (new)</td>
<td>Approval of additional non-food use for previously approved saferen. (2)</td>
<td>15</td>
<td>25,168</td>
</tr>
<tr>
<td>I015</td>
<td>200 (new)</td>
<td>Approval of new generic data for previously approved food use saferen. (2)</td>
<td>24</td>
<td>269,728</td>
</tr>
<tr>
<td>I016</td>
<td>201 (new)</td>
<td>Approval of amendment(s) to tolerance and label for previously approved saferen. (2)</td>
<td>13</td>
<td>55,776</td>
</tr>
</tbody>
</table>

* A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(1) Any other covered application is submitted that depends upon an application to approve an inert ingredient, each application will be subject to its respective registration service fee. The decision review time line for both submissions will be the longest of the associated applications. If the application covers multiple ingredients grouped by EPA into one chemical class, a single registration service fee will be assessed for approval of those ingredients.

(2) If EPA data rules are amended to newly require clearance under section 408 of the FFDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(3) Any other covered application that is associated with and dependent on the SAP review will be subject to its separate registration service fee. The decision review times for the associated actions run concurrently, but will end at the date of the latest review time.

(4) Any other covered application that is associated with and dependent on the HSRB review will be subject to its separate registration service fee. The decision review time for the associated action will be extended by the decision review time for the SAP review.

(5) Any other covered application that is associated with and dependent on the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(6) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(8) Where the action involves approval of a new or amended label, on or before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms associated with the draft accepted label as amended by the Agency and requests that it be issued as the accepted final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.
(8) If a new safener is submitted in the same package as a new active ingredient, and that new active ingredient is determined to be reduced risk, then the safener would get the same reduced timeframe as the new active ingredient.

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### TABLE 19. — EXTERNAL REVIEW AND MISCELLANEOUS ACTIONS

<table>
<thead>
<tr>
<th>CR No</th>
<th>Action</th>
<th>Decision Review Time (Months)</th>
<th>Registration Service Fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>M001</td>
<td>202</td>
<td>Study protocol requiring Human Studies Review Board review as defined in 40 CFR Part 26 in support of an active ingredient. (4)</td>
<td>9</td>
</tr>
<tr>
<td>M002</td>
<td>203</td>
<td>Completed study requiring Human Studies Review Board review as defined in 40 CFR Part 26 in support of an active ingredient. (4)</td>
<td>9</td>
</tr>
<tr>
<td>M003</td>
<td>204</td>
<td>External technical peer review of new active ingredient, product, or amendment (e.g., consultation with FIFRA Scientific Advisory Panel) for an action with a decision timeframe of less than 12 months. Applicant initiated request based on a requirement of the Administrator, as defined by FIFRA § 25(d), in support of a novel active ingredient, or unique use pattern or application technology. Excludes PIP active ingredients. (5)</td>
<td>12</td>
</tr>
<tr>
<td>M004</td>
<td>205</td>
<td>External technical peer review of new active ingredient, product, or amendment (e.g., consultation with FIFRA Scientific Advisory Panel) for an action with a decision timeframe of greater than 12 months. Applicant initiated request based on a requirement of the Administrator, as defined by FIFRA § 25(d), in support of a novel active ingredient, or unique use pattern or application technology. Excludes PIP active ingredients. (5)</td>
<td>18</td>
</tr>
<tr>
<td>M005</td>
<td>206</td>
<td>New Product: Combination, Contains a combination of active ingredients from a registered and/or unregistered source; conventional, antimicrobial and/or biopesticide. Requires coordination with other regulatory divisions to conduct review of data, label and/or verify the validity of existing data as cited. Only existing uses for each active ingredient in the combination product. (6)(7)</td>
<td>9</td>
</tr>
<tr>
<td>M006</td>
<td>207</td>
<td>Request for up to 5 letters of certification (Gold Seal) for one actively registered product (excludes distributor products). (8)</td>
<td>1</td>
</tr>
<tr>
<td>M007</td>
<td>208</td>
<td>Request to extend Exclusive Use of data as provided by FIFRA Section 3(c)(1)(F)(vii).</td>
<td>12</td>
</tr>
<tr>
<td>M008</td>
<td>209</td>
<td>Request to grant Exclusive Use of data as provided by FIFRA Section 3(c)(1)(F)(vii) for a minor use, when a FIFRA Section 2(1)(2) determination is required.</td>
<td>15</td>
</tr>
<tr>
<td>M009</td>
<td>210</td>
<td>Non-FIFRA Regulated Determination: Applicant initiated, per product. (new)</td>
<td>4</td>
</tr>
<tr>
<td>M010</td>
<td>211</td>
<td>Conditional ruling on pre-application, product substantial similarity. (new)</td>
<td>4</td>
</tr>
<tr>
<td>M011</td>
<td>212</td>
<td>Label amendment to add the DfE logo; requires data review; no other label changes. (9)</td>
<td>4</td>
</tr>
</tbody>
</table>

(1) A decision review time that would otherwise end on a Saturday, Sunday, or federal holiday, will be extended to end on the next business day.

(2) If another covered application is submitted that depends upon an application to approve an inert ingredient, each application will be subject to its respective registration service fee. The decision review times for both submissions will be the longest of the associated applications. If the application covers multiple ingredients grouped by EPA into one chemical class, a single registration service fee will be assessed for approval of those ingredients.

(3) If EPA data rules are amended to newly require clearance under section 408 of the FDCA for an ingredient of an antimicrobial product where such ingredient was not previously subject to such a clearance, then review of the data for such clearance of such product is not subject to a registration service fee for the tolerance action for two years from the effective date of the rule.

(4) Any other covered application that is associated with and dependent on the HSRB review will be subject to its separate registration service fee. The decision review time for the associated actions will be extended by the decision review time for the SAP review.

(5) Any other covered application that is associated with and dependent on the SAP review will be subject to its separate registration service fee. The decision review times for the associated actions run concurrently, but will end at the date of the latest review time.

(6) An application for a new end-use product using a source of active ingredient that (a) is not yet registered but (b) has an application pending with the Agency for review, will be considered an application for a new product with an unregistered source of active ingredient.

(7) Where the action involves approval of a draft label before the end date of the decision review time, the Agency shall provide to the applicant a draft accepted label, including any changes made by the Agency that differ from the applicant-submitted label and relevant supporting data reviewed by the Agency. The applicant will notify the Agency that the applicant either (a) agrees to all of the terms of the draft accepted label as amended by the Agency and requests that it be issued as the final Agency-stamped label; or (b) does not agree to one or more of the terms of the draft accepted label as amended by the Agency and requests additional time to resolve the difference(s); or (c) withdraws the application without prejudice for subsequent resubmission, but forfeits the associated registration service fee. For cases described in (b), the applicant shall have up to 30 calendar days to reach agreement with the Agency on the final terms of the Agency-accepted label. If the applicant agrees to all of the terms of the accepted label as in (a), including upon resolution of differences in (b), the Agency shall provide an accepted final Agency-stamped label to the registrant within 2 business days following the registrant’s written or electronic confirmation of agreement to the Agency.

(8) Due to low fee and short time frame this category is not eligible for small business waivers. Gold seal applies to one registered product.

(9) This category includes amendments the sole purpose of which is to add DfE (or equivalent terms that do not use “safe” or derivatives of “safe”) logos to a label. DfE is a voluntary program. A label bearing a DfE logo is not considered an Agency endorsement because the ingredients in the qualifying product must meet objective, scientific criteria established and widely publicized by EPA."

**SEC. 7. AGRICULTURAL WORKER PROTECTION STANDARD; CERTIFICATION OF PESTICIDE APPLICATORS.**

(a) In General.—Except as provided in subsection (b), during the period beginning on the date of enactment of this Act and ending not earlier than October 1, 2021, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”)—

(1) shall carry out—

(A) the final rule of the Administrator entitled “Pesticides; Agricultural Worker Protection Standard Revisions” (80 Fed. Reg. 67946 (November 2, 2015)); and

(B) the final rule of the Administrator entitled “Pesticides; Certification of Pesticide Applicators” (82 Fed. Reg. 952 (January 4, 2017)); and
(2) shall not revise or develop revisions to the rules described in subparagraphs (A) and (B) of paragraph (1).

(b) EXCEPTIONS.—Prior to October 1, 2021, the Administrator may propose, and after a notice and public comment period of not less than 90 days, promulgate revisions to the final rule described in subsection (a)(1)(A) addressed in exclusion zones under part 170 of title 40, Code of Federal Regulations, consistent with the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(c) GAO REPORT.—The Comptroller General of the United States shall—

(1) conduct a study on the use of the designated representative, including the effect of that use on the availability of pesticide application and hazard information and worker health and safety; and

(2) not later than October 1, 2021, make publically available a report describing the study under paragraph (1), including any recommendations to prevent the misuse of pesticide application and hazard information, if that misuse is identified.

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

The SPEAKER pro tempore. The amendment was agreed to. The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mr. RESCHENTHALER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 962) the Born-Alive Abortion Survivors Protection Act, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. The request of the gentleman from Minnesota? There was no objection.

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

MOMENT OF SILENCE IN REMEMBRANCE OF THE LIVES LOST TO GUN VIOLENCE IN AURORA, ILLINOIS

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

Mr. FOSTER. Mr. Speaker, we rise today to honor the lives that we lost to gun violence in Aurora, Illinois, earlier this month.

This is, unfortunately, not the first time that we have mourned the unspeakable loss of life from gun violence. Eleven years ago, when I first took office, I inherited a community in mourning: 17 students were injured and 5 were killed in the Columbine High School mass shooting at Northern Illinois University. So I spent my first weeks and months in office doing what I could to help my community recover.

Now, 11 years later, on February 15, the call went out from Aurora, Illinois: Workshop on Henry Pratt. Active gunman. Officers down.

More than 200 police units from across the western suburbs of Chicago responded to contain the situation. They were running toward the sound of gunfire, as they do countless times each day in our country.

Six officers were injured during that response, and, in the aftermath, we learned that we lost five members of our community:

Josh Pinkard, the plant manager at Henry Pratt, who, when fatally shot, sent a final text message to his wife, Terra, to say “I love you”;

Trevor Wehner, on his first day at work at Pratt as an intern from Northern Illinois University;

Clayton Parks, Trevor’s supervisor and also a graduate of NIU;

Vicente Juarez, a hardworking family man who lived with his wife, daughter, and grandchildren on a quiet street in Oswego;

Russell Beyer, a mold operator and union committee chairman from Machinists Local 1202 and the father of two children.

Now, as we have done so many times before in Congress, I will soon ask that we pause for a moment of silence; but this time, I would ask each of you to also think of the voting card that each of us carries on the House floor and the responsibility that you carry with that card, because this week we will finally be voting on legislation for effective and universal background checks for all gun sales. This is legislation supported by both Republicans and Democrats in Congress and supported by 97 percent of the American people.

So, our hearts go out to the family and friends of the victims left behind, and now I ask that we pause for a moment of silence.

The SPEAKER pro tempore. All Members will rise for a moment of silence.

HONORING SHERIFF MIKE YEAGER

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

Mr. FERGUSON. Mr. Speaker, I rise today to honor Coweta County Sheriff Mike Yeager.

Sheriff Yeager has dedicated over 35 years in law enforcement to keeping his community safe and serving his neighbors, both on and off of the job.

In fact, it would take far longer than I have here tonight to list all of the many organizations—such as the Georgia Sheriff’s Association, the Newnan-Coweta Public Safety Board, and the Boy Scouts—so many organizations that he has served to make his community and State a better place.

It is no understatement that Sheriff Yeager is a pillar of his community and a model public servant. It is a testament to his hard work that President Trump appointed him to be the U.S. marshal for the Northern District of Georgia. I cannot think of anyone who is better suited for this position.

We are awfully proud of Sheriff Yeager and his accomplishments, and may our community come back stronger than ever before.

HONORING DR. MANDERLINE SCALES

(Ms. FOXX of North Carolina asked and was given permission to address the House for 1 minute.)
Ms. FOXX of North Carolina. Mr. Speaker, I rise to honor the life of Dr. Manderele Scales of Winston-Salem, North Carolina.

During Black History Month, we especially remember the enduring contributions of great Americans like Dr. Scales, who is one of four Black teachers to integrate Winston-Salem schools.

Dr. Scales worked in the Winston-Salem Forsyth County Schools for over 20 years and spent nearly 30 years in various roles at Winston-Salem State University. She brought the first Spanish programs to these schools and was known for her belief that every encounter was an opportunity to impact students in a positive way.

Additionally, she served on numerous boards, including the YMCA of Northwest North Carolina, Delta Fine Arts Center, and Northwest Child Development Center.

Dr. Scales passed away last month, but her legacy as a dedicated educator and selfless community leader will endure through the many lives she touched in her 91 years.

BLACK HISTORY MONTH AND MEDICINE

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

Mr. PAYNE. Mr. Speaker, some of the greatest contributions to medicine have been made by African Americans in this country.

The first open-heart surgery in the United States was successfully completed by Dr. Daniel Hale Williams, a Black man. Not only was he a pioneer of this lifesaving surgery, but also, in the late 1800s, he opened the country’s first hospital with an interracial staff, Provident Hospital in Chicago.

Then, in the 1930s, Dr. Helen Dickens did her internship at Provident Hospital before becoming the first Black woman admitted to the American College of Surgeons.

And then, while Dr. Dickens was doing her internship at Provident, a young Black girl growing up in segregated Arkansas dreamed of becoming a doctor. Sixty years later, in 1993, Dr. Joycelyn Elders became America’s first African American Surgeon General.

Mr. Speaker, Black history is not something that is in the past. It is constantly unfolding. It is American history.

Our stories are being written and expanded upon all the time. That is why Black History Month is so important—not just to honor our past, but to celebrate our present and prepare for our future.

CONDEMN THE FEBRUARY 14, 2019, TERRORIST ATTACK IN INDIA

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

Mr. PERRY. Mr. Speaker, I stand here today to condemn the senseless, cowardly, and horrific terrorist attack in India, the deadliness in three decades.

On February 14 of this year, a suicide bomber rammed an explosive-packed vehicle into a convoy, claiming the lives of 40 Indian paramilitary forces and wounding at least 44 others. The Pakistan-based militant group, Jaish-e-Muhammad, later claimed responsibility for the attack.

We mourn the victims of this act of terror and call for continued action against any nation, to include Pakistan, that harbors terrorists and promotes violent extremism.

India has announced its plans to diplomatically isolate Pakistan and cancel its preferential trade status. We support these efforts, Mr. Speaker. This attack only further strengthens our U.S.-India counterterrorism cooperation.

To the nation of India, we mourn with you, we pray for you, and we stand in solidarity with you during this difficult time.

RARE DISEASE WEEK

(Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in recognition of Rare Disease Week. Around 350 million people, worldwide, suffer from a rare disease. That is more than the number of people who live in the United States, alone, and it is particularly alarming when we consider how few resources are available to those battling a rare disease.

In fact, of the 7,000 rare diseases in existence, half of them don’t have a designated foundation or research support group, and nearly 90 percent lack an FDA-approved treatment.

As a member of the Rare Disease Congressional Caucus, I urge my colleagues to support measures that would increase funding for research and put our resources into the development and accessibility of lifesaving treatments. Treatments should not be as rare as the diseases they heal.

TEXANS FROM SWEDEN

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

Mr. OLSON. Mr. Speaker, there is a force of nature that all Texans know: Texans from Sweden. But the most powerful one is a 17-year-old Cinco Ranch Cougar. Her name is Jennifer Lindgren.

As you can see, Jennifer was born without a left hand. A prosthesis? Jennifer says: “Most of the time, I forget that I have one hand. I have always just done pretty much what everybody else has done.”

CONGRATULATING MAUREEN MCFADDEN ON HER RETIREMENT

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

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate Maureen McFadden on a remarkable 40-year career at WNDU-TV. I want to take a moment to honor the iconic legacy Maureen is leaving behind and thank her for all she has done for Michiana communities.

A lifelong Hoosier, Maureen has been a fixture in South Bend as a reporter and anchor at WNDU Newscenter 16 for the past four decades. She has played a
vital role in making northern Indiana stronger not only by bringing us the day’s news, but always finding ways to serve her neighbors and give back to the community she loves to call home.

I am grateful to Maureen not only for her excellence in journalism, but also for the incredible example she has set for aspiring journalists and young Hoosier women who are always looking for ways to give back to build a brighter future.

Mr. Speaker, I ask my colleagues to join me in recognizing the exceptional character, leadership, and compassion Maureen has demonstrated both on and off the air.

Mo, I wish you the very best.

NATURAL RESOURCES MANAGEMENT

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

Mr. McADAMS. Mr. Speaker, I rise in support of S. 47, the Natural Resources Management Act, which we will vote on tomorrow. This comprehensive public lands package has numerous provisions that benefit my State of Utah and ensures permanent the Land and Water Conservation Fund.

In my district, this legislation provides an important land conveyance to Juab County that will be used to house personnel to prevent and fight wildfires. This bill also facilitates a land transfer in Utah County to Utah’s School and Institutional Trust Lands Administration, or SITLA.

SITLA holds lands in trust, proceeds which support Utah’s education system. This land transfer will ultimately benefit Utah State University and its students.

I also want to congratulate my colleague, Representative JOHN CURTIS, for his work in bringing together and working with State, city, and county stakeholders in Emery County. The Emery County title in this bill has broad local support and will protect over 600,000 acres of wilderness, the largest wilderness designation in 25 years.

This legislation is good for Utah’s economy. The Land and Water Conservation Fund should never have been allowed to expire because it is such a vital program.

HONORING THE LIFE AND SERVICE OF COMMISSIONER MARCUS HARDY

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

Mr. YOHO. Mr. Speaker, I rise today in sadness, but also to honor a commissioner, Commissioner Marcus Hardy, who was a highly respected leader in his community.

Marcus served as a city commissioner in the town of Crescent City, Florida, which is located in the district which I am proud to represent. I was fortunate enough to work alongside Mr. Hardy in efforts to improve Crescent City and the greater community.

Beyond being a devoted public servant, a coach, and a role model, Marcus was a family man and a friend to many. Anyone who knew him knew his heart and his passion for serving others. He often spent his free time serving as a mentor for the Boys II Men organization in Crescent City or working to revitalize Putnam County for the benefit of the whole community.

Marcus will be remembered for his compassion, his leadership, his friendship, his large, firm hand grip and contagious smile.

Thank you for your service, Marcus. You will be missed by many.

AMERICANS’ SHIFTING VIEWS ON ABORTION

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

Mr. LAMALFA. Mr. Speaker, I rise today to speak about a recent shift we have seen in this country over the recent weeks—that is Americans’ views on abortion.

Not long ago, a Marist poll found that 55 percent of Americans were likely to identify as pro-choice compared to about 38 percent identifying as pro-life—indeed, a 17-point gap. Now, the polls are tied.

As reported this week by Axios, a similar Marist poll found that Americans are now, for the first time, equally likely to be pro-life as they are to be pro-choice, both registering at 47 percent.

Why the sudden change? The horrific rhetoric offered by some of the left, including tonight. We need to have a vote on the Senators Protection Act in order to end abortion attempts. The Democrats have repeatedly blocked the effort, including tonight. We need to have a vote on this bill.

THE GREEN NEW DEAL

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

Mr. FULCHER. Mr. Speaker, my Democratic colleagues have made public the details of the so-called Green New Deal. Among other things, if implemented over the next 10 years, it would eliminate the use of fossil fuels and nuclear power. That means our gasoline-powered vehicles and implements would be useless, and there would be no air travel.

It would also require that virtually all buildings would be rebuilt or remodeled. Even a facet of life would be forced to change.

The most frightening thing about this is that my colleagues sponsoring it are actually serious.

Furthermore, the architects failed to explain how they are going to rebuild the economy they would decimate.

Mr. Speaker, I would suggest the architects of this legislation change the color of the Green New Deal and call it the Red—as in stop sign red—New Disaster.

THE GREEN NEW DEAL

The SPEAKER pro tempore (Mr. ROSE of New York). Under the Speaker’s announced policy of January 3, 2019, the gentleman from Washington (Mr. NEWHOUSE) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, before I begin, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

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

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, I rise this evening to lead a Special Order alongside my colleagues to discuss, frankly, a reckless and misguided and radical proposal recently introduced by some of my Democratic colleagues, the Green New Deal.

Tonight, together with many of my fellow members of the Congressional Western Caucus, we will be taking the time to share with the American people the details of the ill-advised and bizarre provisions included in this green manifesto and the grave impacts that they would have on our Nation’s economy.

We will also share what we, as Republicans in the people’s House, believe it takes to overcome the strategy to innovate, diversify, and strengthen America’s energy sector.

Mr. Speaker, the Green New Deal is a bad deal for the American people. This so-called deal calls for cutting of greenhouse gas emissions to net zero in only 10 years.

And while many studies are still working to grasp the perilous impacts and the enormous costs of this proposal, one independent estimate, led by a team of Stanford engineers, suggests it would cost our Nation in the neighborhood of $7 trillion to convert all of America’s power to renewable power sources.
To quote the former Secretary of Energy under President Obama, Ernest Moniz, he said: “I’m afraid I just cannot see how we could possibly go to zero carbon in the 10-year timeframe. It is just impractical.”

Mr. Speaker, the Green New Deal goes much further than just the energy sector, however. It also mandates the guarantee of a job for everyone, paid vacations for everyone, free college for everyone. It dictates that every existing building in this country must be upgraded and retrofitted for “comfort.”

It calls for a drastic overhaul of our transportation systems across the country, threatening not only our trucking and airline industries, but also the daily lives of the 85 percent of Americans who drive every morning or evening to get to work.

Mr. Speaker, while calling for all of these implausible mandates, the Green New Deal would also insert the Federal Government into seemingly every aspect of our daily lives.

By expanding our Federal bureaucracy and spending we have ever seen in history and undermining the federalist principles our country was founded upon in the Constitution, this proposal would jeopardize the future of America as we know it. It would sacrifice the American energy, manufacturing, and transportation sectors; jeopardize businesses small and large across the Nation; and lead our country down the path of socialist nations like Venezuela, North Korea, and Cuba.

So when Democrats in Congress release a sweeping, colossal overhaul of our Nation’s energy policies and do not include these clean energy sources, it is clear that this is far more about politics and not about sound science.

Mr. Speaker, my fellow House Republicans and I continue to advocate for sound, comprehensive approaches to energy policy. We must continue to explore every opportunity to develop viable alternative energy sources, which is why under Republican control of the House in recent Congresses, we have made serious investments in advanced nuclear and basic science research, grid-scale energy storage, and equipped our national laboratories with robust resources to lead the way in research, development, and innovation.

National laboratories, like the Pacific Northwest National Laboratory in my district, play a crucial role in developing the basic science research needed to pave the way for these alternative sources. Then when private industry can utilize this research, the open marketplace can put these new sources to use.

That is exactly what our country needs: more collaboration, more innovation; not a top-down mandated system of bureaucrats based upon a green manifesto.

Mr. Speaker, I often share with my constituents that as a third generation farmer, I consider myself to be a conservationist and on the front lines of being a good steward of our natural resources. I know that we must respect our environment, we must ensure clean air and clean water for our citizens, and we must encourage innovative ways to produce energy through a variety of reliable, renewable traditional and alternative sources.

Tonight I am looking forward to hearing from my friends and my colleagues in the Congressional Western Caucus on why the Green New Deal would be catastrophic for their constituents and what we in our Nation’s capital should really be prioritizing in order to continue America’s energy independence dominance.

So with that, Mr. Speaker, I yield to my first speaker, the gentleman from Minnesota (Mr. STAUBER), the gentleman that represents the Eighth District of that great State.

Mr. STAUBER. Mr. Speaker, I rise today with my colleagues in opposition to the Green New Deal.

This disastrous plan, cooked up by out-of-touch Washington elites, simply does not work for Minnesota families.

According to the Energy Information Administration, 68 percent of Minnesota’s energy consumption comes from a combination of coal, natural gas, nuclear, hydropower, and gasoline, all of which are to be banned completely by the Green New Deal in 10 years.

Allowed under this radical pipe dream are wind, solar, and biomass, which barely account for 15 percent of Minnesota’s energy consumption.

Picture a family in Ely, Minnesota, where wind chill temperatures reached 71 below zero this January, waking up in a warm house heated by natural gas.

They start a hot pot of coffee, powered by our affordable electric grid; take a hot shower, again, heated by natural gas; drive their kids to school in a car, powered by affordable gasoline; go to work, possibly at a mine or a local hospital; drive home again in that same gasoline-powered car; make dinner for their family, using their gas-powered stove; and then wake up in the morning and do it all over again.

The little things that we take for granted every day are powered by conventional energy.

The Green New Deal would have a severe impact on our everyday lives, something that northern Minnesotans do not want or need.

The Green New Deal would force every Minnesota family to turn in their cars for electric vehicles and retrofit their homes to run on renewable sources, like solar or wind.

I understand elites from D.C. and New York City may love this plan, but I know the reality. I encourage my colleagues, especially those who support this plan, to go back to their districts, like I did last week and really listen to their constituents, listen to their concerns, listen to how this plan would devastate the middle class and devastate hardworking Minnesota families.

Retrofitting homes, buying electric cars, and ending the mining, airline, and much of the shipping industries may be fun ideas for the ultra-wealthy, but I know what it really means for middle-class families in northern Minnesota.

We cannot let these unrealistic ideas get in the way of actual progress. We must develop renewable forms of energy that at the same time do not shut out conventional, affordable energy sources on which millions rely.

Do not let the Green New Deal district from what northern Minnesotans care about: expanding rural broadband for rural internet, paying good paying jobs back to our communities, and protecting Social Security and Medicare.

With the projected cost of tens of trillions of dollars, the Green New Deal puts all of this at risk.

I will not risk the future of Medicare and Social Security. I will not risk the future of middle-class families.
February 25, 2019

CONGRESSIONAL RECORD — HOUSE

However, I will stand up for the farmers, our miners, our small business owners, manufacturers, and workers threatened by this Green New Deal.

Mr. NEWHOUSE. Mr. Speaker, I want to thank the gentleman from Minnesota for expressing so eloquently how Americans the country would be affected by this if this legislation was adopted into law. People from different parts of the country with extreme weather, as you have heard, depend on reliable sources of energy.

From farmers who to hopefully a little warmer climate, the next speaker I am going to yield to is the gentleman from Arizona (Mr. GOSAR), the chairman of our Western Caucus and the representative from the Fourth Congressional District.

Mr. GOSAR. Mr. Speaker, I thank my friend, the gentleman from Washington, for organizing this important Special Order on the Green New Deal.

Mr. Speaker, America’s energy renaissance is one of our economy. It is a story of freedom, prosperity and opportunity.

After decades of reliance on other countries to meet our energy needs, the U.S. Energy Information Administration now projects America will export more energy than it imports starting in 2020. We are no longer dependent on volatile foreign sources produced in Russia or Saudi Arabia.

Recent innovation and technology improvements associated with fracking and horizontal drilling have allowed shale resources, previously deemed uneconomical, to be developed, and are the main reason the U.S. was the world leader in carbon emissions reductions in 2015, 2016, and 2017.

That is right. Fracking, demonized by environmental extremists without justification, has proven to be the best energy solution for our environment.

Abundant oil and natural gas has reduced electricity bills, kept gas prices low, and provided the largest share of U.S. electric power generation in recent years.

The oil and gas industry supports more than 10.3 million jobs and nearly 8 percent of our economy.

The United States is the world’s top energy producer, and the American Dream is thriving.

January 2019 saw the hundredth consecutive month of positive jobs growth in America and the largest period of continuous job growth on record.

The U.S. job market is strong, and in December, employers posted 7.3 million open jobs, a new record.

Now, despite America’s energy renaisance and the aforementioned emissions reductions, we continue to hear hyperbolic statements about pending climate catastrophe and the need for radical change to stave off future disaster.

The Democrat socialists pushing the Green New Deal want to get rid of all energy sources except wind, solar, and batteries by 2030. How are we going to do that when wind and solar only produced 7.6 percent of our electricity in 2017?

The Green New Deal would drive energy production and jobs to countries like China and India that have much worse environmental standards. Global greenhouse gas emissions would increase as a result, in direct contradiction to the main talking point of the Green New Deal.

The socialist Green New Deal says it will provide higher education, higher quality healthcare and affordable, safe, and adequate housing to all.

2015

The Mercatus Center estimates that the cost of the single-payer healthcare provision alone would cost $3.2 trillion in the first 10 years, something that I think is probably on the low side.

The Green New Deal is an alarmist pipe dream that seeks to fundamentally transform America without a blueprint. This socialist manifesto changes by the day, and important details on how a transition of the Green New Deal would occur are missing, including how we will pay for this pie in the sky aspiration.

If one needs to have more evidence that the Green New Deal is not plausible, look no further than the country of Australia where electricity prices are the highest in the world and the Aussies’ obsession with renewables has destroyed their electric grid. Mass blackouts and mass power cuts are the new norm, and a massive Tesla battery backup system ran dry this past month on a hot summer day. The Aussie power grid crashed in summer temperatures.

Ninety thousand Aussie homes had no air-conditioning for the next 2 weeks of blistering heat.

Let’s learn from Australia’s mistakes. Let’s not repeat them.

Mr. Speaker, I look forward to enlightening everyone on this legislation further in the coming days.

Mr. NEWHOUSE. Mr. Speaker. I thank the gentleman from Arizona for expressing his thoughts on how this would impact the people not only in Arizona, but also around the country.

Mr. Speaker, many of my constituents continue to ask me what is actually in this Green New Deal legislation.

Unfortunately for the American people, the Members of Congress who introduced the resolution had, I guess, several hiccups along the way during their rollout and released conflicting documents to accompany the bill.

One significant piece of legislation that my constituents have asked me about is whether the related resolution mandated a job for everyone in the United States. Well, that is, in fact, true. A part of the frequently asked questions document that was released with the legislation even stated that economic security would be provided for those who are “unwilling to work.”

Many of my constituents think that is an amazing statement.

After an adviser to the Green New Deal accused Republicans of doctoring this document, The Washington Post later reported that he erroneously made that accusation. In fact, this document was released by Congresswoman Ocasio-Cortez’s office.

Representative Ocasio-Cortez has since retracted the frequently asked questions document, but the message I hope my constituents and the American people hear clearly is that we know the motives behind this legislation. We know the intent. From ending the airline industry to shutting down nuclear power, unfortunately, some people on the other side of the aisle, my colleagues on the Democratic side, are threatening the American economy.

Mr. Speaker, I include in the RECORD the frequently asked questions document that was released by Congresswoman Ocasio-Cortez’s office.

LAUNCH: Thursday, February 7, at 8:30 a.m.

OVERVIEW

We will begin work immediately on Green New Deal bills to put the nuts and bolts on this described in the resolution (important to say someone else can’t claim this mantle). This is a massive transformation of our society with clear goals and a timeline.

The Green New Deal resolution a 10-year plan to mobilize every aspect of American society at a scale not seen since World War 2 to achieve net-zero greenhouse gas emissions and create economic prosperity for all.

It will: Move America to 100% clean and renewable energy
Create millions of family-supporting-wage, union jobs
Ensure a just transition for all communities and workers to ensure economic security for people and communities that have economically relied on fossil fuel industries
Ensure justice and equity for frontline communities by prioritizing investment, training, climate and community resiliency, economic and environmental benefits in these communities.

Build on FDR’s second bill of rights by guaranteeing:
A full family-sustaining wage, family and medical leave, vacations, and retirement security
High-quality education, including higher education and trade schools
Clean air and water and access to nature
Healthy food
High-quality health care
Safe, affordable, adequate housing
Economic environment free of monopolies
Economic security for all who are unable or unwilling to work

There is no time to waste.

IPCC Report said global emissions must be cut by 40-60% by 2030. US is 29% of total emissions. We must go further to lead the world in a global Green New Deal.

Americans love a challenge. This is our moonshot.

When JFK said we’d go to the the by the end of the decade, people said impossible. If Eisenhower wanted to build the interstate highway system today, people would ask how we’d pay for it.

When FDR called on America to build 185,000 planes to fight World War 2, every business leader, CEO, and general laughed at him. At the time, the U.S. had produced 3,000 planes in the last year. By the end of the war, we produced 300,000 planes. That’s what we can be capable of if we have real leadership.

This is massive investment in our economy and society, not expenditure.
We invested 40-50% of GDP into our economy during World War 2 and created the greatest middle class the US has seen.

The interstate highway system has returned the economy to economic productivity for every $1 it cost.

This is massively expanding existing and building new industries at a rapid pace—growing our economy.

The Green New Deal has momentum.

92 percent of Democrats and 64 percent of Republicans support the Green New Deal.

Neera Tanden, Democratic Presidential contender say they back the Green New Deal including: Elizabeth Warren, Cory Booker, Kamala Harris, Jeff Merkley, Julian Castro, Elizabeth Warren, Tulsi Gabbard, and Jay Inslee.

45 House Reps and 330+ groups backed the original resolution for a select committee Over 30 state and city mayors have called for a federal Green New Deal.

New Resolution has 20 co-sponsors, about 30 groups (numbers will change by Thursdays).

FAQ

Why 100% clean and renewable and not just 100% renewable? Are you saying we won’t transition off fossil fuels?

Yes, we are calling for a full transition off fossil fuels and zero greenhouse gases. Anyone who has read the resolution sees that we spell this out through a plan that calls for eliminating fossil fuel emissions from every sector of the economy.

Is nuclear a part of this?

A Green New Deal is a massive investment in renewable energy production and would not include creating new nuclear plants.

Why will you pay for it?

The Green New Deal gives built-in tax credits to create jobs and revenue. Start with the tax credits and then the revenue that is created can be matched by a micro-bond issue.

Congressional Record — House

February 25, 2019

H2092

RESOLUTION SUMMARY

Created in consultation with multiple groups from environmental community, environmental justice community, and labor community

5 goals in 10 years:

- Net-zero greenhouse gas emissions through a fair and just transition for all communities and workers
- Create millions of high-wage jobs and ensure prosperity and economic security for all
- Promote justice and equity by stopping current, preventing future, and repairing historic oppression of frontline and vulnerable communities
- National mobilization our economy through 14 infrastructure and industrial projects. Every project strives to remove greenhouse gas emissions and pollution from every sector of our economy:
  - Build infrastructure to create resiliency against climate change-related disasters
  - Repair and upgrade U.S. infrastructure
  - ASCOE estimates this is $4.6 trillion at minimum.
- Meet 100% of power demand through clean and renewable energy sources
- Build energy-efficient, distributed smart grids and ensure affordable access to electricity
- Upgrade or replace every building in US for state-of-the-art energy efficiency
- Massively expand clean manufacturing (like solar panel factories, wind turbine factories, battery and storage manufacturing, energy efficient manufacturing components) and remove pollution and greenhouse gas emissions from manufacturing
- Work with farmers and ranchers to create a sustainable, pollution and greenhouse gas free, food system that ensures universal access to healthy and sustainable food
- Total major job growth in manufacturing and industrial projects
- Secure economic, environmental, and social justice for all communities by prioritizing frontline and vulnerable communities
- Build a sustainable, pollution and greenhouse gas free transportation system for every mode of travel
- Promote clean, healthy, and sustainable food production and work with workers and farmers to create the food system the world needs
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The Green New Deal is about creating the renewable energy economy through a massive investment in our society and economy. Cap and trade or emissions is the existing tax that will solve this problem for us, and that's simply not true. While cap and trade may be

in order to reap future benefits (for e.g., building a new factory to increase production or buying new hardware and software to totally modernize its IT system), a country that is relying on the private sector to invest alone such as a carbon tax or merely incentivizing the private sector doesn’t work—e.g. the tax incentives and subsidies given to wind and solar projects have been a valuable spur to growth in the U.S. renewables industry, but even with such investment-promotion subsidies, the present level of such projects is simply inadequate to transition to a fully greenhouse gas neutral economy as quickly as possible.

One again, we’re not saying that there isn’t a role for private sector investments; we’re just saying that the level of investment required will need every actor to pitch in and that the government is best placed to be the prime driver.

The Green New Deal makes new fossil fuel infrastructure in the United States obsolete. We will not build new fossil fuel infrastructure because we will be creating a plan to reorient our entire economy to work off renewable energy. Simply announcing that new investments immediately won’t build the new economy to replace it—this is the plan to build that new economy and spells out how to do it technically.

We do this through a huge mobilization to create the renewable energy economy as fast as possible. We set a goal of a 100% clean, renewable and zero emissions, in 10 years because we aren’t sure that we’ll be able to fully get rid of farting cows and airplanes that fast, but we think we can make it happen if we build up enough manufacturing and power production, retrofit every building in America, build the smart grid, overhaul transportation, and plant lots of trees and restore our ecosystem to get to net-zero.

Are you for CCUS?

No, we’re not saying that there isn’t a role for private sector investments; we’re just saying that the level of investment required will need every actor to pitch in and that the government is best placed to be the prime driver.

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Is nuclear a part of this?

A Green New Deal is a massive investment in renewable energy production and would not include creating new nuclear plants. It’s unclear if we will be able to decarbonize every sector of the economy. The plan is to transition off of nuclear and all fossil fuels as soon as possible. No one has put the full 10-year plan together yet, and if it is put together it will need fully 100% renewable in 10 years, we will do that.

Does this include a carbon tax?

The Green New Deal is a massive investment in the production of renewable energy industries and infrastructure. We cannot simply tax gas and expect workers to figure out another way to get to work unless we’ve first made it more affordable than ever.

So we’re not ruling a carbon tax out, but a carbon tax would be a tiny part of a Green New Deal in the face of the gigantic expansion of our productive economy and would have to be preceded by first creating the solutions necessary so that workers and working class communities are not affected. While a carbon tax may be a part of the Green New Deal, it misses the point and would be off the table unless we create the clean, affordable options first.

Does the Green New Deal work with farmers and ranchers?

The Green New Deal is about creating the renewable energy economy through a massive investment in our society and economy. Cap and trade or emissions is the existing tax that will solve this problem for us, and that’s simply not true. While cap and trade may be
I stand before you this evening to tell you exactly why the Green New Deal is a sham. Rather than setting realistic goals to reduce carbon emissions and incentivize cleaner energy development, this so-called deal stalls innovation and government involvement in almost every aspect of everyday life, at a price tag of more than $50 trillion.

Over the past 2 years, we have unleashed our economy by reducing government overregulation, allowing more Americans to invest in their families, futures, and pursuits. The Green New Deal will throw the brakes on our economy, as well as the world’s economy. Nothing will increase worldwide carbon production more than a stalled economy.

Additionally, this Green New Deal reverses our success by imposing harsher regulations that will put American workers and American companies at an economic disadvantage. This socialist proposal that Democrats are championing completely ignores the cost to American taxpayers and fails to address the negative impacts that other countries have on local and global climate change. It implements policies that will dramatically increase taxes, burdens, and energy bills for families.

This deal will absolutely devastate our economy with its outrageous demands for new green infrastructure, new green labor practices, and new green taxes. It will crush American manufacturing and transportation industries. It would completely halt domestic energy production that has had record exports under the Trump administration.

I am a firm believer that we must focus on leaving this world better than we found it for the next generation. For my children, for your children, and for our grandchildren, we need to be good stewards of the resources and the planet we have been given, but any reasonable solution will require us to use common sense when approaching the issues.

We must also be careful not to fall into the trap of believing that the U.S. Government is the answer to correct all our problems. America has always been a nation of innovators, and instead of imposing new regulations and taxes, we must continue to lead the world and partner with American industries to develop creative solutions and new innovative technologies. Innovation will do more to impact climate change than any law Washington, D.C., can write.

Mr. NEWHOUSE. Mr. Speaker, I thank Dr. MARSHALL for sharing with us his thoughts from the great State of Kansas.

Some of the proponents of the Green New Deal have criticized others for criticizing the Green New Deal, saying that we don’t have any room to talk if we are not going to offer something to ward the issues that we face as a world and as a country.

Let me just say, Mr. Speaker, we do have options, and we do have solutions
that we have been offering. Let me share a piece written by my Republican colleagues just recently who lead the Energy and Commerce Committee. Mr. GREG WALDEN, Mr. FRED UPTON, and Mr. JOHN SHMKUS shared an article that was published in several newspapers around the country. Some of the things that they say go like this: “America's approach for tackling climate change should be built upon the principles of innovation, conservation, and adaptation. Republicans have long championed realistic, innovative, and free-market strategies to promote a cleaner environment and to reduce emissions. The results are clear: The United States is leading the world in reducing greenhouse gas emissions thanks to vibrant energy sector competition and innovation.”

They go on to say: “We should continue to encourage innovation and renewable energy development. We should promote carbon capture and utilisation, renewable hydropower, and safe nuclear power, which is emissions-free. We should also look to remove barriers to energy storage and commercial batteries to help make renewable sources more viable and our electricity grid more resilient. And we must encourage more research and business investments in new clean energy technologies. These are bipartisan solutions that we must seize on to deliver real results for the American people.”

Mr. Speaker, I yield to the gentleman from Texas (Mr. CLOUD) from the 27th District.

Mr. CLOUD. Mr. Speaker, I thank the gentleman from Washington (Mr. NEWHOUSE).

Mr. Speaker, the Green New Deal is a bad deal for the people of America. Just days ago, we passed $22 trillion in debt for which we have no plan to begin paying off. The Green New Deal would impose their agenda on every family, every American family, at a cost of $93 trillion. That would cost every American household an extra $65,300 per year. That might be crumbs in New York and California, but it is not in Kansas, where the average family income is $36,422.

If the crushing tax increase on every family isn’t bad enough, the plan also calls for an eventual end to air travel. As a representative of the Air Capital of the World, clearly, this is alarming.

According to the Kansas Department of Transportation, aviation is responsible for 61,200 jobs in Kansas and has an economic impact on our state of $20.6 billion.

Grounding air travel would decimate jobs in Kansas, just as the entire Green New Deal would devastate the economy of our country.

The only thing this proposal accomplishes is exposing the priorities of politicians who are determined to increase taxes and expand government to impose their agenda on every family, farm, and business.

Kansans know how to protect our environment and quality of life without being told to do so by government officials in Washington, D.C., and I stand with them in opposing this bill.

Mr. Speaker, I thank Congressman NEWHOUSE for leading this special order.

Mr. NEWHOUSE. Mr. Speaker, I thank the gentleman from Kansas (Mr. ESTES). I appreciate very much him sharing his thoughts about the Green New Deal and the impacts it would have on our country—something that we just absolutely cannot afford. So I appreciate very much his time this evening, and I thank him.

Mr. Speaker, I just read an article from Reuters titled “Labor Unions fear Democrats' Green New Deal poses job threat.”

I didn’t write that title. That is what they did. In it, a spokesman for a major union in this country speaks on the legislation’s language, calling for a transition for union jobs. He says, “We’ve heard words like ‘just transition’ before, but what does that really mean? Our Members are worried about paying for food on the table.”

Another labor union, the Laborers' International Union of North America states, “We will never settle for ‘just transition’ language as a solution to the job losses that will surely come from some of the policies in the resolution.”

Mr. Speaker, hardworking Americans across the country deserve to be heard. Unfortunately, as this article states, neither union was contacted for input before the legislation was released.

And with that, Mr. Speaker, I yield to the gentleman from California’s First District (Mr. LAIMALFA), my good friend and a fellow farmer.
Mr. LaMalfa. Mr. Speaker, thank you to the gentleman from Washington (Mr. Newhouse).

Indeed, what we know so far about the Green New Deal, it is more like a green pipe dream. It would lead to a total government takeover of just about every aspect of our lives.

Now, it is interesting to watch, since the deal was proposed not that many days ago, my colleagues on the other side of the aisle, many of them are starting to back away from it. There were a few that, for some reason, are seeing something starting to back away, saying, well, this really isn’t the dream or the deal; it is more of an aspiration.

Well, by the time you freaked out half the country with these ideas that you put into legislation, maybe we need a little more heads-up on what really is the goal here.

Some of the guarantees in it: A government paycheck for those unwilling to work. Is this really in there? What are we talking about here?

The cost of this implementation? $93 trillion, quadruple of what our national debt is right now. The cost will be passed on, of course, to—as always—the taxpayer, to families. To those struggling—especially middle-income folks—who could see their energy bills going up from already at a high point to an additional $1,000 annually per family.

We should really have our supporters of this bill benefit from the lessons learned in California on the high-speed rail boondoggle that tripled in a short amount of time soon after it was barely approved. $10 billion by the taxpayers to a nearly $100 billion project, all under the guise of saving greenhouse gases.

Except during the construction of the high-speed rail in California, it will make a whole bunch of greenhouse gases in the equipment involved, so we are going to plant trees to offset that. Yet, at the same time, they are running the rails through hundreds of acres of almond trees in the middle of California that they are supposed to be offsetting.

It is a reckless attempt to undermine America’s increasing dominance—not just energy independence—but now dominance in energy around the world.

It ignores the basic reality: a lot of what was built upon were indeed fossil fuels, those known reserves that we have in this country.

Now, let’s talk a little bit about the Paris accord that I think President Trump rightfully withdrew the United States from. The goal being greenhouse gas reduction, CO₂ reduction.

Well, when you look at the stats, who is already leading the way outside of the accord? The U.S.—of those western countries—is the only one that has actually reduced its number of CO₂ in that amount of time.

We are the ones doing it. You know why? Because we have freedom; because we have the ability to innovate, to invent the new technology, to invent the things that are going to help us do things better and cleaner into the future.

I don’t hear a lot of talk on this about new hydropower, which is clean and ready to go any time you turn on the switch and the gates to allow the turbines to flow.

Biomass. In my area of the country—the Western Caucus, my colleagues here—we burn part of the west every year. We should be putting that fuel into clean burning plants to make electricity, cleaning our forest, making it more fire-safe, better for the wildlife, better for the environment, not having all that CO₂ go up. And then creating jobs in our backyard to get people to work from cleaning up the over-inventory the U.S. forest and BLM has from allowing their forest to run rampant with no management for the last 100 years.

These are things we should be talking about instead of this dream green thing. Instead, we are going to hear nothing but climate change, climate change, climate change, with solutions that just hamstring or handcraft the economy, the jobs, and the people of this country in this chamber and in the real world out there where people actually produce things.

We need to focus on the things that we know can work, producing energy with hydropower. Yes, with nuclear power. Yes, with biomass. Help clean that inventory that burns hundreds of thousands of acres every year of forest land, and put it to work for us.

That is what we are going to be successful at, because the United States is always number one in developing the new technology, the new ways to do cleaner, better, more efficiently, instead of handcuffing our economy and that innovation and exporting it somewhere else.

I do agree with my colleagues that have spoken here tonight. And in sending the message, we need to strongly oppose this bill and get back to something that actually works for the working people of this country.

Mr. Speaker, I appreciate the time of the gentleman.

Mr. Newhouse. Mr. Speaker, I thank the gentleman from California (Mr. LaMalfa). I appreciate very much what he has said. I do appreciate California’s thoughts—about what we have in front of us and the impact it would have.

And if anyone is thinking that this is just a bunch of Republicans that are thinking this way and have these thoughts, let me share with you some quotes from some of my friends across the aisle, Mr. Speaker.

Representative Jeff Van Drew, a Democrat from New Jersey. He says of the Green New Deal, “It is not a serious policy to address the climate crisis and America’s failure to lead the way in complete reorganization of American society, which took hundreds of years to build, in a matter of 10 years.’’

Or the senior Senator from California—Mr. LaMalfa’s state—just stated last week that “There’s no way to pay for it.’’

From my own State, my colleague, Representative Rick Larsen just said recently, ‘It is difficult to support the resolution when even one of the lead sponsors says one of the intentions is to make air travel unnessesary.’ He is the chairman of the House Committee on Transportation and Infrastructure Subcommittee on Aviation.

My neighbor from Oregon, Mr. DeFazio, chairman of the House Committee on Transportation and Infrastructure, said, ‘The idea that in 5 or 10 years we’re not going to consume any more fossil fuels is technologically imposssible. We can have grand goals, but let’s be realistic about how we get there.’

Even our own Speaker of the House, Ms. Pelosi from California, said of the proposal, ‘The green dream or whatever they call it, nobody knows what it is, but they’re for it, right?’’

So you can see, it is not just us, this is a bipartisan feeling about the Green New Deal that it needs a lot more consideration.

Mr. Speaker, at this point, I yield to the gentleman from South Carolina (Mr. Norman), my good friend from the Palmetto State, Fifth District, and a member of the Committee on Science, Space, and Technology.

Mr. Norman. Mr. Speaker, I thank Congressman Newhouse for leading the effort on this.

And I rise to oppose the Green New Deal for many of the reasons that have already been said, but this is the most amateurish resolution that has come before this Congress in a long time, not from only my point of view but many others who have served longer than I have.

We were asked to consider a policy that would change the way of American life, deciding what we eat, how we travel, how we stay warm, and even what jobs we can take and what homes we are allowed to live in.

We are presented with a total overhaul of society, but with no explanation how. There is no roadmap, no method of implementation, and, of course, no price tag. All we know is that this will be dictated by a cabal of better-knowing bureaucrats. Yet every estimate shows just how unrealistic this green deal really is.

According to the American Action Forum, the total cost could run as high as $93 trillion over 10 years.

This totals 21 times our current Federal budget of $4.1 trillion. That can only mean one thing for the American people: taxes, taxes, and more taxes.

This resolution is so lacking in detail that we might as well vote on the merits of a scrap of paper that says, ‘solve the problem.’ This is no way to govern.
The only details we do have are from a survey that enjoyed a brief existence online before it was removed out of embarrassment and has since been denied. One source of embarrassment was the call to get rid of cows. To my knowledge, this is the first time that a Member of this House has called for bovine genocide.

That the deal’s supporters are now hiding these facts reveals that the true agenda behind the Green New Deal is too horrifying to be shared with any of the public. As a rule of thumb, any law that cannot be shared with the people cannot serve the people.

Mr. NEWHOUSE. Mr. Speaker, I thank the gentleman from South Carolina for his input on this important issue. It underscores the cost to the Nation if this were adopted and its impact on our economy. I thank the gentleman for that tremendous help.

I thank all my colleagues, members of the Congressional Western Caucus, for participating tonight to point out some of the fallacies of the Green New Deal. Certainly, it is something that, as legislation is proposed, this is the process: We talk about what we like, what we don’t like, and we offer alternatives, trying to find solutions in a bipartisan way.

Republican members have always advocated to continue looking at these issues of climate change, of energy use and production, of issues facing the environment. We are always looking for ways to improve safety, to adequately fund research, but, basically, underscoring all of that, relying on the use of sound science for any decisions that we make, to make sure that the policies that we adopt are those that will be sustaining and good for not only our country, but for the world.

So we base our decisions on science, not politics. As Republicans, as members of the Congressional Western Caucus, which is a bipartisan organization, we look forward to debates seriously and making serious decisions in regard to these very important issues that face our country, face the next generation, and face the world.

Mr. Speaker, I look forward to continuing debates on the important topic, and I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DANNY K. DAVIS of Illinois (at the request of Mr. HOYER) for today.

Mr. DEFAZIO (at the request of Mr. HOYER) for today on account of inclement weather.

ADJOURNMENT

Mr. NEWHOUSE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o’clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, February 26, 2019, at 10 a.m. for morning-hour debate.

BIENNIAL REPORT OF BOARD OF DIRECTORS OF OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS

U.S. CONGRESS, OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS


Speaker NANCY PELOSI,

Office of the Speaker,
The Capitol, Washington, DC.

Dear Speaker Pelosi:

Section 102(b) of the Congressional Accountability Act of 1995 (CAA) requires that the Directors of the Office of Congressional Workplace Rights (OCWR) biennially submit a report containing recommendations regarding Federal workplace rights, safety and health, and public access laws and regulations that should be made applicable to Congress and its agencies. The purpose of this report is to ensure that the rights afforded by the CAA to legislative branch employees and visitors to Capitol Hill and district offices remain equivalent to those in the private sector and the executive branch of the Federal government. As such, these recommendations support the intent of Congress to keep pace with advances in workplace rights and public access laws.

Accompanying this letter is a copy of our section 102(b) report—titled “Recommendations for Improvements to the Congressional Accountability Act”—for consideration by the 116th Congress. We welcome discussion on these issues and urge that Congress act on these important recommendations.

Your office is receiving this initial copy prior to it being uploaded to our public website. On March 4, 2019, this report will be disseminated to the larger Congressional community and available on www.ocwr.gov.

As required by the Congressional Accountability Act, 2 U.S.C. §102(b), I request that this publication be printed in the Congressional Record, and referred to the committees of the House of Representatives and Senate with jurisdiction.

Sincerely,

SUZAN TSUI GRUNDMANN,
Executive Director,
116TH CONGRESS—RECOMMENDATIONS FOR IMPROVEMENTS TO THE CONGRESSIONAL ACCOUNTABILITY ACT
Office of Congressional Workplace Rights—Board of Directors’ Biennial Report required by §102(b) of the Congressional Accountability Act issued at the conclusion of the 115th Congress (2017–2018) for consideration by the 116th Congress

Statement From the Board of Directors

The Congressional Accountability Act of 1995 (CAA) embodies a promise by Congress to the American public that it will hold itself accountable to the same federal workplace and accessibility laws that it applies to private sector employers and executive branch agencies. The law was also drafted to provide for ongoing review of the workplace and accessibility laws that apply to Congress, Section 102(b) of the CAA requires that the Board of Directors of the Office of Congressional Workplace Rights (OCWR)—formerly the Office of Compliance—to review legislation and regulations to ensure that the legislative branch is on par with private sector and executive branch agencies. Accordingly, every Congress, the Board reports on: whether or to what degree provisions of Federal law (including regulations) relating to (A) the terms and conditions of employment (including hiring, promotion, demotion, termination, salary, wages, overtime compensation, benefits, work assignments or reassignments, grievance and disciplinary procedures, protections in personnel actions, occupational health and safety, and family and medical and other leave) of employees; and (B) access to public services, information, and accommodations appli- cable or inapplicable to the legislative branch, and . . . with respect to provisions inapplicable to the legislative branch, whether such provisions should be made applicable to the legislative branch. This section of the CAA also requires that the pre-eminent offices of Congress, both the House and Senate cause our report to be printed in the Congressional Record and refer the report to committees of the House and Senate with jurisdiction.

On December 21, 2018, as we were in the process of finalizing our Section 102(b) Report for the 115th Congress, the Congressional Accountability Act of 1995 Reform Act, S. 3749, was signed into law. Not since the passage of the CAA in 1995 has there been a more significant moment in the evolution of the legislative branch’s workplace rights. The new law focuses on protecting victims, strengthening transparency, holding violators accountable for misconduct, and improving the adjudication process. Some of the changes in the CAA Reform Act are effective immediately, such as the name change of our Office, Office of Congressional Workplace Rights, from effective 180 days from enactment, i.e., on June 19, 2019. The CAA Reform Act incorporates several of the recommendations that the OCWR has made to Congress in past Section 102(b) Reports and in other contexts, such as in testimony before the Committee on House Administration (CHA) as part of that committee’s comprehensive review of the protections that the CAA offers legislative branch employees against harassment and discrimination in the congressional workplace. These changes include the following:

Mandatory Anti-Discrimination, Anti-Harassment, and Anti-Retaliation Training

The Board has consistently recommended in its past biennial Section 102(b) Reports and in testimony before Congress that anti-discrimination, anti-harassment, and anti-retaliation training should be mandatory for all Members, officers, employees and staff of Congress and the other employing offices in the legislative branch. Last year, the House and the Senate adopted resolutions (H. Res. 305, 115th Cong., H. Res. 630, 115th Cong.) that required training for the CHA and the Committee on Rules and Administration of the Senate no later than 45 days after the beginning of each Congress, beginning with the 117th Congress. The Board of Directors of the OCWR is pleased that the CAA Reform Act includes these broader mandates for the congressional workforce at large. Under the new law, employing offices of Congress (the House, the Senate, respectively, the CHA and the Committee on Rules and Administration of the Senate) are required to develop and implement a program to train and educate covered employees on the rights and protections provided under the CAA. The Board notes, however, that the procedures available under CAA title IV, which describes the OCWR administrative and judicial dispute resolution procedures, 509(a), 2 U.S.C. §1438(a), Employing offices must submit a report on the implementation of their CAA-required training and education programs to the CHA and the Committee on Rules and Administration of the Senate no later than 180 days after the enactment of the CAA Reform Act, which is June 19, 2019. 509(b)(1), (b)(2), 2 U.S.C. §1438(b)(1), (b)(2)

In addition, the CAA Reform Act includes new law providing that covered offices in developing their anti-discrimination, anti-harassment, and anti-retaliation

February 25, 2019
programs by providing training opportunities and materials that are easily understood, practical rather than legalistic, proven effective, and which emphasize the change of culture on Capitol Hill. Through these programs, we can achieve the goal of a legislative branch that is free from discrimination, harassment, and reprisal.

Add:  ‘‘Unpaid staff.’’ ‘‘Unpaid staff’’ is defined in the Re-Acre the legislative branch from discrimination and the legislative branch may be deferred from taking action simply due to a lack of awareness of their rights. The CAA Reform Act now requires that employing offices post and keep posted in conspicuous places on their premises the notices provided by the Office about employees’ rights and the OCWR’s information about employees’ rights and the OCWR’s Administrative Dispute Resolution (ADR) process, along with OCWR contact information. 2 U.S.C. § 1362.

Name Change

As the Board advised Congress in 2014, changing the name of the office to ‘‘Office of Congressional Workplace Rights’’ would better reflect our mission, raise our public profile in connection with our mandate to educate the legislative branch, and make it easier for employees to identify us when they need us. Effective December 21, 2013, the Reform Act renamed the ‘‘Office of Compliance’’ as the ‘‘Office of Congressional Workplace Rights.’’ This name change notifies leave employees that the Office is tasked with protecting their workplace rights through its programs of dispute resolution, education, and enforcement. As the Office has new duties, including the new name, it remains committed to the mission of advancing workplace rights, safety and health, and accessibility for workers and visitors on Capitol Hill, as envisioned in the CAA and the CAA Reform Act.

Extending Coverage to Interns, Fellows, and Detailees

The Board also has consistently recommended in its Section 102(b) Reports that Congress extend the coverage and protections of the anti-discrimination, anti-harassment, and anti-reprisal provisions of the CAA to interns, fellows, and detailees working in any employing office in the legislative branch, regardless of how or whether they are paid. The CAA Reform Act extends section 201 of the CAA-A which applies title VII of the Civil Rights Act of 1964 (outlawing discrimination based on race, color, religion, sex, or national origin), the Equal Employment Opportunity Act, the Rehabilitation Act, and title I of the Americans with Disabilities Act (ADA)—to apply the protections and remedies of those laws to interns, fellows, and former interns and detailees. ‘‘Unpaid staff’’ is defined in the Re-Acre Act as ‘‘any staff member of an employing office who carries out official duties of the employing office but who is not paid by the employing office for carrying out such duties . . . including an intern, an individual detailed to the employing office, an individual participating in a fellowship program[,]’’ These laws apply to unpaid staff ‘‘in the same manner and to the same extent as such laws apply to a covered employee.’’ 201(d), 2 U.S.C. § 1311(d). The Reform Act thus ensures that unpaid interns, fellows, and detailees are covered by the CAA.

Extending Coverage to Library of Congress Employees

Prior to 2018, only certain provisions of the CAA applied to employees of the Library of Congress (LOC). The Reform Act expressly extends its support for proposals to amend the CAA to include the LOC within the definition of ‘‘employing office,’’ thereby extending CAA protections to LOC employees that law permits. The 2018 omnibus spending bill amended the CAA to bring the LOC and its employees within the OCWR’s (then OOC’s) jurisdiction. Paul Gilliam announced the Board’s ‘‘in the same manner and to the same extent as such laws apply to a covered employee.’’ 201(d), 2 U.S.C. § 1311(d). The Reform Act thus ensures that unpaid interns, fellows, and detailees are covered by the CAA.

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Changes to the Dispute Resolution Procedures Under the CAA

In testimony before the CHA as part of that committee’s comprehensive review of the CAA, the Board expressed its support for proposals to amend the CAA to extend certain legislative branch employees against harassment and discrimination in the congressional workplace, OCWR Executive Director Grundmann conveyed the Board’s views on the need for further amendments to the ADR procedures under the CAA. In the Act, discussed below.

Pre-Reform Act Procedures Under the CAA

As stated above, the CAA currently requires a 30-day period—some times referred to as a ‘‘cooling off period’’—before the employee can proceed. A party may file a request for review with the Board, and if the Board determines that it is necessary for the employee to pursue a complaint in a U.S. Court of Appeals, the Board may refer the complaint to the U.S. Court of Appeals for the District of Columbia Circuit. If, instead of filing a request for an administrative hearing, the employee files a civil suit in Federal district court, an appeal to the Federal Circuit is permissible under the rules of the appropriate U.S. Court of Appeals. As is discussed below, the Board has advocated in the legislative branch for several procedural changes now provided for in the Reform Act, which potentially shorten the case handling process without compromising its effectiveness in resolving disputes under the CAA.

Counseling and Mediation Changes

In testimony before the CHA, Executive Director Grundmann explained that counselors often provide covered employees with their first opportunity to discuss their workplace concerns and to learn about their statutory protections under the CAA. She conveyed the Board’s view that counseling need not remain mandatory under the CAA, the CAA should not be amended in such a manner as to eliminate the availability of an option for employees who seek confidential assistance from our office. Under the new procedures set forth in the CAA Reform Act, counseling will no longer be mandatory. Rather, the CAA Reform Act provides for the optional services of a confidential advisor—an attorney who can, among other things, provide information to covered employees, or refer to employees, on a confidential basis, their rights under the CAA. 2 U.S.C. § 1402(a)(3).

As with counseling, the Executive Director also conveyed to the CHA the Board’s view supporting the elimination of mediation as a mandatory jurisdictional prerequisite to asserting claims under the CAA. The Board nonetheless recommended that mediation be maintained as a valuable option available to those parties who mutually seek to settle their dispute. The OCWR’s experience over many years has been that a large percentage of controversies were successfully resolved without formal adversarial proceedings, due in large part to its mediation procedures. Mediation can often provide the parties an opportunity to explore some litigation, which can be expensive, time consuming, and a drain on resources and workplace productivity. Mediation also gives the parties an opportunity to resolve their dispute themselves without having a result imposed upon them. Furthermore, OCWR mediators are highly skilled professionals who have the sensitivity, expertise, and flexibility to customize the mediation process to meet the concerns of the parties. In short, the effectiveness of mediation as a tool to resolve disputes cannot be understated. Under the CAA Reform Act, mediation still remains available, but it is optional. Rather, the CAA Reform Act provides for the optional services of a confidential advisor—an attorney who can, among other things, provide information to covered employees, or refer to employees, on a confidential basis, their rights under the CAA. 2 U.S.C. § 1402(a)(3).

‘‘Cooling Off’’ Period

As stated above, the CAA presently requires an employee to wait 30 days after mediation ends to pursue a formal administrative complaint or a lawsuit in a U.S. District Court. In her testimony before the CHA, Executive Director Grundmann conveyed the Board’s recommendation that this period be eliminated from the statute. The Reform Act accordingly does so.

As the changes set forth in the Reform Act take effect, the Board will carefully monitor...
their effectiveness and advise Congress of its findings in this regard. In this Report, we also highlight key recommendations that the Board has made in past Section 102(b) Reports that have been implemented (see note 1.) We continue to believe that the adoption of these recommendations, discussed and promoted workplace in the legislative branch. The Board welcomes an opportunity to further discuss these recommendations and asks for careful consideration of the requests by the 116th Congress.

Sincerely,
BARBARA CHILDS WALLACE, Chair, Board of Directors.
BARBARA L. CAMENS.
ALAN V. FRIEDMAN.
ROBERTA L. HOLZWARTH.
SUSAN S. ROHFOGEL.

Recommendations for the 116th Congress
Apply the Wounded Warrior Federal Leave Act of 2015 to the Legislative Branch
(Public Law 114-75)

The Wounded Warrior Federal Leave Act, enacted in 2015, affords wounded warriors the flexibility to receive medical care and make the transition to serving the nation in a new capacity. Specifically, new federal employees who are also disabled veterans with a 30% or more disability receive 184 hours of “wounded warrior leave” during their first year in the federal workforce so that they may seek medical treatment for their service-connected injuries. Without a clear timeframe to take unpaid leave or forego their medical appointments. The Act was passed as a way to show gratitude and deep appreciation for the sacrifice and service of veterans and, in particular, wounded warriors, in service to the United States. Although some employees offloaded by the legislative branch after Wounded Warrior Federal Leave, the Board reiterates the recommendation made in its 2016 Section 102(b) Report to extend the benefits of that Act to the legislative branch with enforcement and implementation under the provisions of the CAA.

Approve the Board’s Pending Regulations
The CAA directs the OOWR to promulgate regulations implementing the CAA to keep Congress current and accountable to the workplace laws that apply to private and public employees. The Board intends to amend its regulations to achieve parity, unless there is good cause shown to deviate from the private sector or executive branch regulations. Consequently, when the FMLA was amended to add these additional rights and protections, it was clear whether Congress intended that these additional rights and protections apply to the legislative branch. To the extent that there may be an ambiguity regarding the applicability to the legislative branch of the 2008 and 2010 FMLA amendments, the Board makes clear through these regulations that the rights and protections for military servicemembers apply in the legislative branch, and that protections under the FMLA are required by section 102(b)(3) of the CAA. (see note 3)

Consequently, when the FMLA was amended to add these additional rights and protections, it was clear whether Congress intended that these additional rights and protections apply to the legislative branch. The Board, adopting regulations that are consistent with the FMLA, ADA titles II and III, and the Uniformed Services Employment and Reemployment Act (USERRA) in the legislative branch. The Board-adopted regulations ensure that same-sex spouses are recognized under the FMLA, in accordance with Supreme Court rulings, and further extend important protections for military caregivers and their families. The Board’s adopted ADA regulations will avoid costly construction and contracting errors that result when there is uncertainty or ambiguity regarding laws and requirements apply, and will improve access to Capitol Hill for visitors and employees with disabilities. The Board of Directors recommends that Congress approve the Board’s adopted USERRA regulations on December 3, 2008 and identified “good cause” to modify the executive branch regulations to implement more effective and fair rights and protections for veterans as applied to the Senate, the House of Representatives, and the other employing offices. These rules are necessary to fulfill the requirements set forth in USERRA to our nation’s veterans in the legislative branch.

Analysis of Pending FMLA Regulations:
On June 22, 2016, the Board of Directors adopted and transmitted to Congress for approval its regulations necessary for implementing the Wounded Warrior Leave Act. In accordance with the CAA, those regulations are the same as the substantive regulations adopted by the Secretary of Labor, 29 C.F.R. § 405.1, unless there is "good cause" to modify them. It was shown that a modification would be more effective in implementing FMLA rights under the CAA. We seek congressional approval of these substantial FMLA regulations. The FMLA regulations provide needed clarity on important aspects of the law, including essential requirements for certifying leave and "spouse" and other family members to include same-sex spouses as required by the Supreme Court precedent, and adding military caregiver leave. Adoption of these regulations will reduce uncertainty for both employing offices and employees and provide greater predictability in the congressional workplace. First, these FMLA regulations add the military leave provisions of the FMLA, enacted under the National Defense Authorization Acts (NDAA) for Fiscal Years 2008 and 2010 which extend the availability of FMLA leave to family members of the Regular Armed Forces for qualifying exigencies arising out of a service member's deployment. Second, those deployments covered under these provisions, extend FMLA military caregiver leave for family members of current service members, and military caregiver leave for family members of veterans who became eligible to receive military caregiver leave. Third, the FMLA regulations implement leave protections of significant importance to legislative branch employees and legislative branch members of the Armed Forces who have at this time served for a minimum of 20 years. To that extent, the Board’s FMLA regulations will assist service members and their families to remain in their careers during a time of military service and legislative work. In addition, the FMLA regulations will assist service members and their families in meeting their obligations to employer and the United States and to remain near their families during military service.

Analysis of Pending ADA Regulations:
Public access to Capitol Hill and constituent access to district and state offices has been a hallmark of many congresses. The Board recommends that Congress approve the Board’s adopted regulations implementing titles II and III of the ADA to Capitol Hill and the district offices. First, the Board’s ADA regulations implement the ADA in the legislative branch. The Board reiterates the recommendation made in its 2016 Section 102(b) Report to extend the availability of FMLA leave to family members of the Regular Armed Forces for qualifying exigencies arising out of a service member's deployment. In this way, Congress will remain a model for ADA compliance and public access. Under the authority of the landmark CAA, the OOC has made significant progress toward making Capitol Hill more accessible for persons with disabilities. Our efforts to improve access to the buildings and facilities on the campus are consistent with the prior recommendations in the Board’s regulations, which it adopted in February 2016. Congressional approval of these regulations would reaffirm its commitment to provide full access to the visiting public to the Capitol Hill complex.

Analysis of Pending USERRA Regulations:
On December 3, 2008, the Board of Directors adopted USERRA regulations to apply to the legislative branch. Those regulations, transmitted to Congress over 10 years ago, should be immediately approved. They support our nation’s veterans by requiring continuous health insurance for veterans on leave for military service and legislative work. First, the Board recommends that Congress approve the three sets of Board-adopted USERRA regulations which implement protections for initial hiring and protections for veterans in the civilian workforce. Second, the Board recommends that Congress approve the Board’s adopted regulations implementing the FMLA in light of the DOL's February 25, 2015 Final Rule on the definition of spouse. Third, the Board recommends that Congress approve the Board’s adopted regulations implementing the FMLA in light of the DOL’s February 25, 2015 Final Rule on the definition of spouse. These regulations will further help legislative branch
managers effectively implement the laws’ protections and benefits on behalf of the workforce.

**Prohibit Discharge of Employees Who Are or Have Been in Bankruptcy** (11 U.S.C. § 525).

Section 525(a) of title 11 of the U.S. Code provides that “a governmental unit” may not deny employment to, terminate the employment of, or refuse to deal with, a person because that person is or has been a debtor under the bankruptcy statute. This provision currently applies only to the legislative branch. Reiterating the recommendations made in the 1996, 1998, 2000 and 2006 Section 102(b) reports, the Board advises that the rights and protections against discharge based on bankruptcy should be applied to employing offices within the legislative branch.

**Provide Whistleblower Protections to the Legislative Branch**

Civil service law provides broad protection to whistleblowers in the executive branch to safeguard against reprisal for reporting violations of laws, rules, or regulations, gross mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. In the private sector, whistleblowers also are often protected by provisions of specific federal laws. However, these provisions do not apply to the legislative branch.

The OCWR has received a number of inquiries about the lack of whistleblower protections. The OCWR has long advocated for legislation granting the OCWR General Counsel the authority to investigate and prosecute complaints of discrimination, harassment and reprisal in order to assist victims and to improve the adjudicatory process under the CAA. As discussed in this Report, the Reform Act establishes new procedures that are also applicable whether these policy goals. Under these circumstances, the Board believes that the best course of action is to evaluate the efficacy of the new Reform Act procedures once they have been implemented before revisiting the issue of whether the OCWR General Counsel should be granted such investigatory and prosecutorial authority. Accordingly, this recommendation is not discussed further below.

Under clause 2 of rule XIV, executive branch employees may be subject to discharge under the OSHAct for violating the OSHA’s requirements. The Board recommends that the rights and protections against discharge on this basis should be applied to employing offices within the legislative branch.

The Board, in several Section 102(b) reports, has recommended and continues to recommend that federal background check procedures be followed to be benefitted by Federal firearm licensees may transfer a firearm to a person who is not such a licensee. (Rept. 116–14). Referred to the House Calendar.

**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:

Mrs. TORRES of California: Committee on Rules. House Resolution 141. Resolution providing for the consideration of the Concurrent Resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019 (Rept. 116–13). Referred to the House Calendar.

Mr. RASKIN: Committee on Rules. House Resolution 145. Resolution providing for consideration of the bill (H.R. 8) to require a background check for the purchase of a firearm, and providing for consideration of the bill (H.R. 1112) to amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee. (Rept. 116–14). Referred to the House Calendar.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

223. A letter from the Acting Architect, Architect of the Capitol, transmitted the semiannual report of disbursements for the operations of the Architect of the Capitol for the period of July 1, 2018, through December 31, 2018, pursuant to 2 U.S.C. § 102, jointly to the Committee on House Administration and ordered to be printed. (H.R. 115–963.)

224. A letter from the Executive Director, Office of Congressional Workplace Rights, transmitting biennial report on rec
cognition of the OSHA’s requirements to the Congressional Accountability Act, pursuant to section 102(b) of the Congressional Accountability Act of 1996 received February 25, 2019, pursuant to 2 U.S.C. § 190, jointly to the Committee on House Administration and Education and Labor.
H2100

CONGRESSIONAL RECORD—HOUSE
February 25, 2019

By Mr. TONKO (for himself and Mrs. BROOKS of Indiana):
H.R. 1328. A bill to establish the Office of Internet Connectivity and Growth, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TONKO (for himself and Mrs. BROOKS of Indiana):
H.R. 1329. A bill to amend title XIX of the Social Security Act to allow for medical assistance under Medicaid for inpatients during the 30-day period preceding release from a public institution; to the Committee on Energy and Commerce.

By Mr. RUCK:
H.R. 1302. 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 Natural Resources.

By Mrs. CRAIG (for herself and Mr. MAST):
H.R. 1331. A bill to amend the Federal Water Pollution Control Act to authorize certain programs related to nonpoint source management, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WESTERMAN:
H.R. 1332. A bill to address the high costs of health care services, prescription drugs, and health insurance coverage in the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and 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 Mr. BARRAGÁN:
H.R. 1333. A bill to amend the Mineral Leasing Act to create a buffer in between oil and gas drilling operations and homes, businesses, schools, and other buildings that require special protection, and for other purposes; to the Committee on Natural Resources.

By Ms. BARRAGÁN (for herself and Mr. TURNER):
H.R. 1334. A bill to provide grants for projects to acquire land and water for parks and other outdoor recreation purposes, and to develop new or renovate existing outdoor recreation facilities; to the Committee on Natural Resources.

By Mr. BARRAGÁN (for herself, Mr. PRICE of North Carolina, and Mr. CRIST):
H.R. 1335. A bill to provide that the production safety systems rule and the well control requirements, promote tax compliance, and reduce the burdening of the Internal Revenue Code of 1986 to simplify reporting requirements, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESJARLAIS (for himself, Mr. DAVID P. ROE of Tennessee, Mr. PHIL E. GUTHRIE of Missouri, Mr. TROY GREEN of South Carolina, Mr. B. JIMMIE BROWN of Mississippi, and Ms. WILD):
H.R. 1340. A bill to designate the Quindaro Townsite in Kansas City, Kansas, as a National Commemorative Site; to the Committee on Natural Resources.

By Ms. WASSERMAN SCHULTZ, Mr. TONKO, Ms. STRICKLAND, Mr. DEMETRIOU of Pennsylvania, Mr. MUKLE, Mr. WATKINS, and Mr. MURPHY:
H.R. 1341. A bill to designate the Mental Health Residential Rehabilitation Treatment Facility Expansion of the Department of Veterans Affairs Alvin C. York Medical Center in Murfreesboro, Tennessee, as the “Sergeant John Toombs Residential Rehabilitation Treatment Facility”; to the Committee on Veterans’ Affairs.

By Mrs. ENGEL (for herself and Mr. GUTHRIE):
H.R. 1342. A bill to reauthorize the Money Follows the Person Program; to the Committee on Energy and Commerce.

By Mrs. ENGEL (for herself and Mr. WATKINS):
H.R. 1343. A bill to amend title XIX of the Social Security Act to remove an institutional bias by making permanent the protection for recipients of home and community-based services against spousal impoverishment; to the Committee on Energy and Commerce.

By Mr. DOGGETT (for himself, Mr. BLUMENAUER, Mr. WATKINS, Mr. CARSWELL, Mrs. CHUCK, Mr. KRISHNAMOORTH, Ms. BUCK, Mr. CESNATT, Mr. CARSON of Indiana, Mr. THOMPSON of Mississippi, and Ms. WILD):
H.R. 1344. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS (for himself, Mr. MOORE, Mr. COLE, Mr. GUILALVA, Mr. JOHNSON of Texas, Mr. CARSON of Indiana, Mr. THOMPSON of Mississippi, and Ms. WILD):
H.R. 1345. A bill to amend titles XVI, XVIII, XIX, and XXI of the Social Security Act to remove limitations on Medicaid, Medicare, SSI, and CHIMP benefits for persons in custody pending disposition of charges; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS of New York (for himself, Mr. LARSON of Connecticut, Mr. COURTNEY, Mr. WEICH, Mr. AGUILAR, Ms. BONAMICI, Mr. BRIAN F. BOYLE of Pennsylvania, Mr. DRUTCH, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HECK, Mr. KRISHNAMOORTH, Mr. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LOWENTHAL, Mr. SIAN PATRICK MALONEY of New York, Mr. MEeks, Ms. NORTON, Mr. PENNELL, Mr. SCHIFF, Ms. TUTTS, Mr. TONKO, Ms. WASHERMAN SCHULTZ, Ms. WILD, and Mr. MCGOVEN):
H.R. 1346. A bill to amend title XVIII of the Social Security Act to provide for an option for individuals who are ages 60 to 64 to buy into Medicare, to provide for health insurance market stabilization, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. WITTMAN):
H.R. 1347. A bill to amend the Neotropical Migratory Bird Conservation Act to authorize the Act; to the Committee on Natural Resources.

By Mr. KRISHNAMOORTH (for himself, Ms. VELAZQUEZ, Mr. RUPPERSBERGER, Mr. CRIST, Ms. SPEIER, Mr. GARAMENDI, Mr. PRICE of North Carolina, Mr. NADLER, Ms. DELBENE, Mr. WECHT, Ms. MURPHY, Mr. BRYAN F. BOYLE of Pennsylvania, Mr. SOTO, Mr. BLUMENAUER, Mr. MOULTON, Mr. T. J. CARSON of Louisiana, Ms. SCHACHTER, Mr. HARRIS, and Ms. HASTINGS):
H.R. 1348. A bill to require the publication of the name of any person pardoned by the President, and for other purposes; to the Committee on the Judiciary.

By Mr. LAHOOD (for himself and Ms. DAVIS of Georgia):
H.R. 1349. A bill to amend the Internal Revenue Code of 1986 to simplify reporting requirements, promote tax compliance, and reduce the reporting and compliance burdens in the beauty service industry; to the Committee on Ways and Means.
By Ms. MOORE (for herself, Mr. VELA, Mr. GRIJALVA, Mr. KILMER, Ms. WILSON of Florida, Mr. JOHNSON of Georgia, Mr. MOOLOEANAR, Mr. PAYNE, Mr. REED of New York, Mr. KINZinger, Mr. JOHNSON of Texas, Mr. COHEN, Ms. NORTON, and Mrs. DINGELL):

H.R. 1340. A bill to encourage, enhance, and integrate plans throughout the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. O’HALLERAN (for himself, Ms. PILIPOLE, and Mr. YOUNG):

H.R. 1351. A bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to preventing, combating, and investigating crimes, and for other purposes; to the Committee on the Judiciary.

By Ms. PLASKETT (for herself and Mr. LUENBERGER):

H.R. 1352. A bill to provide for parity for Guam and the United States Virgin Islands under the Richard B. Russell National School Lunch Act and the Child Nutrition Act, and for other purposes; to the Committee on Education and Labor.

By Ms. PLASKETT (for herself, Miss GONZALEZ-COLON of Puerto Rico, Ms. NORTON, Mrs. RADWAGEN, and Mr. SAN NICOLAS):

H.R. 1353. A bill to amend title 54, United States Code, to apply the same apportionment formula to territories and the District of Columbia as is applied to States with respect to amounts made available for State purposes from the Land and Water Conservation Fund, and for other purposes; to the Committee on Natural Resources.

By Ms. PLASKETT (for herself, Miss GONZALEZ-COLON of Puerto Rico, Mrs. RADWAGEN, Mr. SAN NICOLAS, Mr. SERRANO, and Ms. VELAZQUEZ):

H.R. 1354. A bill to amend titles XVIII and XIX of the Social Security Act to make improvements to the treatment of the United States territories under the Medicare and Medicaid programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN (for himself, Mr. JOYCE of Ohio, Mr. ESPAILLAT, Mr. LOWENTHAL, Mr. HASTINGS, Mr. JOHN- son of Ohio, Mr. FASCHBULL, Mrs. ROCHON of New Hampshire, Mr. GRIJALVA, Mr. LAWSON of Florida, Ms. NORTON, Ms. JOHN- son of Texas, Mr. SCOTT of Virginia, Mr. CARSON of Indiana, Mr. KRISHNA MOORTHI, Mr. RASKIN, Mr. MEKES, Ms. FUDIE, Ms. JACKSON LEE, Ms. SCHAKOWSKY, Ms. SHEWELL of Alabama, Ms. OCASIO-CORTEZ, Mr. Corder, Mr. MEMPHT of Washington, Mr. THOMPSON of Mississippi, and Mr. RUSH):

H.R. 1355. A bill to posthumously award a Congressional Gold Medal to Simeon Booker in recognition of his achievements in the field of journalism, including his reporting during the Civil Rights movement and his social and political commentary; to the Committee on Financial Services, and in addi- tion to the Committee on House Adminis- tration, for a period to be subsequently de- termined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa:

H.J. Res. 49. A joint resolution proposing an amendment to the Constitution of the United States to provide that Representatives shall be apportioned among the several States according to their respective popu-

H.R. 1356. H.Res. 183. A resolution electing the Clerk of the House of Representatives; considered and agreed to.

By Mr. DAVID SCOTT of Georgia (for himself, Mr. MARSHALL, Mr. GALLEGO, Mr. HURD of Texas, Mr. CONNOLLY, Ms. STEFANIK, Mr. ENGLI, Mr. MCKINLEY, Mr. GRIJALVA, Mr. GALLAGHER, Mr. PETERS, Mr. LAM- BOR, Mr. FOSTER, Mr. FITZPATRICK, Ms. LOFFOREN, Miss GONZALEZ-COLON of Puerto Rico, Mr. BROWN of Mary- land, Mr. PETERSON, Ms. MOORE, Ms. NORTON, Mr. TED LIEU of California, Ms. BROWNLEY of California, Mr. POCAN, Mr. KRISHNA MOORTHI, Mr. RASKIN, Mr. LEWIS, Ms. WASSERMAN SCHULTZ, Ms. JACKSON LEE, Ms. SPEE- ger, Ms. CLARKE of New York, Mr. SUGOZI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. EVANS, Mr. JOHN- son of Georgia, Ms. KELLY of Illinois, Ms. SCHAKOWSKY, Ms. PINGREE, Mr. VAN DREW, Ms. KUSTER of New Hamp- shire, Ms. OCASIO-CORTEZ, Mr. THOMPSON of Mississippi, Mr. CINSEHERS, Mrs. WATSON COLEMAN, Mrs. DAVIS of California, Mrs. MCBARTY, Mr. HIPFENKI, Mr. MOULTON, Mr. SCHIFF, Mr. COHEN, Mr. PAYNE, Mr. RYAN, Mr. YARMUTH, Mr. HUFFMAN, Mr. SEAN PATRICK MALO- NEY of New York, Mr. McCovein, and Mrs. BEATTY):

H. Res. 146. A resolution recognizing the seriousness of polycystic ovary syndrome (PCOS) and expressing support for the designation of March 3, 2019, as World Polycystic Ovary Syndrome (PCOS) Day.

By Mr. THOMPSON of California (for himself and Mr. MCKINLEY):

H. Res. 147. A resolution expressing support for the designation of March 3, 2019, as World Heart Day; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa- tives, the following statements are sub- mitted regarding the specific powers granted to Congress in the Constitu- tion to enact the accompanying bill or joint resolution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1327. Congress has the power to enact this legislation pursuant to the following:

By Mr. TONKO:

H. Res. 1328. Congress has the power to enact this legislation pursuant to the following:

By Mr. BUCK:

H.R. 1330. Congress has the power to enact this legislation pursuant to the following:

By Mr. DESJARLAIS:

H.R. 1331. Congress has the power to enact this legislation pursuant to the following:

By Ms. BARRAGÁN:

H.R. 1332. Congress has the power to enact this legislation pursuant to the following:

By Mr. WESTERMAN:

H.R. 1333. Congress has the power to enact this legislation pursuant to the following:

By Ms. BARRAGÁN:

H.R. 1334. Congress has the power to enact this legislation pursuant to the following:

By Mr. RYAN:

H.R. 1335. Congress has the power to enact this legislation pursuant to the following:

By Ms. BARRAGÁN:

H.R. 1336. Congress has the power to enact this legislation pursuant to the following:

By Ms. BARRAGÁN:

H.R. 1337. Congress has the power to enact this legislation pursuant to the following:

By Mr. HUMMENAUSER:

H.R. 1338. Congress has the power to enact this legislation pursuant to the following:

By Ms. BARRAGÁN:

H.R. 1339. Congress has the power to enact this legislation pursuant to the following:

By Mr. DES-JARLAIS:

H.R. 1340. Congress has the power to enact this legislation pursuant to the following:

By Ms. BARRAGÁN:

H.R. 1341. Congress has the power to enact this legislation pursuant to the following:

By Ms. BARRAGÁN:

H.R. 1342. Congress has the power to enact this legislation pursuant to the following:

By Mr. BUCK:

H.R. 1330. 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.

By Mr. DOGGETT:
H.R. 1344.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HASTINGS:
H.R. 1359.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

By Mr. HIGGINS of New York:
H.R. 1366.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

By Mr. KIND:
H.R. 1387.
Congress has the power to enact this legislation pursuant to the following:

By Mr. HARRIS of California, Mr. MCGRORY, Mr. RUSH, Ms. ROYBAL-ALLARD, Mrs. MOORE, Ms. JUDY CHU of California, Mr. McGovern, Mr. Rush, Ms. McCollum, Ms. Velázquez, Ms. Moore, Mr. Casten of Illinois, Mr. McNerney, Mr. Himes, Mrs.Carolyn B. Maloney of New York, Mr. Huffman, Mr. Lujan, Ms. Sherrill, and Ms. Schakowsky.
H.R. 136:
Ms. Sewell of Alabama and Ms. Trahan.
H.R. 73:
Mr. Gosar.
H.R. 132:
Mr. Carter of Texas.
H.R. 141:
Mr. Miller, Ms. Clark of Massachusetts, and Mr. Huffman.
H.R. 155:
Mr. Thompson of Pennsylvania.
H.R. 180:
Mr. Richmond and Mr. Cohen.
H.R. 197:
Ms. Luster and Ms. Lynch.
H.R. 203:
Mr. Duncan, Mrs. Rodgers of Washington, and Mr. Watkins.
H.R. 211:
Mr. Gottheimer.
H.R. 276:
Mr. DelBene, Mr. Horsford, Mr. Cicilline, and Mr. Taylor.
H.R. 281:
Mr. Cicilline.
H.R. 291:
Mrs. Luria, Mr. Van Drew, Mr. Case, Ms. Velázquez, and Mr. Pemex.
H.R. 299:
Mr. Himes, Ms. Underwood, Mr. Walberg, Mr. Lujan, Mr. Carson of Indiana, Ms. McCaskill-Powell, Mr. Gonzalez of Ohio, Mr. Amash, Mr. Rice of South Carolina, Mr. Bishop of Utah, Mr. Norman, Ms. Kendra S. Horn of Oklahoma, Mr. Raskin, Mr. Doggett, Mr. Schiff, Mr. LaMalfa, Mr. Levin of Michigan, Mr. Ruiz, Mr. Walberg, and Mr. Norcross.
H.R. 310:
Mr. Vargas.
H.R. 330:
Ms. Houlahan and Mr. Carbajal.
H.R. 369:
Mr. Kildee, Mr. Thompson of Louisiana, Mr. Lieu, Mr. Carbajal, and Mr. Vargas.
H.R. 372:
Mr. Huffman.
H.R. 384:
Mr. Norman.
H.R. 385:
Mr. Noren.
H.R. 393:
Mr. Babin.
H.R. 425:
Mr. Babin, Mr. Marshall, Ms. Sherrill, Mr. Waltz, and Mr. Banks.
H.R. 435:
Mr. Abraham, Ms. Watson Coleman, Ms. Omar, Ms. Clarke of New York, Mr. Serrano, Ms. Demings, Ms. Wasserman Schultz, Mr. Raskin, and Mr. Cohen.
H.R. 461:
Mr. Brooks of Alabama.
H.R. 465:
Ms. Sewell of Alabama.
H.R. 501:
Mr. Taylor.
H.R. 510:
Mr. Newhouse.
H.R. 530:
Mr. Thompson of California and Ms. Pingree.
H.R. 539:
Mr. Gonzalez of Ohio.
H.R. 540:
Ms. Sanchez.
H.R. 541:
Mr. listings.
H.R. 553:
Mr. Cohen, Ms. Granger, Mr. Meadows, and Mr. Malinowski.
H.R. 555:
Mr. Keating, Mr. Cohen, Mr. Johnson of Georgia, Mr. Lamb, and Mr. Escobar.
H.R. 569:
Mr. Casten of Illinois, Ms. Haaland, Mr. Larsen of Washington, Ms. Pressley, and Ms. Underwood.
H.R. 583:
Mrs. Carolyn B. Maloney of New York, Ms. Velázquez, Mr. King of New York, Mr. Flores, and Mrs. Brooks of Indiana.
H.R. 587:
Mr. Pingree, Mr. Espaillat, Mr. Emmer, and Mr. Thompson of Pennsylvania.
H.R. 597:
Mr. Rose of New York.
H.R. 601:
Ms. Pingree.
H.R. 603:
Mr. Johnson of Louisiana.
H.R. 611:
Mr. Ratcliffe, Mr. Brooks of Alabama, Mr. Palazzo, Mr. Luetkemeyer, Mr. Williams, and Mr. Carter of Georgia.
H.R. 613:
Mr. Fortenberry, Mr. King of Iowa, Mr. Petersen, and Ms. Cheney.
H.R. 616:
Mr. Guinta.
H.R. 643:
Mr. DeSaulnier.
H.R. 647:
Mr. Langevin, Mr. Hudson, Mr. Ruppersberger, Mr. Quigley, and Mr. Marshall.
H.R. 649:
Mr. Doggett and Ms. Haaland.
H.R. 652:
Mr. Thompson of Mississippi and Mr. Harder of California.
H.R. 656:
Mr. DelBene.
H.R. 661:
Ms. Lesko.
H.R. 666:
Ms. Plaskett.

H.R. 686:
Ms. Lofgren and Ms. Castor of Florida.
H.R. 669:
Mr. DeSaulnier and Ms. Haaland.
H.R. 677:
Mr. Raskin.
H.R. 678:
Ms. Hill of California and Mr. Vela.
H.R. 679:
Mr. Katko.
H.R. 688:
Miss Rice of New York.
H.R. 693:
Mr. Kim, Mr. Vargas, Mr. Casten of Illinois, Mr. Lujan, Mr. Hill of Arkansas, Mr. Roybal-Allard, Mr. Rouda, and Ms. Haaland.
H.R. 714:
Mr. Buchanan.
H.R. 724:
Mr. Allred, Mr. Lamb, Mr. Richmond, Ms. Moore, Mr. Osasio-Cortez, Ms. Haaland, and Mr. Rouda.
H.R. 728:
Mr. Higgins of New York, Mr. Lamborn, Mr. Kilmer, and Ms. McCollum.
H.R. 741:
Mr. Wittman.
H.R. 759:
Mr. Cardenas and Mr. Crenshaw.
H.R. 768:
Mr. Brooks of Alabama.
H.R. 770:
Mr. Thompson of California.
H.R. 804:
Mr. Pocan.
H.R. 806:
Ms. McCollum.
H.R. 808:
Ms. Pingree, Mrs. Rodgers of Washington, and Mr. Garcia of Illinois.
H.R. 824:
Mr. Sarbanes, Mr. McGovern, and Mr. Garcia of Illinois.
H.R. 830:
Mr. Arraski.
H.R. 833:
Mr. Rooney of Florida.
H.R. 850:
Mr. Baird and Mr. Jordan.
H.R. 864:
Miss Gonzalez-Colón of Puerto Rico, Mr. Vargas, Mr. Crist, and Ms. Radewagen.
H.R. 871:
Mr. McEachin, Mr. Michael F. Doyle of Pennsylvania, Mrs. Lawrence, Mr. Desaulnier, Mr. Escobar, Ms. Dingell, Mr. Peters, Ms. Clarke of New York, Mr. Engel, Mr. Cohen, Ms. Hill of California, Mr. Lujan, Mr. Brown of Maryland, Mrs. Case, Mr. Langevin of Georgia, Ms. Norton, Mr. Rush, Mr. Raskin, Miss Rice of New York, Mr. Price of North Carolina, Mr. Levin of Michigan, Ms. Kuster of New Hampshire, Mr. Larsen of Washington, Ms. Trahan, Mr. Van Drew, and Mr. Clay.
H.R. 872:
Ms. Dean, Ms. Krishnamoorthi, Ms. Ocasio-Cortez, and Ms. Haaland.
H.R. 877:
Mr. Mitchell, Ms. Cheney, and Mr. Cole.
H.R. 886:
Mr. Kim and Ms. Westcott.
H.R. 888:
Mr. Gallagher.
H.R. 890:
Mr. Brooks of Alabama.
H.R. 891:
Mr. Adholt.
H.R. 897:
Mr. Smucker, Mr. Long, and Ms. Estes.
H.R. 900:
Miss Rice of New York and Mr. Higgins of New York.
H.R. 915:
Mr. Haaland.
H.R. 921:
Ms. Lofgren, Ms. Gabbard, Mr. DeSaulnier, Mr. Kildee, Mr. Thompson of California, and Ms. Schakowsky.
H.R. 925:
Mr. Cook, Mr. Graves of Louisiana, Mr. Johnson of Louisiana, Mr. Kildee, and Mr. Marshall.
H.R. 935:
Mr. Thompson of Mississippi.
H.R. 945:
Mr. Pingree, Mr. Lowenthal, and Ms. Clarke of New York.
H.R. 949:
Mr. Conaway, Mr. Brooks of Alabama, Mr. Womack, Ms. Lesko, and Mr. Estes.
H.R. 956:
Mr. Babin.
H.R. 961:
Mr. Pocan, Ms. Pingree, Mr. Cooper, Ms. Meng, Mr. Cartwright, Mr. Hill of Arkansas, Mr. Welch, Mr. Lowenthal, Mr. Foster, and Mr. Smith of Washington.
H.R. 962:
Mr. Posey and Mr. Palmer.
H.R. 978:
Mr. Broun, Ms. Judy Chu of California, Mr. Meeks, Ms. Meng, Mr. Roufa, Mr. Casten of Illinois, and Mr. Espaillat.
H.R. 996:
Ms. Norton.
H.R. 1002:
Mr. Ruppersberger, Ms. Wild, Mr. Vargas, Mr. Casten of Illinois, Mr. Espaillat, Mr. Kildeer, Ms. Axne, Mr. Krishnamoorthi, Mr. Hiriko, Mr. Rouda, Mr. Reschenthaler, Ms. Bonamici, and Mr. Cicilline.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

By Mr. King of Iowa:
H.J. Res. 49.
Congress has the power to enact this legislation pursuant to the following:
Article V of the Constitution.
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. DEFAZIO

The provisions that warranted a referral to the Committee on Transportation and Infrastructure in H.J. Res. 46 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.
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.

Our Father in Heaven, we honor Your Name. Strengthen our lawmakers so that they will not become weary in doing what is right. Continue to use them to accomplish Your purposes on Earth. Give them the wisdom to help lift burdens and to bring hope to those on life’s margins.

Lord, renew the strength of our Senators, inspiring them to bring light to darkness and hope to despair. Lengthen their vision that they may see beyond today and make decisions that will have an impact for eternity.

And Lord, today, we remember the life and legacy of our first President, George Washington.

We pray in Your sacred 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.

**RESERVATION OF LEADER TIME**
The PRESIDING OFFICER (Mr. HAWLEY). Under the previous order, the leadership time is reserved.

**CONCLUSION OF MORNING BUSINESS**
The PRESIDING OFFICER. Morning business is closed.

**READING OF WASHINGTON’S FAREWELL ADDRESS**
The PRESIDING OFFICER. Pursuant to the order of the Senate of January 24, 1901, as amended by the order of February 6, 2019, the Senator from Nebraska, Mrs. FISCHER, will now read Washington’s Farewell Address.

Mrs. FISCHER, at the rostrum, read the Farewell Address, as follows:

To the people of the United States:

**FRIENDS AND FELLOW-CITIZENS:** The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary. I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and
persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that, under circumstances with the passions and complexes in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has characterized the spirit of innovation, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its benediction; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacred; that the spirit of complacency in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a provision for the interest of public and private security; that the blessings of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a nation. Independence and liberty you possess by the adoption of establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is said, that a union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object of your patriotic desire; but whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local
interests and views. One of the expedi-
teans under whatever plausible char-
acters the real design to direct, 
control, counteract, or awe the regular 
and action of the con-
stituted authorities, are destructive of 
this fundamental principle and of fatal 
consequences in the establishment of fac-
tion; to give it an artificial and ex-
traordinary force; to put in the place of 
the delegated will of the nation the 
will of a party, often a small but artful 
and enterprising minority of the com-

people, is sacredly obligatory upon all. 
ment. But the Constitution which at 
alter their constitutions of govern-
ment better calculated than your 
proved upon your first essay by the 
firming their prosperity. Will it not be 
their own choice 
common concerns. This government,
ment, with powers properly dis-
estension, which in different ages and 
the offspring of our own choice 
mental blooming 
the efficacious management of your 
or known to them. They have been 
the negotiation by the executive— 
and in the unanimous ratification by 
the Senate—of the treaty with Spain, 
and in the universal satisfaction at 
that event throughout the United 
States, a decisive proof how unfounded 
were the suspicions propagated among 
them of a policy in the general govern-
ment and in the Atlantic states un-
friendly to their interests in regard to 
the redress of their grievances. 
The Constitution, that with Great Britain and that with 
Spain, which secure to them every-
thing they could desire, in respect to our 
foreign relations towards 
firming their authority. Will it not be 
will to this demand 
but answer popular ends, they are likely, in the 
course of time and things, to be-
come powerful, which cunning, ambitious, and unprincipled men will 
be enabled to subvert the power of 
the people and to usurp for themselves the 
reins of government, destroying after-
wards the very engines which have lift-
ed them to last dominion.

Towards the preservation of your 
government and the permanency of 
your present happy state, it is re-
quisite not only that you steady dis-
countenance irregular oppositions to 
its acknowledged authority but also 
that you resist with care the spirit of 
invention upon its principles, however 
specious the pretexts. One method 
of assault may be to effect in the forms of the 
Constitution alterations which will 
impair the energy of the system and 
thus to undermine what cannot be di-
rectly overthrown. In all the changes 
to which you may be invited, remem-
ber that time and habit are at least as 
necessary to fix the true character of 
governments as of other human insti-
tutions. There is a sure and standard 
by which to test the real 
tendency of the existing constitution 
of a country, that facility in changes 
upon the credit of mere hypotheses and 
opinion exposes to perpetual change 
from the endless variety of hypotheses 
and opinion; and remember, especially, 
that for the efficient management of 
your common interests in a country so 
extensive as ours, a government of as 
much vigor as is consistent with the 
perfect purity and indepen-
dence; liberty itself will find in such a 
government, with powers properly dis-
tributed and adjusted, its surest guard-
ian. It is indeed less than a name, 
where the government is too feeble to 
withstand the enterprises of faction, to 
confine each member of the society 
within the limits prescribed by the 
laws, and to maintain all in the secure 
and tranquil enjoyment of the rights of 
person and property.

I have already alluded to you the 
dangerous combinations in the state, with 
particular reference to the founding of 
them on geographical discriminations. 
Let me now take a more comprehen-
sive view and warn you in the most sol-
lemn manner against the baneful effects 
of the spirit of party, generally.

This spirit, unfortunately, is insepa-
relinquishing from our nature, having its root 
in the strongest passions of the human 
spirit. It exists and does shapes 
in all governments, more or less sti-

ced, controlled, or repressed; but in those 
of the popular form it is seen in 
greatest rankness and is truly their 
worst enemy.

The alternate domination of one fac-
tion over another, sharpened by the 
spirit of revenge natural to party dis-
sension, which in different ages and 
countries has perpetrated the most 
horrid enormities, is itself a frightful 
despotism. But this leads at length to a 
more formal and permanent despotism. 
The disorders and miseries which re-

cuss and its principles, however 

specious the pretexts. One method 
of assault may be to effect in the forms of the 
Constitution alterations which will 
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thus to undermine what cannot be di-
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worst enemy.

The alternate domination of one fac-
tion over another, sharpened by the 
spirit of revenge natural to party dis-
sension, which in different ages and 
countries has perpetrated the most 
horrid enormities, is itself a frightful 
despotism. But this leads at length to a 
more formal and permanent despotism. 
The disorders and miseries which re-

cuss and its principles, however 

specious the pretexts. One method 
of assault may be to effect in the forms of the 
Constitution alterations which will 
impair the energy of the system and 
thus to undermine what cannot be di-
rectly overthrown. In all the changes 
to which you may be invited, remem-
ner that time and habit are at least as 
necessary to fix the true character of 
governments as of other human insti-
tutions. There is a sure and standard 
by which to test the real 
tendency of the existing constitution 
of a country, that facility in changes 
upon the credit of mere hypotheses and 
opinion exposes to perpetual change 
from the endless variety of hypotheses 
and opinion; and remember, especially, 
that for the efficient management of 
your common interests in a country so 
extensive as ours, a government of as 
much vigor as is consistent with the 
perfect purity and indepen-
dence; liberty itself will find in such a 
government, with powers properly dis-
tributed and adjusted, its surest guard-
ian. It is indeed less than a name, 
where the government is too feeble to 
withstand the enterprises of faction, to 
confine each member of the society 
within the limits prescribed by the 
laws, and to maintain all in the secure 
and tranquil enjoyment of the rights of 
person and property.

I have already alluded to you the 
dangerous combinations in the state, with 
particular reference to the founding of 
them on geographical discriminations. 
Let me now take a more comprehen-
sive view and warn you in the most sol-
lemn manner against the baneful effects 
of the spirit of party, generally.
exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A judgment of principle, which denies to a department the right to execute the functions of another, destroys the independence of the first, and subverts the foundation of the second. A man, divided against himself, cannot stand. He who would make his dog do the work of a horse will find that the dog is no obliging servant.

The great object, then, to be contended for, is, to prevent these bodies from encroaching on each other’s powers, reserving each, as a perfect guardian of the public welfare, power to second the operations of the other in the most necessary emergency. It is not to be expected, or to be desired, that they should ever be at perfect agreement; for there is an inevitable competition between the two parties. A proper jealousy, therefore, must guard against improper suspicions, and watch the inconstant disposition of the mind. The character of mankind is such, that we must be always prepared for the worst; and as far as possible, we must make provision against the accident, when the worst happens. If this precaution be neglected, we shall be totally unprepared for the contingency; and as the consequences of such a contingency may be extremely fatal, it is necessary to provide for it, as far as the nature of human affairs will admit.

The essence of true patriotism is to cherish the honor of our country, and to be zealous for its welfare. It is the duty of every man to support and defend the constitution of his country, and to be willing to sacrifice his own interest for the interest of his country. This is the true spirit of patriotism, and it is the only manner in which a man can真正做到有利于国家。
The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us start.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore she must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance. In the meantime, we have the firmest confidence in the善意 of mankind; the basis of our policy will be founded in moral consideration and in justice. We ought to remember when we make war, as our interest guided by justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am sensible of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I am the more sensible of them as being reproached with ingratitude for not giving. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discount.

In offering to you, my countrymen, these counsels of an old and affec-
tionate friend, I dare not hope that they will make the strong and lasting impression I could wish—that they will prevent the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties have I been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempt to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case—case was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLOODING IN KENTUCKY

The PRESIDING OFFICER. The majority leader is recognized.

Mr. McCONNELL. Mr. President, first, today I would like to turn attention to the severe weather that is afflicting communities throughout my home State.

Nearly 20 counties from one end of the State to the other have declared states of emergency in response to historically high water levels. Just moments ago, Governor Matt Bevin put
the entire Commonwealth under a state of emergency to mobilize resources where they are needed most. Many families are evacuating toward the clock to keep their communities safe. First responders working around the clock to keep their communities safe. Bridges are flooded, and medical personnel have been deployed to rescue stranded drivers and others in danger. I want to express my gratitude to the first responders working around the clock to keep their communities safe. It may be a difficult road to recovery, but Kentuckians are already pitching in to help their neighbors in need. My staff and I are ready to work with emergency management officials and will continue to monitor the situation closely.

BUSINESS BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, on an entirely different matter, this week the Senate will resume our work in the personnel business by considering yet another of President Trump’s qualified judicial nominees.

Eric Miller has been chosen to sit on the Ninth Circuit Court of Appeals, and one look at his legal career to this point says he is well prepared to do so. Mr. Miller is a graduate of Harvard and the University of Chicago, where he served on the Law Review editorial staff. He has held prominent clerkships on both the DC Circuit Court of Appeals and the U.S. Supreme Court. His record of public service at the Justice Department and in private practice reflects a legal mind of the highest caliber.

I hope each of my colleagues will join me in voting to advance the first circuit court nominee of this new Congress. That will be 31 since President Trump took office. But first, in just a few hours, the Senate will vote on advancing a straightforward piece of legislation to protect newborn babies’ right to life.

My colleagues across the aisle need to decide where they will take their cues on these moral questions. On the one hand, there are a few extreme voices who have decided that some newborn lives are more disposable than others. On the other side is the entire rest of the country.

I would urge my colleagues: Let’s listen to the voices of the American people. Let’s reaffirm that when we say every life is created equal, we actually mean it. Let’s vote to advance the Born-Alive Abortion Survivors Protection Act later today.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll. The bill clerk proceeded to call the roll. Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the previous be suspended. The PRESIDING OFFICER (Ms. Ernst). Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

DECLARATION OF NATIONAL EMERGENCY

Mr. SCHUMER. Madam President, before Congress went out of session 2 weeks ago, President Trump announced that he was declaring a national emergency to redirect funds to the construction of a border wall. It was a lawless act, a gross abuse of power, and an attempt by the President to distract from the fact that he broke his core promise to have Mexico pay for the wall.

Let me give a few reasons why the President’s emergency is so wrong.

First, there is no evidence of an emergency at the border. Illegal border crossings have been declining for 20 years. Just this morning, a group of 58 former senior national security figures, including Chuck Hagel and Madeleine Albright, released a joint statement saying: ‘‘‘Unlawful and Plausible Assessment of the evidence is there a national emergency today that entitles the President to tap into funds appropriated for other purposes to build a wall at the southern border.’’ I ask unanimous consent that the full statement be printed in the RECORD.

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

J OINT DECLARATION OF FORMER UNITED STATES GOVERNMENT OFFICIALS

We, the undersigned, declare as follows:

1. We are former officials in the U.S. government who have worked on national security and homeland security issues from the White House as well as agencies across the Executive Branch.

2. We serve in leadership roles in administrations of both major political parties, and collectively we have devoted a great many decades to protecting the security of the United States. We have held the highest security clearances, and we have participated in the highest levels of policy deliberations on a broad range of issues. These include: immigration, border security, counterterrorism, military operations, and our nation’s relationship with other countries, including that of our closest ally.

a. Madeleine K. Albright served as Secretary of State from 1997 to 2001. A refugee and naturalized American citizen, she served as Permanent Representative to the United Nations from 1993 to 1997. She has also been a member of the Central Intelligence Agency External Advisory Board since 2009 and of the Defense Policy Board since 2011, in which capacities she has received assessments of threats facing the United States.

b. Antony Blinken served as Deputy Secretary of State from 2015 to 2017. He previously served as Assistant Secretary of State for Near Eastern Affairs from 2005 to 2007, and as Assistant Secretary of State for Near Eastern Affairs from 2001 to 2005. He previously served as Advisor to the U.S. Department of State from 2009 to 2012.

c. John F. Brennan served as Director of the Central Intelligence Agency from 2013 to 2017. He previously served as Deputy National Security Advisor to the President from 2009 to 2013.

d. John R. Bolton served as National Security Advisor to the President from 2018 to 2019.

e. John F. Brennan served as Director of the Central Intelligence Agency from 2013 to 2017. He previously served as Deputy National Security Advisor to the President from 2009 to 2013.

f. John O. Brennan served as Director of the National Counterterrorism Center from 2010 to 2013. He previously served as Acting Director of the Central Intelligence Agency from 2009 to 2010.

1. Madeleine K. Albright served as Secretary of State from 1997 to 2001. She previously served as Under Secretary of State for Political Affairs from 2001 to 2005.

g. Nicholas Burns served as Ambassador-at-Large for Counterterrorism at the U.S. Department of State from 2009 to 2012.

h. William J. Burns served as Deputy Secretary of State from 2015 to 2017. He previously served as Under Secretary of State for Political Affairs from 2008 to 2011, as U.S. Ambassador to Russia from 2005 to 2008, as Assistant Secretary of State for Near Eastern Affairs from 2001 to 2005, and as U.S. Ambassador to Jordan from 1998 to 2001.
Western Hemisphere Affairs at the National Security Council from 2009 to 2012.

uu. Susan E. Rice served as U.S. Permanent Representative to the United Nations from 2013 to 2017 and as National Security Advisor to the President from 2013 to 2017.

vv. Anne C. Richard served as Assistant Secretary of State for Population, Refugees, and Migration from 2009 to 2011. From 1993 to 2001, he was responsible for refugee and humanitarian issues at the National Security Council, ultimately serving as Special Assistant to the President for National Security Affairs and Senior Director for Multilateral and Humanitarian Affairs.

xx. Andrew J. Shapiro served as Assistant Secretary of State for Political-Military Affairs from 2009 to 2013.

yy. Wendy R. Sherman served as Under Secretary of State for Political Affairs from 2011 to 2013.

zz. Vikram Singh served as Deputy Special Representative for Afghanistan and Pakistan from 2010 to 2011 and as Deputy Assistant Secretary of Defense for Southeast Asia from 2012 to 2014.

aaa. Dana Shell Smith served as U.S. Ambassador to Qatar from 2015 to 2017. Previously, she served as Principal Deputy Assistant Secretary of Public Affairs.

bbb. Jeffrey H. Smith served as General Counsel of the Central Intelligence Agency from 1995 to 1996. He previously served as General Counsel of the Senate Armed Services Committee.

ccc. Jake Sullivan served as National Security Advisor to the Vice President from 2013 to 2014. He previously served as Director of Policy Planning at the U.S. Department of State from 2011 to 2013.

ddd. Strobe Talbott served as Deputy Secretary of State from 1994 to 2001.

eee. Linda Thomas-Greenfield served as Assistant Secretary for African Affairs from 2001 to 2002.

fff. Arturo A. Valenzuela served as Assistant Secretary of State for Western Hemisphere Affairs from 2009 to 2011. He previously served as Special Assistant to the President and Senior Director for Inter-American Affairs from 2009 to 2013, as Assistant to the President from 2009 to 2011, as Acting Director in 2013, and as Acting Director of the National Security Council from 1999 to 2000.

ggg. Samantha J. Power served as U.S. Permanent Representative to the United Nations from 2013 to 2017. From 2009 to 2013, she served as Senior Director for Multilateral and Human Rights at the National Security Council.

h. Jeffrey Prescott served as Deputy National Security Advisor to the Vice President from 2013 to 2014. He previously served as Assistant to the President and Senior Director for Iraq, Syria, and the Gulf States from 2015 to 2017.

i. Nicholas Rasmussen served as Director of the National Counterterrorism Center from 2014 to 2017.

j. Alan J. Petersen served as Vice Chair of the Privacy and Civil Liberties Oversight Board from 2006 to 2008. He previously served as General Counsel of the U.S. Department of Agriculture from 1990 to 1995. He previously served as General Counsel of the Office of Management and Budget in the Executive Office of the President from 1988 to 1989, and Associate Counsel to the President from 1988 to 1989.

k. Dan Restrepo served as Special Assistant to the President and Senior Director for Western Hemisphere Affairs at the National Security Council from 2009 to 2012.


m. James Clapper served as U.S. Director of National Intelligence from 2010 to 2017.

n. David S. Cohen served as Under Secretary of the Treasury for Terrorism and Financial Intelligence from 2011 to 2015 and as Deputy Director of the Central Intelligence Agency from 2015 to 2017.


p. Avril D. Haines served as Deputy National Security Advisor to the President from 2013 to 2017.

q. Prem Kumar served as Senior Director for Western and Northern Europe and Africa at the National Security Council from 2013 to 2015.

r. John E. McLaughlin served as Deputy Director of the Central Intelligence Agency from 2004 to 2007, to Director of the National Counterterrorism Center from 2007 to 2012, and to Deputy National Security Advisor from 2012 to 2013.

s. Lisa O. Monaco served as Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor from 2013 to 2017. Previously, she served as Assistant Attorney General for National Security from 2011 to 2013.

升华 a. Heather A. Higginbottom served as Deputy Secretary of State for Management and Resources from 2014 to 2016.

b. Roberta Jacobson served as U.S. Ambassador to Mexico from 2016 to 2018. She previously served as Assistant Secretary of State for Western Hemisphere Affairs from 2011 to 2016.

c. Gil Kerlikowske served as Commissioner of Customs and Border Protection from 2014 to 2017. He previously served as Director of the Office of National Drug Control Policy from 2009 to 2014.

d. John F. Kerry served as Assistant Secretary of State from 2013 to 2017.

e. Prem Kumar served as Senior Director for Pakistan and Afghanistan at the National Security Council from 2009 to 2013.

f. John E. McLaughlin served as Deputy Director of the Central Intelligence Agency in 2004. His duties included briefing President-elect Bill Clinton and President George W. Bush.

g. Lisa O. Monaco served as Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor from 2013 to 2017. Previously, she served as Assistant Attorney General for National Security from 2011 to 2013.

h. Janet Napolitano served as Secretary of Homeland Security from 2009 to 2013. She served as the Governor of Arizona from 2003 to 2009.


j. James C. O’Brien served as Assistant Deputy Director of Policy Planning and as Special Presidential Envoy for Hostage Affairs from 2015 to 2017. He served in the U.S. Department of State from 1991 to 2013, including as Principal Deputy Director of Policy Planning and as Special Presidential Envoy for the Balkans.

k. Matthew G. Olsen served as Director of the National Counterterrorism Center from 2011 to 2014.

l. Leon E. Panetta served as Secretary of Defense from 2011 to 2013. From 2009 to 2011, he served as Director of the Central Intelligence Agency.

m. Anne W. Patterson served as Assistant Secretary of State for Near Eastern Affairs from 2015 to 2017. Previously, she served as U.S. Ambassador to Egypt from 2011 to 2013, as the U.S. Ambassador to the United Arab Emirates from 2009 to 2011, and as the U.S. Ambassador to the United Kingdom from 2005 to 2009.


o. Amy Pope served as Deputy Homeland Security Advisor and Deputy Assistant to the President from 2015 to 2017.

p. Samantha J. Power served as U.S. Permanent Representative to the United Nations from 2013 to 2017. From 2009 to 2013, she served as Senior Director for Multilateral and Human Rights at the National Security Council.

q. Jeffrey Prescott served as Deputy National Security Advisor to the Vice President from 2013 to 2014. He previously served as Assistant to the President and Senior Director for Iraq, Syria, and the Gulf States from 2015 to 2017.

r. Nicholas Rasmussen served as Director of the National Counterterrorism Center from 2014 to 2017.

s. Alan J. Petersen served as Vice Chairman of the Privacy and Civil Liberties Oversight Board from 2006 to 2008. He previously served as General Counsel of the U.S. Department of Agriculture from 1990 to 1995. He previously served as General Counsel of the Office of Management and Budget in the Executive Office of the President from 1988 to 1989, and Associate Counsel to the President from 1988 to 1989.

t. Dan Restrepo served as Special Assistant to the President and Senior Director for
with assertions that are rebutted not just by the public record, but by his agencies’ own official data, documents, and statements. 3. Illegal border crossings are near forty-year lows. There is no evidence of a sudden or emergency increase in the number of people seeking to cross the southern border. As a consequence, the apprehension rates for illegal border crossings have fallen. According to the administration’s own Department of Homeland Security, between fiscal years 2006 to 2016, the most recent years for which data are available, the United States currently hosts what is estimated to be the smallest number of undocumented immigrants since 2004. And in fact, in recent years, the majority of currently undocumented immigrants entered the United States legally, but overstayed their visas, a dramatic decline over the last fifteen years in particular. The administration also estimates that “undetected unlawful entries” at the southern border “fell from approximately 120,000 between fiscal years 2000 and 2007 to 62,000” between fiscal years 2015 and 2016, with the number of unauthorized immigrants entering the United States “falling by a factor of nearly 20” in recent years.

4. There is no documented terrorist or national security emergency at the southern border. There is no reason to believe that there is a terrorist or national security emergency at the southern border that necessitates a reprogramming of appropriations to build a border wall.

   a. The overwhelming majority of opioids that enter the United States across a land border are carried through legal ports of entry in commercial vehicles, not smuggled through unauthorized border crossings. A border wall would not stop these drugs from entering the United States. Nor would it stop other drugs from entering via other routes, including smuggling tunnels, which circumvent physical barriers as well as enforcement (which is what high-purity fentanyl, for example, is usually shipped from China directly to the United States).

   b. Likewise, unaccompanied minors and teenagers at the southern border are not the principal source of human trafficking victims. The Department of Homeland Security has found that two-thirds of human trafficking victims served by non-governmental organizations on the border are not from the United States but from Central American countries. None of these instances of trafficking could be addressed by a wall.

5. There is no official emergency related to violent crime at the southern border. Nor can the administration justify its actions on the ground that a state of emergency exists.

   a. Just last month, when asked what the military is doing at the border that couldn’t be done by the Department of Homeland Security if it had the funding for it, a top-level defense official responded, “[n]one of the capabilities that we are providing [at the southern border] are combat capabilities. It’s our security if it had the funding for it, a top-level defense official responded, “[n]one of the capabilities that we are providing [at the southern border] are combat capabilities. It’s not a war zone along the border.”

b. Furthermore, the composition of southern border crossings has shifted such that families and unaccompanied minors now account for the majority of immigrants seeking entry at the southern border; these individuals do not present a threat that would need to be countered with military force.

6. There is no emergency related to violent crime at the southern border. Nor can the administration justify its actions on the ground that a state of emergency exists.

   a. The administration has repeatedly stated that a border wall has made the border safer and more secure, but Cato Institute analysis of criminological data, undocumented immigrants are 44 percent less likely to be incarcerated nationwide than are native-born citizens. And in Texas, undocumented immigrants were found to have a first-time conviction rate 32 percent lower than native-born citizens, while the conviction rates of unauthorized immigrants for violent crimes such as homicide and sex offenses are significantly lower than that of American citizens. Meanwhile, overall rates of violent crime in the United States have declined significantly over the past 25 years, falling on average by 2.7 percent in 2018 alone, further undermining any suggestion that current crime rates currently warrant the declaration of a national emergency.

7. There is no national security emergency at the southern border. The administration has claimed that the presence of human and drug trafficking at the border justifies its emergency declaration. But there is no evidence of any such sudden crisis at the southern border that necessitates a reprogramming of appropriations to build a border wall.

   a. The overwhelming majority of opioids that enter the United States across a land border are carried through legal ports of entry in commercial vehicles, not smuggled through unauthorized border crossings. A border wall would not stop these drugs from entering the United States.

b. Likewise, unaccompanied minors and teenagers at the southern border are not the principal source of human trafficking victims.

8. There is no emergency related to public health at the southern border. The administration has incorrectly alleged an emergency for domestic political reasons with no compelling reason or justification from his senior intelligence and law enforcement officials.

   a. The administration has incorrectly alleged an emergency for domestic political reasons with no compelling reason or justification from his senior intelligence and law enforcement officials.

b. There is no reason to believe that there is a public health emergency at the southern border.

9. The administration is acting unilaterally, provoking actions that could lead to significant conflicts. The administration is acting unilaterally, provoking actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts.

   a. The administration has been acting unilaterally, provoking actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts.

   b. The administration has been acting unilaterally, provoking actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts.

   c. The administration has been acting unilaterally, provoking actions that could lead to significant conflicts. Isolationist actions that could lead to significant conflicts.

   d. The administration has been acting unilaterally, provoking actions that could lead to significant conflicts.

10. There is no basis for circumventing the appropriations process with a declaration of a national emergency at the southern border. There is no basis for circumventing the appropriations process with a declaration of a national emergency at the southern border. There is no basis for circumventing the appropriations process with a declaration of a national emergency at the southern border. There is no basis for circumventing the appropriations process with a declaration of a national emergency at the southern border. There is no basis for circumventing the appropriations process with a declaration of a national emergency at the southern border.
January 29, 2019, less than one month before the Presidential Proclamation, the Directors of the CIA, DNI, FBI, and NSA testified about numerous serious current threats to U.S. interests, but none of the officials identified a security crisis at the U.S.-Mexico border. In a briefing before the House Armed Services Committee the next day, Pentagon officials acknowledged that the 2018 National Defense Strategy does not identify the southern border as a security threat. Leading legislators with access to classified information and the President’s own statements have strongly suggested, if not confirmed, that there is no evidence supporting the President’s claims of an emergency. And it is reported that the President made the decision to circumvent the appropriations process and reprogram money without the Acting Secretary of Defense having even started to consider where the funds might come from, suggesting an absence of consultation and internal deliberations that in our experience are necessary and expected before taking a decision of this magnitude.

11. For all of the foregoing reasons, in our professional opinion, there is no factual basis for the declaration of a national emergency for the purpose of circumvention the appropriations process and reprogramming billions of dollars in funding to construct a wall at the southern border, as directed by the Presidential Proclamation of February 15, 2019.

Respectfully submitted,

Signed:


Amy Pope, Samantha J. Power, Jeffrey Prescott, Nicholas Rasmussen, Alan Charles Raul, Dan Restrepo, Susan E. Rice, Anne C. Richard, Eric F. Schwartz, Andrew J. Shapiro.


Mr. SCHUMER. Madam President, even the President himself, who is now declaring an emergency, halfway through his meandering speech proclaiming the emergency, said: “I didn’t need to do this . . . but I’d rather do it [build the wall] much faster.”

If there was ever a statement that says this is not an emergency, that is it. He said he didn’t need to do this. So, my colleagues, my dear colleagues, if we are to be taken seriously that the President, on a whim, declare emergencies just because he or she can’t get their way in the Congress, we have fundamentally changed the building blocks, these strong, proud building blocks that the Founding Fathers put into place.

Second, the President’s emergency declaration could cannibalize funding from worthy projects all over the country. We don’t even know yet which projects he is planning to take the funds from. I ask my colleagues to think about that—what important initiatives in your State are on the Trump chopping block? What military projects will the President cancel? To fund the border wall Congress rejected?

Third, and I made this point a little bit at the beginning, but it bears repeating. Far and away most importantly, the President’s emergency declaration is a fundamental distortion of our constitutional order. The Constitution gives Congress the power of the purse, not the President, and congressional intent on the border wall is clear. The President’s wall has been before Congress several times, and not once has it garnered enough votes to merit consideration. In some cases it was with Republican votes. The President said that it was just the Democrats who blocked it. That is not true. There were Republic votes when the President said that the wall was on the floor for voting as well.

As the great New Yorker, Justice Jackson from Jamestown, NY, observed, the President’s legal authority in the realm of emergencies is at its very weakest against the expressed will of Congress. In case the will of Congress was not already clear, soon it will be made so. The obvious remedy for President Trump’s outrageous and lawless declaration is for Congress to vote to terminate the state of emergency. The chamber will vote on such a resolution tomorrow, and the Senate will soon follow suit.

I know my friends on the other side of the aisle fashion themselves supporters of the military, defenders of property rights, and stewards of the Constitution, as do Democrats. This vote on the resolution to terminate the state of emergency will test our fidelity to those principles.

Congress must come together to reject in a bipartisan fashion—we have come together before in bipartisan ways. If ever there were one moment that cries out for bipartisan rejection of an overreach of power, this is it. We should reject this naked power grab, this defacement of our constitutional balance of powers, for what seem to be largely political purposes.

NORTH KOREA

Mr. SCHUMER. Madam President, the President is on his way to Thailand for a second summit with Chairman Kim of North Korea. It is in all of our interests for the President to achieve a diplomatic resolution with North Korea that achieves a stable peace and the complete, verifiable, and irreversible denuclearization of the Korean Peninsula. Failing that, the Congress must continue to pressure a regime that permits gross humanitarian abuses and supports utopian and repressive governments on the globe. We cannot tolerate the President making concessions without, in exchange, receiving verifiable, enduring, and concrete commitments from North Korea to denuclearize.

President Trump’s first summit with Chairman Kim granted his regime the international legitimacy and acceptance that Kim has long craved while undermining our policy of maximum pressure and sanctions, seemingly so the President could have a photo op and make a speech.

President Trump’s results of that meeting were disappointing. The President claimed, bizarrely and wildly, that North Korea is “no longer a nuclear threat” right after the meeting, while the U.S. intelligence community has continually testified before Congress that North Korea has not been denuclearizing and appears unlikely to give up its nuclear weapons. So how can the President say it is no longer a nuclear threat when the same threat existed when he threatened North Korea earlier this year, when he seemed to make nice to President Kim? Meanwhile, the President suspended joint military readiness drills with the South Koreans—drills we have been conducting for 60 years for the safety of East Asia. No one wants to see a repeat of the same movie. No one wants another summit that is more about photo ops and optics than progress. We are all rooting for diplomacy to succeed, but the President can’t be too naive or too eager to reach a deal that gives him the photo op again but that doesn’t achieve the complete denuclearization of the Korean Peninsula.

CHINA

Mr. SCHUMER. Madam President, in a similar vein, on China, President Trump announced he would be delaying the imposition of higher tariffs on March 1, in the hopes of coming to a larger trade agreement. This is all well and good if the Trump administration ultimately achieves a strong deal that makes progress on serious trade policies. But we are not there yet, and my message to President Trump is don’t back down.

The President has shown the right instincts on China many times. I give him credit for that. I have praised him publicly for that, but at other times, I believe his eagerness for the appearance of accomplishment gets the best of him. Recent history has taught us that when President Trump makes unilateral concessions to China—as he did when he interfered in the sanctions against ZTE—China does very little for us in return.

President Trump must not make the same mistake again. I give him credit for that, but at other times, I believe his eagerness for the appearance of accomplishment gets the best of him. Recent history has taught us that when President Trump makes unilateral concessions to China—as he did when he interfered in the sanctions against ZTE—China does very little for us in return.

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Mr. SCHUMER. Madam President, a word on today’s vote on women’s reproductive rights: The bill the Senate will vote on shortly is carefully crafted to target, intimidate, and shut down reproductive healthcare providers. Doctors across this country—Democratic doctors, Republican doctors—are lining up against the bill because it would impose requirements on what type of care doctors must provide in certain circumstances, even if that care is ineffective, contradictory to medical evidence, and against the family’s wishes.

My Republican colleagues have said some incendiary things about opposing this bill. Let me be very clear. Many of these claims are false. It has always been illegal to harm a newborn infant. This vote has nothing—nothing—to do with that. Read the language. We are talking about situations where expectant parents tragically learn their pregnancy is no longer viable, and there is a fatal diagnosis. What happens in those circumstances should be decided between a woman, her family, her minister, priest, rabbi, imam, and her doctor.

It makes no sense for Washington politicians who know nothing about individual circumstances to say they know better than the doctors or the patients and their families. The bill is solely meant to intimidate doctors and restrict patients’ access to care and has nothing—nothing—to do with the health of children.

Last Friday, the administration announced it was imposing a gag rule on health care practitioners from failing to exercise the proper degree of care in the case of a medical emergency. And the minority leader—deliver some summaries of what he said was in the bill, before us, and implored the people watching the proceedings to pull the text of the bill to the floor and try to restrict access to healthcare clinics that provide reproductive care. So this vote doesn’t occur in a vacuum. It is part of a pattern of actions taken by President Trump and congressional Republicans to limit, deny, or circumscribe a woman’s right to healthcare.

I urge the American people to do their own research, read the bill, and see what it says. Most of you will agree with it. Pay attention to the facts and not the false rhetoric. This bill is Washington politics at its worst. I will vote no.

VICTIMS OF 9/11 COMPENSATION FUND

Mr. SCHUMER. Finally—and this time it is finally, I say to my good friend from Nebraska—I turn the attention of my colleagues to a harrowing fact: We are vastly approaching the point where more people will have died from exposure to toxic chemicals on 9/11 than were killed on 9/11 itself. These are the first responders, firefighters, police, and FBI agents who rushed to the towers that fateful day, ran into the fire, smoke, and twisted steel, risking their lives and, later, we learned, their health to get people out. These are the union members and construction workers who worked at the pile, breathing in a toxic blend of ash and dust in the days and weeks and months that followed. These are the people, the innocents, who lived downtown when the United States was attacked in the most dastardly attack on American soil.

Right now we have a problem. While these folks are heroes and, sadly, many are suffering—because of the alarming number who are suffering from 9/11-related illnesses, the victim compensation fund is running out of money earlier than expected. The Justice Department recently announced that it might have to cut compensation awards between 50 and 70 percent.

So today I was proud to join Senators GILLIBRAND and GARDNER, as well as a group of our colleagues in the House, to introduce legislation to fix the shortfall of funding and put the victims’ compensation fund on sure footing for the foreseeable future.

I urge all of my colleagues, Democrat and Republican alike, to sign on and help us pass this bill and give some hope to the thousands who were brave on 9/11 and who are suffering now. I yield the floor.

BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT—MOotion TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 311, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to S. 311, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSÉ, Madam President, I ask unanimous consent that the time until 5:30 p.m. today, including quorum calls, be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SASSÉ. Madam President, I just listened to the senior Senator from New York—my friend from the gym and the minority leader—deliver some summaries of what he said was in the bill before us, and he implored this body and implored the people watching on C-SPAN to read the bill, stating they would leave without knowing these terrible things are in the bill.

I see the minority leader has to leave the floor now, but, humbly, I would urge him to come back and show us where any of what he just said is in this bill. What he said wasn’t true.

I rise today for a simple purpose. I want to ask each and every one of our colleagues whether we are OK with infanticide. This language that the Senate is about to pass is too blunt for many people in this body, but, frankly, that is what we are talking about here today.

Infanticide is what the abortion survivors—Born-Alive Abortion Survivors Protection Act is actually about.

Are we a country that protects babies who are alive, born outside the womb after having survived a botched abortion? That is what this is about.

Are we a country that says it is OK to actively allow that baby to die, which is the current position of Federal law? That is the question before us, plain and simple.

Here are the facts. We know that some babies, especially late in gestation, survive attempted abortions. We know, too, that some of these babies are left to die—left to die. No further protections exist today to shield them from this ugly fate, and only some States have protections on their books. So, I would ask our colleagues to take this course over the last month and a half a few States moving in different ways to undo protections that some of these babies have had at the State level.

The Born-Alive Abortion Survivors Protection Act is actually about. A child born alive during a botched abortion would be given the same level of care that would be provided to any other baby born at that same gestational age. That is it.

This bill isn’t about abortion. I am pro-life—unapologetically pro-life—but this bill is not about anything that limits abortion. This bill doesn’t have anything to do with Roe v. Wade. This bill is about something else. What this bill does is try to secure basic rights, equal rights for babies who are born and are outside the womb. That is what we are talking about.

Over the course of the next hour, as this is debated on the floor, people are going to say a whole bunch of other things. I would ask them to please bring the text of the bill to the floor when they do it and show us whether there is anything about limiting abortion in this bill.

This bill is exclusively about protecting babies who have already been born and are outside of the womb. Every baby deserves a fighting chance, whether that 24-week old baby, fighting for air and fighting for life, having just taken her first breaths, is at an abortion clinic where she survived a botched abortion or she is in a delivery room at the local hospital. Both of those babies are equally deserving of care, protection, and humane treatment. But neither of these human beings as babies because they are babies. They have been born, and they are outside of the womb.
This really should not be controversial. In fact, my colleagues actually talk this way all of the time. This place feels like about one-third of the people here are currently running for President, so I would like to quote a few of them over the course of the last couple months.

We ought to “build a country where no one is forgotten, and no one is left behind.” Amen to that. Amen to that.

“The people in our society who are most often targeted by predators are also often the voiceless and the vulnerable—most often targeted by predators are behind.” Amen to that. Amen to that.

Another offered a promise to “fight for other people’s kids as hard as I fight for my own kids.”

Last week, our colleague from Vermont announced his campaign by saying: “The mark of a great Nation is how it treats its most vulnerable saying: ‘The mark of a great Nation is Vermont announced his campaign by saying: ‘The mark of a great Nation is

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Let’s put it another way. Today’s vote asks whether or not you want to take the side of people like Virginia’s disgressed Governor Ralph Northam?

Lately, much has been made of his hideous yearbook broke, Governor Northam made clear that a baby born alive during an abortion could and maybe ought to be killed if that is what the parents and doctors decided they wanted to do after a debate. That was his position: You should make the baby “comfortable,” and then there could be a discussion about whether or not you throw that little baby into the trash can. That is what he actually talked about on the radio for a day and a half last month.

Governor Northam is disgraceful for a whole host of reasons, but unlike some other people, he actually told the truth about what he wants. He wants a society where some people count more than others, and other people are worth less than others. He wants a society where some people can be pushed aside if they are inconvenient. In reality, that is what we are voting on today.

Some of my colleagues want to write into our law a kind of permanent excep- tion: “Every human being should be protected from cruel and inhuman treatment—unless that human being came into this world through a botched abortion.” Then, you can decide later if you want to kill them.

Tonight, what we are going to vote on in the Born-Alive Abortion Survivors Protection Act is a chance to see whether we are serious when people around here are currently running for President, so I would like to quote a few of them over the course of the last couple months.

This real is about living and breathing babies who are alive outside the womb. That is all that the text of this bill does, but Planned Parenthood and others claim that this bill is threatened by a bill to protect alive, out-of-the-womb babies. In other words, unlike this legislation, Planned Parenthood and others refuse to draw any line be- tween abortion and infanticide. That is a different principle. Ours is a country built on power—the power of some people to do to others what they want to do. That should tell us something about what these groups are really about. What they are about is a society built on power—the power of some people to decide whether other people get to live or die.

This bill is a stumbling block to anyone who thinks that some lives are less valuable than others. This bill is a stumbling block to anyone who thinks that certain human beings should be disposable. This bill is a stumbling block to anyone who thinks that we should be able to quietly ride ourselves of little people who were “inconvenient” or supposedly “unwanted.”

They are not unwanted. There are lots of examples of the way that the states in this Union lined up waiting to adopt, including kids who have lots of hard life circumstances. In every State there are waiting lists of people who will take so-called unwanted babies.

America is a country built on a dif- ferent principle. Ours is a country dedi- cated to the proposition that all men and women—all boys and girls—are created equal, even the littlest—even if they happen to come into the world with circumstances that are not of their choosing, even if they are crippled or inconvenient, or, apparently, for a moment, unwanted. Ours is a country that recog- nizes the fundamental indistinguish- able dignity of every human being, re- gardless of race, sex, or creed, or ability. As a country, we have strug- gled for 2 centuries—sometimes at enormous cost—to extend those basic human rights to more and more of our fellow citizens. Today’s vote is simply an opportunity to continue that work.

Let me say by way of closing that de- spite oppositions and setbacks and de- spite some strange rhetoric about this bill over the course of the last week, I am hopeful in the long term. Deep down, each of us knows that every member of our human family ought to be protected and deserves to be cher- ished and loved. The love we see every day in the eyes of moms and dads for their newborn babies is an inescapable reminder of that fundamental truth. Love is stronger than power.

Thank you, Madam President.

The PRESIDING OFFICER. The Sen- tor from Pennsylvania.

Mr. CASEY. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Madam President, I rise today, in commemoration of Black His- tory Month, to recognize, honor, and pay tribute to five Pennsylvanians who have committed themselves to creating innovative solutions to our Nation’s most pressing problems. I have stood on this floor on this Monday, every year, to pay tribute to Pennsylvanians. Some- times it has been one individual, and sometimes it has been more than one, but today we have five honorees.

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Today, we will honor the individual work of the following people. I will list them for you first and then talk about each of them in succession: first, the Reverend Dr. Lorina Marshall-Blake; second, Joan Myers Brown; third, Sulaiman Rahman; fourth, Rakia Reyn-olds; and fifth, Omar Woodward. You will hear more about each of them in a moment. There is no one way, of course, to make a difference in our so- ciety. I hope the stories of today’s hon- orees will help to inspire the next generation of leaders. These honorees are with us here in Washington today, and we are grateful to have the chance to spend a couple of minutes talking about each of them.

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the region of Southeastern Pennsylvania, which is Philadelphia and the counties and communities around the city of Philadelphia. Her faith-driven work continues outside of the office, where she serves as an associate minister at the Vine Memorial Baptist Church.

Lorina is affiliated with over 30 professional and civic organizations. I will just mention a few: The United Negro College Fund, the Greater Philadelphia Chamber of Commerce, and the Urban Affairs Coalition. While the health and well-being of our Nation is not perfect, it is in great part thanks to women like Lorina Marshall-Blake that the future of healthcare and the future of access to healthcare is only brighter.

The second individual we are honoring is Joan Myers Brown. We all know that art itself has the power to enrich lives and inspire change. At the age of 17, Joan Myers Brown decided she was going to be a professional ballerina despite racism and segregation stop her from touring as a member of dance revues for Cab Calloway, Pearl Bailey, and Sammy Davis, Jr.

After excelling in her own right, she decided she wanted to give opportunity to others. To that end, in 1960, Joan Myers Brown started her own dance school in West Philadelphia called the Philadelphia School of Dance Arts. Building on that work, she founded the Philadelphia Dance Company in 1969. This dance company was created to provide opportunities for Black dancers who were systemically denied entrance to local schools. The company continues to be recognized across the world for its dancers and for its performances.

Personally, Joan is an industry icon in both the national and international art communities. For example, in 2005, the Kennedy Center honored her as a master of American choreography, and in 2009, she received the prestigious Philadelphia Award. In 2012, she received the National Medal of the Arts, the Nation’s highest civic honor for excellence in the arts. The arts have benefited greatly from Joan Myers Brown.

Third is Sulaiman Rahman. No individual’s success is achieved alone. We know that, and many in Philadelphia and beyond owe some of their success to Mr. Rahman. He has dedicated his life to empowering young professionals to personal and professional success. After graduating from the University of Pennsylvania, Sulaiman started his career as an entrepreneur. He founded a platform for urban professionals to find social dance company for people of color. Sulaiman created the Urban Philly Professional Network and, later, DiverseForce, and the DiverseForce on Boards program. Every day he works to empower and connect the diverse leaders from multiple sectors and communities. He creates high-tech solutions to impact a more diverse business culture.

When he is not running DiverseForce, he is serving on a number of boards, including Community College of Philadelphia Foundation, TeenySHARP, and the Year Up Greater Philadelphia Chapter.

Rakia Reynolds. We know that some of our Nation’s successes have been born out of interdisciplinary collaboration. Few in the Commonwealth of Pennsylvania know how to bring people together for new opportunities like Rakia Reynolds. From her earliest days as a child reading the book “A Wrinkle in Time,” she has always been committed to making things happen. She is a New Jersey native. She moved to Philadelphia to pursue a degree at Temple University. After working as a television and magazine producer, she founded her own company, Skai Blue Media.

Among other ventures, she helped to craft Philadelphia’s Amazon bid and continues to advise and grow small businesses of all types. She gives back to her community as the copresident of the Philadelphia chapter of Women in Film & Television and serves as a board advisor for Fashion Group International and the National Association for Multi-Ethnicity in Communications.

In addition to her full-time work in multimedia communications, Rakia is a wife to her best friend, her husband, Bram, and mother to her three amazing children.

Finally, our fifth honoree is Omar Woodward. Like many of today’s successful leaders, Omar Woodward understands the importance of social enterprises and knows how to look beyond what meets the eye.

Omar is a Southeastern Pennsylvania native. He is the executive director of the Philadelphia branch of the GreenLight Fund, a nonprofit venture capital firm that invests in evidence-based social innovations focused on ending poverty.

At the GreenLight Fund, Omar is investing millions of dollars to address the needs of many Philadelphians, including bringing formerly incarcerated individuals back into the job market, helping low-income children receive quality care, and ensuring that those who were eligible have access to public assistance programs.

Widely recognized for his expertise in nonprofit board governance, Omar is also a board member of the Philanthropy Network Greater Philadelphia, the Global Philadelphia Association, the Maternity Care Coalition, and the Girard College Foundation, and he holds multiple degrees from George Washington University.

In closing, there are five individuals who have overcome significant barriers to become pioneers in their fields and leaders in their communities. Throughout their careers, these innovators have recognized gaps within communities, developed creative ideas, and brought these ideas to life by using their determination, their passion, and their talent. We celebrate Black History Month to commemorate the great leaders of the recent past, the leaders of today and the leaders of tomorrow—the future.

It is my honor to recognize and to pay tribute to the Rev. Dr. Lorina Marshall-Blake, Joan Myers Brown, Sulaiman Rahman, Rakia Reynolds, and Omar Woodward for their work in creating a stronger, more innovative Philadelphia. I look forward to the work these leaders will continue to do and the impact their work will have on the city of Philadelphia, our Commonwealth, and our Nation.

Thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Madam President, I rise to voice my full support for the Born-Alive Abortion Survivors Protection Act, offered by my colleague from Nebraska.

Today’s vote on this important bill is going to give every Member of the Senate a chance to show America where one stands on the basic right of care for newborn babies.

Throughout my career in public service, I have been a strong supporter of pro-life policies that show compassion to women and children. During my time in the Nebraska Legislature, we passed the first statewide ban on abortion procedures after 20 weeks. Members from all points of the political spectrum—Republican, Democratic, pro-life, and pro-choice—came together to support that bill. We have the opportunity today to come together—Republicans and Democrats—to stand up for the lives of newborn infants in the U.S. Senate.

The Born-Alive Abortion Survivors Protection Act protects the lives of children who survive attempted abortions. Simply put, if a baby survives an abortion, he or she deserves the same medical care as any other child who is born prematurely. Without question, newborns deserve care, attention, and love. This should not be a divisive issue. This is an issue that is fundamental to what it means to be an American citizen and, more so, what it means to be a human being. Our Founding Fathers believed, unequivocally, that every person born in the United States has a right to life, liberty, and the pursuit of happiness. The Born-Alive Abortion Survivors Protection Act should be, without any doubt, a measure that is passed in the Senate.

Like most Nebraskans, I have been drawn to the frustrations in Virginia, New York, and the new extremes that have been pushed in the ensuing national debate that it is OK to deny newborn abortion survivors medical
care. As we all know, a bill was introduced in the Virginia House of Delegates that would make it easier to get a third-term abortion. When discussing this legislation, the Governor of Virginia recently made extremely disturbing comments in defending the bill and promoting infanticide when he described the process of an abortion procedure taking place while a mother was in labor. These policies and lines of thought fly in the face of our core values, and they have to end.

In the vote today, critics across the aisle have mounted a campaign of misinformation to try to knock this bill off course. To be clear, this legislation does not set any limits on the rights of one to obtain an abortion or abortion procedures or methods. The Born-Alive Abortion Survivors Protection Act would ensure that if newborns survive abortions, then they would receive the same care and the same attention to their health as would any other newborn. Newborn children should never be treated without basic human rights or the full protection of our laws because they are not wanted, especially when reports have estimated that nearly 2 million couples in the United States are currently waiting to adopt children—2 million.

There is simply no excuse for an infant not to receive lifesaving care. We live in a nation that was founded upon the basic rights of dignity, self-worth, and equal protection for every human being. In 2002, the Born-Alive Infants Protection Act passed the House of Representatives by a voice vote; it passed the Senate by unanimous consent; and it was signed into law by President Bush. We have the chance right now to build upon that 2002 consensus that those who survive abortions are, in fact, people and to clarify that they deserve medical care. We can come together today to support this sound policy once more, in light of the extreme extremism that we have seen displayed recently, that newborn abortion survivors deserve medical care.

I thank my fellow Nebraskan for his good work on this bill, and I will be voting to affirm that children deserve protection at every stage of life. I ask all of my colleagues in the Senate to support this measure and to vote in favor of this important bill that is before us.

I yield the floor.

The PRESIDING OFFICER (Mr. SAXE). The Senator from Iowa.

MS. ERNST. Mr. President, this evening, as we debate this very important bill, I am hearing two different strategies, two different discussions, about what is actually on the floor in front of us. You see, my colleagues across the aisle are debating a bill that is not in front of us. They are talking about healthcare for women, which is abortion. That is what they are talking about. This bill does not address abortion. It does not address women's healthcare issues. What this bill does is address the healthcare of a baby who is born alive after a botched abortion. We are not talking about abortion, folks. We are talking about the baby who is born. So, while my colleagues across the aisle are saying this is about abortion, that is about a mother's healthcare, that is absolutely incorrect. We are talking about a human life.

In recent weeks, we have witnessed the ugly truth about the far-reaching grasp of the abortion industry and its ever-increasingly radicalized political agenda. Some politicians have not only stopped developing proper and would not survive. They never get to meet him and never get to hold him. The ultrasound revealed not only the tragic news about this much wanted child but also showed a dangerous condition that threatened Tippy's own health. Tippy's placenta was enlarged, and to continue her pregnancy would risk the health of her reproductive system and her ability to have future children of her own.

Tippy, with her family and her doctor, made the difficult decision to have an abortion in order to save her reproductive system. Because she was able to make that medical decision, she was able to have another baby a year later. Tippy and her husband are today the proud parents of an 18-month-old child. When Tippy and her husband made their decision, it was based on guidance from her doctor and what was right for them and the family they hoped to have in the future. They didn't need politicians to be looking over their shoulders in the doctor's office and telling them what to do. None of us in this body should be in the business of interfering in that doctor-patient relationship. We don't tell oncologists how to treat their patients; we don't tell emergency room doctors how to save lives; and we shouldn't tell women's doctors how to take care of their patients.

Colleagues, that is what this bill does. It would give politicians in this room the power to make medical decisions for women and their families. This bill intimidates providers and forces physicians to provide inappropriate medical treatment even when it is not in the best interests of their patients or their families.

Colleagues, we should treat women with respect. Delivery women's healthcare aren't different from decisions about men's healthcare, so why are we treating women differently? This legislation, if it were to become law, would put doctors in an untenable position: Do they follow the law or do they follow their code of professional ethics?

Colleagues, let's get out of the business of dictating medical care for women. Let's continue to trust women and their doctors. I urge my colleagues to oppose this legislation.

I yield the floor.

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This bill does not address abortion. It does not address women's healthcare issues. What this bill does is address the healthcare of a baby who is born alive after a botched abortion. We are not talking about abortion, folks. We are talking about the baby who is born. So, while my colleagues across the aisle are saying this is about abortion, that is about a mother's healthcare, that is absolutely incorrect. We are talking about a human life.

In recent weeks, we have witnessed the ugly truth about the far-reaching grasp of the abortion industry and its ever-increasingly radicalized political agenda. Some politicians have not only stopped developing proper and would not survive. They never get to meet him and never get to hold him. The ultrasound revealed not only the tragic news about this much wanted child but also showed a dangerous condition that threatened Tippy's own health. Tippy's placenta was enlarged, and to continue her pregnancy would risk the health of her reproductive system and her ability to have future children of her own.

Tippy, with her family and her doctor, made the difficult decision to have an abortion in order to save her reproductive system. Because she was able to make that medical decision, she was able to have another baby a year later. Tippy and her husband are today the proud parents of an 18-month-old child. When Tippy and her husband made their decision, it was based on guidance from her doctor and what was right for them and the family they hoped to have in the future. They didn't need politicians to be looking over their shoulders in the doctor's office and telling them what to do. None of us in this body should be in the business of interfering in that doctor-patient relationship. We don't tell oncologists how to treat their patients; we don't tell emergency room doctors how to save lives; and we shouldn't tell women's doctors how to take care of their patients.

Colleagues, that is what this bill does. It would give politicians in this room the power to make medical decisions for women and their families. This bill intimidates providers and forces physicians to provide inappropriate medical treatment even when it is not in the best interests of their patients or their families.

Colleagues, we should treat women with respect. Delivery women's healthcare aren't different from decisions about men's healthcare, so why are we treating women differently? This legislation, if it were to become law, would put doctors in an untenable position: Do they follow the law or do they follow their code of professional ethics?

Colleagues, let's get out of the business of dictating medical care for women. Let's continue to trust women and their doctors. I urge my colleagues to oppose this legislation.

I yield the floor.
Although previous laws were passed that recognize infants born alive during abortion proceedings as legal persons, there still exists a critical loophole that prevents abortionists from being held accountable for failing to follow these very laws.

This legislation closes the gap and ensures that there are concrete enforcement measures to protect children who survive abortion attempts.

We must ensure that any child who is born alive, whether through a natural birth or a botched abortion, is a living person, a person who is worthy of the utmost dignity, compassion, and respect. This legislation ensures just that by simply requiring healthcare practitioners to treat those babies who survive an abortion attempt with the same degree of care any other baby born at the same gestational age would receive.

This legislation is not meant to punish women or mothers during an often heart-wrenching and difficult experience. In fact, this legislation specifically prohibits mothers from being prosecuted. Instead, this bill quite simply enumerates penalties for the intentional killing of a baby who has been born alive.

Today, we have an opportunity to categorically reject infanticide by ensuring that the laws we have on the books preventing this abhorrent practice are meaningfully enforced and that those who fail to follow such laws can be held accountable.

I urge my colleagues to set aside partisanship and continue this much-needed, compassionate solution. We as a nation can do better. We must protect those babies who are born alive.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I rise today in strong opposition to the legislation that the Presiding Officer has authored. It would significantly interfere with the doctor-patient relationship, and it would pose new obstacles to a woman’s constitutionally protected right to make her own decisions about her reproductive health.

Regardless of what the intent of the legislation is, the fact is, the way it is written, it intimidates doctors with the threat of criminal liability for performing safe and legal abortions. It will have a chilling effect on the ability of women to access the services they need in the United States.

We must always remember that abortions that are performed later in pregnancy are most often done as the result of severe fetal diagnoses and the serious risks that pregnancy poses to the life of the mother.

And let’s be very clear: This isn’t a decision that any women or family wants to be in a position to make. It is tragic and it is heartbreaking, and efforts to politicize the trauma of women and mothers have been forced to make this decision are really shameful, and it sets a dangerous precedent for women’s comprehensive healthcare.

By installing new uncertainty and risk of criminal liability into the process for late-term abortions, this legislation increases the risk that women will not be able to get the medical care they need when their pregnancy poses a risk to their lives. This bill ignores that important reality, in what appears to be an attempt to score political points with anti-choice groups.

Again and again, at every turn, we have seen this administration and our Republican colleagues push forward policies that threaten access to abortion care. Just last week, the Trump administration cut off critical family planning resources for family planning clinics that offer information and referrals for women seeking to obtain legal abortions. If you want to prevent abortions, you want to make sure families have access to family planning. We know that is an important way to reduce the number of abortions in this country.

So we are certain that this bill is just another line of attack in the ongoing war on women’s health. More than ever, we need to stand up and help protect women’s healthcare and make certain that abortions remain safe and legal.

I urge my colleagues to oppose this legislation and its consideration on the Senate floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I would like to first thank Senator Murray for her steadfast leadership in the fight to protect women’s healthcare and for arranging this time for us to speak this afternoon.

The legislation we are debating today is just the latest salvo in the far-right wing assault on a woman’s constitutionally protected right to an abortion.

With all due respect to my colleague from Nebraska, I do not believe this legislation, this bill is a solution in search of a problem. Contrary to what the proponents of this bill argue, it is and has always been a crime to harm or kill newborn babies. People guilty of this crime can already be charged and prosecuted to the full extent of the law.

Let’s be clear. The Senate isn’t debating this legislation today because there is an epidemic of infanticide in this country. There is not one. There isn’t one. I can hardly say it because it is really not happening; therefore, this bill is a solution in search of a problem.

Instead, we are indulging the moral judgment of right-wing politicians that the Presiding Officer has authored. It would significantly interfere with the doctor-patient relationship and it would pose new obstacles to a woman’s constitutionally protected right to make her own decisions about her reproductive health.

Nevertheless, the threat to women’s reproductive rights is intensifying in Statehouses and courtrooms all across the country. Over the past several years, States have enacted hundreds—hundreds—of laws that harm women’s health and violate their constitutional right to an abortion.

Mississippi enacted a prohibition on abortion after 15 weeks of pregnancy.

Texas, Alabama, Arkansas, Kentucky, and Ohio have passed laws banning dilation and evacuation—D&E—an abortion procedure used usually during the third trimester.

Indiana enacted a bevy of new abortion restrictions, including a law requiring every woman seeking an abortion to have an ultrasound—talk about invasive—and mandated she wait 18 hours after the ultrasound to have an abortion.

Louisiana passed legislation requiring abortion providers to have admitting privileges at local hospitals. This law would result in only one abortion provider in a State of 4.7 million people.

Advocates have recognized the harm these laws would have on women and
have filed suits to block their implementation. Several lower courts have ruled these restrictions unconstitutional, and the cases are moving steadily through the courts of appeals en route to the Supreme Court.

The Fifth Circuit upheld a lower court ruling striking down parts of Indiana's mandatory ultrasound and waiting period law. The Indiana attorney general has requested the Supreme Court to review this case.

The Supreme Court temporarily stopped Louisiana's so-called admitting privileges law from taking effect on a 5-to-4 vote. This is the law I talked about before. This law would result in one abortion provider in a State of 85 million people.

The Fifth Circuit will now hear an appeal on the merits of the law, which is virtually identical to a Texas law the Supreme Court struck down in 2016—that was only a few short years ago—in the landmark Whole Women's Health v. Hellerstedt decision.

The stakes in these court battles and the more than 20 abortion-related cases making their way through the federal court are incredibly high. Any one of them would provide the opening for the U.S. Supreme Court to finally fulfill the rightwing goal of overturning Roe v. Wade.

It is with this central goal in mind that Donald Trump, Majority Leader McConnell, and complicit Republicans of Congress have been working to pack our federal courts with ideologically driven judges groomed and handpicked by ultraregressive organizations like the Federalist Society and the Heritage Foundation.

Donald Trump has already confirmed 85 judges, including 30 to circuit courts and 2 to the U.S. Supreme Court. These judges comprise one-tenth of the federal judiciary, with many more to come.

In fact, a few weeks ago, the Senate Judiciary Committee voted 42–42—judicial nominees out of committee in one markup. Those 42 comprise an ad\_ditational 5 percent of the federal judiciary.

Less than 2 weeks ago, Justice Kavanaugh issued a strong dissent in the earlier mentioned Supreme Court's 5-to-4 decision to block Louisiana's anti-choice law from taking effect. Using tortured reasoning, Justice Kavanaugh essentially argued that the Supreme Court should disregard its own precedent from only 2 years ago—that is the Whole Women's case I referred to—to allow the Louisiana law to take effect. His dissent signaled his strong antipathy to a woman's right to choose. And in fact, the dissent of Justice Hargan did when he was on the DC Circuit. His dissent as a Justice this time demonstrated the emptiness of his promises to uphold Supreme Court precedent during his confirmation hearing.

Justice Kavaugn's promises then to follow precedent is like that of other Federalist Society-picked Trump nominees now packing our courts, offering little real change. But because the nominees in fact will set aside their strongly held ideological views to be objective and fair as judges.

Another case likely to make its way through the federal courts in the months and years ahead is a challenge to the Trump administration's new gag rule. This rule prohibits doctors and other clinicians participating in title X family planning programs from referring patients for, or even speaking about, abortions, even if their patients request such information.

Nearly 20,000 Hawaii residents receive reproductive healthcare through title X. That is roughly the population of the city of Kapolei on Oahu. This attack on Title X clinics like Planned Parenthood is an end-run around Congress after Republicans have tried and failed dozens of times to end funding for Planned Parenthood.

Planned Parenthood provides health care for four million low-income women, men, and young people under title X. Why then do Republicans persist in trying to cut funding for Planned Parenthood?

The constitutional rights of millions of women across the country are under serious and sustained attack, but even in these not normal times, I do see some hope. As State after State passes laws to limit access for a woman's right to choose, communities like Hawaii's are coming together to protect such access.

Last week, I joined activists and staff from Planned Parenthood of the Great Northwest and the Hawaiian Islands as they opened their new medical center and administrative headquarters in downtown Honolulu. I was particularly energized to see how many young people, women and men, were there and engaged in the fight to protect our right to choice.

I have learned over the years that battles we fought so hard to win never stay won. It is up to all of us to stay engaged and keep fighting for our constitutionally protected rights.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I want to be very clear about the matter that is before the U.S. Senate today. We are not here to debate abortion. That is not what this bill is about that Senator Sasse has introduced. We are here to decide whether it could be legal in the United States of America to kill or neglect an infant who has been born alive after a botched abortion.

This was made very real for me just minutes ago. In fact, Melissa Odom is standing on the floor of the U.S. Senate, just outside here probably 50 feet from where I am standing. She survived a botched saline-infused abortion in 1977. She was left to die, literally put in the medical waste heap, but thanks to the grace of God and a nurse who saw Melissa, they were able to revive her, and she is a beautiful 41-year-old mom with two children, one being a baby of an endangered species. Is it the position of the Democratic Party that a border wall is immoral but not infanticide?

The phenomenon of infants surviving attempted abortions is very real. These babies' only crime was to survive the abortionists' attempts to poison, starve, or tear them apart in Missouri, or in Massachusetts, whether in a hospital or an abortion clinic, they would be guaranteed the same protection and level of care. Is that asking too much?

By contrast, consider that Federal law provides criminal penalties of thousands of dollars in fines and even imprisonment if you "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any baby marine turtle, baby bald eagle, or any other baby of an endangered species.

It is absolutely absurd that we are having to decide whether we give human babies the level of protection under Federal law that we give to animals. This is truly an absurd moment on the floor of the U.S. Senate. Have we become so numb as a nation that we cannot realize we are talking about a baby?

Cindy and I became grandparents for the first time on January 23, little Emma Rae Daines, born in Denver. She is now a living, breathing member of the human family. That is what we are talking about here, a living, breathing member of the human family. Is it the position of the Democratic Party that a border wall is immoral but not infanticide?

The bill we are voting on today would give Federal enforcement teeth nationwide to the 2002 Born-Alive law, so that whether an infant is born alive in Montana or in Massachusetts, whether in a hospital or an abortion clinic, they would be guaranteed the same protection and level of care. Is that asking too much?
and grateful to my Senate colleague BEN SASSE, who has introduced the Born-Alive Abortion Survivors Protection Act.

Infanticide is not and should not be a partisan issue. It is an issue in which there should be no middle ground or compromise. A “yes” vote tomorrow is to uphold the bare minimum of any civilized society. A “no” vote is to deny protection from barbaric violence to the most vulnerable among us, an innocent, little baby.

You do not stand with Governor Northam for infanticide or you can protect the most vulnerable among us. I yield back my time.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I first thank my colleague from Montana for his powerful message. I can assure him that I believe strongly in the same approach as he does with regard to life. I rise to address an issue of vital importance to our society, and that is the intrinsic value of human life. Very shortly, every Senator will have an opportunity to stand up for human dignity and condemn infanticide when we vote on the Born-Alive Abortion Survivors Protection Act. This should not be a difficult vote for any of us.

I believe in the value of every innocent human life, beginning at the moment of conception to natural death. Life is a gift from God that should be respected and protected, without regard from the very beginning to the very end.

I have worked to enact pro-life policies throughout my time in public service based upon this principle. While working as Governor, I signed legislation to ban abortions in South Dakota, except when necessary to save a mother’s life.

“Humanae Vitae,” written by Pope Paul IV and later expanded upon in “Evangelium Vitae,” written by Saint Pope John Paul II the Great, teaches that there can be no true democracy without a recognition of the dignity of every person. It goes on to teach that respect and dignity must be given to each human life for true peace and freedom to exist.

We must demand respect for the rights of all. This includes those in the womb, as well as mothers carrying a child who are facing difficult challenges. Both deserve our utmost compassion and care. While this should be common sense to everyone, we recognize that in this country there are individuals who are pro-life and individuals who are pro-choice.

While I and millions of other pro-life Americans continue to work to end all abortions and support measures that strengthen the dignity of life, recent actions at the State level have been deeply troubling. Pro-choice individuals are actually now supporting measures to commit infanticide even after a baby has been born alive. For example, last month, the State of New York repealed section 4164 of the State’s public health law which provided protections for an infant born alive after a failed abortion. Subsequently, in Virginia, legislation has been introduced that would legalize abortion up to term and even after the birth has begun. In Rhode Island, the Governor has already signed legislation legalizing abortion even after the child is viable.

These examples of abortion extremism at its worst—radical, abhorrent acts of infanticide—should horrify all Americans. While I am troubled by the thought of any baby being killed at any stage, at a bare minimum every one of us should be able to agree that infanticide—or the killing of a baby after it has been born alive—is unacceptable. This is a separate issue from abortion, which is abhorrent in itself.

In the history of the world, the true test of a society is how well we treat the most vulnerable among us. That is why we must pass this legislation, the Born-Alive Abortion Survivors Protection Act, of which I am an original co-sponsor, and I would like to thank Senator Sasse for bringing this legislation forward.

The Born-Alive Abortion Survivors Protection Act simply protects newborns who survive abortions by requiring appropriate care and admission to a hospital. When a failed abortion results in the live birth of an infant, our legislation makes clear that healthcare providers must exercise the same professional skill to protect the newborn child as would be offered to any other child born alive at the same gestational age. A baby who survives an abortion deserves the same rights under the law as any other newborn baby and should receive proper medical care, not to be left to die or be killed.

It is also worth mentioning that President Trump stood up for life during the State of the Union Address earlier this month, calling on Congress to pass legislation to prohibit late-term abortions of children who feel pain in the mother’s womb. President Trump urged:

Let us work together to build a culture that cherishes innocent life. And let us reaffirm a fundamental truth: All children—born and unborn—are made in the holy image of God.

I couldn’t agree more. All life is sacred. We must seek to protect and save lives whenever possible, however possible. I urge my colleagues to support the Born-Alive Abortion Survivors Protection Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Ms. DUCKWORTH. Mr. President, I ask unanimous consent to address the floor for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. DUCKWORTH. Mr. President, imagine the joy, the emotion, and the anticipation that comes with being in the third trimester of your pregnancy. Imagine choosing the crib and the mobiles that will hang above it. Imagine telling your toddler that he was getting a little sister to play with. Then, imagine the heartbreak of going to the doctor the next day and there is no chance your baby will survive, that there is no hope your baby girl will ever speak her first word or take her first step, or that delivering her would put your own life at risk, leaving you with a newborn to buried without a mother. These are the types of scenarios that lead to the heart-wrenching decision to terminate a pregnancy later on.

As the mom of two little girls—one, age 4, and one, 10 months old—I can’t begin to fathom that kind of pain. Yet today some on the other side of the aisle are trying to use those parents’ suffering for political advantage, making not in fact but lies like those the all the more difficult by pushing a bill aimed to criminalize reproductive care no matter the cost.

If it becomes law, this bill would force doctors to perform ineffective, infanticide procedures on fetuses born with fatal abnormalities, even if it is against the best interests of the child, even if it goes against recommended standards of care and they know that it wouldn’t extend or improve the baby’s life, even if it would prolong the suffering of the families, forcing women to endure added lasting trauma, making one of the worst moments of their lives somehow even more painful. If physicians refuse, they would be punished and could be sentenced up to 5 years in prison.

We have seen this kind of political stunt before. We know the partisan extremist playbook it comes out of—one’s rights—a march whose pace has now quickened under our current President, a man who once argued that women should be punished for taking up their right to choose, who has taken pride in trying to put the government between women and their doctors, and who just 72 hours ago issued a gag rule that could gut family planning clinics.

I have said this a thousand times before, and I will keep saying it until I go home: Women’s medical decisions should be between her and her physician and not dictated by some politician in Washington, DC. When lives are on the line, the folks with MDs are the ones who should be deciding what care is appropriate, not those with partisan agendas.

Mothers and doctors know that every pregnancy is different—both of mine...
certainly were—and physicians are trained with exactly this in mind. It is offensive and just plain ignorant for my colleagues to claim they know better than a doctor or an expectant mom. It shows an alarming disrespect for a woman’s moral compass and her ability to use her brain.

I can’t begin to conceive of the pain of the mom-to-be who learns that the baby she already loves isn’t viable and that the child whose name she has already chosen and whose life she has already loved and never open their eyes. All this bill would do is to sharpen that family’s suffering. All it would do is to make it harder for the next woman to get the care that could save her life. How dare we think of passing legislation like that. How dare we put extremist politics over empathy, over science, and over women’s health and families’ pain.

I strongly urge my colleagues to vote against S. 311—a bill that is as heartless as it is dangerous.

Thank you.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. LANKFORD. Mr. President, I ask unanimous consent to speak on the floor for up to 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LANKFORD. Mr. President, I ask for your indulgence to talk about abortion and the question of who is alive and who is a viable child.

The plain text of this bill could not be clearer. This is not about abortion. This is about a child who has been born alive but not viable.

Here is the interesting conversation. Many people in this country argue about abortion—rightfully so. We are talking about the life of a child. This, in particular, though, has a clear argument. What if an abortion is botched, and instead of the child being killed in the womb, they are actually delivered? Now a child is on the table who is crying, with pink skin, ten fingers and toes wiggling, and is reaching out. What happens now? That is the question with this bill.

Interestingly enough, it is not the first time it has come before the Senate. In 2002, this same issue came before the Senate. The Senate, the House, and the President all agreed that if an abortion was botched and the child was delivered, that child is a child. By definition, that is a child. In 2002, what that bill did not do is define what happens next if the life of that child is then taken away.

The bill then wasn’t an issue because it is clearly defined in law except for the fact that a few weeks ago, the Governor of Virginia made a public statement saying that we need to have a law to say that we could deliver a child, make it comfortable, and then decide what to do with that baby. Suddenly, this becomes a national conversation.

We thought this was a resolved issue in 2002 but provide the Senate is still debating from the other side saying: Deliver the child and then decide what to do with the life of that child. This is not just an issue that has no consequence as after that bill was passed in 2002, the CDC started analyzing birth certificates to determine if this happens and how often it happens. It doesn’t happen often, but in a few number of States where the CDC gathered information from, it determined there were 163 babies who were born alive after an attempted abortion and who then died with no record of how it happened.

Just in 5 months in 2017, the State of Arizona reported that 10 babies were born alive after attempted abortion. This doesn’t happen often, but it does happen, and the question is, Who are we as a nation and what are we going to do with a child who is in front of us who is alive?

Medical professionals are called to do no harm. The Hippocratic Oath. It is interesting to see medical professionals provide care to every person everywhere they go. If there is a car accident, it doesn’t matter if it is their patient. They pull over and help. Interestingly enough, in the start of the Union Address, just a couple of weeks ago, we had a staff member in the back who passed out, and Members of Congress who are also physicians, who were in their seats, jumped out of their seats to go provide care because that is what physicians do. But in the case of a botched abortion, the child is delivered and then everyone who is a medical professional just steps back and watches the child die and doesn’t provide care. It is the reverse of the Hippocratic Oath. We need to resolve this in our law.

If I can even make a comparison. We as people, and even soldiers in the field, honor life. Soldiers who were trained to take life still are also trained to provide care. It is the reverse of the Hippocratic Oath. It is offensive and just plain ignorant to do this to medical professionals away from help still are also trained to provide care to their patients. It would impose arbitrary standards—overrule these personal decisions and they should be left between families and personal medical decisions that should be left between families and medical professionals.

Article 12 of the Geneva Convention, which we support, says this: “Members of the armed forces and other persons . . . who were wounded, sick . . . shall be respected and treated in all circumstances.” Literally, if you are in the fight of your life on the field, as our Armed Forces are, and you run across a wounded individual in that fight from the other side, we give care to that person, even though they are our enemy on the battlefield. But in an abortion clinic, that child is not given the same care that we are demanded to give on the battlefield.

This is a fascinating dialogue that I have had with my colleagues. For a lot of my colleagues who are pro-abortion and who don’t see that as a life, I will often ask this simple question: When is a life a life? What is your redline? I think that is a fair conversation.

For myself, it is conception. When that child is conceived and they are developing, they have unique DNA. That is a different person. For others, they still say it is when the child is viable. For others, they will say when the child is born.

I just ask a simple question. When the child is born, is that a child? Is your redline birth? This bill affirms that when a child is born, we should at least acknowledge that that is a person.

I am a dad who has cut the umbilical cord of my own daughter before. I would be terrified to say that the child was not a child until I, as the dad, cut the cord—that I could take that life at any moment before that. That is not who we are as Americans.

Let’s pass this. Let’s protect living children.

With that, I yield the floor.

Ms. CANTWELL. Mr. President, I rise in strong opposition to tonight’s vote to advance S. 311. This legislation would reduce families’ access to reproductive healthcare, interfere in personal medical decisions that should be left between families and medical professionals.

Tonight’s vote is part of a broader strategy by this administration and some in Congress to take away women’s access to reproductive healthcare, including the constitutional right to an abortion affirmed in Roe v. Wade.

For instance, the administration has already installed two Supreme Court Justices who threaten Roe v. Wade. They repeatedly tried to de-fund Planned Parenthood and cut off family planning grants, and given employers the green light to take away birth control coverage from their employees. In the last Congress alone there were 14 anti-women’s health bills introduced.

Reproductive health choices are highly personal and deeply sensitive, and they should be left between families and their doctor. S. 311 would effectively overrule these personal decisions by imposing arbitrary standards—based on political ideology, not medical appropriateness—on health professionals.

This bill would effectively criminalize doctors and healthcare clinicians for providing the best plan of care to their patients. It would impose civil and criminal penalties including up to 5 years in prison onto providers if they don’t comply with the bill’s mandates. These mandates could scare medical professionals away from helping women and families obtain reproductive care, including an abortion, further reducing families’ access to care.

More than 17 of the Nation’s leading medical, public health, and civil rights organizations oppose this bill. The American College of Nurse-Midwives, the American College of Obstetricians
and Gynecologists, and the American Public Health Association state that the bill “... injects politicians into the patient-provider relationship, disregarding providers’ training and clinical judgement and undermining their ability to the best course of action with their patients.” The American Civil Liberties Union states that the bill “... shows a callous disregard for patients in need of compassionate, evidence-based care when they face difficult decisions.

The majority of Americans want more access to reproductive healthcare, not less. More than 7 in 10 Americans do not want women to lose access to safe, legal abortion. In 1991, a majority of voters in the State of Washington passed the Washington Abortion Rights Initiative, declaring that a woman has a right to an abortion.

S. 311 is another misguided attempt to reduce women and families’ access to reproductive healthcare. I strongly oppose S. 311 and urge my colleagues to vote no.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. Sasse. Mr. President, I ask unanimous consent to speak for less than 1 minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. Sasse. Mr. President, over the course of this afternoon, we have heard a whole bunch of things about what is supposedly in this bill. I know that a lot of people who are opposed to this bill, the Born-Alive Abortion Survivors Protection Act, sincerely believe the talking points that they read from their staffs, but, humbly, we have heard speech after speech about things that have absolutely nothing to do with what is actually in this bill.

So as you get ready to cast this vote, I urge my colleagues to picture a baby who has already been born, who is outside the womb, and who is gasping for air. That is the only thing that today’s vote is actually about. We are talking about babies who have already been born. Nothing in this bill touches abortion access.

Thank you.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk reads 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 nomination of Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum calls have been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 311, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk reads as follows:

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EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

s. m

Mrs. MURRAY. Mr. President, I am on the floor to talk about a vote that simply should not have taken place this evening. It was a vote on yet another attack from our Republican colleagues on women's health and their right to access safe, legal abortions—this time in the form of an anti-doctor, anti-woman, anti-family piece of legislation that medical experts strongly oppose. Republicans have spread a lot of misinformation about this bill, so let's be clear what it is not about and what it is actually about.

This bill is not about protecting infants, as Republicans have claimed, because that is not up for debate, and it is already the law. This bill is also not at all about ensuring that appropriate medical care is delivered, because it would make it harder for healthcare providers to provide high-quality medical care that their patients need and deserve.

The leading nonpartisan organization of OB/GYNs in our country has said this bill should never become law. It calls it “gross legislative interference into the practice of medicine” and “part of a larger attempt to deny women access to safe, legal, evidence-based abortion care.” In fact, 17 top health professional organizations wrote to Congress to insist that Democrats and Republicans vote this bill down.

Since this bill is not about infants or appropriate medical care, I am sure many people are wondering what exactly it is about. What would this bill mean for women and their families and healthcare providers?

If you are a woman, this bill would mean, if you were one of the very, very few women who needed an abortion late in your pregnancy, you could be legally required to accept inappropriate, medically unnecessary care—care that may directly conflict with your wishes at a deeply personal, often incredibly painful moment in your life—because politicians in Washington decide a hair's breadth mattered more than yours.

If you are a medical provider, this bill would supersede your years of medical training and your oath to deliver the best possible medical treatment to your patients. It would apply a one-size-fits-all standard that does not reflect the reality that every pregnancy is different, and it would subject you to criminal penalties if you were to choose to let medical standards, not politics, drive the care you offer to your patients.

For families who struggle with the painful reality that the children they had hoped for could not survive, as is tragically the case in many of the cases we are discussing, this legislation would take precedence over families' wishes as they grieve.

This bill is government interference in women's care of their families' lives, and in medicine on steroids. As I said, it is anti-doctor, anti-woman, and anti-family. It has no place in becoming law. Its proponents claim it would make something illegal that is already illegal. So why are we debating this legislation that would take women backward when there are so many ways we should be advancing medicine, improving women's healthcare, and supporting families? As far as I can tell, it is because the debate is about something that Republicans care about more than almost any other priority; that, unfortunately, is the rolling back of women's constitutionally protected rights and trying to get rid of them in time before the Roe v. Wade decision.

Since day No. 1 of the Trump-Pence administration, this party has pulled every possible stop to appeal to its extreme anti-abortion base. Just last week, the Trump administration put forward a rule that would prevent healthcare providers at clinics that are funded through the title X family planning program from so much as informing patients about where to get an abortion, even if it means directly asking them for advice. This rule means trusted medical providers across the country may not be able to serve women and men who rely on them for contraception, cancer screenings, and other critical health services. It is determined to make abortion impossible in the United States. That is just one of many examples.

To recap, this bill is completely unnecessary. It is a women’s rights bill, and it would criminalize doctors. It is intended to do nothing except to help Republicans advance their goal of denying women their constitutionally protected rights. I am against it in the strongest terms. Everybody who cares about women, families, and doctors and about upholding the Constitution should be too, so I am glad the Senate voted tonight to stop this anti-doctor, anti-woman, anti-family bill from going any further.

The next time Republicans want to have a conversation about protecting infants and children, I am happy to talk about the babies and children who have been separated from their parents at the border without improving access to early childhood education or about making sure coverage for maternal healthcare and preexisting conditions is not taken away. These are problems that do exist and that do need to be solved, but just as we are ready and willing to work on those as we are to stand up and say “absolutely not!” to this harmful bill.

Mr. President, in the very near future, my Senate colleagues will be asked to take an unprecedented vote—a vote that never should have been scheduled here in the first place.

Republican leaders are demanding that we move ahead and vote on President Trump’s nominee to serve on the Ninth Circuit Court despite the fact that I and my colleague Senator CANTWELL and others were able to stop his nomination. He has not even met with senators on behalf of our constituents in Washington State and despite the fact that the hearing for the nominee was a total sham. This was wrong, and it is a dangerous road for the Senate to go down. Not only did Republicans schedule this nominee’s confirmation hearing during a recess period when just two Senators—both Republicans—were able to attend, but the hearing included less than 5 minutes of questioning—less questioning for a lifetime appointment than most students face for a book report in school.

Confirming this Ninth Circuit Court nominee without the consent or true input of both home State Senators and the fact that the Senate would be a dangerous first for this Senate.

This is not a partisan issue. This is a question of the Senate’s ability and commitment to properly review nominees. Yet here we are on the Senate floor, barreling toward a vote to confirm a flawed nominee, who came to us following a flawed nomination process—all because a handful of my Republican colleagues will apparently stake nothing but the country’s future—women, families, hotels, and necessary infrastructure—on a decision that may jeopardize the Constitution and the rule of law.

Republican leaders are hoping most Americans aren’t paying attention to what is happening right now in the Senate—that somehow tossing out Senate norms in order to move our country’s courts to the far right will go unnoticed.

Well, I am standing here right now to make sure everyone knows because I, for one, fear the short- and long-term consequences of letting any President steamroll the Senate on something as critical as our judicial nominees—the very men and women who are tasked with interpreting our Nation’s laws and making sure they serve justice for all Americans.

Let’s be very clear. Trump cannot steamroll the Senate by himself. But in the very near future, he will have a Senate president who has demonstrated time and again his ignorance and disdain for the Constitution and the rule of law.

Somehow, we have a President whose policies keep testing the limits of law—from a ban on Muslims entering the United States to a family separation policy at our southern border—it is very important, more than ever, that we have well-qualified, consensus judges on the bench.

Let’s be very clear. Trump cannot steamroll the Senate by himself. But in
the Republican leadership, he has found Members willing to throw out every rule, every tradition, every safeguard in the book to give him what he wants.

So this vote, which is happening soon, is a new precedent of turning a blind eye to the blue slip should it be in every one of my colleagues—Republicans and Democrats—in their tracks because, today, the two home Senators still holding their blue slips are my colleague Senator CANTWELL and me, but in the future, it could be any Member of this body.

I am doing this for very good reasons—reasons very much in line with why the blue-slip process exists in the first place. I am doing this because I don’t believe Mr. Miller has received the necessary scrutiny and vetting to serve on the bench—a lifetime appointment. I believe the people I represent would not want him there, plain and simple.

I want to briefly go into one area that causes particular and very serious concern, and that is what I have heard from my constituents about Mr. Miller’s misunderstanding of Tribal sovereignty and his ability to be impartial and fair-minded when hearing cases involving Tribal rights.

As one Tribal leader from my home State put it, Mr. Miller has built a career out of mounting challenges against Tribes, including their sovereignty, their lands, their religious freedom, and even the core attributes of Federal recognition.

I want to be very clear because I do not believe that it is wise for Senators to support or oppose nominees only because of their past clients. Our legal system requires talented lawyers on both sides of every case, and sometimes lawyers represent clients who are politically unpopular.

But making a career decision to be one of the top attorneys, in case after case, attacking Tribal sovereignty—that is more than a choice of a client. That is a choice about values, and it is something my colleagues should consider.

There are more than 400 federally recognized Tribes in the Western United States, including Alaska. Every single one could find themselves before the Ninth Circuit and before a judge who spent years fighting for an extreme, overtly oppositional to their own sovereignty and whose advocacy repeatedly attempted to undermine the rights of Tribal nations everywhere. Particularly at a time when the Supreme Court may demolish im-

No child should suffer this way.

I urge my colleagues to truly think about what moving ahead with this nomination means and to ask themselves: Are we still able to work together in a bipartisan way and find common ground? Have we found Members willing to throw out our precedents and our constitutional duty?

I urge my colleagues to consider the rights, a circuit nominee opposed to the Supreme Court may demolish im-

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I rise today to join many of my colleagues in raising our voices on behalf of some of the most vulnerable members of our society.

Recently, a very disturbing and revealing discussion has been taking place in our country that raises serious questions about how much value and worth we ascribe to babies in the womb, especially those who are born despite an attempted abortion procedure.

Before I go any further, let me say this clearly and unequivocally: If we as a nation are to hold any claim to a moral character that deserves to be admired and emulated, then we must be willing to say that the lives of newborn children have inherent value and are worthy of protection. There is simply no way to credibly claim otherwise.

Whether it be legislation introduced or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or enacted by State legislatures or 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While the debate surrounding abortion has engulfed this country for decades, the goalposts are now being shifted. Reproductive autonomy, we are now told, must include the ability and choice to end the life of a baby who survives an attempted abortion.

As a former medical provider, I believe that to end a newborn’s life either by refusing to provide lifesaving care or actively taking that child’s life—as in the case of the infamous abortionist Dr. Kermit Gosnell and others—violates the oath every medical provider takes to do no harm.

As a dad and a grandfather, I know from my own experience just how precious each life is. My daughters and grandchildren are treasured gifts that bring my family and me immeasurable joy. To think that they or any other child might be treated with anything other than the dignity and respect they are entitled to is tragic, heartbreaking, and outrageous.

Providing the necessary medical attention to save the lives of infants who survive an abortion is an imperative that we as a society must embrace if we are to be faithful to the promise our Founders made to the generations of Americans who would succeed them. In declaring the self-evident truth that all men are created equal, surely they intended to extend the same rights and liberties that their countrymen fought and died for to newborn babies who survive abortion.

I am proud to have stood with my colleagues today in support of this legislation that seeks to protect these precious, vulnerable lives. We can and should do this as a reflection of the country we want to be.

Our abortion laws in the United States already situate us among some of the world’s worst human rights abusers, including North Korea and China. Now a national conversation about whether to provide children who survive abortions medical attention and care has ensued. It is my hope and prayer that the final word in this discussion will end with a resounding commitment to protect and preserve life.

I would like to thank the junior Senator from Nebraska, Mr. Sasse, for leading on this critical issue and pushing to bring this measure to the floor today.

I would also like to thank the President for his vocal commitment to defending life and protecting the most vulnerable among us.

I feel blessed to stand alongside so many others to raise our voices on behalf of the voiceless.

While I am disappointed with the result of today’s vote, I remain committed to fighting for those who are unable to fight for themselves and will continue working to protect and uphold the sanctity of life.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I want to offer some thoughts regarding the ongoing negotiations with North Korea that began with the Singapore summit between President Trump and Kim Jong-Un and will continue in a few days when the two leaders meet again in Vietnam.

I join the chorus of my colleagues on both sides of the aisle who have expressed concern regarding the outcome of the last summit and the subsequent negotiations. This is not meant as a criticism of the diplomatic process itself. Clearly, we are in a much better place now than 2 years ago, when the President was promising fire and fury for the Korean Peninsula, terrifying our South Korean allies, who stand to lose millions of their citizens in any confrontation with North Korea. Furthermore, if the Singapore summit had resulted in a clear path toward denuclearization, I would be standing here right now recommending these diplomatic efforts.

The maximum pressure campaign, significantly enhanced by this body’s sanctions regime and the United Nations Security Council’s resolutions, brought North Korea to the negotiating table. It was a golden opportunity and, unfortunately, it was squandered by this ill-prepared administration, which seems more concerned with photo ops than with the substance of the negotiations.

The Singapore summit was a loss for the United States and our alliances and a great publicity win for North Korea. The 2005 six-party joint statement contained significantly more commitments from North Korea than the joint statement of the Singapore summit. Given President Trump’s bluster and renunciation of the JCPOA, one would have thought that he would leave Singapore with an ironclad commitment for denuclearization. Instead, he got less than in any past negotiation with North Korea.

Most concerning to me is that without obtaining a single concrete concession from North Korea, President Trump undermined our alliance with the Republic of Korea by characterizing our joint exercises as provocative war games. It was a huge propaganda win for North Korea and a huge loss to the readiness of our United Nations, the joint force. The regularly scheduled exercises are very important to troop readiness and our regional security. While I understand the need to create diplomatic space for these negotiations to proceed, we must ensure that we do not sacrifice readiness for empty promises.

While I am pleased with the agreement on the return of prisoners of war and missing-in-action personnel remains, which rightfully continue to be important issues for U.S. families, the Singapore summit was mostly pomp and circumstance that did not advance our national security interests. In fact, it could be said that we are in a worse position than we were before the summit. President Trump undeservedly transformed Kim Jong Un from a ruthless dictator to a world statesman in short order. He has since used his status from the summit to demand closed-door deals with China and Russia that will be used as leverage against the United States.

The President also conferred legitimacy on a corrupt and morally bankrupt dictator who has imprisoned hundreds of thousands of men, women, and children in political camps under brutal conditions and has committed horrendous crimes against his neighbors and own people. Human rights did not play a prominent role at the summit, and the joint declaration does not include one single reference. If we want to continue to serve as a beacon for human rights, this issue will have to be on the agenda for these negotiations. There are a number of U.S. sanctions against North Korea because of its human rights record, and this body will not loosen those sanctions until and unless we see progress on the issue.

As such, I was dismayed that the President in his State of the Union Address did not call out the North Korean regime’s callous disregard for human rights.

Since the summit, we have seen just how problematic the joint declaration has been as a foundation for the negotiations. While Secretary Pompeo characterized the first meeting with North Korean negotiators at the summit as “productive,” the North Koreans criticized Secretary Pompeo’s gangster-like demand for denuclearization. The chasm between the two sides was created by the ambiguity of the summit itself and its failure to create an agreed-upon path for both parties. We have not seen a substantial dismantlement of nuclear or ballistic missile sites over the last year, and independent news reporting reflects that North Korea continues to develop its nuclear and missile arsenals despite the self-imposed ban on testing.

What should we have gotten from the summit? Since we played our biggest card and gave Kim Jong Un a meeting with the President of the United States, the answer is a lot more than what we did get. First and foremost, we should have gotten a joint declaration from North Korea agreeing to complete, verifiable, and irreversible denuclearization. If we were not going to get that commitment, then we should have at least gotten a specific commitment similar to the September 19, 2005, joint statement, where North Korea committed to “abandoning all nuclear weapons and existing nuclear programs and returning at an early date to the Treaty on the Non-Proliferation of Nuclear Weapons and to IAEA safeguards.” Instead, we got a statement from North Korea that will “work toward complete denuclearization of the Korean Peninsula.”
Despite the administration’s protestations to the contrary, it is not at all clear that North Korea actually agreed to complete, verifiable, and irreversible denuclearization, generally referred to as CVID. I am concerned, as are others, that “complete, verifiable, and irreversible denuclearization” were used because the North Koreans would not agree to CVID. If that is the case, then, we are starting in a worse place than we were during the 2005 talks.

What do these words matter? They matter because of the historical context of these negotiations. Without the word “verifiable,” North Korea has not agreed to inspections, and, without inspections, we cannot determine whether North Korea will take the steps necessary to denuclearize. The regime does not have a good track record of living up to its agreements. Without a verification process that includes a robust inspection and verification regime, we will never be sure that North Korea is not reverting to its past tactics and cheating on its commitments.

Even more alarming to those who follow these negotiations is that the commitment that did come out of the summit sounds suspiciously like the tack North Korea has taken in past negotiations—that denuclearization of the peninsula will require the United States to remove its nuclear umbrella from its ally, the Republic of Korea, and remove its troops from the peninsula. North Korea has peddled this tit-for-tat denuclearization narrative for years, and this administration must ensure that we do not become enmeshed in that of the upcoming negotiations. These competing narratives should have been reconciled at the summit by the leaders but instead were left for future negotiations.

The administration now has another opportunity in Vietnam to establish some credibility for these negotiations and demand a set of concrete deliverables. We should all recognize that the Singapore summit was not the end of what needs to be accomplished. Despite President Trump’s patently false claim that he has solved the North Korean nuclear threat, that threat is still very real and very dangerous. There are commitments that we need from the other side to gauge whether North Korea is sincere in its intent to denuclearize. We already know that the intelligence community has made the determination that North Korea does not intend to denuclearize. Therefore, if we take the promise we got from North Korea need to include a verification and inspection scheme that includes a reasonable timeline and is comprehensive enough to include all of its weapons of mass destruction programs and as the basis for future negotiations.

What would a successful summit in Vietnam look like? We need a declaration from North Korea of all of its nuclear weapons and programs and facilities. Ideally, it would also include a catalog of all of its missiles and missile sites and programs needs to be provided to the United States in short order to allow the International Atomic Energy Agency, or the IAEA, inspectors to start the inspections process, which will take months to complete.

Second, we need North Korea to agree to verifiable denuclearization with IAEA inspections, and that agreement should include a concrete timeline with a step-by-step process. If we are going to continue to scope down our joint exercises for the sake of these negotiations, then, we need to see concrete actions by North Korea in the next few months. It has been almost a year since the summit, and we have not seen any concrete irreversible actions taken by North Korea on its nuclear program that signify an intent by the regime to give up or significantly curtail its programs.

For example, if the President gets an assurance from the Sohae launch facility and the closure and inspections of the Yongbyon nuclear facility, he may think that North Korea has moved the needle on denuclearization, but as the experts we consulted with, we see other nuclear sites that are more critical for the regime’s programs. As recent reports by the Center for Strategic and International Studies have shown, there are many missile sites that have not been declared or critical to the nuclear program. This is why a full declaration is so critical—so that we will have a comprehensive accounting of the nuclear and missile programs that exist.

In the meantime, the administration also needs to be vigilant that China and other countries continue to enforce sanctions. President Trump’s assertions that the problem is solved will only serve to signal to North Korea that they can keep the pressure on. We need consistent messaging from the White House and the rest of the administration that the Singapore summit was the first step, and until we see concrete results, there will be no appearance of the sanctions regime. Keeping China in line on that front will be a significant challenge, especially given the isolationist bent of this President, who has managed to alienate the very partners we need to cooperate on the sanctions regime.

China does not need to state publicly that it will stop enforcing sanctions. Even low-level cross-border trade can allow the North Korean economy to hobble along for years, and all it will take is an indication from Beijing that sanctions enforcement is no longer a priority.

Let me be clear. One of the most important outcomes of this process is also the preservation of our alliances with South Korea and Japan. Even if we were to somehow achieve a CVID deal with North Korea but lose our special relationships with these two nations, we will come out the other side less secure than we are today. While North Korea poses a significant threat to the United States, peace on the peninsula cannot come at the cost of a diminished U.S. presence in Asia. Our alliances and partners in the region are the bulwark of our strength in the region.

Both South Korea and Japan have significant national security interests that will be adjudicated during these negotiations. Neither are negotiating table. I am very concerned that Japan in particular is dismayed that there has not been any substantive progress in the negotiations. It is critical that the administration continue to raise issues that are critical to Japan, especially the Japanese citizens who were abducted by North Korea. It is up to this administration to ensure that their interests are voiced and that their security needs are met. That means not only addressing the North Korea’s intercontinental ballistic missile program but also its short- and intermediate-range missiles. It means consulting with our allies before significant decisions that affect their security are taken, and it means not publicly lamenting about the costs associated with these historic and strategic alliances.

We cannot simply put a price tag on our regional security. Losing these alliances will cost us far more in the long run and leave us far less secure than we are today.

We also need to be concerned about the recent deterioration of the relationship between our two critical allies. Trilateral cooperation is only effective if South Korea and Japan can overcome their historical animosities to present a united front against North Korea.

I know there is a lot of discussion today about the possibility of a peace agreement to end the Korean War. I fear that many see a peace agreement as the precursor for a removal of U.S. forces from the Korean Peninsula. I am concerned that our President does not understand the critical importance of the deployment of U.S. Forces Korea on the peninsula.

Let me be clear. The withdrawal of troops from the peninsula would significantly undermine our ability to fulfill our treaty obligations to South Korea. It should not be a subject of negotiations with North Korea. The presence of our troops is the cornerstone of our military alliance with South Korea.
Korea, and they must remain present and ready to “Fight Tonight” for the benefit of the alliance and regional security.

Looming over all of this is our long-term strategic competition with China. While China is certainly concerned about the nuclear arsenal its southern neighbor has amassed, denuclearization may not be China’s highest national security concern during these negotiations. In the long run, China recognizes that its near-peer competition with the United States complicates its interests in these negotiations. China’s highest priority is likely to ensure that it does not end up with a U.S.-allied reunified Korea on its southern border. Another goal is driving a wedge between the United States and its allies in order to promote itself as a regional hegemon.

We all recognize that Russia has similar ambitions—separate us from our allies, establish themselves as regional hegemons, and coerce and bully their neighbors on issues of defense, trade, and economics. We cannot allow that to happen. We already see attempts by China to relax sanctions enforcement. This trade spat is just one of the wedges North Korea is able to leverage between China and the United States. We need a coordinated strategy that keeps our long-term interests in Asia focused while resolving the North Korean crisis. To date, we have not seen any indication that such a strategy exists.

Peace on the Korean Peninsula has eluded us for decades. There is an opportunity now to force Kim Jong Un’s hand, through skillful negotiation and a coordinated, sanctioned response, to take concrete steps toward denuclearization.

I hope this administration will use the Vietnam summit to negotiate a substantiative agreement that keeps America and its allies safe, strong, and secure.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I am here to take the opportunity to join my colleagues to speak in support of the Born-Alive Abortion Survivors Protection Act. I thank Senator SASSE for his continued leadership on this issue. I supported the bill when Senator SASSE introduced it last Congress, and I was glad to see Senator MCCONNELL, our leader, bring this bill to the floor for a vote.

I am astonished—astonished—that we are debating whether it is appropriate to legislate whether children are born. Today, now, in the year of 2019, how can this be? Science demonstrates that human life begins at conception, and our understanding of neonatal development is increasing every day.

I am a member of the Senate Appropriations Subcommittee on Labor, Health and Human Services. The National Institutes of Health is one of my top priorities for funding. At the NIH, the National Institute of Child Health and Human Development has advanced our knowledge of pregnancy and development in the womb. Under this Institute, the Neonatal Research Network has pioneered research that has led to techniques that saved the lives of children in their earliest stages, when these children are at their most vulnerable.

The Congressional Budget Office estimates that more than 10,000 babies are aborted each year after 20 weeks of conception, when science—science—tells us that an unborn child can feel pain inside the womb. This number will increase as a result of recent State-level efforts to end virtually any restriction on abortion when a child could viably live outside the womb. These efforts are extreme and fall far beyond the mainstream of American opinion.

This legislation does nothing to limit prenatal abortion. While we must address that issue—the root causes of abortion and the ways to curb this heartbreaking trend—that is not the issue at hand today in this legislation. The question before us is this: When a child survives an abortion and is born, does the U.S. Senate believe the child can still be saved? Should the baby be protected and given all possible care to survive? This act requires healthcare practitioners to “exercise the same degree of professional skill, care, and diligence to preserve the life of a child born alive” as they would a child born alive at the same gestational age.” Any negligence in this regard is subject to criminal and civil punishment, which at present does not exist.

Should anyone think this is some made-up issue—despite the Virginia Governor’s shocking comments revealing an openness to infanticide and New York’s expansion of abortion well beyond the age of viability that makes born-alive abortion survivors more likely—we have concrete evidence that this grotesque act happens. Notorious abortion provider Kermit Gosnell is serving life in prison for these very acts.

Closing our eyes to what is obscene does not make it any less real. That it is allegedly “rare” doesn’t make it any less real or abhorrent. One child purposely, deliberately deprived of healthcare and allowed to die is one too many. It is infanticide, which brings us to the crux of this issue. We need to think carefully about the long-term impacts to the definition of healthcare. If Congress refuses to act on this measure, Do the guardrails of neonatal health succumb to the belief that infants don’t really count as one of us?

Our society is not one of the ancient Romans or the Aztecs. We don’t sacrifice our children to please an unknown god. In the progress of human history, principles of the enlightenment—also known as the Age of Reason—declared self-evident truths that all humans are created equal and endowed with the unalienable right to life. Although undoubtedly we have our flaws, these enlightenment principles enshrined in our founding documents remain true to who we are as a nation and who we are as human beings. We recoil when we hear of children who are harmed in any manner. Yet today we are faced with a reality where the ability to terminate an unborn child’s life when it is viable outside of the womb is something that is not only tolerated but is passionately defended by the left.

That is bad enough, but to see legislation ensuring that the medical care of born children gets blocked is incomprehensible. The immutable march of progress in human history has met a roadblock today in the U.S. Senate. The Age of Reason seems to have escaped us.

Tonight, the Senate had an opportunity to send a message showing who we are as leaders and as a society as a whole—one that protects the weak and the voiceless instead of one that permits their destruction. I regret and I am saddened that the Senate failed this fundamental test. I am eager to do more to protect innocent life, including the unborn, but the Born-Alive Abortion Survivors Act provided us an opportunity to affirm the most basic need for healthcare for a vulnerable child who has already beaten the odds to survive. Let’s hope we have another opportunity to give these children the chance at life they so deserve.

I thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

NOMINATION OF JOHN L. RYDER

Mr. ALEXANDER. Mr. President, this week, the Senate may see an extreme example of how the minority can abuse its rights in a way that provokes the majority into an excessive use of its power. I come to the floor to offer my Democratic colleagues a way to avoid both mistakes.

Here is the abuse of minority rights:

More than a year ago, President Trump nominated John Ryder of Memphis to serve on the board of directors of the Tennessee Valley Authority based on the recommendation that Senator Bob Corker and I made. Finally, this week, the Senate is likely to vote on Mr. Ryder’s nomination.

You might say: Well, there must really be something wrong with Mr. Ryder.

Wrong if there is, then all the people who are supposed to find out what is wrong with Mr. Ryder have not found it out. Senator Corker and I know him very well as one of Tennessee’s finest
attorneys. Senator BLACKBURN agrees. After a hearing at which Mr. Ryder answered questions, Republican and Democratic members of the Environment and Public Works Committee unanimously approved his nomination. No, there is no problem with Mr. Ryder.

You might say: This must be a position of overwhelming complexity and importance that requires a year for all of us to think about it.

TV覆盖率的the Nation’s largest public utility, and it is important to the millions of us in the seven-State region for which it provides electricity. But this is not a lifetime appointment. It is not a Cabinet position. It is not even a full-time position. This is one of nine part-time board positions whose nominees are usually approved in the Senate by a voice vote.

The problem is not with Mr. Ryder. It is not because of the unusual importance of the position. The problem is with the determination of the Democratic minority to make it nearly impossible for President Trump to fill the 1,200 Federal Government positions that require confirmation by the U.S. Senate as part of our constitutional duty to provide advice and consent.

This is where we are: Democrats have objected to the majority leader’s request to vote on Mr. Ryder’s nomination. As I mentioned, these are nominations normally approved by a voice vote. So in order to have a vote, the majority leader, Senator MCCONNELL, has filed a cloture petition to cut off debate on Mr. Ryder’s nomination.

The cloture process takes at least 3 days. Here is how it works: The first day, you file cloture. That is what Senator B LACKBURN agrees. The second day is a cloture day, you file cloture. That is what Senator LEVIN. Here is how it works: The first debate on Mr. Ryder’s nomination. The second day is when Mr. Ryder has filed a cloture petition to cut off debate on Mr. Ryder’s nomination. The third day is up to 30 more hours for postcloture debate before the Senate can finally vote on whether to confirm Mr. Ryder. Other nominees have been the only victim of such obstructionism. During the last 2 years, Democrats have done what I just described 128 times. One hundred and twenty-eight times they have required the majority leader to consume up to 3 days to force a vote on a Presidential nominee. By comparison, requiring a cloture vote to advance a nomination happened 12 times during the first 2 years of President George W. Bush’s term, compared to President Trump’s 128 times; 4 times during the first 2 years of George W. Bush’s term, compared to President Trump’s 128 times; 12 times during Bill Clinton’s first 2 years, compared to President Trump’s 128 times; 12 times during Bill Clinton’s first 2 years, compared to President Trump’s 128 times.

This unnecessary obstruction has to change. The result of this extraor-

dinary delay in considering nominees creates a government filled with acting appointees who, never having gone through the Senate confirmation process, are less accountable to Congress and therefore less accountable to the electorate. But when we hear many complain that the Executive has become too powerful, the Senate is deliberately making itself weaker by diminishing our constitutional duty to advise and consent to individuals nominated by the President—perhaps the Senate’s best known role.

This abuse of power by the minority is about to produce an excessive reaction by the majority—something that I think at least nine Democratic Senators who can see 2 years ahead would want to avoid. At least nine Democratic Senators hope to be the next President of the United States. Do they not know that some Republicans will do to the next Democratic President’s nominees what Republicans did to President Trump’s nominees? Let me ask that again. Do the nine Democratic Senators who want to be the next President of the United States—that election is about 20 months away—not know that if they obstruct, some Republicans will do to them what Democrats have done to President Trump’s nominees?

The Senate is a body of precedent. What goes around comes around. At a time what takes will be one Republican Senator objecting to a unanimous consent request to make it difficult for the next Democratic President to form a government, and this will continue the dishonest Shuring of the Senate?

Can Republican Senators, by majority vote, change Senate rules to stop this obstruction? Yes, we can, and we will, if necessary. There are several ways to change the rules of the Senate. We can pass a law. We can amend the standing rules of the Senate. We can adopt a standing order. We can pass a law. We can set a new precedent. We can change the rules by unanimous consent. All of these are ways to change the rules of the Senate.

The written rules of the Senate say it requires 67 votes to amend a standing rule and 60 votes to amend a standing order. There is recent precedent to change the Senate rules by a majority vote. In 2013, the Democratic leader, Harry Reid, used a procedural maneuver—let’s call it the Harry Reid precedent—to make it easier for President Obama and his successors to gain confirmation of Presidential nominees. As a Republican Senator, I spent dozens of hours on this bipartisan project to make it easier for a Democratic President with a Democratic Senate majority to form a government. I thought that was the right thing to do, and we changed the rules in the right way.

The Senate passed standing orders with bipartisan support and a new law, the Presidential Appointment Efficiency and Streamlining Act, which eliminated confirmation for several positions. That bipartisan working group of Senators accomplished a lot in 2011, 2012, and 2013.

We eliminated secret holds. After over 25 years of bipartisan effort, led by Senator GRASSLEY and Senator WYDEN, we eliminated delays caused by the reading of amendments. We eliminated Senate confirmation of 163 major positions.

Now, remember what we were doing was working in a bipartisan way to try to make it easier for President Obama and a Democratic majority in the Senate to confirm the 1,200 Presidential nominees that every President has to send over here for advice and consent. We did it for President Obama. We intended to do it for his successors as well.

We eliminated 3,163 minor career positions. We made 272 positions so-called privileged nominations, which means these nominations can move faster through the Senate. We sped up motions to proceed to legislation. We made it easier to go to conference. We

Should Republicans do this, change a rule by majority vote, even though our written rules say it should be done by 60 or 67 votes? The answer is, no, we shouldn’t, not if we can avoid it.

As Senator Carl Levin said in 2013, we are opposed to the Harry Reid precedent—Senator Levin is a Democrat, and he said: A Senate in which a majority can change its rule at any time is a Senate without any rules.

Thomas Jefferson, who wrote our first rules, said: It didn’t make much difference what the rules are. It just matters that there are some rules. So it is at least awkward for Members of the country’s chief rule-writing body, the U.S. Senate, to expect Americans to follow the rules we write for them when we don’t follow our own written rules.

I have heard many Democrats privately say to me, they express their regret that they ever established the Harry Reid precedent in 2013. They didn’t look ahead and think what goes around comes around and that this is a body of precedent.

So what would be the right thing for us to do—something that avoided both the minority’s abuse of its rights and the majority’s excesses. We should do what the Senate did in 2011, 2012, and 2013, when Republicans and Democrats worked together to make it easier for President Obama and his successors to gain confirmation of Presidential nominees.

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We eliminated 3,163 minor career positions. We made 272 positions so-called privileged nominations, which means these nominations can move faster through the Senate. We sped up motions to proceed to legislation. We made it easier to go to conference. We
limited postcloture debate on sub-Cabinet positions to 8 hours and on Federal district judges to 2 hours for the 113th Congress. All of these changes took effect immediately over these 60 days.

Let me underscore what I am about to say, and that is not my intention. In 2011, 2012, and 2013, when Barack Obama was President, that these new rules should be delayed until after the next Presidential election when there might be a Republican President. Republicans supported these changes for the benefit of this institution, even though they would immediately benefit a Democratic President and a Democratic Senate majority.

I propose that we do that again. I invite my Democratic colleagues to join me in demonstrating the same sort of bipartisan respect for the Senate as an institution that Senators Reid and McConnell—the two Senate leaders at that time—Senators Schumer, Barasso, Levin, McCain, Kyl, Cardin, Collins, and I did in 2011, 2012, and 2013, when we worked to change the Senate rules the right way.

Now, 2 weeks ago, the Rules Committee gave us an opportunity to do things again in the right way by reporting to the Senate a resolution by Senator Lankford and Senator Blunt, the chairman of the Rules Committee. This resolution, which is similar to the standing order that 78 Senators voted for on January 14, 2013, would reduce postcloture debate time for nominations. Remember, that is after day one, the majority leader files cloture; day two, nothing happens; day three, we have a vote on cloture that is by 51 votes, and we would reduce the time for debate on day three. District judges would be debated for 2 hours, the same as the 2013 standing order that 78 Senators voted for. Other sub-Cabinet positions would be subject to 2 hours of postcloture debate as well.

The proposal offered by Senator Lankford and Senator Blunt would not reduce the postcloture debate time for Supreme Court Justices, for Cabinet members, for circuit court or certain Board nominations, like the National Labor Relations Board, but would divide the 30 hours of postcloture debate equally between Republicans and Democrats.

The Lankford-Blunt proposal would put the Senate back where it has historically been on nominations. With rare exceptions, Senate nominations have always been decided by majority vote. Let me say that again. With rare exceptions, Senate nominations have always been decided by majority vote.

President Johnson's nomination of Abe Fortas as Chief Justice of the Supreme Court was the only example of a Supreme Court nominee who was blocked by requiring more than 51 votes.

There has never been, in the history of the Senate, a Cabinet nominee who was blocked by requiring more than 51 votes. There has never been, in the history of the Senate, a Federal district judge whose nomination was blocked by requiring more than 51 votes.

Since 1949, Senate rules have allowed one Senator to insist on a cloture vote; that is, 60 votes, which requires more than a majority to end debate. Even though it was allowed, it just wasn't done. Even the vote on the acrimonious nomination of Clarence Thomas to the Supreme Court was decided by a majority vote of 52 to 48. Not one Senator tried to block the nomination by requiring a vote, even though one Senator could have done that.

Only when Democrats began, in 2003, to block President George W. Bush's nominees by insisting on a 60-vote cloture vote did that tradition change. Then, in 2017, using the Harry Reid precedent, Republicans restored the tradition of requiring a majority vote to approve all Presidential nominees, which, as I have said, has been the tradition throughout the history of the Senate.

Also, until recently, with rare exceptions, nominations have been considered promptly. After all, there are 1,200 nominees the Senate has resolve things to do besides just being in the personnel business.

For example, last month, I was in Memphis for the investiture of Mark Norris, whose nomination languished for 10 months on the Senate calendar. The evening before, I had dinner with 94-year-old Harry W. Wellford. In November of 1970, Senator Howard Baker of Tennessee had recommended Harry Wellford to be a district court judge on the same court where Mark Norris now serves.

By December 11, 1970, 1 month later, President Nixon had nominated Harry Wellford, and the Senate had confirmed him. All this happened in 1 month. Not all nominations have moved that fast. In 1991, a Democratic Senator, using a secret hold, blocked President George H. W. Bush's nomination of me as U.S. Education Secretary. I waited on the calendar for those 6 weeks, it seemed like an awfully long time to me, and that was for a Cabinet position. It was not 10 months for a part-time position for the Tennessee Valley Authority.

Two weeks ago, I voted to report Senator Lankford and Senator Blunt's resolution to the full Senate, even though no Democrat voted for it. I will vote for it again on the floor, even though it will be offered. I will also join my fellow Republicans, if we are forced to change the rules by majority vote. I do not like the Harry Reid precedent, but I like even less the debasement of the Senate's constitutional position and the 2,000 Presidential nominees.

My preference is to adopt the Lankford-Blunt resolution, which is very similar to the 2013 resolution that 78 Senators voted for, and to do it in a bipartisan way, according to the written Senate rules as we did in 2013.

I believe most Democrats privately agree that the resolution offered by Senators Lankford and Blunt is reasonable, and they will be grateful that it is in place when there is a Democratic majority and one Republican Senator can block a Democratic President's nominees.

One collection Democrats seem to have to the Lankford-Blunt resolution is that it would apply to President Trump. Their other major objection, which is truly puzzling, is that the proposed change is permanent, and the change we made in 2013 was temporary. Well, I wonder if Democrats would like it better if we made this change in the Senate temporary, only applying to the remainder of President Trump's term.

This is my invitation to my Democratic colleagues. Join me and Senators Lankford and Blunt in supporting their resolution, or modifying it if you believe there is a way to improve it, and working in a bipartisan way, exactly as we did in 2011, 2012, and 2013.

A year or so ago, one of the Supreme Court Justices was asked: How do you Justices get along so well when you have such different opinions? This Justice's reply was this: We try to remember that the institution is more important than any of our opinions.

We Senators would do well to emulate the Supreme Court Justices in respecting and strengthening this institution in which we are privileged to serve. One way to do that is to join together to restore the prompt consideration of any President's 1,200 nominees and do it in a bipartisan way that shows the American people our written rules mean what they say.

The PRESIDING OFFICER. The Senator from Tennessee.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ERNEST MATT HOUSE

Mr. MCCONNELL. Mr. President, later this week, Leadership Tri-County from Knox, Whitley, and Laurel Counties in my home State will present one of its highest honors: the Leader of the Year award. I was delighted to learn this year's title will be given to Ernest Matt House, a lifelong resident of London, Kentucky, and a remarkable example of entrepreneurship. I would like to take a few moments today to pay tribute to Ernest Matt and his many accomplishments in Kentucky.

From an early age, Ernest Matt's talents were on full display. In high

February 25, 2019

CONGRESSIONAL RECORD — SENATE

S1429
school, he excelled both in the classroom and on the field, earning 14 varsity letters and a place in the Kentucky High School Athletic Association’s Hall of Fame, but these achievements, of course, were just the beginning. Ernest Matt received a full scholarship to play football at Eastern Kentucky University. There, he was EKU’s starting quarterback for 3 years and lettered all 4. His notable time in the Colonel’s uniform merited inclusion into the school’s athletic hall of fame, and he remains among the best quarterbacks in its history.

After his graduation, Ernest Matt returned to Laurel County and began working at his family’s grocery store. Named for both of his grandfathers, he had big shoes to fill in the family business, but it didn’t take long for Ernest Matt to learn the competitive business and set his sights on the future. Although a lot has changed in the grocery business and in the community, Ernest Matt holds onto the tradition of personal service that keeps bringing loyal customers back to the store. Over the next years, his continued entrepreneurial success earned him distinction both in the local community and across the Nation.

Leadership Tri-County was established more than three decades ago to foster and develop emerging local leaders. Its programs in Kentucky invest in the men and women who have spent their lives making their communities a better place to live. This award is given each year to an individual who has contributed to the area’s growth and development, and Ernest Matt clearly fits the bill. Through his business success and service on local, regional, and State board and commissions, Ernest Matt has quite a legacy of achievement.

A man of deep faith, Ernest Matt credits his good works both to Christ and to his loving family, especially his wife Kim. I am sure she, along with his children and grandchildren, are quite proud of him.

Kentucky has been made better because of Ernest Matt’s many contributions, and I would like to congratulate him for being named the 2019 Leader of the Year. I encourage my Senate colleagues to join me in recognizing his work.

Ⅱ. QUORUMS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testimony, by the Committee or any subcommittee, one member of the Committee or of any subcommittee shall constitute a quorum.

4. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of sworn testimony by a subcommittee, one member shall constitute a quorum.

Ⅲ. PROXIES

Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

Ⅳ. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS

Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have been notified in writing by the Chairman or the Ranking Member of the Committee, or in the discretion of the Committee, or of any report of the proceedings of such session and has been furnished a copy of such executive session shall be made public in whole or in part by way of summary, unless specifically authorized by the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

Ⅴ. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS

The Committee or any of its subcommittees may permit the photographing and broadcasting of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

Ⅵ. AVAILABILITY OF SUBCOMMITTEE REPORTS

To the extent possible, when the bill and report of any subcommittee are available, they shall be furnished to each member of the Committee thirty-six hours prior to the Committee’s consideration of said bill and report.

Ⅶ. AMENDMENTS AND REPORT LANGUAGE

To the extent possible, amendments and report language intended to be proposed by the Senator in the full Committee shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markups.

Ⅷ. POINTS OF ORDER

Any member of the Committee who is floor manager of an appropriations bill is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

Ⅸ. EX OFFICIO MEMBERSHIP

The Chairman and Ranking Minority Member of the full Committee are ex officio members of all subcommittees of which they are not regular members but shall have no vote in the subcommittee and shall not be counted for purposes of determining a quorum.

SENATE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Chairman’s statements of the Chairman’s intent to the Committee on February 25, 2019.

Mr. CRAPO. Mr. President, the Committee on Banking, Housing, and Urban Affairs has adopted rules governing its procedures for the 116th Congress. Pursuant to rules XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator Brown, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

[Amended February 24, 2009]

RULE 1. REGULAR MEETING DATE FOR COMMITTEE

The regular meeting day for the Committee to transact its business shall be the last Tuesday in each month that the Senate is in session; except that if the Committee has met at any time during the month prior to the last Tuesday of the month, the regular meeting of the Committee may be canceled at the discretion of the Chairman.

RULE 2. COMMITTEE

[a] Investigations. No investigation shall be initiated by the Committee unless the Senate, or the full Committee, or the Chairman and Ranking Member have specifically authorized such investigation.

[b] Hearings. No hearing of the Committee shall be scheduled outside the District of Columbia except by agreement between the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[c] Confidential testimony. No confidential testimony taken or confidential material presented at an executive session of the Committee or any report of the proceedings of such executive session shall be made public in whole or in part by way of summary, unless specifically authorized by the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[d] Interrogation of witnesses. Committee interrogation of a witness shall be conducted only by members of the Committee or such professional staff as is authorized by the Chairman or the Ranking Member of the Committee.

[e] Prior notice of markup sessions. No session of the Committee for marking up any measure shall be held unless [1] each member of the Committee or the Subcommittee, as the case may be, has been notified in writing by mail or paper mail of the date, time, and place of such session and has been furnished a copy of the measure to be considered, in a searchable electronic format, at least 3 business days prior to the commencement of such session, or [2] the Chairman of the Committee or Subcommittee determines that exigent circumstances exist requiring that the session be held sooner.

[f] Prior notice of first degree amendments. It shall not be in order for the Committee or a Subcommittee to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless fifty written copies of such amendment have been delivered to the office of the Committee at least 2 business days prior to the meeting. It shall be in order, without prior notice, for a Senator to offer a motion by any subcommittee of any measure under consideration. Such a motion to strike a single section of any measure under consideration. Such a motion to strike a section of the measure under consideration by the Committee or Subcommittee is amendable. This section may be waived by a majority of the members of the Committee or Subcommittee voting, or by agreement of the Chairman and Ranking Member of the Committee. The subsection shall apply only when the conditions of subsection (e)[1] have been met.
[g] Cordon rule. Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee or Subcommittee, from initial consideration through final resolution, the Clerk shall place before the Chairman of the Committee or Subcommittee a print of the statute or the part or sections thereof amended or repealed, either in stricken-type, the part or parts to be omitted, and in italics, the matter proposed to be added. In addition, whenever a member of the Committee or Subcommittee offers an amendment to a bill or joint resolution under consideration, those amendments shall be presented to the Committee or Subcommittee, showing the stricken or italics devices the effect of the proposed amendment on existing law. The requirements of this subsection may be waived when, in the opinion of the Committee or Subcommittee Chairman, it is necessary to expedite the business of the Committee or Subcommittee.

RULE 4. WITNESSES

[a] Authorization for. A Subcommittee of the Committee may be authorized by only the action of a majority of the Committee.

[b] Membership. No member may be a member of more than one Subcommittee and no member may chair more than one Subcommittee. No member will receive assignment to a second Subcommittee until, in order of seniority, all members have chosen assignments to one Subcommittee, and no member shall receive assignment to a third Subcommittee until, in order of seniority, all members have chosen assignments to two Subcommittees.

[c] Investigations. No investigation shall be initiated by a Subcommittee unless the Senate Committee has specifically authorized such investigation.

[d] Hearings. No hearing of a Subcommittee shall be scheduled outside the District of Columbia without the prior consultation with the Chairman and then only by agreement between the Chairman of the Subcommittee and the Ranking Member of the Subcommittee or by a majority vote of the members of the Subcommittee.

[e] Confidential testimony. No confidential testimony or confidential documents presented at an executive session of the Subcommittee or any report of the proceedings of such executive session shall be made public, printed or otherwise disclosed, unless specifically authorized by the Chairman of the Subcommittee and the Ranking Member of the Subcommittee, or by a majority vote of the members of the Subcommittee.

[f] Interrogation of witnesses. Subcommittee interrogation of a witness shall be conducted only by members of the Subcommittee or such professional staff as is authorized by the Chairman or the Ranking Member of the Subcommittee.

[g] Special meetings. If at least three members of a Subcommittee desire to hold a special meeting of the Subcommittee be called by the Chairman of the Subcommittee, those members may file in the offices of the Committee their written request to the Chairman of the Subcommittee for that special meeting. Immediately upon the filing of the request, the Clerk of the Committee shall notify the Chairman of the Subcommittee of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman of the Subcommittee does not cancel such special meeting, such special meeting shall be held, specifying the date and hour of that special meeting. The Subcommittee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk of the Committee shall notify all members of the Subcommittee of such special meeting will be held and inform them of its date and hour. If the Chairman of the Subcommittee is not present at any regular meetings of the Subcommittee, the Ranking Member of the majority party on the Subcommittee who is present shall preside at that meeting.

Resolution. All witnesses or matter shall be recommended from a Subcommittee to the Committee unless a majority of the Subcommittee are actually present. The vote of the Subcommittee on the measure or matter to the Committee shall require the concurrence of a majority of the members of the Subcommittee voting. On Subcommittee any record vote on the measure or matter to the Committee no record vote shall be taken unless a majority of the Subcommittee is actually present. Any hearing in a public or executive session shall be limited to a duration of 5 minutes when 5 or more members are present and 10 minutes when less than 5 members are present, except that if a member is unable to finish his or her questioning in this period, he or she may be permitted further questioning. The witness, after all members have been given an opportunity to question the witness.

Additional opportunity to question a witness shall be limited to a duration of 5 minutes when all members have been given the opportunity of questioning the witness for a second time. This 5-minute period per member will be continued until all members have exhausted their questions of the witness.

RULE 5. VOTING

[a] Vote to report a measure or matter. No member may be a member of any Committee or a Subcommittee with the agreement of the Committee or a Subcommittee unless such reimbursement is agreed to by the Chairman and Ranking Member of the Committee.

[b] Rights of questions. Questioning of a witness by members shall be limited to 5 minutes duration when 5 or more members are present and 10 minutes duration when less than 5 members are present, except that if a member is unable to finish his or her questioning in this period, he or she may be permitted further questioning. The witness, after all members have been given an opportunity to question the witness.

[c] Any absent member may affirmatively request that his or her vote may be cast by proxy. The proxy shall be sufficiently clear to identify the subject matter and to inform the Committee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman of Subcommittee, any time before the record vote on the measure or matter concerned is taken, the member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee.

Rule 6. Quorum

No executive session of the Committee or a Subcommittee shall be called to order unless a majority of the Committee or Subcommittee, as the case may be, are actually present. Unless the Committee otherwise provides or is required by the Rules of the Senate, each member shall constitute a quorum for the receipt of evidence, the swearing in of witnesses, and the taking of testimony.

RULE 7. STAFF PRESENT ON DAILY

Only members and the Clerk of the Committee shall be permitted on the dais during public or executive hearings, except that a member of the staff may have an opportunity to accompany him or her during such public or executive hearing on the dais. If a member desires
letter signed by 58 former national security officials, who served under Republican and Democratic administrations, criticizing President Trump’s declaration of a national emergency to build a wall on our southern border be printed in the RECORD. There being objection, the material was ordered to be printed in the RECORD, as follows:

JOINT DECLARATION OF FORMER UNITED STATES GOVERNMENT OFFICIALS

We, the undersigned declaration, declare as follows:

1. We are former officials in the U.S. government who have worked on national security and homeland security issues from the White House and by bilaterally with the Executive Branch. We have served in senior leadership roles in administrations of both major political parties, and collectively we have devoted a great many decades to protecting the security interests of the United States. We have held the highest security clearances, and we have participated in the highest levels of policy deliberations on a broad range of issues. These include: immigration, border security, counterterrorism, military operations, and our nation’s relationship with other countries, including those south of our border.

2. We are former officials in the U.S. government who have served in senior leadership roles in administrations of both major political parties, and collectively we have devoted a great many decades to protecting the security interests of the United States. We have held the highest security clearances, and we have participated in the highest levels of policy deliberations on a broad range of issues. These include: immigration, border security, counterterrorism, military operations, and our nation’s relationship with other countries, including those south of our border.

3. We have also been a member of the Central Intelligence Agency External Advisory Board since 2009 and of the Defense Policy Board since 2011, in which capacities we have testified before the United States Senate Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to that subject:

1. Banks, banking, and financial institutions.
2. Control of prices of commodities, rents, and service.
3. Deposit insurance.
4. Economic stabilization and defense production.
5. Export and foreign trade promotion.
6. Export controls.
7. Federal monetary policy, including Federal Reserve System.
8. Financial aid to commerce and industry.
9. Issuance and redemption of notes.
10. Money and credit, including currency and coinage.
11. Nursing home construction.
12. Public and private housing (including veteran’s housing).
14. Urban development and urban mass transit.

[Committee Procedures for Presidential Nominees]

Procedures formally adopted by the U.S. Senate Committee on Banking, Housing, and Urban Affairs, February 4, 1961, establish a uniform procedure for all Presidential nominees whose confirmation hearings come before this Committee.

In addition, the procedures establish that:

[1] A confirmation hearing shall normally be held at least 5 days after receipt of the completed questionnaire by the Committee unless waived by a majority vote of the Committee.

[2] The Committee shall vote on the confirmation not less than 24 hours after the Committee has received transcripts of the hearing unless waived by unanimous consent.

[3] All nominees routinely shall testify under oath at their confirmation hearings.

This questionnaire shall be made a part of the public record except for financial information, which shall be kept confidential.

Nominees are requested to answer all questions, and to add additional pages where necessary.

DECLARATION OF NATIONAL EMERGENCY

Mr. COONS. Mr. President, I ask by unanimous consent that the attached
ee. Prem Kumar served as Senior Director for the Middle East and North Africa at the National Security Council from 2013 to 2015. ff. John E. McLaughlin served as Deputy Director of Intelligence and Counterterrorism and Deputy National Security Advisor from 2004 to 2006. Previously, he served as Assistant Attorney General for National Security from 2003 to 2004 and as Acting Director in 2004. His duties included briefing President-elect Bill Clinton and President George W. Bush.

gg. Lisa O. Monaco served as Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor from 2011 to 2013. hh. Matthew Olsen served as Secretary of Homeland Security from 2009 to 2013. She served as the Governor of Arizona from 2003 to 2009.


jj. James C. O’Brien served as Special Presidential Envoy for hostage affairs from 2015 to 2017. He served in the U.S. Department of State from 1986 to 2011, including as Principal Deputy Director of Policy Planning and as Special Presidential Envoy for the Balkans.

kk. Matthew G. Olsen served as Director of the National Counterterrorism Center from 2011 to 2014.

ll. Leon E. Panetta served as Secretary of Defense from 2011 to 2013. From 2009 to 2011, he served as Director of the Central Intelligence Agency.

mm. Anne W. Patterson served as Assistant Secretary of State for Near Eastern Affairs from 2013 to 2017. Previously, she served as U.S. Ambassador to Egypt from 2011 to 2013, Lebanon from 2007 to 2010, to Colombia from 2000 to 2003, and to El Salvador from 1997 to 2000.


oo. Amy Pope served as Deputy Homeland Security Advisor and Deputy Assistant to the President from 2015 to 2017.

pp. Samantha J. Power served as U.S. Permanent Representative to the United Nations from 2013 to 2017. From 2009 to 2013, she served as Senior Director for Multilateral and Human Rights at the National Security Council.

qq. Jeffrey Prescott served as Deputy National Security Advisor to the Vice President from 2013 to 2015, and as Special Assistant to the President and Senior Director for Iran, Iraq, Syria and the Gulf States from 2015 to 2017.

rr. Nicholas Rasmussen served as Director of the National Counterterrorism Center from 2014 to 2017.

ss. Alan Charles Raul served as Vice Chairman of the Privatized and Civil Liberalization Advisory Board of Argentina from 2001 to 2003. He previously served as General Counsel of the U.S. Department of Agriculture from 1989 to 1993, General Counsel of the Office of Management and Budget in the Executive Office of the President from 1988 to 1989, and Associate Counsel to the President from 1986 to 1989.

tt. Dan Restrepo served as Special Assistant to the President and Senior Director for Western Hemisphere Affairs at the National Security Council from 2009 to 2012.

uu. Chuck Rosenberg served as U.S. Permanent Representative to the United Nations from 2009 to 2013 and as National Security Advisor to the President from 2013 to 2017.

vv. Reading served as Assistant Secretary of State for Population, Refugees, and Migration from 2012 to 2017.
Americans. Meanwhile, overall rates of violent crime in the United States have declined significantly over the past 25 years, falling 49 percent from 1993 to 2017. And violent crime in the country’s largest cities have decreased on average by 2.7 percent in 2018 alone, further undermining any suggestion of an uptick in terrorism. We do not need to build a wall to address these concerns. These actions are placing friendly governments to the south under impossible pressures and driving partners away. They have espoused a xenophobic relationship with Mexico, a relationship that is vital to regional efforts ranging from critical intelligence and law enforcement partnership to steps to address the growing tensions with Venezuela. Additionally, the proclamation could well lead to a new round of migration in a manner that could only contribute to long-term socioeconomic and security challenges.

6. There is no human or drug trafficking emergency at the southern border. The administration has claimed that the presence of human and drug trafficking at the border justifies its emergency declaration. There is no evidence of any such sudden crisis at the southern border that necessitates a reprogramming of approaches or a border wall.

a. The overwhelming majority of opioids that enter the United States across a land border are carried through legal ports of entry, not smuggled through unauthorized border crossings. A border wall would not stop these drugs from entering the United States. Nor would it deter traffickers from not only smuggling drugs but also people.

b. Crossings at the southern border are not the principal source of human trafficking victims. About two-thirds of human trafficking victims served by non-profit organizations that receive funding from the relevant Department of Justice office are U.S. citizens, and even among non-citizens, most trafficking victims usually arrive in the country on visas. None of these instances of trafficking could be addressed by a border wall. And the three states with the highest per capita trafficking reporting rates are not even located along the southern border.

7. This proclamation will only exacerbate the humanitarian concerns that do exist at the southern border. There are real humanitarian concerns at the border, but they largely result from the current administration’s own deliberate policies towards migrants. For example, the administration has used a “metering” policy to turn away families fleeing extreme violence and persecution in their home country, forcing them to wait indefinitely at the border to present their asylum cases, and has adopted a number of other punitive steps to restrict those seeking asylum at the southern border. These actions have forced asylum-seekers to live on the streets or in makeshift shelters and tent cities with abysmal living conditions, and limited access to basic sanitation has caused outbreaks of disease and death. This state of affairs is a consequence of choices this administration has made, and enacting a wall will do nothing to solve the root causes of these problems.

8. Redirecting funds for the claimed “national emergency” will undermine U.S. national security and the effectiveness of our forces. A nonexistent threat, redirecting funds for the construction of a wall along the southern border will undermine national security by needlessly pulling resources from Department of Defense programs that are responsible for keeping our troops and our country safe and running effectively.

a. Redirected funds from the defense construction budget will drain money from critical defense infrastructure projects, possibly including construction of roads, and renovation of off-base housing. And the proclamation will likely continue to divert those armed forces already at the southern border away from their usual training activities or missions, affecting troop readiness.

b. In addition, the administration’s unilateral, provocative actions are heightening tensions with our neighbors to the south, at a moment when we need their help to address those very concerns. These actions are placing friendly governments to the south under impossible pressures and driving partners away. They have espoused a xenophobic relationship with Mexico, a relationship that is vital to regional efforts ranging from critical intelligence and law enforcement partnership to steps to address the growing tensions with Venezuela. Additionally, the proclamation could well lead to a new round of migration in a manner that could only contribute to long-term socioeconomic and security challenges.

c. Finally, by declaring a national emergency, the administration is also claiming that the situation at the southern border “requires use of the armed forces.” But Congress has made clear that the purpose of the armed forces is to “support” use of the armed forces, not “to support” use of the armed forces. These claims are implausible.

a. Historically, our country has deployed National Guard troops at the border solely to assist the Border Patrol when there was an extremely high number of apprehensions, not to do low-level community policing. Border Patrol agents. But currently, even with detention and recruitment challenges, the Border Patrol is at historically high staffing levels and is prepared to handle the situation.

b. Furthermore, the composition of southern border crossings has shifted such that families and unaccompanied minors now account for the majority of immigrants seeking asylum at the southern border. These actions have forced asylum-seekers to live on the streets or in makeshift shelters and tent cities with abysmal living conditions, and limited access to basic sanitation has caused outbreaks of disease and death. This state of affairs is a consequence of choices this administration has made, and enacting a wall will do nothing to solve the root causes of these problems.

In a briefing before the House Appropriations Committee the next day, Arturo A. Valenzuela. The national security is for the declaration of a national emergency for the purpose of circumventing the appropriations process and reprogramming billions of dollars in funding to construct a wall at the southern border, as directed by the Presidential Proclamation of February 15, 2019. Respectfully submitted.

Signed,
McKeon, K. Albright, Jeremy B. Bash, John B. Bellinger III, Daniel Benjamin, Antony Blinken, John O. Brennan, R. Nicholas Burns, William J. Burns, Johnnie Car- sen Clapper,
David S. Cohen, Eliot A. Cohen, Ryan Crocker, Thomas Donilon, Jen Easterly, Nancy Ely-Ralph, Daniel F. Elkin, John D. Fry, Daniel F. Feldman, Jonathan Finer,
Jen Hernandez, Suzy George, Phil Gordon, Chuck Hale, Feith, April D. Gomes, Lake Hartig, Heather A. Higgensbottom, Roberta Jacobson, Gil Kerlikows, John F. Kerry,
Frem Kumar, John E. McLaughlin, Lisa O. Monaco, Janet Napolitano, John F. Salmin, James C. O’Brien, Matthew G. Olsen, Leon E. Panetta, Anne W. Patterson, Thomas R. Pickering,
Amy Pope, Samantha J. Power, Jeffrey Prescott, Nicholas Rasmussen, Alan Charles Raul, Dan Restrepo, Susan E. Rice, Anne C. Richard, Eric P. Schwartz, Andrew J. Shapirio,
Wendy R. Sherman, Vikram Singh, Dana Shell Smith, Jeffrey H. Smith, Jake Sullivan, W. Taylor, Susan E. Rice, Anne C. Richard, Eric P. Schwartz, Andrew J. Shapirio,
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Wendy R. Sherman, Vikram Singh, Dana Shell Smith, Jeffrey H. Smith, Jake Sullivan, W. Taylor, Susan E. Rice, Anne C. Richard, Eric P. Schwartz, Andrew J. Shapirio,
Throughout the construction of the CVC, Tom provided countless tours and briefings to Members of Congress, including leadership and their staff. Given his depth of knowledge, responsiveness, and evenhandedness through that challenging time, Tom earned great respect from the Members of Congress and the media in Washington.

In 2008, Tom subsequently assumed the role of director of communications and marketing for the U.S. Capitol Visitor Center. Under Tom’s leadership, the communications division expanded from providing the basics of a startup operation, to providing a wide range of communications to help visitors learn about the Capitol and workings of Congress. He has always looked for ways to take advantage of new technologies to engage visitors, students in particular, about Congress’s history. Under his leadership, the first AOC apps were developed, and one of them received a national award for its innovation.

For many Members of Congress, dignitaries, AOC, and CVC staff, Tom is the authoritative voice on the Capitol Visitor Center. He is widely respected for his unique knowledge about the Capitol building and grounds. From presenting inspiring tours to engaging visitors who are simply seeking directions, he personifies an experience all visitors expect when they come to the U.S. Capitol. Tom is an ambassador for the CVC, the Capitol, and Congress without equal.

Tom has also been an incredible asset to me and my office throughout his leadership at the CVC. Every year, I host a unique dinner on Capitol Hill for governmental leaders from all over the continent of Africa, including heads of state, legislators, and cabinet members. Ambassadors and guests who are key leaders in Africa also attend, along with several U.S. legislators. Prior to the dinner, we provide the guests with a tour of the Capitol to learn more about our Capitol building and the workings of Congress. Throughout all of the years I have held the tour and dinner, Tom has gone above and beyond what was required to make our guests feel welcome and to ensure that everything runs smoothly. His role in the success of our event has become so essential that, several years ago, we began inviting Tom to the dinner not only to support it, but to take part in it.

Tom leaves big shoes to fill. My Senate colleagues and I appreciate Tom’s hard work and commitment to our Capitol and country. He will be missed, but I wish him all the best in his retirement.

ADDITIONAL STATEMENTS

REMEMBERING SERGEANT RAMBO
- Mr. BLUMENTHAL. Mr. President, today, with a heavy heart, I wish to pay tribute to Sergeant Rambo N557, a medically retired military working dog—MWD—who dedicated his life to the Marine Corps and raising awareness for his fellow retired working dogs. Sadly, Sergeant Rambo passed away earlier this month. He will be remembered for his loving spirit and lifetime of service.

Sergeant Rambo served as an explosive detection MWD based out of MCCS Cherry Point, NC, from January 6, 2011, to April 11, 2012. Throughout his Active Duty, Sergeant Rambo completed 620 stateside and 2 official stateside missions, and about 1,000 hours of training. Unfortunately, a left shoulder injury prevented him from deploying. Nonetheless, he served valiantly alongside his handler, protecting their base and the community until retirement.

Connecticut native Lisa Phillips, who served in the U.S. Army as a veterinary technician, adopted Sergeant Rambo after his retirement. Despite needing an amputation because of his earlier injuries, committed to serving his Nation.

Well loved by people of all ages and capacities, Sergeant Rambo visited summer youth groups and local nursing homes, connecting with and bringing hope to special needs and elderly people suffering from dementia. His joyful and empathetic personality allowed him to bond with people across the Nation.

Sergeant Rambo also used his experiences to help local welfare, military, and veteran issues. He became the mascot for Alamo Honor Flight, accompanying World War II veterans to Washington, DC, and for Gizmo’s Gift, a nonprofit that supports people who have adopted retired working dogs by offering free medical care and other necessary financial support. He and Lisa attended press events with me, helping gain backing for the Canine Members of the Armed Forces Act, which sought to improve care for MWDs. Tom expanded the CVC’s efforts by streamlining the adoption process and establishing a national non-profit to cover the veterinary costs associated with retired working dogs. Several provisions of that act have become law.

In 2015, the American Humane Association named Sergeant Rambo the Military Dog of the Year. He and Lisa used this platform to give a TEDx Talk the next year about MWDs and Gizmo’s Gift. Then, in March 2017, they testified before the Connecticut General Assembly about a bill to establish K-9 Veterans Day in our State.

My wife Cynthia and I extend our deepest sympathies to Lisa during this difficult time. We know without a doubt that Sergeant Rambo’s legacy will leave a positive impact on the lives he touched and causes he championed for years to come.

RECOGNIZING MAGELLAN TRANSPORT LOGISTICS
- Mr. RUBIO. Mr. President, I wish to honor and commend one of the dedicat ed and hard-working small businesses that does so much for the State of Florida. As chairman of the Committee on Small Business and Entrepreneurship, each week I recognize a small business that exemplifies the American entrepreneurial spirit. Today, it is my distinct pleasure to name Magellan Transport Logistics, of Jacksonville, FL, as the Senate Small Business of the Week.

Founded in 2006, Magellan Transport Logistics is a Service-Disabled Veteran-Owned Small Business dedicated to providing its customers with a wide range of transportation needs. Tom Piatak founded Magellan Transport Logistics based on the same qualities that he learned while serving in the U.S. Army. A graduate of the U.S. Military Academy, Tom instills into the company the values he learned from West Point, as well as from his service as a combat engineer during Operation Desert Storm.

Today, Tom serves as chief executive officer and chairman of Magellan. Under his guidance, the company has become a leader in supporting the vast transportation needs of its clients. Tom and his team have gained much of their success by recruiting some of the most talented leaders and logistics professionals in the industry. By instituting four core values of entrepreneurship, ownership mentality, innovation, and transparency within the company, Magellan has created a positive culture that has translated into rapid growth and success. In March of 2018, Magellan completed the acquisition of a 47,000-square-foot warehouse and the hiring of 100 employees over the next 5 years, furthering its investment in the Jacksonville community.

Magellan is known for its dedication to its employees and as a pillar of the Jacksonville community. The company offers completes logistics and transportation services, both local and international, by truck or airplane, while also providing warehousing, services, and supply chain management. Magellan has built strong relationships with its clients by embracing the “no man left behind” principle that Tom learned during his time serving our country in the U.S. Army.

As a Service-Disabled Veteran-Owned Small Business, Magellan is committed to hiring veterans and participating in community service events to benefit American veterans and their families. In December, Magellan sponsored 20 wreaths for National Wreaths Across America Day, as well as assisted with unloading and placing the memorial wreaths on the graves of fallen servicemen. Magellan also collaboratively established the Wounded Warrior Project, and their commitment to veterans in their community is a testament to the company’s values.

In addition to their continued service to our Nation’s veterans, Magellan has also aided the community in disaster relief efforts. Following Hurricane Michael in the fall of 2018, Magellan
worked directly with FEMA, providing 40 trucks and three staff members as part of the disaster recovery effort. They also partnered with Operation BBQ Relief, a nonprofit organization, to deliver meals and supplies to families throughout impacted areas.

Tom Piatak and Magellan are regularly honored for their success and dedication to the Jacksonville community. During the 2017–2018 NFL football season, the Jacksonville Jaguars honored Magellan as their Veteran Business of the Week. The Jacksonville Business Journal recognized Tom and the team at Magellan for their efforts to hire veterans, and the Wounded Warrior Project awarded the company the Wounded Warrior Certificate of Recognition in 2017.

Tom Piatak’s work to grow Magellan Transport Logistics while staying committed to his community and veterans represents the dedication to service for which Florida entrepreneurs are well known. Through hard work, Tom and his team at Magellan Transport Logistics have built a successful business grounded in strong values, while serving as an example of superior corporate citizenship. I would like to congratulate Tom and the entire team at Magellan Transport Logistics for being named the Senate Small Business of the Week. I wish them good luck and look forward to watching their continued growth and success.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Risch, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committee for their consideration.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on February 15, 2019, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agreed to the following concurrent resolution:

S. Con. Res. 4. Concurrent resolution providing for a correction in the enrollment of H.J. Res. 31

The message also announced that the House agreed to the report of the committee on the disagreeing votes of the two Houses on the amendment of the Senate to the resolution (H.J. Res. 31) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on February 15, 2019, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled joint resolution:

H.J. Res. 31. Joint resolution making consequential appropriations for the fiscal year ending September 30, 2019, and for other purposes.

Under the authority of the order of the Senate of January 3, 2019, the enrolled joint resolution was signed on February 15, 2019, during the adjournment of the Senate, by the Acting President pro tempore (Mrs. Fischer).

MESSAGE FROM THE HOUSE

At 3:01 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to sections 550(a) and 551(b) of title 20, United States Code, and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the Joint Economic Committee: Mr. Kennedy of Massachusetts and Mrs. Beatty of Ohio.

The message also announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the Joint Economic Committee: Mr. Beyrer of Virginia, Mr. Heck of Washington, Mr. Trone of Maryland, Mrs. Beatty of Ohio, and Mrs. Frankel of Florida.

The message further announced that pursuant to section 2(a) of the National Cultural Center Act (20 U.S.C. 767(a)), amended by Public Law 107–117, and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: Mr. Kennedy of Massachusetts and Mrs. Beatty of Ohio.

The message also announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the Joint Economic Committee: Mr. Beyer of Virginia, Mr. Heck of Washington, Mr. Trone of Maryland, Mrs. Beatty of Ohio, and Mrs. Frankel of Florida.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the Executive Office of the President: Mr. Vela of Texas.

The message also announced that pursuant to 15 U.S.C. 2302, and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the United States Holocaust Memorial Council: Mr. Deutch of Florida, Mr. Schneider of Illinois, and Mr. Lewis of Georgia.

The message further announced that pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Public Law 114–196), and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the United States Semiquincentennial Commission: Mr. Vela of Texas, Mrs. Watson Coleman of New Jersey, and Mr. Coons.

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–344. A communication from the Executive Director, Office of Congressional Workforce Development, transmitting, pursuant to Section 201(b) of the Congressional Accountability Act of 1995 Reform Act, a biennial report entitled “Recommendations for Improvements to the Congressional Accountability Act,” received in the office of the President pro tempore of the Senate; to the Committee on Rules and Administration.

EC–329. A message from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order declaring a national emergency in order to address the humanitarian crisis that is threatening the United States; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. Barrasso, from the Committee on Environment and Public Works:

Report to accompany S. 183, A bill to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices, and for other purposes (Rept. No. 116–2).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time, and ordered to be printed:

S. 536. A bill to amend the Securities Act of 1933 to expand the rules and regulations of the Securities and Exchange Commission to set new and higher standards for the distribution of securities and to provide for an additional layer of protection for investors.

By Mr. Tillis (for himself and Mr. Van Hollen):

S. 537. A bill to amend the Internal Revenue Code of 1986 to provide the work opportunity tax credit with respect to hiring veterans who are receiving educational assistance under laws administered by the Secretary for Veterans Affairs or Defense; to the Committee on Finance.

By Mr. Warner (for himself, Ms. Stabenow, Mr. Gardner, Mr. Cramer, and Ms. Baldwin):

S. 537. A bill to amend the Internal Revenue Code of 1986 to provide a credit for employer-provided worker training; to the Committee on Finance.

By Mr. Warner (for himself and Mr. Coons):
S. 539. A bill to amend the Internal Revenue Code of 1986 to establish Lifelong Learning and Training Account programs; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. ROUNDS, and Mr. BOOKER):

S. 540. A bill to provide minimum standards for transactions secured by a dwelling, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself, Mr. YOUNG, Mr. HOEVEN, Mr. Sasse, Mr. ROYBLIN, and Mr. KING):

S. 541. A bill to require the Secretary of Labor to establish a pilot program for providing portable benefits to eligible workers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. WYDEN, Mr. RUSKIN, Mr. HINCHICH, Mr. CRAPO, Mr. MEEKLEY, and Mr. MANCHYN):

S. 542. A bill to protect the right of law-abiding citizens to transport knives inter-state, notwithstanding a patchwork of local and State prohibitions; to the Committee on Commerce, Science, and Transportation.

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

S. 543. A bill to require the Secretary of Transportation to finalize rules to protect consumers from the risks of carbon monoxide poisoning and rollovers from motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself, Mr. HINCHICH, Mr. REED, Ms. HARRIS, and Mr. COONS):

S. 544. A bill to require the Director of National Intelligence to submit to Congress a report on the death of Jamal Khashoggi, and for other purposes; to the Select Committee on Intelligence.

By Mr. CORTEZ MASTO (for herself and Mr. CORNYN):

S. 545. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to award institutions of higher education grants for teaching English learners; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mr. GARDNER, Ms. MURKOWSKI, Mrs. SHAHHEEN, Mr. WHITEHOUSE, Mr. MARKY, Mr. SCHUMER, Mr. SCOTT, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. MERKLEY, Ms. DUCKWORTH, Mr. BENNET, Ms. WARREN, Mr. CASEY, Ms. KLOBUCHAR, Mr. MURPHY, Mr. COONS, and Ms. HARRIS):

S. 546. A bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 547. A bill to amend the Federal Election Campaign Act of 1971 to require certain reports filed under such Act to include the names of persons who are registered lobbyists under the Lobbying Disclosure Act of 1995, and for other purposes; to the Committee on Rules and Administration.

By Mr. PORTMAN (for himself and Ms. CANTWELL):

S. 548. A bill to reauthorize the Money Follows the Person Demonstration Program; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Ms. DUCKWORTH, Ms. HARRIS, Mr. SANDERS, Mr. BLUMENTHAL, Mr. DURbin, Mr. WHITEHOUSE, Mr. MARKY, and Mr. CARDIN):

S. 549. A bill to modernize voter registration, to increase access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR:

S. 550. A bill to require States to automatically register eligible voters at the time they turn 18 to vote in Federal elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself and Mr. PORTMAN):

S. 551. A bill to amend title XVIII of the Social Security Act to require manufacturers of certain single-dose vial drugs payable under part B of the Medicare program to provide rebates with respect to amounts of such drugs discarded, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 73

At the request of Mrs. SHAHHEEN, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 73, a bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising or promotional expenses for prescription drugs.

S. 92

At the request of Mr. PAUL, the name of the Senator from Texas (Mr. Cornyn) was added as a cosponsor of S. 92, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 164

At the request of Mr. DAINES, the names of the Senator from Massachusetts (Ms. Warren) and the Senator from South Dakota (Mr. Rounds) were added as cosponsors of 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.

S. 172

At the request of Mr. GARDNER, the names of the Senator from Mississippi (Mr. Wicker), the Senator from Louisiana (Mr. Kennedy) and the Senator from West Virginia (Mrs. Capito) were added as cosponsors of S. 172, a bill to delay the reimposition of the annual fee on health insurance providers until after 2021.

S. 191

At the request of Ms. KOBUCHAR, the name of the Senator from Maine (Ms. Collins) was added as a cosponsor of S. 191, a bill to direct the Secretary of Defense to include in periodic health assessments, separation history and physical examinations, and other assessments an evaluation of whether a member of the Armed Forces has been exposed to open burn pits or toxic airborne chemicals, and for other purposes.

S. 203

At the request of Mr. CRAPO, the names of the Senator from Montana (Mr. Daines), the Senator from South Carolina (Mr. Graham) and the Senator from Montana (Mr. Tester) were added as cosponsors of S. 203, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit, and for other purposes.

S. 215

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. Wicker) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to reauthorize the Economic Growth and Generational Security Transfer Tax Act, and for other purposes.

S. 239

At the request of Mrs. SHAHHEEN, the name of the Senator from Maryland (Mr. Cardin) was added as a cosponsor of S. 239, a bill to require the Secretary of the Treasury to mint coins in recognition of Chris Kyle and Duty.

S. 266

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. Murphy) was added as a cosponsor of S. 266, a bill to provide for the long-term improvement of public school facilities, and for other purposes.

S. 280

At the request of Mrs. MURRAY, the name of the Senator from Maine (Mr. King) was added as a cosponsor of S. 270, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of workplace discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 296

At the request of Mr. BARRASSO, the name of the Senator from New Hampshire (Mrs. Shaheen) was added as a cosponsor of S. 296, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 299

At the request of Mr. CARDIN, the names of the Senator from Rhode Island (Mr. Reed) and the Senator from New Hampshire (Mrs. Shaheen) were added as cosponsors of S. 299, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

At the request of Ms. COLLINS, the names of the Senator from Wyoming (Mr. Barrasso) and the Senator from Mississippi (Mr. Wicker) were added as cosponsors of S. 299, supra.

S. 311

At the request of Mr. Sasse, the name of the Senator from Colorado (Mr. Gardner) was added as a cosponsor of S. 311, a bill to amend title 18, to provide for deportation of certain aliens after failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.
At the request of Mr. BENNET, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 317, a bill to amend title XIX of the Social Security Act to provide States with the option of providing coordinated care for children with complex medical conditions through a health home.

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 317, supra.

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 320, a bill to amend title 18, United States Code, to require federally licensed firearms importers, manufacturers, and dealers to meet certain requirements with respect to securing their firearms inventory, business records, and business premises.

At the request of Mrs. MURRAY, the names of the Senator from Oregon (Mr. WYDEN), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 323, a bill to direct the Secretary of Education to establish the Recognition, Inspiring School Employees (RISE) Program recognizing excellence exhibited by classified school employees providing services to students in prekindergarten through high school.

At the request of Mr. MURRAY, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Washington (Ms. CANTWELL), the Senator from Illinois (Mr. DURBIN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 383, a bill to support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes.

At the request of Mr. LANKFORD, the name of the Senator from Oklahoma (Mr. LANKFORD), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Idaho (Mr. CRAPO) and the Senator from Arizona (Ms. MC+SALLY) were added as cosponsors of S. 366, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

At the request of Mr. TOOMEY, the names of the Senator from New Hampshire (Ms. HASSAN), the Senator from Oregon (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW), the Senator from Connecticut (Mr. MURPHY), the Senator from California (Ms. HARRIS), the Senator from Ohio (Mr. PORTMAN), the Senator from Vermont (Mr. SANDERS), the Senator from New Jersey (Mr. BOOKER), the Senator from Delaware (Mr. COONS), the Senator from Maine (Ms. COLLINS), the Senator from New Mexico (Mr. UDALL), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Arizona (Ms. McSALLY) were added as cosponsors of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

At the request of Ms. HARRIS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 488, a bill to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes.

At the request of Mr. SULLIVAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 496, a bill to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen, and for other purposes.

At the request of Mr. PORTMAN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 500, a bill to support State, Tribal, and local efforts to remove access to firearms from individuals who are a danger to themselves or others pursuant to court orders for this purpose.

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 506, a bill to support State, Tribal, and local efforts to remove access to firearms from individuals who are a danger to themselves or others pursuant to court orders for this purpose.

At the request of Mr. KLOBUCHAR, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 507, a bill to amend the National Voter Registration Act of 1993 to clarify that a State may not use an individual’s failure to vote as the basis for initiating the procedures provided under such Act for the removal of the individual from the official list of registered voters in the State on the grounds that the individual has changed residence, and for other purposes.

At the request of Mrs. HARRIS, the names of the Senator from Oregon (Mr. MURPHY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 513, a bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals, and for other purposes.

At the request of Mr. TESTER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 521, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 524, a bill to establish the Department of Veterans Affairs Advisory Committee on Tribal and Indian Affairs, and for other purposes.

At the request of Mr. PAUL, the names of the Senator from Utah (Mr. LEE), the Senator from Iowa (Ms. Ernst), the Senator from Florida (Mr. RUBIO) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 525, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

At the request of Mr. CARDDIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Mr. KING) were added as cosponsors of S.J. Res. 6, a joint resolution removing the deadline for the ratification of the equal rights amendment.

At the request of Mr. RUBIO, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. Res. 73, a resolution calling on the Kingdom of Saudi Arabia to immediately release Saudi Women’s Rights activists and respect the fundamental rights of all Saudi citizens.

At the request of Mr. PORTMAN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. Res. 74, a resolution marking the fifth anniversary of Ukraine’s Revolution of Dignity by honoring the bravery, determination, and sacrifice of the people of Ukraine during and since the Revolution, and condemning continued Russian aggression against Ukraine.
STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. PORTMAN):

S. 551. A bill to amend title XVIII of the Social Security Act to require manufacturers of certain single-dose vial drugs payable under part B of the Medicare program to provide rebates with respect to amounts of such drugs discarded, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, as follows:

S. 551
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 “Recovering Excessive Funds for Unused and Needless Drugs Act of 2019” or the “REFUND Act of 2019”.

SEC. 2. REQUIRING MANUFACTURERS OF CERTAIN DISCARDED SINGLE-DOSE VIAL DRUGS TO PROVIDE REBATES WITH RESPECT TO DISCARDED AMOUNTS OF SUCH DRUGS.

(a) IN GENERAL.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(w) REBATE FOR CERTAIN DISCARDED SINGLE-DOSE VIAL DRUGS.—

“(1) IN GENERAL.—The manufacturer (as defined in section 1847A(c)(6)(A)) of a rebatable single-dose vial drug furnished in a calendar quarter shall, not later than 30 days after the date of receipt of information described in paragraph (2)(A)(iii) with respect to such quarter, provide to the Secretary a rebate that is equal to the amount specified in paragraph (3) for such drug for such quarter.

“(2) SECRETARIAL DUTIES.—

“(A) IN GENERAL.—For each calendar quarter, the Secretary, with respect to a rebatable single-dose vial drug of a manufacturer furnished during such quarter—

“(i) require, through use of a modifier such as the JW modifier used as of the date of enactment or any successor code that includes such data as determined appropriate by the Secretary, an indication on a claim for such drug of the amount of such drug that was discarded after such drug was furnished, if any;

“(ii) determine the rebate amount (as defined in subparagraph (B)) with respect to such drug; and

“(iii) not later than 60 days after the end of such quarter, provide to such manufacturer notice of the rebatable amount.

“(B) REBATE AMOUNT.—The term ‘rebate amount’ means, with respect to a rebatable single-dose vial drug of a manufacturer furnished during a calendar quarter, 90 percent of the amount (if any) of such drug that was discarded as indicated pursuant to subparagraph (A)(i).

“(C) REBATE AMOUNT.—The amount of the rebate specified in this paragraph is, with respect to a rebatable single-dose vial drug of a manufacturer furnished in a calendar quarter, an amount equal to the product of—

“(A) the total number of units of such drug discarded during such quarter as determined under paragraph (2)(A)(iii); and

“(B) the lesser of—

“(i) the average sales price (as defined in section 1847A(c)(1)) for a unit of such drug during such quarter, determined by the Secretary, acting through the relevant Medicare program, to be paid by the Medicare program under such agreement with such manufacturer under section 340B of the Public Health Service Act, the price for a unit of such drug during such quarter under such agreement; or

“(ii) the wholesale acquisition cost (as defined in section 1847A(c)(6)(B)) for a unit of such drug.

“(D) REBATE DEPOSIT.—Amounts paid as rebates pursuant to paragraph (1) shall be deposited into the Federal Supplementary Medical Insurance Trust Fund established under section 1841.

“(E) ENFORCEMENT.—

“(A) AUDITS.—Each manufacturer of a rebatable single-dose vial drug that is required to provide a rebate under this subsection shall be subject to periodic audit with respect to such drug and such rebates by the Secretary.

“(B) CIVIL MONEY PENALTY.—

“(i) IN GENERAL.—The Secretary shall impose a civil money penalty on a manufacturer of a rebatable single-dose vial drug who has failed to comply with its requirement under paragraph (1) for such drug for a calendar quarter in an amount the Secretary determines is commensurate with the sum of—

“(I) the amount that the manufacturer would have paid under such paragraph with respect to such drug for such quarter; and

“(II) 25 percent.

“(ii) APPLICATION.—The provisions of section 1128A (other than subsections (a) and (b)) shall apply to civil money penalties under this subsection in the same manner as such provisions apply to a penalty or proceeding under section 1128A(a).

“(G) DEFINITIONS.—In this subsection:

“(A) REBATEABLE SINGLE-DOSE VIAL DRUG.—The term ‘rebateable single-dose vial drug’ means a single source drug or biological (as defined in section 1847A(c)(6)(D)) paid for under this part and furnished on or after January 1, 2020, from a single-dose vial.

“(B) UNIT.—The term ‘unit’ has the meaning given such term in section 1847A(b)(2)(B).

“(C) COLLECTION OF INSURANCE ONLY FOR PORTION OF REBATABLE SINGLE-DOSE VIAL DRUG ADMINISTERED.—Section 1833(a) of the Social Security Act (42 U.S.C. 1395l) is amended—

“(1) in subsection (a)(1)(B), by inserting subject to subsection (cc), before with respect to;

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

“(cc) COLLECTION OF INSURANCE ONLY FOR PORTION OF REBATABLE SINGLE-DOSE VIAL DRUG ADMINISTERED.—When processing a claim for a rebatable single-dose vial drug (as defined in section 1834(w)(6)) for the services of a Medicare beneficiary, the Secretary, acting through the relevant Medicare program, shall ensure that the right to appeal the determination under which the claim for such rebatable single-dose vial drug is paid is afforded to the beneficiary, the Medicare beneficiary’s contractor, or any other entity that is responsible under section 1849 for making such payment in the same manner as such provisions apply to a penalty or proceeding under section 1128A(a).

“(d) EFFECTIVE DATE.—This section shall be subject to periodic audit by the Secretary.

“DEAR MR. PRESIDENT: Section 102(b) of the Congressional Accountability Act of 1995 (CAA) requires the Board of Directors of the Office of Congressional Workplace Rights (OCWR) to biennially submit a report concerning its recommendations regarding Federal workplace rights, safety and health, and public access laws and regulations that should be made applicable to Congress and its agencies. This report is intended to meet the requirements of the CAA and to ensure that the rights afforded by the CAA to legislative branch employees and visitors to Capitol Hill and district offices remain equivalent to those in the private sector and the executive branch of the Federal government. As such, these recommendations support the intent of Congress to keep pace with advances in workplace rights and public access laws.

Accompanying this letter is a copy of our report titled ‘Recommendations for Improvements to the Congressional Accountability Act’—for consideration by the 116th Congress. We welcome discussion on these issues and urge that Congress act on these important recommendations.

Your office is receiving this initial copy prior to it being uploaded to our public website. On March 4, 2019, this report will be included in the 116th Congress Record and referred to the committees of the House of Representatives and Senate with jurisdiction.

Sincerely,

SUSAN TSUI GRUNDMANN,
Executive Director.
Office of Congressional Workplace Rights—
Board of Directors’ Biennial Report re-
quired by § 102(b) of the Congressional Ac-
countability Act issued at the conclusion of
the 115th Congress (2017–2018) for consid-
eration by the 116th Congress

Statement From the Board of Directors

The Congressional Accountability Act of 1995 (CAA) embodies a promise by Congress to the American public that it will hold itself accountable to the same federal work-
place standards as applies to all federal private sector employers and executive branch agencies. This landmark legislation was also crafted to provide for ongoing review of our Office, and accessibility, such as notices that apply to Congress. Section 102(b) of the CAA thus tasks the Board of Directors of the Office of Congressional Workplace Rights (OCWR)—formerly the Office of Compliance—an Review legislation and regulations to ensure that workplace protections in the legislative branch are on par with private sector law enforcement branch agencies. Accordingly, every Congress, the Board reports on: whether or to what degree (provisions of Federal law (including regulations) relating to (A) the terms and conditions of em-
ployment (including hiring, promotion, demo-
tination, salary, wages, overtime compensation, benefits, work assignments or reassignments, grievance and disciplinary procedures, protection from discrimination in personnel actions, occupational health and safety, and family and medical leave) of employees; and (B) access to public services and accommodations) . . . are applicable or inapplicable to the legislative branch, and . . . with respect to provisions inapplicable to the legislative branch, whether such provisions should be made applicable to the legislative branch. This section of the CAA also requires that the pre-
siding officers of the House of Representa-
tives and the Senate cause our report to be printed in the Congressional Record and refer the report to committees of the House and Senate with jurisdiction.

On December 21, 2018, as we were in the process of finalizing our Section 102(b) Re-
port for the 115th Congress, the Congres-
sional Accountability Act of 1995, Pub. L. No. 104-162, 106 Stat. 895 (1992), was signed into law. Not since the passage of the CAA in 1995 has there been a more significant moment in the evolution of legislative workplace relations. The new law focuses on protecting victims, strengthening transparency, holding violators accountable for their personal conduct, and improving the adjudication process. Some of the changes in the CAA Reform Act are effective immediately, such as the name change of our Office, but most will be effective August 1, 2019. The CAA Reform Act incorporates several of the recommendations that the OCWR has made to Congress in past Section 102(b) Reports and in other contexts, such as after testimony before the Committee on House Administration (CHA) as part of that com-
mittee’s comprehensive review in 2018 of the protections that the CAA offers legislative branch employees against harassment and discrimination in the congressional work-
place. These changes include the following: Mandating harassment and discrimination protec-
tions to all staff; adding the term “intern” to “employees” in the definition of “employee” in the CAA; and amending the CAA to provide for ongoing re-
view of workplace protections and regulations in the legislative branch, regardless of how or whether they are paid. The CAA Reform Act amends section 201 of the CAA—
which applies title VII of the Civil Rights Act of 1964 (outlawing discrimination based on race, color, religion, sex, or national ori-
tinity of provisions of the CAA (2002) Reform Act, S. 3749, was signed into law. Not since Congress extend the coverage and protec-
tions of the anti-discrimination, anti-harass-
ment, and anti-reprisal provisions of the CAA to all staff, interns, detailees, and fellows, and detailees working in any employing office in the legislative branch, regardless of how or whether they are paid. The CAA Re-
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Pre-Reform Act Procedures Under the CAA

As stated above, the effective date for the new ADR procedures under the Reform Act is June 19, 2019. Currently, prior to filing a complaint, OWCR pursues it for mediation. Under section 104 of the Act or in the U.S. District Court, the CAA requires that an employee satisfy two jurisdictional prerequisites: mandatory counseling and mandatory prerequisite to as- sessing eligibility under the CAA. 2 U.S.C. § 1402(a)(3).

The CAA presently requires an employee to wait 30 days after mediation ends to pursue a formal administrative complaint or a lawsuit in a U.S. District Court. In her testimony before the Committee, Executive Director Grundmann conveyed the Board’s recommendation that this period be eliminated from the statute. The Reform Act amendments do not affect the CAA in this regard.

As the changes set forth in the Reform Act take effect, the Board will carefully monitor their effectiveness and advise Congress of its findings. In this Report, we also highlight key recommendations that the Board has made in past Section 102(b) Reports that have not yet been implemented. (see note 1.) We continue to believe that the adoption of these recommendations, discussed below, will best promote a model workplace in the legislative branch. The Board welcomes further discussion these recommendations and asks for careful consideration of the requests by the 116th Congress.

Sincerely,

BARBARA CHILDS WALLACE,
Chair, Board of Directors

Counseling and Mediation Changes

In testimony before the CHA, Executive Director Grundmann explained that counselors welcomed the opportunity to discuss their workplace concerns and to learn about their statutory protections under the CAA. She conveyed the Board’s view that, although counseling need not remain mandatory under the CAA, the CAA should not be amended in such a manner as to eliminate the availability of an alternative. By voluntary agreement or acceptance of an offer Wounded Warrior Federal Leave, the employee may file an opportunity for employees to voluntarily counseling need not remain mandatory under the CAA.

The Wounded Warrior Federal Leave Act, enacted in 2016, recognizes the flexibility to receive medical care as they transition to serving the nation in a new capacity. Specifically, new federal employees transitioning to serving the nation in a new capacity may receive 104 hours of “wounded warrior leave” during their first year in the federal workforce so that they may seek medical care for service-connected disabilities without being forced to take unpaid leave or forego their medical appointments. The Act was passed as a way to address the hardship and sacrifices of veterans and, in particular wounded warriors, in service to the United States. Although some employers in the legislative branch offer Wounded Warrior Federal Leave, the Board reiterated the recommendation made in its 2016 Section 102(b) Report to extend this legislative benefit to employees in the legislative branch.

Recommendations for Congress

Apply the Wounded Warrior Federal Leave Act of 2015 to the Legislative Branch (Public Law 114–75)

The Wounded Warrior Federal Leave Act, enacted 2015, recognizes the flexibility to receive medical care as they transition to serving the nation in a new capacity. Specifically, new federal employees who are also disabled veterans with a 30% or more disability may receive 104 hours of “wounded warrior leave” during their first year in the federal workforce so that they may seek medical care for service-connected disabilities without being forced to take unpaid leave or forego their medical appointments. The Act was passed as a way to address the hardship and sacrifices of veterans and, in particular wounded warriors, in service to the United States. Although some employers in the legislative branch offer Wounded Warrior Federal Leave, the Board reiterated the recommendation made in its 2016 Section 102(b) Report to extend this legislative benefit to employees in the legislative branch.

The Board has made in past Section 102(b) Reports that have not yet been implemented. (see note 1.) We continue to believe that the adoption of these recommendations, discussed below, will best promote a model workplace in the legislative branch. The Board welcomes further discussion these recommendations and asks for careful consideration of the requests by the 116th Congress.

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Chair, Board of Directors

Analysis of Pending FMLA Regulations

On June 22, 2016, the Board of Directors adopted and transmitted to Congress for approval its regulations necessary for implementing the FMLA in the legislative branch. In accordance with the Executive Order of January 23, 2013, these regulations are the same as the substantive regulations adopted by the Secretary of Labor, 2 U.S.C. § 1312(d)(2), except where good cause exists that Adoption of these regulations would be more effective in implementing FMLA rights under the CAA. We seek congressional approval of these important FMLA regulations. The FMLA regulations provide needed clarity on important aspects of the law, including essential requirements for certifying leave and documentation, defining “spouse” to include same-sex spouses as required by the Supreme Court precedent, and adding military caregiver leave. Adoption of these regulations will reduce uncertainty for both employing offices and employees and provide greater predictability in the congressional workplace. First, these FMLA regulations address military caregivers. The FMLA, enacted under the National Defense Authorization Acts (NDAA) for Fiscal Years 2008 and 2010 (see note 2), that extend the availability of FMLA leave to family members of the Regular Armed Forces for qualifying exigencies arising out of a service member’s deployment. They also define those deployments covered under these provisions, extend FMLA military caregiver leave for family members of current service members to include an injury or illness that would render the individual in the line of duty on active duty, and extend FMLA military caregiver leave to family members of certain veterans with illness. It noted, the FMLA amendments providing additional rights and protections for service members and their families, the NDAA for Fiscal Years 2008 and 2010. The congressional committee reports that accompany the NDAA for Fiscal Years 2008 and 2010 and the NDAA for Fiscal Years 2008 and 2010. They specifically directed the Board to “describe the manner in which the provision of the bill [relating to terms and conditions of employment]... apply to the legislative branch.” The Board reasons the provision does not apply to the legislative branch” (in the case of a provision

in large part to its mediation processes. Mediation can save the parties from burden- some litigation, which can be expensive, time consuming, and a drain on resources and workplace productivity. The Board also gives the parties an opportunity to explore resolving the dispute themselves without having a result imposed upon them. Further- more, OCWR Board of Directors, and any deci- sion of the Board may be appealed to the U.S. Court of Appeals for the Federal Cir- cuit. If, instead of filing a request for an ad- ministrative hearing, the employee files a civil suit in Federal district court, an appeal to the CAA, and it will take place only if re- quested and only if both parties agree.

“Cooling Off” Period

As stated above, the CAA presently requires an employee to wait 30 days after mediation ends to pursue a formal administrative claim or a lawsuit in a U.S. District Court. In her testimony before the CHA, Execu- tive Director Grundmann conveyed the Board’s recommendation that this period be eliminated from the statute. The Reform Act amendments do not affect the CAA in this regard.

The Board welcomes an opportunity to further discuss these recommendations and asks for careful consideration of the requests by the 116th Congress.

Sincerely,

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As the changes set forth in the Reform Act take effect, the Board will carefully monitor their effectiveness and advise Congress of its findings. In this Report, we also highlight key recommendations that the Board has made in past Section 102(b) Reports that have not yet been implemented. (see note 1.) We continue to believe that the adoption of these recommendations, discussed below, will best promote a model workplace in the legislative branch. The Board welcomes further discussion these recommendations and asks for careful consideration of the requests by the 116th Congress.

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Congressional Record — Senate
February 25, 2019

not applicable to the legislative branch), as required by section 102(b)(3) of the CAA. (see note 3)

Consequently, when the FMLA was amended to add these additional rights and protections, it was not clear whether Congress intended that these additional rights and protections apply to the legislative branch. To the extent that there may be an ambiguity regarding the applicability to the legislative branch of the 2008 and 2010 FMLA amendments, the Board must clearly interpret these regulations that the rights and protections for military servicemembers apply in the legislative branch, and that protections under the FMLA apply to both public and private sector employees. The Board adopted FMLA regulations implement leave protections of significant importance to legislative branch employees and employing offices. Accordingly, the Board recommends that Congress approve the Board's adopted FMLA regulations. Second, these regulations set forth the revised definition of "spouse" under the FMLA in light of the DOL's February 25, 2015 Final Rule on the definition of spouse, and the U.S. Supreme Court's decision in Obergefell v. Hodges (see note 4), which requires a state to license a marriage between two people of the same sex and to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-state.

Analysis of Pending ADA Regulations:

Public access to Capitol Hill and constituent offices to district and state offices has been a hallmark of many congresses. The Board recommends that Congress approve its adopted ADA regulations implementing titles II and III of the ADA of Capitol Hill and the district offices. First, the Board's ADA regulations clarify which titles II and III regulatory requirements apply to the legislative branch. This knowledge is needed to save government money by ensuring pre-construction review of construction projects for ADA compliance—rather than providing for only post-construction inspections and costly rework when the access is not adequate. Second, under the regulations adopted by the Board, all leased spaces must meet some basic accessibility requirements that apply to all federal facilities that are leased or constructed. In this way, Congress will remain a model for both public and private offices.

Under the authority of the landmark CAA, the OOC has made significant progress towards making Capitol Hill more accessible for people with disabilities. Our report highlights the progress made to improve access to the buildings and facilities on the campus are consistent with the priority guidance in the Board's ADA regulations, which it adopted in February 2016. Congressional approval of these regulations would reaffirm its commitment to provide barrier-free access to the visiting public to the campus.

The Board of Directors adopted USERRA regulations to apply to the legislative branch. These regulations, transmitted to this Committee on March 1, 2010, are necessary to provide for the health and safety of our employees in an area fundamental to the institutional integrity of the legislative branch. The Board recommends that Congress approve the Board's adopted USERRA regulations which implement protections for initial hiring and protection against discharge, a person because that person has served or is about to serve on active duty in the Armed Forces. The Board adopts these additional rights and protections for initial hiring and protection against discharge, a person because that person has served or is about to serve on active duty in the Armed Forces. The Board makes clear through these regulations that, except for the provisions of section 309(c), the protections and benefits on behalf of the workforce.


Protect Employees and Applicants Who Are or Have Been in Bankruptcy

Section 525(a) of title 11 of the U.S. Code provides that "[a] governmental unit may not deny employment to, term the employment of, or discriminate with respect to employment against, a person because that person has, is about to have, or has been subject to bankruptcy or reorganization proceedings under a law of the United States relating to insolvency or rehabilitation of debtors." This provision currently does not apply to the legislative branch. Reiterating the recommendations in this Report, the Board advises that the rights and protections against discrimination on the basis of bankruptcy is required by the CAA.

Prohibit Discharge of Employees Who Are or Have Been Subject to Garnishment

Title 15, U.S.C. § 1674(A)

Section 1674(a) of title 15 of the U.S. Code prohibits discharges of any employee because his or her "earnings have been subject to garnishment for any one indebtedness." This section is limited to private employers, so it currently has no application to the legislative branch. For the reasons set forth in the 1996, 1998, 2000 and 2006 Section 102(b) reports, the Board advises that the rights and protections against discrimination on the basis of bankruptcy is required by the CAA.

Provide Whistleblower Protections to the Legislative Branch

Civil service law provides broad protection to whistleblowers in the executive branch to safeguard workers against reprisal for reporting violations of laws, rules, or regulations; or for protecting the public interest. The OCWR General Counsel has been authorized to investigate and bring cases on behalf of whistleblowers. However, these protections do not apply to the legislative branch. The OCWR has received a number of inquiries from branch employees concerned about the lack of whistleblower protections. The absence of specific statutory protection such as that provided under 5 U.S.C. §2302(b)(8) chills the disclosure of such information. Granting whistleblower protection could significantly improve the rights and protections afforded to branch employees in an area fundamental to the institutional integrity of the legislative branch, and it would encourage workforce retention, reduce waste and fraud and safeguard the budget.

The Board has recommended in its previous Section 102(b) reports and continues to recommend that Congress provide whistleblower protections to legislative branch employees comparable to that provided to executive branch employees under 5 U.S.C. §2302(b)(8). Additionally, as discussed below, the Board recommends that the Office be also be granted investigatory and prosecutorial authority over whistleblower reprisal complaints, by incorporating into the CAA the authority granted to the Office of Special Counsel, which investigates and prosecutes claims of whistleblower reprisal in the executive branch.

Provide Subpoena Authority to Obtain Information Needed for Safety & Health Investigations and Require Records To Be Kept of Workplace Injuries and Illnesses

The CAA applies the broad protections of section 5 of the Occupational Safety and Health Act (OSHAct) to the congressional employee offices and the Joint Committee on Printing. The OSHAct in the legislative branch much in the same way the Secretary of Labor enforces the OSHAct in the private sector. Under the CAA, the OSHAct requires that the OCWR enforces the OSHAct in the legislative branch much in the same way the Secretary of Labor enforces the OSHAct in the private sector.

But Congress and its agencies are still exempt from critical OSHAct requirements imposed upon American businesses. Under the CAA, employing offices in the legislative branch are not subject to investigative sub-

Adopt Recordkeeping Requirements Under Federal Workplace Rights Laws

The Board, in several prior Section 102(b) reports, has recommended and continues to recommend that Congress adopt all recordkeeping requirements under Federal workplace rights laws. Although some employing offices in the legislative branch keep personnel records, there are no legal requirements under the CAA to do so.

Ennotes

1. The Board has long advocated for legislation granting the OCWR General Counsel the authority to investigate complaints of discrimination, harassment and reprisal in order to assist victims and to improve the adjudicatory process under the CAA. As discussed in this Report, the Re-

2. The Board recommends that the Office of Special Counsel, which investigates and prosecutes claims of whistleblower reprisal in the executive branch, be granted investigatory and prosecutorial authority over whistleblower reprisal complaints, by incorporating into the CAA the authority granted to the Office of Special Counsel, which investigates and prosecutes claims of whistleblower reprisal in the executive branch.
ORDERS FOR TUESDAY, FEBRUARY 26, 2018

Mr. ALEXANDER. There appears to be no one on the floor who wants to speak. I could go another 4 or 5 hours if the Senate would like to stay in session.

Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, February 26; further, that the prayer and pledge, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day, and morning business be closed; that the Senate proceed to executive session and resume consideration of the Miller nomination; further, that the Senate recess from 12:30 p.m. until 3 p.m. to allow for the weekly conference meetings; finally, that all time during recess, adjournment, morning business, and leader remarks count postcensure on the Miller nomination.

Is the objection?

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. ALEXANDER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

Thereupon, the Senate, at 7:46 p.m., adjourned until Tuesday, February 26, 2019, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY
BRIAN MCGUIN, OF NEW YORK, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY; VICE ANDREW K. MALONEY, RESIGNED.

DEPARTMENT OF STATE
DAVID MICHAEL SATTERFIELD, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TURKEY.

DEPARTMENT OF HOMELAND SECURITY
CHAD F. WOLF, OF VIRGINIA, TO BE UNDER SECRETARY FOR POLICY, POLICY, AND PLANS; DEPARTMENT OF HOMELAND SECURITY. (NEW POSITION)

EXECUTIVE OFFICE OF THE PRESIDENT
MICHAEL RICH WOOTEN, OF VIRGINIA, TO BE ADMINISTRATOR, FEDERAL PROCUREMENT POLICY; VICE ANN E. RUNG, RESIGNED.

DEPARTMENT OF JUSTICE
MICHAEL D. BAUGHMAN, OF PENNSYLVANIA, TO BE UNITED STATES MARSHAL, FOR THE WESTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE STEVEN C. FRANK, RESIGNED.

WING CHAU, OF RHODE ISLAND, TO BE UNITED STATES MARSHAL, FOR THE DISTRICT OF RHODE ISLAND FOR THE TERM OF FOUR YEARS, VICE JAMES A. RAINDELL, TERM EXPIRED.

RAMONA L. DORMAN, OF MINNESOTA, TO BE UNITED STATES MARSHAL, FOR THE DISTRICT OF MINNESOTA FOR THE TERM OF FOUR YEARS, VICE SEAN SHARON JEA- LONSHENKIN, TERM EXPIRED.

ERIC S. Gartner, OF PENNSYLVANIA, TO BE UNITED STATES MARSHAL, FOR THE EASTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE DAVID BLAKE WEBB, TERM EXPIRED.

NICK EDWARD PROFIT, OF VIRGINIA, TO BE UNITED STATES MARSHAL, FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE ROBERT WILLIAM MATHEWSON, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C. SECTION 601:

TO BE lieutenant general
MAJ. GEN. STEVEN L. BASHAM
THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES FOR OFFICER FOR APPOINTMENT IN THE SERVICE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12200 AND 12212:

TO BE brigadier general
COL. STEVEN J. BUTOW
IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C. SECTION 601:

TO BE lieutenant general
MAJ. GEN. KARES H. GIBSON
IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

TO BE rear admiral
BRAD ADM. (Lt.) JAMES P. DOWNY
BRAD ADM. (Lt.) SHAWN G. D'AGHAN
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C. SECTION 601:

TO BE vice admiral
BRAD ADM. BORLAND A. BOXALL
IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

TO BE major
JEREMIAH L. BLACKBURN
JEREMY S. CAUDILL
ASA C. LEDON
LUCAS H. DALGELISH
MANUEL D. DUARTE
THOMAS A. WEBB
TIMOTHY D. WARF
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

TO BE lieutenant colonel
JACOB G. CRUZ,
DEREK R. KOPP
SATURA MCPherson GABRIEL
THE FOLLOWING NAMED AIR NATIONAL GUARD OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12200 AND 12212:

TO BE colonel
THOMAS D. CRIMMINS
GLENNDON E. PAGE, JR.
MICHAEL S. NEWTON
KATHERINE M. SCOTT
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

TO BE major
JOSHUA R. AYRES
SARA JOY CARRASCO
MARK CLIFFORD BRUEGGER
JOHN H. BONE
BRADLEY A. AMYS
THOMAS JOSEPH ALFORD
CARLOS L. ALFORD
FELICIA D. LAMBERT
DANIEL D. LEE
SHAWN R. AYERS
NEIL O. AURELIO
MICHAEL D. BAUGHMAN
JESSICA A. BARNES
JOHN D. BARR
DAVID M. REDMOND, JR.
SALEEM J. BASH
JASON E. GAMMONS
DAVID R. GROENY
RAMONA L. DORMAN
TO BE rear admiral
BRAD ADM. (Lt.) JAMES P. DOWNY
BRAD ADM. (Lt.) SHAWN G. D'AGHAN
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C. SECTION 601:

TO BE vice admiral
BRAD ADM. BORLAND A. BOXALL
IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

TO BE major
JEREMIAH L. BLACKBURN
JEREMY S. CAUDILL
ASA C. LEDON
LUCAS H. DALGELISH
MANUEL D. DUARTE
THOMAS A. WEBB
TIMOTHY D. WARF
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

TO BE colonel
THOMAS D. CRIMMINS
GLENNDON E. PAGE, JR.
MICHAEL S. NEWTON
KATHERINE M. SCOTT
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

TO BE major
JOSHUA R. AYRES
SARA JOY CARRASCO
MARK CLIFFORD BRUEGGER
JOHN H. BONE
BRADLEY A. AMYS
THOMAS JOSEPH ALFORD
CARLOS L. ALFORD
FELICIA D. LAMBERT
DANIEL D. LEE
SHAWN R. AYERS
NEIL O. AURELIO
MICHAEL D. BAUGHMAN
JESSICA A. BARNES
JOHN D. BARR
DAVID M. REDMOND, JR.
SALEEM J. BASH
JASON E. GAMMONS
DAVID R. GROENY
RAMONA L. DORMAN
TO BE rear admiral
BRAD ADM. (Lt.) JAMES P. DOWNY
BRAD ADM. (Lt.) SHAWN G. D'AGHAN
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C. SECTION 601:

TO BE vice admiral
BRAD ADM. BORLAND A. BOXALL
IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

TO BE major
JEREMIAH L. BLACKBURN
JEREMY S. CAUDILL
ASA C. LEDON
LUCAS H. DALGELISH
MANUEL D. DUARTE
THOMAS A. WEBB
TIMOTHY D. WARF
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:
February 25, 2019

CONGRESSIONAL RECORD — SENATE

S1445

TERENCE J. VANCE
DAVID D. VANDERBURG
JOSPEH M. VANCE
JOHN D. VARIK
RICHARD O. VAQUEZ
ROBERT P. VICARS IV
KENNETH J. VOGT JR.
MATTHEW R. VOLLKOMMER
ERWIN T. WABER
CHRISTOPHER V. WALKER
MARC A. WALKER
JEREMY L. WALLER
MIA L. WALSH
DANIEL T. WALTER
STEVEN L. WATTS II
DARREN P. WEEKS
KARL WEINBRUCH
RYAN P. WEISGER
BRICK D. WELCOME
PETER J. WHITE
BR danmark P. WHITFIELD
JASON A. WHITTLE
JEREMY R. WILLIAMS
PERELEON T. WILLIAMS
STUART A. WILLIAMSON
DAVID J. WILSON
AARON X. WILY
ERIC A. WINTERBOTTOM
THOMAS B. WOLFE
CARL P. WOOD
TRAVIS L. WOODROSE
TAD W. WOOLFE
JASON M. WORK
JASON T. WRIGHT
MICHAEL C. WYATT
SCOTT T. YEATMAN
MELISSA L. YOUDERIAN
JASON T. ZUMWALT
MATTHEW W. COOPER
VERNON A. CHANDLER
BRETT D. BASLER
JASON S. BAKER
UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:
ADAM P. JAMES
UNDER TITLE 10, U.S.C., SECTION 624:
NATHAN M. CLAYTON
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
P. J. FOX
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:
REMEMBERING DR. MARY LACEY

HON. BRADLEY SCOTT SCHNEIDER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. SCHNEIDER. Madam Speaker, I rise today to honor the remarkable life of Dr. Mary Lacey, a pillar of our community who passed away this month at the age of 80.

Dr. Lacey made an indelible mark on our communities by tirelessly serving those at the margins. Across Lake County, children in need, the homeless, and inmates and their families directly benefited from her generosity and boundless energy.

Dr. Lacey broke multiple barriers throughout her life. She was born to humble beginnings, as one of ten children in rural Mississippi. At age 21 she moved to Florida to further her education, where she met her late husband William, and eventually settled in his hometown of Waukegan. She found work as a contractor at Naval Station Great Lakes as well as handwriting elegant hats.

Never one to rest, she continued to study and was ordained a pastor, became a foster parent, and earned a certificate in social work.

In Waukegan, her memory lives on as the namesake of Mary’s Mission, a homeless shelter she founded that has provided shelter to hundreds of individuals in times of need, and has helped them develop the job training and skills they need to get back on their feet and live independently.

Dr. Lacey was also a fierce advocate for children, bringing joy to young residents during the holidays. She teamed up with the Waukegan police department to start a toy giveaway program for children who might not receive a gift during the holidays. I had the privilege to join several of her annual Christmas parades from Mary’s Mission to the Lake County jail, where she handed out turkeys and toys.

Her perseverence in helping vulnerable people, touched and improved the lives of countless Illinoisans. Dr. Lacey truly lived her faith every day, and she will be sorely missed. I extend my heartfelt condolences to her many family and friends who are mourning her passing.

COMMAND WARRANT OFFICER FIVE SEFER STEVE IMERAJ

HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Command Warrant Officer Five Sefer Steve Imeraj on his retirement.

CW5 Sefer Steve Imeraj was the 6th Command Chief Warrant Officer (CCWO) for the Colorado Army National Guard, appointed in November 2014. Steve retired after 36 years of service in the active U.S. Army and the Colorado Army National Guard. He graduated from Colorado State University in Ft. Collins with a B.A. in Political Science and a minor in History.

CW5 Sefer Steve Imeraj is a son of Albanian immigrants and enlisted out of Detroit, Michigan into the active US Army in 1982. After serving three years with the 1–29 Field Artillery (Nuclear Surety Cohort) Battalion, he enlisted into the COARNG in 1985 with the 2/157th FA BN in Colorado Springs. In 1988, Steve transferred to HHD Headquarters State Area Command and worked various assignments in the Military Personnel Office until he pinned as an AG Warrant Officer One/HR Tech in February 1992.

Later in his career, CW5 Sefer Steve Imeraj mobilized and deployed to Iraq with the 2/135th GSAB (General Support Aviation Battalion) from March 2006 until September 2007 in support of Operation Iraqi Freedom. During his combat deployment, he served as the Assistance S1 and was later detailed as the AV Battalion for all command and control missions for the COARNG 2/135th GSAB. I am grateful for CW5 Imeraj’s brief service in my office and to the constituents of the 7th Congressional District, but I am most grateful for his service to our country.

Steve is married to Victoria and is a proud father of five sons, and grandfather of three grandchildren. I want to extend my deepest congratulations to Command Warrant Officer Five Sefer Steve Imeraj.

IN RECOGNITION OF NICK GRAY TRIBUTE

HON. SCOTT R. TIPTON
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. TIPTON. Madam Speaker, I rise today to recognize Nick Gray of Olathe, Colorado, a World War II veteran of Pearl Harbor and Guadalcanal campaign who recently celebrated his 100th birthday.

Nick is the grandson of Judge John Gray, who took up a homestead in the Shavano Valley in 1884, became Mayor of Montrose, and received local acclaim for working to get the Gunnison Tunnel built during his time as a District Judge. Judge Gray’s son, Joe Gray, was Nick’s father. Nick grew up on the family ranch his grandfather built with his mother Addie Hobson, his father, and the rest of his siblings.

In 1940, Nick left his family’s ranch and volunteered to serve in the Army. He was stationed at Pearl Harbor with the 25th Infantry Division when the Japanese attacked on December 7, 1941. While overseas he built roads and bridges on Guadalcanal in the South Pacific and managed a crew of 25 natives who had been bombed out by Japanese forces. After his service was complete, he used his military education to build his ranching operation back home in Colorado and ultimately created the Nick Gray Construction Company.

As a small business owner, he built more than 3,000 miles of power line rights-of-way and roads across three states. In 1963, Nick cleared 220 miles for power line structure sites, building sub-station sites and roads from Wyoming to New Mexico. Another one of Nick’s major accomplishments was building the Purgatory Ski Area near Durango, Colorado. Nick built the parking lot, ski course, and by-pass road all the way to Hermosa Park. During the 129-day project, he blasted nearly 40,000 yards of rock.

Nick married his wife Margaret in June 1946, and they had a son, Stephen Gray. Nick and Margaret have two granddaughters, Nicole Lumsden and Lezlee Cox, and six great-grandchildren, Keith Lumsden, Stephen Lumsden, Sarah Lumsden, Talli Lumsden, Caralea Cox, and Kendyl Cox.

As Co-Presidents of the Democratic Freshman Class, Colin and I have bonded during this remarkable time in our lives. Colin’s successes as an athlete, as a civil rights lawyer, and now in Congress have prepared him to be a remarkable father. Colin’s commitment to put others before himself transcends every professional action he has taken. It is my privilege to acknowledge him here today, and express heartfelt gratitude for the important work he has done throughout his life. I wish him all the best in his future.

IN RECOGNITION OF COLIN ALLRED AND WELCOMING HIS NEWBORN SON

HON. HALEY M. STEVENS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Ms. STEVENS. Madam Speaker, I rise today to recognize Colin Allred and his wife Alexandra on congratulating them for their newborn son, Jordan Eber Allred.

As Co-Presidents of the Democratic Freshman Class, Colin and I have bonded during this remarkable time in our lives. Colin’s successes as an athlete, as a civil rights lawyer, and now in Congress have prepared him to be a remarkable father. Colin’s commitment to put others before himself transcends every professional action he has taken. It is my honor and that of our vibrant freshman class to be working by his side at such a special time for his family.

The beauty of life is embodied in Jordan and reminds us of what we’re all here for—to make this country a better place for our next of kin, our loved ones, and our fellow citizens. Let us reflect on this miracle and work to make this country a better country for Jordan.

Madam Speaker, I ask my colleagues to join me in welcoming Jordan into this world. I couldn’t be happier.
HONORING THE KOREAN INDEPENDENCE MOVEMENT

HON. BILL PASCRELL, JR. OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. PASCRELL. Madam Speaker, I rise today to recognize the outstanding achievements of the people of South Korea in their fight for independence. This push for Korean independence from Japan would begin in Seoul on March 1, 1919 and spread throughout the country.

Over 100 years ago, the Korean people were inspired by former Governor of New Jersey and United States President Woodrow Wilson’s ideas of self-determination to resist the occupation of Japanese military rule. This revolutionary spirit was aided by release of a Korean Declaration of Independence that was written by 33 core activists in the Samil Movement. The declaration was read by the leaders in the Seoul and in townships throughout Korea by supporters of the movement.

Attempts by the Japanese military to suppress the Samil Movement’s peaceful gatherings gave their followers a stronger will to keep demonstrating. It is estimated that approximately two million Koreans participated in more than 1,500 demonstrations for independence. Several thousand were massacred, wounded and arrested by the Japanese police force and army in what is known as the Bloody History of the Korean Independence Movement. These acts became the catalyst for the Korean Independence Movement that would help unify the Korean people in their quest for independence in 1945.

Our alliance with the Republic of Korea has always been firm. Korea has remained one of the United States’ closest and most steadfast allies and partners. Our shared belief in self-determination is pivotal to our joint success. I am proud to rise today to honor that history.

I look forward to joining my constituents on February 26, 2019 for a ceremony recognizing the Centennial of the March 1st Movement. I am proud to recognize the importância of the Korean March 1st Movement as a reflection of our own values of freedom of assembly, freedom of speech, and freedom to self-govern.

CHET HITT RECEIVES THE DISTINGUISHED COMMUNITY SERVICE AWARD

HON. PAUL COOK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. COOK. Madam Speaker, I rise today to recognize the service and commitment of Chet Hitt, who received the Distinguished Community Service Award from the Victor Valley College Foundation on February 23, 2019.

Chet was born in the High Desert and has lived in Apple Valley for most of his life. Always ambitious and driven, Chet’s entrepreneurial spirit came alive when he began to control High Desert business market. In 1997, he became partners with the owner of a prior competitor, Victor Valley Mortuary, and within three years they were able to pursue four additional mortuaries in the High Desert.

Chet has served on the Board of Trustees of St. Mary Hospital, where he is the only Board Member to have been born at that hospital, and also sits on the Board for Friends of the Fair for the San Bernardino County Fairgrounds. He was named the Apple Valley Chamber of Commerce Citizen of the Year in 2002, and was named Service-Based Entrepreneur of the Year at the 2017 Spirit of the Entrepreneur Awards for the Inland Empire.

Chet serves as Chairman of the Board of the Sunset Hills Children’s Foundation and the Today’s Children’s Foundation, and is eminently deserving of this award. I offer my sincere congratulations to Chet on this recognition and my thanks for all the outstanding work he does in our community.

REMEMBERING THE 27TH ANNIVERSARY OF THE KOHJALY MASSACRE

HON. ALCEE L. HASTINGS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. HASTINGS. Madam Speaker, I rise today to recognize the 27th anniversary of the Kohjaly Massacre, which took place on February 26, 1992 and remember the 613 men, women, and children who were brutalized during this despicable act of violence.

Khojaly, a town in the Republic of Azerbaijan, was home to an unprecedented act of brutality that desecrated the norms and principles of international law, human rights, and freedoms. Armenian forces, with the support of the 366th motorized rifle regiment of the Russian army, stormed the besieged town of Kohjaly engaging in acts so violent that their effects are still felt in the community, indeed the entire country, to this day.

Madam Speaker, although a ceasefire was achieved in 1994, more than 20 percent of Azerbaijani territory including Nagorno Karabakh remain occupied and more than 1 million Azerbaijanis remain refugees and internally displaced persons. Over the past 20 years, Azerbaijan has spent over 6 billion dollars to ensure the social welfare of the internally displaced. Notably, while providing this crucial and costly support, Azerbaijan has still taken significant and impressive strides to improve economic development in their region.

Indeed the Government of Azerbaijan has not only contributed to regional stability, but has continued to be a reliable ally for the United States in combating terrorism around the world. In the days after September 11, 2001, Azerbaijan quickly conveyed its solidarity with the American people and provided crucial assistance to our fight against terrorism by granting unconditional clearance to our military to use Azerbaijan’s airspace as part of Operation Enduring Freedom in Afghanistan. This is in addition to the naval and ground routes the country provides for the international coalition’s supplies that are to be delivered to forces in Afghanistan.

Madam Speaker, marking the anniversary of a tragedy is always a solemn occasion. However, as a member of the Azerbaijan Caucus, I believe it is important to recognize and remember those whose lives were lost. I ask my colleagues to join me in offering condolences to the people of Azerbaijan.

IN HONOR OF ANTONIO VACCARO’S 100TH BIRTHDAY

HON. CHRIS PAPPAS
OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. PAPPAS. Madam Speaker, I rise today to honor Antonio Vaccaro, who celebrated his 100th birthday this past Saturday. A longtime resident of Portsmouth and a communicator like no other, Mr. Vaccaro spent much of his career as a volunteer and manager at the radio station WHEB in Portsmouth.

During World War II, Mr. Vaccaro answered the nation’s call and served as a member of
the elite Flying Tigers. As a member of the Flying Tigers, he took charge of communications, using his unique skillset to send many messages, including the first message announcing the end of the war. He is a father, grandfather, great-grandfather, and great-great-grandfather to a loving family who worked tirelessly to ensure that Mr. Vaccaro was finally recognized with the Purple Heart more than half a century after his service.

On behalf of my constituents in New Hampshire’s First Congressional District, I want to wish Mr. Vaccaro a very happy birthday. I hope that he had a wonderful celebration with his friends and family, and I want to thank him for his service to our country and his dedication to our community.

DILLON LESOVSKY RECEIVES THE YOUNG ALUMNI HALL OF FAME AWARD

HON. PAUL COOK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. COOK. Madam Speaker, I rise today to recognize the service and commitment of Dillon Lesovsky, who received the Young Alumni Hall of Fame Award from the Victor Valley College Foundation on February 23, 2019.

Dillon is an entrepreneur at heart and has been since he was in his teens. In 2006, Dillon founded and operated a small business for six years which developed video content for the action sports industry as well as corporate projects throughout the U.S. He managed all aspects of production: developed budgets, drafted business proposals, negotiated with distributors, and managed contract staff. In 2013, I hired Dillon to serve as a Field Representative in my Valley District Office, where he worked with federal agencies like Social Security and the Export-Import Bank to answer constituent questions, represented me in the High Desert community, and helped manage my social media accounts. In February of 2018, Dillon was recruited and hired by ComAv Asset Management to develop international business relationships within the commercial aircraft industry. Dillon has consistently exceeded his monthly sales quota in his region, and has also developed sales processes for a team of 17 sales staff to help them meet and exceed their sales goals. In his personal life, Dillon has a love of inside jokes and wishes to be a part of one someday.

Dillon was one of the best employees I have had, and it was a pleasure to have him on my staff. On behalf of the U.S. House of Representatives, I congratulate Dillon on his entrepreneurial spirit and his admission to the Young Alumni Hall of Fame.

HON. ZOE LOFGREN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Ms. LOFGREN. Madam Speaker, I rise today to recognize the dedication and commitment of William G. Morin as a technology policy leader and champion of the Silicon Valley innovation ecosystem who retired from Applied Materials on February 1, 2019 after representing the company for more than 23 years in Washington, D.C.

With a history degree from Pennsylvania State University, Mr. Morin chose to launch his career in the service of our nation. He trained intensively as an Arabic linguist and intelligence analyst in the U.S. Army and was posted to the Presidio in Monterey. This gave Bill his first taste of California and forged lifelong links to the region that would become Silicon Valley. Following four years of service in the military, he joined the National Association of Manufacturers where he worked to create American jobs by advancing intellectual property, trade and technology policy.

In 1996, Bill joined the small team of R. Wayne Sayer and Associates, one of the first Washington firms specializing in issues to support the rapidly expanding U.S. high technology industry and began to represent Applied Materials. In 2002, he opened and led Applied’s first direct office in Washington, D.C. Over the years, he advocated for public policy that would allow high-tech manufacturers like Applied to maintain a strong footprint in the United States while accessing fast-growing overseas markets and reinvesting in the innovation and R&D that would ensure American leadership in technology. The policies he advocated for on behalf of Applied Materials helped it develop into a major U.S. manufacturer and exporter, a world leader in materials engineering solutions and a model Silicon Valley corporate citizen.

Madam Speaker, upon Bill’s departure from our nation’s capital, he has wisely chosen to spend his retirement in California, returning to the shores of Monterey Bay where he began his career. I congratulate Bill on his retirement, for his service to our country and for his service to Applied Materials where his contributions helped open the world’s markets to the innovations of Silicon Valley.

COMMEMORATING THE RETIREMENT OF DR. RICHARD H. PEARL

HON. DARIN LAHOOD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. LAHOOD. Madam Speaker, today I would like to congratulate Dr. Richard Pearl on his retirement as the OSF Children’s Hospital Surgeon-in-Chief. Dr. Pearl has committed his life to the practice and growth of medicine. He studied at Wright State University College of Medicine, where he was first in his class. After his schooling, Dr. Pearl completed his surgical residency at the Harvard Surgical Service at the New England Deaconess Hospital in Boston, Massachusetts.

In his career, Dr. Pearl has made it his priority to do all that he can for others. He served honorably in the U.S. Army, reaching the rank of Colonel, with a distinguished career spanning nearly thirty. He served his country first as an Army Officer and then as a helicopter pilot. He was given command of a helicopter company in the First Cavalry Division in Vietnam. Dr. Pearl has received numerous Military Honors and awards including three Bronze Stars, the Legion of Merit and The Air Medal for Valor. Dr. Pearl has also devoted a great portion of his time to sharing his knowledge and research. He has published over 85 articles in peer-reviewed journals and 22 book chapters.

During his tenure, the medical community has had no better champion than Dr. Pearl. He has always been a fierce advocate for the advancement of Pediatrics. Central Illinois will forever be grateful for Dr. Pearl’s years of service.

MARFAN AWARENESS MONTH

HON. THOMAS R. SUOZZI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. SUOZZI. Madam Speaker, I rise today on behalf of Americans affected by Marfan syndrome and related connective tissue disorders in observance of February as Marfan Awareness Month.

Marfan syndrome is a rare genetic condition. About 1 in 5,000 Americans carries a mutation in gene called fibrillin which results in an overproduction of a protein called transforming growth factor beta or TGFβ. The increased TGFβ impacts connective tissue and since connective tissue is found throughout the body, Marfan syndrome features can manifest throughout the body. Patients often have disproportionately long limbs, a protruding or indented chest bone, curved spine, and loose joints. However, it is not the outward signs that concern Marfan syndrome patients, but the effects the condition has on internal systems. Most notably, in Marfan patients the large artery, known as the aorta, which carries blood away from the heart is weakened and prone to enlargement and rupture, which can be fatal. It is for this reason that increased awareness of Marfan syndrome can save lives.

I am proud to represent The Marfan Foundation, which is headquartered in Port Washington. The Marfan Foundation is the nation’s foremost organization working to raise awareness of Marfan syndrome and supporting the Marfan community. The Marfan Foundation has worked tirelessly to improve the lives of individuals affected by Marfan syndrome and related connective tissue conditions by advancing research, raising awareness, and providing support.

While there is currently no cure for Marfan syndrome, efforts are underway to enhance our understanding of the condition and improve patient care. I also applaud the National Institutes of Health, particularly the National Heart, Lung and Blood Institute and the National Institute of Arthritis and Musculoskeletal and Skin Diseases for their research efforts in this regard. I encourage NIH to expand research efforts in this critical area.

Early diagnosis and proper treatment are the keys to managing Marfan syndrome and living a full life. I encourage my colleagues to join me in supporting a Marfan education and awareness program at the Centers for Disease Control and Prevention. We can facilitate this awareness program at the Centers for Disease Control and Prevention. We can facilitate this awareness program at the Centers for Disease Control and Prevention. This program will facilitate the diagnosis of Marfan syndrome in children and adults, and will increase the number of individuals affected by Marfan syndrome and related connective tissue conditions who seek medical care for their condition.

Mr. SUOZZI. Madam Speaker, I rise today on behalf of Americans affected by Marfan syndrome and related connective tissue disorders in observance of February as Marfan Awareness Month.
Mr. SERRANO. Madam Speaker, it is my pleasure to honor Mr. Daniel “Danny” M. Barber for his many years of tireless advocacy to improve the lives of Bronx residents. He is a great example of everyday contributions that African-Americans have made in my district in the Bronx and the Nation.

Mr. Barber was born in 1969 to the late Dan Walker and Janie Barber-Walker and is the youngest of five children. He attended the De Witt Clinton High School and was a member of the football team. He began his love for community work when he joined the ranks of the Salvation Army during his early years and went on to excel as Director and afterward became Assistant to the Commanding Officer.

Mr. Barber currently serves as the President of the Andrew Jackson Houses Resident Association, Inc. and is the Founder of SOY, Inc. (Save Our Youth). Recently, he was elected to serve as the Chair of the City-Wide Council of Presidents, which oversees all of the NYCHA Resident’s Associations, and also serves as the Chair of The South Bronx Council of Presidents. While serving in these capacities, he also serves on several other agencies and boards giving technical support and principled guidance.

Madam Speaker, I ask my colleagues to join me in honoring Mr. Daniel M. Barber for his steadfast dedication and years of public service to our NYCHA residents, and for his long-standing commitment to improving our community.

RECOGNIZING PATIENT ADVOCATE BILL HAHN AND THE MANY SELFLESS AMERICANS WHO WORK ON BEHALF OF THOSE STRUGGLING WITH KIDNEY DISEASE

HON. BILL POSEY
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 25, 2019

Mr. POSEY. Madam Speaker, on March 5, 2019, Citizens from across the country will gather in our nation’s Capital to help raise awareness about kidney disease and advocate for public policy solutions as part of the National Kidney Foundation’s Annual Patient Advocacy Summit. In all my years of service, I have yet to meet more caring and tireless advocates.

Their advocacy is important because of the number of people kidney disease affects—nearly one in three adults are at risk of developing kidney disease. Nearly thirty million Americans have kidney disease and approximately ninety percent don’t even know it. It sneaks up on you and that’s why raising awareness is a key component to combating this disease and ultimately saving lives.

Sadly, on October 10, 2018, we lost one of our great advocates—our friend Bill Hahn of Rockledge, Florida, passed away. Bill was one of those unspoken heroes who got up every morning and fought to keep going, for himself, and so many other people struggling with kidney disease, recovering from transplant surgery and waiting to receive the special gift of life.

From an early age, Bill believed in physical fitness and leading a very active and healthy life. As a young man he was a male model and later a professional surfer with the famous Salick surf team winning numerous awards. A graduate of Florida State University, he owned and operated a successful health fitness business selling exercise equipment in Melbourne, Florida. Even with his dedication to a daily exercise regiment, at the age of twenty-six, Bill was diagnosed with Type 1 Diabetes.

Living with Diabetes can be a difficult struggle, even for someone as physically fit as Bill Hahn. Over time the disease began to take a toll on Bill’s health as he suffered from many of its complications including blindness, nerve damage and even coma. Unfortunately, Bill suffered renal failure at age fifty-one, but his physical routine never stopped. When Bill was on dialysis, he was walking ten miles a day. And because of his fitness level, he was a good candidate for transplant surgery. On November 16, 2008, Bill received a true gift of life—a new kidney and pancreas.

Since his surgery, Bill dedicated his life to helping patients struggling with kidney disease and other serious medical conditions. In 2012 he joined with surfing legend and fellow transplant recipient Rich Salick and co-founded the annual Cocoa Beach “Footprints in the Sand” Kidney Walk. Katie and I have been involved in the Kidney Walk each year and it continues to grow and draw participation from all over Central Florida thanks in large part to Bill’s work and other volunteers from our community.

Bill was a constant advocate for this cause, especially in the last years of his life. And, if you knew Bill Hahn, helping others is what
kept him going. He worked closely with my office on various projects throughout the years and brought to my attention many important pieces of legislation moving through Congress that are critical to winning this battle. In 2017 Bill lead a successful effort to declare May 13th “Living Kidney Donor Day” in the State of Florida. He is also the author of three books including More Than A Conqueror Legacy, a spiritual healing guide for patients; The Silver Lining, a chronicle of Bill’s journey through recovery; and The Window Box, a book of poetry.

I ask my colleagues in the U.S. House of Representatives to join me in recognizing the efforts of Bill Hahn and the many other Americans who have worked tirelessly to raise awareness about kidney disease and advocate for patients in need.

IN RECOGNITION OF BRADY, PATRICK
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. CARTWRIGHT. Madam Speaker, I rise today to congratulate Patrick Moran, who was celebrated as the Hibernian of the Year by the Ancient Order of Hibernians, Monsignor Farrell Division on February 23, 2019. The Monsignor Farrell Division No. 2 Chapter of the Ancient Order of Hibernians and its founders exemplify the core principles of charity, concern for our fellow man, and commitment to educating students about the sacrifices and accomplishments of prior generations.

A Carbondale native, Pat was born on August 31, 1953 to Joseph and Margaret Moran. Pat is a graduate of St. Rose High School, Class of 1971. A veteran of the Navy, Pat worked at Tobyhanna Army Depot after discharge. He then moved to the greater Denver Area where he worked for Continental Air Lines before ownning and operating his own business.

Upon his retirement in 2012, Pat returned to Northeast Pennsylvania and became active in several local community organizations. Today, he is a member of the Columbia Hose Co. and the American Legion in Carbondale. Pat’s involvement with the AOH began when he joined the organization’s Golf League. He became increasingly involved in volunteer efforts by the AOH. He is currently a member of Ring and Shuffleboard leagues, as well as a volunteer bartender every Monday evening and for many Division functions.

It is an honor to recognize Patrick Moran as he is named Hibernian of the Year by the Ancient Order of Hibernians, Monsignor Farrell Division. I thank him for his service to his country in the U.S. Navy and his continued service to our community with the AOH. I congratulate him for receiving such an honor from his fellow brothers in the Ancient Order of Hibernians.

IN RECOGNITION OF MORAINE AND ILA MIDDLETON
HON. KEVIN BRADY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. BRADY. Madam Speaker, today I rise to honor the memory of Andrew and Ila Martinez of Huntsville, Texas.

Andrew and Ila, beloved parents and lifelong Texans, spent their lives in service to others, and today, we remember all that they stood for. Andrew “Andy” Martinez was born in Galveston, Texas and later became a proud member of the Huntsville community. His multifaceted career path included time spent as a proud small business owner of Martinez Tire and Supply, a construction safety supervisor for the Texas Department of Criminal Justice (TDCJ), and as an ordained minister. A faithful and steadfast Christian, Andy served as the interim pastor of Faith Memorial Baptist Church, and was an active member of several other churches in the Huntsville area.

Andy’s faithfulness, generosity, and love for those around him was not only evident on Sundays—it was visible every day of his life. Andy served the Huntsville community in a variety of public roles. He was an elected member of the Huntsville City Council, the Director for Trinity River Authority’s Walker County Area, a member of the Board of Trustees for Huntsville ISD, and Chairman of the Republican Party of Walker County. Andy also acted as a Prison Ministry Volunteer in Huntsville—a position he held for over 30 remarkable years. Those who knew Andy will attest to his sincere selflessness. He always worked towards leaving the Huntsville community better than he found it.

Ila Martinez was Andy’s wonderful wife of over 63 years and was not only a devoted partner to him, but was a loving mother and active in the community as well. A leading member of the Republican Party of Walker County, Ila was involved in the Red Hat Ladies and the Calendar Girls, a group of friends from CocaCola High School that would meet once a month at lunchtime. Ila had a great love for volunteering and was often working with the Walker County Republican women or at her church library. Ila was a doting grandmother and her greatest pleasure was teaching her beloved grandchildren how to sew and bake.

Andy and Ila had two daughters, Andrea Scott and the late Debbie Martinez, and a son, Russell Martinez. Andy and Ila are survived by Andrea and her husband Wayne; their son, Russell; two beautiful grandchildren, Angela Stacks and husband Jared; Mika Spears and her husband Neal; and three great-grandchildren: Draper Stacks, Megan Anthony, and Trent Spears.

The legacy of Andy and Ila will always be a part of the Huntsville community, kept alive in the hearts of those who knew and loved them. Both were selfless servants dedicated to bettering the lives of those around them, and they will be greatly missed.

REINTRODUCTION OF THE RESTORING THE PARTNERSHIP FOR COUNTY HEALTH CARE COSTS ACT OF 2019
HON. ALCEE L. HASTINGS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. HASTINGS. Madam Speaker, today I rise today to introduce a bill to restore the partnership between the federal government and counties for the health care costs of inmates who have not been convicted of a crime. This legislation will provide some relief to our nation’s local economies, while strengthening the fundamental principles of our justice system.

In almost all states, a person who is incarcerated in a county jail or juvenile detention facility loses their Medicare, Medicaid, CHIP or SSI benefits even if they have not been convicted of a crime. The U.S. Supreme Court’s interpretation of the 8th Amendment requires government entities to provide medical care to all inmates. As a result, local governments are burdened with the expense of providing health care to thousands of men, women, and children currently awaiting trial.

Providing health care for inmates constitutes a major portion of local jail operating costs. Requiring county governments to cover health care costs for inmates who have not yet been convicted of a crime places an unnecessary
burden on local governments, which have their fair share of widespread budget deficits and cuts to safety net programs and other essential services to deal with as it is.

Terminating benefits to inmates who are awaiting trial undermines the presumption of innocence, which is a cornerstone principle of our justice system. The current practice does not distinguish between persons who are awaiting disposition of charges and persons who have been duly convicted and sentenced. Moreover, this reality disproportionately affects low-income and minority populations who are often unable to post bond, which would enable them to continue receiving benefits.

Madam Speaker, my legislation addresses this problem by prohibiting the federal government from stripping individuals of their Medicare, Medicaid, and SSI benefits before the inmate has been convicted of a crime. It preserves the partnership between the federal and local governments and ensures that local governments are not burdened with an unfair share of meeting the constitutional mandate to guarantee medical coverage. I encourage my colleagues to join me in supporting this commonsense bill that addresses a problem affecting communities all across the nation.

HON. MONICA MAJOR
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. SERRANO. Madam Speaker, it is with great pleasure that I rise today to honor Ms. Monica Major for her many years of advocacy and public service in the Bronx. She is a great example of the countless contributions that African Americans make to our Nation every day.

Ms. Major previously served as the Bronx Representative on the Panel for Educational Policy of the New York City Department of Education. In addition, she volunteered for Bronx Community School District 11 for several years, and served as President of the District 11 Community Education Council. One of Ms. Major’s greatest accomplishments has been serving on the Citywide Parent Commission on School Governance as a parent advocate to ensure that the voices of Bronx parents were heard in addressing school governance issues. She is still committed to addressing quality of education throughout the Bronx.

A tireless and dedicated public servant, Ms. Major currently serves as the Director of Education and Youth Services for Bronx Borough President Rubén Sánchez, Jr. She is a graduate of Baruch College and is a certified mediator. Ms. Major is also a member of the National Council of Negro Women, North Bronx Section. She is the mother of two and still remains very active in her community.

Madam Speaker, I ask my colleagues to join me in paying tribute to Ms. Monica Major for her strong commitment to students and for her vigorous advocacy on education issues.

COMMEMORATING THE RETIREMENT OF DR. JITENDRA J. SHAH
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019
Mr. LAHOOD. Madam Speaker, today I would like to congratulate Dr. Jitendra Shah on his retirement from the University of Illinois College of Medicine at Peoria.

Originally from India, Dr. Shah decided to dedicate his life to medicine at a young age. He studied Preparatory Science and Pre-Medicine at Maharaja Sayajirao University in Baroda, India, where he also attended Medical College. After his schooling, Dr. Shah made his way to Philadelphia to complete his residency at Philadelphia General Hospital.

In his career, Dr. Shah has made Pediatrics a top priority. While teaching and in practice, Dr. Shah has made a lasting impact at every step. He has held Directorships at the Pediatric Cardiac Noninvasive Services, Regional Sleep and Cardiac Catheterization Laboratory at the Children’s Hospital of Illinois at OSF St. Francis Medical Center in Peoria, Illinois. Dr. Shah has also dedicated his life to research. He has received approval for four Medical Grants through the American Heart Association. To recognize his ability, in 1986 and 1992 the Pediatric Resident Physicians at St. Francis Medical Center and University of Illinois College of Medicine at Peoria presented Dr. Shah with awards for his impressive teaching methods.

During his tenure, the medical community has had no better mentor than Dr. Shah. He has always been a fierce advocate for the advancement of Pediatrics. Central Illinois will forever be grateful for Dr. Shah’s years of service.

ROGER WAGNER RECEIVES THE PRESIDENTS’ AWARD
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019
Mr. COOK. Madam Speaker, I rise today to recognize the service and commitment of Roger Wagner, who received the Presidents’ Award from the Victor Valley College Foundation on February 23, 2019.

Roger served as the Victor Valley College Superintendent and President for over four years and officially retired at the end of 2018. Prior to his retirement, he was instrumental in Victor Valley College receiving full accreditation from the Accrediting Commission for Community and Junior Colleges. Roger has a passion for education and understands the importance of the college providing local students with an affordable and high quality education. Roger was responsible for a number of successes for the college, including hosting the 2017 Youth Poverty Symposium, opening the Automotive and Welding Facility, and developing new programs including Industrial Maintenance and Manufacturing programs. He is married to the beautiful Stacy and together they have two children.

Before my career in politics, I had the privilege of working with Roger at Copper Mountain College in the Morongo Basin. I can say from experience that Roger is an incredibly intelligent and hard-working individual with a true passion for education, and I can guarantee that he will be sorely missed at Victor Valley College. I congratulate Roger on receiving this award, and wish him all the best as he heads into retirement.

CELEBRATING THE LIFE OF JUDGE RUSSELL B. SUGARMON, JR.
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019
Mr. COHEN. Madam Speaker, I rise today to celebrate the life of Russell B. Sugarmon—a great American jurist, Civil Rights leader, political pioneer and elder statesman from my hometown of Memphis, Tennessee. Judge Sugarmon died Monday after a long illness at the age of 89 but will be remembered forever as a crusading legal scholar who worked to end segregation in the Memphis public schools and for being a political genius who helped behind the scenes to elect the African American state representative since Reconstruction and was later elected a General Sessions Court judge after serving as a partner in Memphis’ and Tennessee’s first integrated law firm—Ratner, Sugarmon, Lucas and Willis. Other legendary attorneys such as Bill Caldwell, Irvin Salky, Troy Henderson, Walter Bailey, Jr., Russell X. Thompson and Tom Arnold hung their hats and licenses there. From 1976 to 1987, Judge Sugarmon was a referee in the Memphis Juvenile Court system, stepping down in May 1987 when he was appointed a General Sessions Court judge. He was elected to the bench in 1998 and was re-elected in 1990 and 1998. Russell Bertram Sugarmon, Jr. graduated from the city’s Booker T. Washington High School in 1946 at the age of 15. Sugarmon spent a year at Morehouse College—in the class a year behind Dr. Martin Luther King, Jr.—and transferred to Rutgers University, where he received his undergraduate degree in Political Science in 1950. He received his J.D. from Harvard University in 1953 and spent the following two years in the U.S. Army based mainly in Japan. After returning to the United States and further graduate studies at Boston University, then came back to Memphis in 1956 to establish a private legal practice. Judge Sugarmon worked tirelessly even when victory wasn’t in the cards and kept the faith, knowing that it would come in time. He was one of the most learned strategists on politics and history in our community, avoiding the limelight but holding sway as the influential wise man behind the scenes in collaboration with a biracial and tolerant group of progressive leaders. Judge Sugarmon was a mentor, supporter and friend of mine my entire life. Internally grateful to have been so fortunate to have shared time with this remarkably knowledgeable, judicious and beloved man. Last year, Congress
REMEMBERING THE KOJALY TRAGEDY

HON. VIRGINIA FOXX
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Ms. FOXX of North Carolina. Madam Speaker, I rise today to join with the Republic of Azerbaijan in its commemoration of the Khojaly Tragedy, also known as the Khojaly Massacre.

I ask my colleagues to join me in remembering the town and people of Khojaly who died on those fateful days and in offering our deepest condolences to Azerbaijan on this tragic anniversary.

In doing so, we remember the 613 Azerbaijani men, women, and children killed in Khojaly on February 25 and 26, 1992. The Government of Azerbaijan continues to act as a valuable partner of the United States and serves as a bulwark against America's adversaries in the region. We solemnly remember this anniversary and honor the lives lost.

ASSISTANT SHERIFF LANA TOMLIN RECEIVES THE ALUMNI HALL OF FAME AWARD

HON. PAUL COOK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. COOK. Madam Speaker, I rise today to recognize the service and commitment of Assistant Sherif Lana Tomlin, who received the Alumni Hall of Fame Award from the Victor Valley College on February 23, 2019.

Assistant Sheriff Tomlin is a dedicated public servant who has worked for the San Bernardino County Sheriffs Department for over twenty-nine years. Soon after her graduation from the Sheriff's Department Training Academy, Assistant Sheriff Tomlin was assigned to the Barstow Station as a patrol deputy where she quickly excelled in her duties while simultaneously attending Victor Valley College. She is the first woman in the history of San Bernardino County to be appointed as Assistant Sheriff and oversees several departments and operations.

Locally, Assistant Sheriff Tomlin has served multiple assignments at different High Desert stations, including serving as Captain of the Apple Valley Sheriffs Station. She has also volunteered throughout the community, from coaching the women’s basketball team at Victor Valley College to giving back to our next generation through the Police Activities League program.

On behalf of the U.S. House of Representatives, I would like to congratulate Assistant Sheriff Lana Tomlin on this award. Lana is an exemplary law enforcement officer and community leader. I thank her for her years of dedication and service to the people of San Bernardino County.

TRIBUTE TO THE 2018 ELLIS ISLAND MEDAL OF HONOR RECIPIENTS

HON. DARIN LAHOOD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. LAHOOD. Madam Speaker, I rise today to congratulate the 2018 recipients of the prestigious Ellis Island Medal of Honor.

Presented annually, the Ellis Island Medals of Honor pay tribute to our Nation’s immigrants, as well as individual achievement. The Medals are awarded to U.S. citizens from diverse ethnic backgrounds who exemplify outstanding qualities in both their personal and professional lives, while continuing to preserve the richness of their particular heritage and culture.

We honor these outstanding individuals because the important work they do not only benefits America, but also their fellow citizens around the world.

Since the Medals’ founding, more than 2,500 American citizens have received the Ellis Island Medal of Honor, including seven American Presidents, numerous United States Senators and Congressmen, two Nobel Laureates, and many athletes, artists, clergy, and military leaders. This Medal is not about material success, nor is it about the politics of immigration; it is about the people who have committed themselves to this nation, embraced the opportunities America offers, and made important contributions to our culture.

Citizens of the United States hail from every corner of our nation and the world. The iconic metaphor of this nation as a melting pot comes to life through the people who have made the American dream their own.

The Medals of Honor are presented as a way of recognizing the good works of individuals who have dedicated themselves to this nation, embracing the opportunities America offers, and making important contributions to our cultural identities while still embracing the American way of life.

This award serves to remind us all that with hard work and perseverance anyone can still achieve the American dream. In addition, by honoring these remarkable Americans, we honor all who share our origins and we acknowledge the contributions they have made to America.

I commend the National Ethnic Coalition of Organizations and its Board of Directors headed by Nasser J. Kazeminy, for honoring these truly outstanding individuals for their tireless efforts to foster dialogue and build bridges between different ethnic groups, as well as to promote unity and a sense of common purpose in our nation.

Madam Speaker, I ask my colleagues to join me in recognizing the good works of NECTO and in congratulating all of the 2018 recipients of the Ellis Island Medal of Honor. I include in the Record the names of this year’s recipients.

2018 ELLIS ISLAND MEDAL OF HONOR RECIPIENTS
Ziauddin Ahmed, MD, Nancy Anschutz, Phil Anschutz, Dr. Bahman Aftei, Maryam

In 1995, President William Jefferson Clinton appointed Mr. Tucker as the Deputy Director for Operations in the Office of Community Oriented Policing Services at the U.S. Department of Justice. In 2009, Mr. Tucker was nominated by President Barack H. Obama, and confirmed by the United States Senate, as the Deputy Commissioner for Strategic Planning, and Tribal Affairs within the White House Office of National Drug Control Policy.

His unique experiences in law enforcement, public service, and academia led in 2014 to Mr. Tucker’s appointment as Deputy Commissioner for Strategic Planning, and Tribal Affairs. Mr. Tucker was promoted to First Deputy Commissioner and entrusted to direct design and implement a broad range of policy, programs, and training to strengthen community relations and improve the performance of the Department.

First Deputy Commissioner Tucker holds a Bachelor of Science in Criminal Justice from Fordham University School of Law, and is a tenured professor at Pace University. Madam Speaker, I ask that my colleagues join me in honoring First Deputy Commissioner Benjamin B. Tucker for his distinguished public service and extensive contributions in ensuring the safety and well-being of the residents of New York City.

PERSONAL EXPLANATION

HON. ADAM KINZINGER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mr. KINZINGER. Madam Speaker, due to my Air National Guard unit being mobilized to assist operations on the southern border, I was unable to be present and cast votes during the week of February 11. Had I been present, I would have voted: “yea” on Roll Call No. 76; “yea” on Roll Call No. 78; “nay” on Roll Call No. 79; “yea” on Roll Call No. 80; “nay” on Roll Call No. 81; “yea” on Roll Call No. 82; “nay” on Roll Call No. 83; “nay” on Roll Call No. 84; “nay” on Roll Call No. 85; “nay” on Roll Call No. 86; and “yea” on Roll Call No. 87.

CONGRATULATING MAUREEN MCFADDEN ON HER RETIREMENT AFTER 40 YEARS AT WNDU-TV

HON. JACQUE WALTERSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mrs. WALORSKI. Madam Speaker, I rise today to recognize Maureen McFadden and congratulate her on a remarkable 40-year career at WNDU-TV. I want to take a moment to honor the iconic legacy Maureen is leaving behind at WNDU-TV and thank her for all she has done for Michiana communities.

A lifelong Hoosier, Maureen has been a fixture in South Bend as a reporter and anchor at WNDU Newscenter 16 for the past four decades. She has played a vital role in making northern Indiana stronger, not only by bringing us the day’s news but by always finding ways to serve her neighbors and give back to the community she loves to call home.

Generations of viewers have gotten to know Maureen as she delivers the local news each night. Her career in journalism began in her hometown of South Bend and though she will soon anchor her last WNDU-TV newscast, her retirement is far from the end of her positive impact. She displays a strong sense of affection and pride for our community when sharing the stories of our fellow Hoosiers. Her steadfast commitment to shining a light on important issues, encouraging community service, and keeping Hoosiers informed and engaged is why Maureen has become such a beloved household name.

I am grateful to Maureen not only for her excellence in journalism, but also for the incredible example she has set for aspiring journalists and young Hoosier women looking to give back and build a brighter future.

Madam Speaker, I ask my colleagues to join me in recognizing the exceptional character, leadership, and compassion Maureen has demonstrated both on and off the air. I wish Mo the very best.
HON. JAHANA HAYES
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, February 25, 2019

Mrs. HAYES. Madam Speaker, I was unable to be present for the beginning of today's session due to unavoidable travel delays. Had I been present, I would have voted YEA on Roll Call No. 76, and YEA on Roll Call No. 77.

SENATE COMMITTEE MEETINGS
Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 26, 2019 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED
FEBRUARY 27

10 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine policy principles for a Federal data privacy framework in the United States.

SH–216
Committee on Environment and Public Works
To hold hearings to examine S. 383, to support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

SD–406
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of The American Legion.

SD–450

10:15 a.m.
Committee on Foreign Relations
To hold hearings to examine assessing the role of the United States in the world.

SD–419

2:30 p.m.
Committee on Armed Services
Subcommittee on Cybersecurity
To receive a briefing on Department of Defense cyber operations.

SVC–217

Committee on Armed Services
Subcommittee on Personnel
To hold an oversight hearing to examine military personnel policies and military family readiness.

SR–222

Committee on the Budget
To hold hearings to examine the Budget Control Act, focusing on a review of cap-adjusted spending.

SD–608

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine protecting the electric grid from an electromagnetic pulse or geomagnetic disturbance.

SD–106

Committee on Indian Affairs
To hold an oversight hearing to examine the 45th anniversary of the Native American Programs Act and the establishment of the Administration for Native Americans.

SD–628

Committee on Small Business and Entrepreneurship
To hold hearings to examine the future of American industry.

SR–428A
District of Arizona, Peter D. Welte, to be United States District Judge for the District of North Dakota, Aditya Bamzai, of Virginia, and Travis LeBlanc, of Maryland, both to be a Member of the Privacy and Civil Liberties Oversight Board, and Drew H. Wrigley, to be United States Attorney for the District of North Dakota, Department of Justice.

SD–226

2 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.

SH–219

MARCH 5
10 a.m.
Committee on Environment and Public Works
Subcommittee on Clean Air and Nuclear Safety
To hold hearings to examine states' role in protecting air quality, focusing on principles of cooperative federalism.

SD–466

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine vaccines, focusing on preventable disease outbreaks.

SD–430

2:30 p.m.
Committee on the Judiciary
Subcommittee on Antitrust, Competition Policy and Consumer Rights
To hold hearings to examine concentration and competition in the United States economy.

SD–226

MARCH 6
10 a.m.
Committee on Veterans’ Affairs
To hold a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of multiple veterans service organizations.

SD–G50

2 p.m.
Committee on Veterans’ Affairs
To hold a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of multiple veterans service organizations.

SD–G50

MARCH 7
10 a.m.
Committee on Appropriations
Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies
To hold hearings to examine the Ebola outbreak in the Democratic Republic of the Congo and other emerging health threats.

SD–124
Daily Digest

HIGHLIGHTS

Senator Fischer delivered Washington’s Farewell Address.

Senate

Chamber Action

Routine Proceedings, pages S1405–S1445

Measures Introduced: Sixteen bills were introduced, as follows: S. 536–551. Pages S1436–37

Measures Reported:

Report to accompany S. 163, to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices. (S. Rept. No. 116–2) Page S1436

Measures Considered:

Born-Alive Abortion Survivors Protection Act: Senate resumed consideration of the motion to proceed to consideration of S. 311, to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion. Pages S1414–1422

During consideration of this measure today, Senate also took the following action:

By 53 yeas to 44 nays (Vote No. 27), 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 S1422

Washington’s Farewell Address: Senator Fischer performed the traditional reading of Washington’s Farewell Address. Pages S1405–09

Miller Nomination—Agreement: Senate resumed consideration of the nomination of Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit. Page S1422

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 46 nays (Vote No. 28), Senate agreed to the motion to close further debate on the nomination. Page S1422

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Tuesday, February 26, 2019; and that all time during recess, adjournment, morning business, and Leader remarks count post-cloture on the nomination. Page S1443

Nominations Received: Senate received the following nominations:

Brian McGuire, of New York, to be a Deputy Under Secretary of the Treasury.

David Michael Satterfield, of Missouri, to be Ambassador to the Republic of Turkey.

Chad F. Wolf, of Virginia, to be Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security.

Michael Eric Wooten, of Virginia, to be Administrator for Federal Procurement Policy.

Michael D. Baughman, of Pennsylvania, to be United States Marshal for the Western District of Pennsylvania for the term of four years.

William Travis Brown, Jr., of Louisiana, to be United States Marshal for the Middle District of Louisiana for the term of four years.

Gary B. Burman, of Kentucky, to be United States Marshal for the Western District of Kentucky for the term of four years.

Wing Chau, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

Ramona L. Dohman, of Minnesota, to be United States Marshal for the District of Minnesota for the term of four years.

Eric S. Gartner, of Pennsylvania, to be United States Marshal for the Eastern District of Pennsylvania for the term of four years.

Nick Edward Proffitt, of Virginia, to be United States Marshal for the Eastern District of Virginia for the term of four years.

2 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Navy. Pages S1443–45

Messages from the House: Page S1436
Executive Communications: Page S1436
Additional Cosponsors: Pages S1437–38
Statements on Introduced Bills/Resolutions: Page S1439
Additional Statements: Pages S1435–36
Authorities for Committees to Meet: Page S1439
Record Votes: Two record votes were taken today. (Total—28) Page S1422
Adjournment: Senate convened at 3 p.m. and adjourned at 7:46 p.m., until 10 a.m. on Tuesday, February 26, 2019. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S1443.)

Committee Meetings
(Committees not listed did not meet)

BUSINESS MEETING
Committee on Appropriations: Committee adopted its rules of procedure for the 116th Congress.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 1327–1355; and 4 resolutions, H.J. Res. 49; and H. Res. 143, 146–147, were introduced.

Additional Cosponsors: Pages H2102–03

Reports Filed: Reports were filed today as follows:
H. Res. 144, providing for consideration of the joint resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019 (H. Rept. 116–13); and
H. Res. 145, providing for consideration of the bill (H.R. 8) to require a background check for every firearm sale, and providing for consideration of the bill (H.R. 1112) to amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee (H. Rept. 116–14).

Speaker: Read a letter from the Speaker wherein she appointed Representative Raskin to act as Speaker pro tempore for today.

Journal: The House agreed to the Speaker’s approval of the Journal by voice vote.

Recess: The House recessed at 2:07 p.m. and reconvened at 4:30 p.m.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Preventing Illegal Radio Abuse Through Enforcement Act: H.R. 583, to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio;

Poison Center Network Enhancement Act of 2019: H.R. 501, to amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program;

Strengthening the Health Care Fraud Prevention Task Force Act of 2019: H.R. 525, to amend title XI of the Social Security Act to direct the Secretary of Health and Human Services to establish a public-private partnership for purposes of identifying health care waste, fraud, and abuse;

Innovators to Entrepreneurs Act of 2019: H.R. 539, to require the Director of the National Science Foundation to develop an I–Corps course to support commercialization-ready innovation companies, by a 2/3 yea-and-nay vote of 385 yeas to 18 nays, Roll No. 88;

Supporting Veterans in STEM Careers Act: H.R. 425, to promote veteran involvement in STEM education, computer science, and scientific research;

Recognizing Achievement in Classified School Employees Act: H.R. 276, 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, by a 2/3 yea-and-nay vote of 387 yeas to 19 nays, Roll No. 89; and

Merit Systems Protection Board Temporary Term Extension Act: H.R. 1235, amended, to provide that the term of office of certain members of the Merit Systems Protection Board shall be extended by a period of 1 year, to limit such members from concurrently holding positions within the Federal Government.
Agreed to amend the title so as to read: “To provide that the term of office of certain members of the Merit Systems Protection Board shall be extended by a period of 1 year, and for other purposes.”

Recess: The House recessed at 5:46 p.m. and reconvened at 6:30 p.m.

Resignation of the Clerk of the House: Read a letter from Karen L. Haas, in which she announced her resignation as Clerk of the House of Representatives, effective midnight on February 25, 2019.

Electing the Clerk of the House of Representatives: The House agreed to H. Res. 143, electing the Clerk of the House of Representatives.

Administration of the Oath of Office to the Clerk of the House: The Speaker administered the Oath of Office to Cheryl L. Johnson, Clerk of the House of Representatives.

Enacting into law a bill by reference: The House agreed to take from the Speaker’s table and pass S. 483, to enact into law a bill by reference, as amended by Representative Peterson.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H2064–65 and H2067. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 8:47 p.m.

Committee Meetings

RELATING TO A NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019; BIPARTISAN BACKGROUND CHECKS ACT OF 2019; ENHANCED BACKGROUND CHECKS ACT OF 2019

Committee on Rules: Full Committee held a hearing on H.J. Res. 46, relating to a national emergency declared by the President on February 15, 2019; H.R. 8, the “Bipartisan Background Checks Act of 2019”; and H.R. 1112, the “Enhanced Background Checks Act of 2019”. The Committee granted, by record vote of 8–4, a structured rule providing for consideration of H.R. 8, the Bipartisan Background Checks Act of 2019, and H.R. 1112, the Enhanced Background Checks Act of 2019. The rule provides one hour of general debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for purposes of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–5 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those amendments printed in part A of the Rules Committee report accompanying the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part A of the report. The rule provides one motion to recommit with or without instructions. Section 2 of the rule provides for consideration of H.R. 1112, the Enhanced Background Checks Act of 2019, under a structured rule. The rule provides one hour of general debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–6 shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order only those further amendments printed in part B of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part B of the report. The rule provides one motion to recommit with or without instructions. The Committee granted, by record vote of 8–4, a closed rule providing for consideration of H.J. Res. 46, relating to a national emergency declared by the President on February 15, 2019. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all
points of order against provisions in the joint resolution. The rule provides one motion to recommit. Finally, the rule provides that the provisions of section 202 of the National Emergencies Act shall not apply during the remainder of the One Hundred Sixteenth Congress to a joint resolution terminating the national emergency declared by the President on February 15, 2019. Testimony was heard by Chairman Nadler and Representatives Collins, Lesko, Armstrong, Cline, and Gianforte.

**Joint Meetings**

No joint committee meetings were held.

**NEW PUBLIC LAWS**

(For last listing of Public Laws, see DAILY DIGEST, p. D104)


**COMMITTEE MEETINGS FOR TUESDAY, FEBRUARY 26, 2019**

(Committee meetings are open unless otherwise indicated)

**Senate**


Subcommittee on Airland, to receive a closed briefing on the B–21 “Raider”, 3 p.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider the nominations of Mark Anthony Calabria, of Virginia, to be Director of the Federal Housing Finance Agency, Bimal Patel, of Georgia, to be an Assistant Secretary, and Dino Falaschetti, of Montana, to be Director, Office of Financial Research, both of the Department of the Treasury, Todd M. Harper, of Virginia, and Rodney Hood, of North Carolina, both to be a Member of the National Credit Union Administration Board, Spencer Bachus III, of Alabama, and Judith DelZoppo Pryor, of Ohio, both to be a Member of the Board of Directors, and Kimberly A. Reed, of West Virginia, to be President, all of the Export-Import Bank of the United States, and Seth Daniel Appleton, of Missouri, and Robert Hunter Kurtz, of Virginia, both to be an Assistant Secretary of Housing and Urban Development; to be immediately followed by a hearing to examine the Semiannual Monetary Policy Report to the Congress, 9:30 a.m., SD–106.

Committee on Commerce, Science, and Transportation: Subcommittee on Transportation and Safety, to hold hearings to examine connecting America, focusing on intermodal connections across our surface transportation network, 2:30 p.m., SD–362.

Committee on Energy and Natural Resources: to hold hearings to examine the state of the U.S. territories, 10 a.m., SD–366.

Committee on Finance: to hold hearings to examine drug pricing in America, 10:15 a.m., SD–215.

Committee on Judiciary: Subcommittee on Intellectual Property, to hold hearings to examine the 2019 Annual Intellectual Property Report to Congress, 10 a.m., SD–226.

Committee on Veterans’ Affairs: to hold a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of the Disabled American Veterans, 2 p.m., SD–G50.

**House**

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, hearing entitled “Public Witness Hearing”, 9 a.m., 2007 Rayburn.


Subcommittee on Financial Services and General Government, hearing entitled “Leveraging Private Capital for Underserved Communities and Individuals: A look into Community Development Financial Institutions (CDFIs)”, 10 a.m., 2362–A Rayburn.

Subcommittee on Legislative Branch, budget hearing on the Architect of the Capitol, 10 a.m., HT–2 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies oversight hearing on Department of Veterans Affairs, 10 a.m., 2359 Rayburn.

Subcommittee on Legislative Branch, budget hearing on the Congressional Budget Office, 11 a.m., HT–2, The Capitol.


Committee on Armed Services, Subcommittee on Readiness; and Subcommittee on Seapower and Projection Forces, joint hearing entitled “Naval Surface Forces Readiness: Are Navy Reforms Adequate?”, 10 a.m., 2118 Rayburn.


Subcommittee on Intelligence and Emerging Threats and Capabilities, hearing entitled “Department of Defense Information Technology, Cybersecurity, and Information Assurance”, 2 p.m., 2212 Rayburn.

Committee on Education and Labor, Full Committee, markup on H.R. 865, the “Rebuild America’s Schools Act of 2019”; and H.R. 7, the “Paycheck Fairness Act”, 10:15 a.m., 2175 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "EPA's Enforcement Program: Taking the Environmental Cop Off the Beat", 10:30 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled "Who's Keeping Score? Holding Credit Bureaus Accountable and Repairing a Broken System", 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Asia, the Pacific, and Nonproliferation, hearing entitled "On the Eve of the Summit: Options for U.S. Diplomacy on North Korea", 10:15 a.m., 2172 Rayburn.


Committee on House Administration, Full Committee, markup on H.R. 1, a bill to expand Americans' access to the ballot box, reduce the influence of big money in politics, and strengthen ethics rules for public servants, and for other purposes, or a related measure, and for other purposes, 1 p.m., 1310 Longworth.

Committee on the Judiciary, Full Committee, hearing entitled "Oversight of the Trump Administration's Family Separation Policy", 10 a.m., 2141 Rayburn.


Subcommittee on Oversight and Investigations, hearing entitled "The Denial Playbook: How Industries Manipulate Science and Policy from Climate Change to Public Health", 2 p.m., 1324 Longworth.

Committee on Oversight and Reform, Full Committee, business meeting to consider A Resolution Offered by Chairman Elijah E. Cummings Authorizing Issuance of Subpoenas Related to Child Separation Policy, 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Energy, hearing entitled "The Future of ARP-E", 10 a.m., 2318 Rayburn.


Committee on Transportation and Infrastructure, Full Committee, hearing entitled "Examining How Federal Infrastructure Policy Could Help Mitigate and Adapt to Climate Change", 10 a.m., HVC-210.

Permanent Select Committee on Intelligence, Full Committee, hearing entitled "National Security Implications of the Rise of Authoritarianism Around the World", 10 a.m., 210 Cannon.

Joint Meetings

Joint Hearing: Senate Committee on Veterans' Affairs, to hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Disabled American Veterans, 2 p.m., SD–G50.

CONGRESSIONAL PROGRAM AHEAD

Week of February 26 through March 1, 2019

Senate Chamber

On Tuesday, Senate will continue consideration of the nomination of Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit, post-cloture.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: February 28, to hold hearings to examine implementing the Agriculture Improvement Act, 9:30 a.m., SR–328A.

Committee on Appropriations: February 28, Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine addressing the opioid epidemic in America, focusing on prevention, treatment, and recovery at the state and local level, 10 a.m., SD–124.


February 26, Subcommittee on Airland, to receive a closed briefing on the B–21 "Raider", 3 p.m., SVC–217.

February 27, Subcommittee on Personnel, to hold an oversight hearing to examine military personnel policies and military family readiness, 2:30 p.m., SR–222.

February 27, Subcommittee on Cybersecurity, to receive a closed briefing on Department of Defense cyber operations, 2:30 p.m., SVC–217.

February 28, Full Committee, to hold hearings to examine nuclear policy and posture, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: February 26, business meeting to consider the nominations of Mark Anthony Calabria, of Virginia, to be Director of the Federal Housing Finance Agency, Bimal Patel, of Georgia, to be an Assistant Secretary, and Dino Falaschetti, of Montana, to be Director, Office of Financial Research, both of the Department of the Treasury, Todd M. Harper, of Virginia, and Rodney Hood, of North Carolina, both to be a Member of the National Credit Union Administration Board, Spencer Bachus III, of Alabama, and Judith DelZoppo Pryor, of Ohio, both


Subcommittee on Oversight and Investigations, hearing entitled "EPA's Enforcement Program: Taking the Environmental Cop Off the Beat", 10:30 a.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled "Who's Keeping Score? Holding Credit Bureaus Accountable and Repairing a Broken System", 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Asia, the Pacific, and Nonproliferation, hearing entitled "On the Eve of the Summit: Options for U.S. Diplomacy on North Korea", 10:15 a.m., 2172 Rayburn.


Committee on House Administration, Full Committee, markup on H.R. 1, a bill to expand Americans' access to the ballot box, reduce the influence of big money in politics, and strengthen ethics rules for public servants, and for other purposes, or a related measure, and for other purposes, 1 p.m., 1310 Longworth.

Committee on the Judiciary, Full Committee, hearing entitled "Oversight of the Trump Administration's Family Separation Policy", 10 a.m., 2141 Rayburn.


Subcommittee on Oversight and Investigations, hearing entitled "The Denial Playbook: How Industries Manipulate Science and Policy from Climate Change to Public Health", 2 p.m., 1324 Longworth.

Committee on Oversight and Reform, Full Committee, business meeting to consider A Resolution Offered by Chairman Elijah E. Cummings Authorizing Issuance of Subpoenas Related to Child Separation Policy, 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Energy, hearing entitled "The Future of ARP-E", 10 a.m., 2318 Rayburn.


Committee on Transportation and Infrastructure, Full Committee, hearing entitled "Examining How Federal Infrastructure Policy Could Help Mitigate and Adapt to Climate Change", 10 a.m., HVC-210.

Permanent Select Committee on Intelligence, Full Committee, hearing entitled "National Security Implications of the Rise of Authoritarianism Around the World", 10 a.m., 210 Cannon.

Joint Meetings

Joint Hearing: Senate Committee on Veterans' Affairs, to hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Disabled American Veterans, 2 p.m., SD–G50.
to be a Member of the Board of Directors, and Kimberly A. Reed, of West Virginia, to be President, all of the Export-Import Bank of the United States, and Seth Daniel Appleton, of Missouri, and Robert Hunter Kurzt, of Virginia, both to be an Assistant Secretary of Housing and Urban Development; to be immediately followed by a hearing to examine the Semiannual Monetary Policy Report to the Congress, 9:30 a.m., SD–106.

February 28, Full Committee, to hold hearings to examine legislative proposals on capital formation and corporate governance, 10 a.m., SD–538.

Committee on the Budget: February 27, to hold hearings to examine the Budget Control Act, focusing on a review of cap-adjusted spending, 2:30 p.m., SD–608.

Committee on Commerce, Science, and Transportation: February 26, Subcommittee on Transportation and Safety, to hold hearings to examine connecting America, focusing on intermodal connections across our surface transportation network, 2:30 p.m., SD–562.

February 27, Full Committee, to hold hearings to examine policy principles for a Federal data privacy framework in the United States, 10 a.m., SH–216.

Committee on Energy and Natural Resources: February 26, to hold hearings to examine the state of the U.S. territories, 10 a.m., SD–366.

February 28, Full Committee, to hold hearings to examine prospects for global energy markets, focusing on the role of the United States and perspectives from the International Energy Agency, 10 a.m., SD–366.

Committee on Environment and Public Works: February 27, to hold hearings to examine S. 383, to support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, 10 a.m., SD–406.

Committee on Finance: February 26, to hold hearings to examine drug pricing in America, 10:15 a.m., SD–215.

Committee on Foreign Relations: February 27, to hold hearings to examine assessing the role of the United States in the world, 10:15 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: February 27, to hold hearings to examine the electric grid from an electromagnetic pulse or geomagnetic disturbance, 2:30 p.m., SD–106.

February 28, Permanent Subcommittee on Investigations, to hold hearings to examine China's impact on the United States education system, 10 a.m., SD–342.

Committee on Indian Affairs: February 27, to hold an oversight hearing to examine the 45th anniversary of the Native American Programs Act and the establishment of the Administration for Native Americans, 2:30 p.m., SD–628.

Committee on Judiciary: February 26, Subcommittee on Intellectual Property, to hold hearings to examine the 2019 Annual Intellectual Property Report to Congress, 10 a.m., SD–226.

February 28, Full Committee, business meeting to consider the nominations of Neomi J. Rao, to be United States Circuit Judge for the District of Columbia Circuit, Joseph F. Bianco, of New York, and Michael H. Park, of New York, both to be a United States Circuit Judge for the Second Circuit, Greg Girard Guidry, to be United States District Judge for the Eastern District of Louisiana, Michael T. Luber, to be United States District Judge for the District of Arizona, Peter D. Welte, to be United States District Judge for the District of North Dakota, Aditya Bamzai, of Virginia, and Travis LeBlanc, of Maryland, both to be a Member of the Privacy and Civil Liberties Oversight Board, and Drew H. Wrigley, to be United States Attorney for the District of North Dakota, Department of Justice, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: February 27, to hold hearings to examine the future of American industry, 2:30 p.m., SR–428A.

Committee on Veterans’ Affairs: February 26, to hold a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of the Disabled American Veterans, 2 p.m., SD–G50.

February 27, Full Committee, to hold a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of The American Legion, 10 a.m., SD–G50.

Select Committee on Intelligence: February 28, to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

House Committees

Committee on Agriculture: February 27, Full Committee, business meeting to consider the Budget Views and Estimates Letter of the Committee on Agriculture for the Agencies and Programs under the Jurisdiction of the Committee for Fiscal Year 2020, 9:30 a.m., 1300 Longworth.

February 27, Full Committee, hearing entitled “The State of the Rural Economy”, 10 a.m., 1300 Longworth.


February 27, Subcommittee on the Departments of Labor, Health and Human Services, Education, and Related Agencies, hearing entitled “Reviewing the Administration’s Unaccompanied Children Program: State-Sanctioned Child Abuse”, 10 a.m., 2358–C Rayburn.

February 27, Subcommittee on Legislative Branch, budget hearing on the Government Accountability Office, 10 a.m., HT–2 Capitol.

February 27, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing entitled “The President’s 2019 National Emergency Declaration Circumventing Congress to Build a Border Wall and Its Effect on Military Construction and Readiness”, 2 p.m., 2359 Rayburn.

February 27, Subcommittee on State, Foreign Operations, and Related Programs, hearing entitled “Oversight of U.S. Agency for International Development (USAID), Programs and Policies”, 10 a.m., 2359 Rayburn.

February 27, Subcommittee on the Departments of Transportation, and Housing and Urban Development, and Related Agencies, hearing entitled “Stakeholder Perspectives: Fair Housing”, 10 a.m., 2358–A Rayburn.
February 27, Subcommittee on Legislative Branch, budget hearing on the Government Publishing Office, 11 a.m., HT–2 Capitol.

February 27, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, oversight hearing on the Food and Drug Administration, 2 p.m., 2362–A Rayburn.


Committee on Armed Services, February 27, Subcommittee on Military Personnel, hearing entitled “Transgender Service Policy”, 2 p.m., 2118 Rayburn.

Committee on the Budget, February 27, Full Committee, hearing entitled “2017 Tax Law: Impact on the Budget and American Families”, 10 a.m., 210 Cannon.


February 27, Subcommittee on Workforce Protections, hearing entitled “Caring for Our Caregivers: Protecting Health Care and Social Service Workers from Workplace Violence”, 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, February 27, Subcommittee on Oversight and Investigations, hearing entitled “Confronting a Growing Public Health Threat: Measles Outbreaks in the U.S.”, 10 a.m., 2123 Rayburn.

February 27, Subcommittee on Energy, hearing entitled “Clean Energy Infrastructure and the Workforce to Build It”, 10:30 a.m., 2322 Rayburn.

February 28, Subcommittee on Environment and Climate Change, hearing entitled “We’ll Always Have Paris: Filling the Leadership Void Caused by Federal Inaction on Climate Change”, 10 a.m., 2123 Rayburn.

Committee on Financial Services, February 27, Full Committee, hearing entitled “Monetary Policy and the State of the Economy”, 10 a.m., 2128 Rayburn.

February 27, Subcommittee on Diversity and Inclusion will hold a hearing entitled “An Overview of Diversity Trends in the Financial Services Industry”, 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, February 27, Full Committee, hearing entitled “The Trump Administration’s Foreign Policy: A Mid-Term Assessment”, 10 a.m., 2172 Rayburn.

February 27, Subcommittee on Oversight and Investigations, hearing entitled “America’s Global Leadership: Why Diplomacy and Development Matter”, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, February 27, Full Committee, hearing on “Securing out Nation’s Chemical Facilities: Building on the Progress of the CFATS Program”, 10 a.m., 310 Cannon.


Committee on Natural Resources, February 27, Full Committee, hearing on H.R. 560, the “Northern Marianas Islands Residents Relief Act”, 10:30 a.m., 1324 Longworth.

Committee on Oversight and Reform, February 27, Full Committee, hearing entitled “Hearing with Michael Cohen, Former Attorney to President Donald Trump”, 10 a.m., 2154 Rayburn.

February 28, Subcommittee on Government Operations, hearing entitled “Effects of Vacancies at the Merit Systems Protection Board”, 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, February 27, Subcommittee on Environment, hearing entitled “Sea Change: Impacts of Climate Change on Our Oceans and Coasts”, 10 a.m., 2318 Rayburn.

Committee on Small Business, February 27, Full Committee, hearing entitled “Supporting America’s Startups: Review of SBA Entrepreneurial Development Programs”, 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, February 27, Full Committee, business meeting on Fiscal Year 2020 Budget Views and Estimates of the Committee on Transportation and Infrastructure; and markup on H.Con. Res. 16, authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition; H.Con. Res. 19, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; H.R. 1318, to direct the Library of Congress to obtain a stained glassed panel depicting the seal of the District of Columbia and install the panel among the stained glass panels depicting the seals of States which overlook the Main Reading Room of the Library of Congress Thomas Jefferson Building; H.R. 659, to amend section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that National Urban Search and Rescue Response System task forces may include Federal employees, 10 a.m., HVC–210.

Committee on Veterans’ Affairs, February 27, Full Committee, hearing entitled “VA 2030: A Vision for the Future of VA”, 2 p.m., 1334 Longworth.

Committee on Ways and Means, February 27, Full Committee, hearing entitled “U.S.-China Trade”, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Hearing: February 26, Senate Committee on Veterans’ Affairs, to hold a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of the Disabled American Veterans, 2 p.m., SD–G50.

February 27, Full Committee, to hold a joint hearing with the House Committee on Veterans’ Affairs to examine the legislative presentation of The American Legion, 10 a.m., SD–G50.
Next Meeting of the SENATE
10 a.m., Tuesday, February 26

Senate Chamber

Program for Tuesday: Senate will continue consideration of the nomination of Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit, post-cloture.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Tuesday, February 26

House Chamber

Program for Tuesday: Consideration of H.J. Res. 46—Relating to a national emergency declared by the President on February 15, 2019 (Subject to a Rule). Consideration of measures under suspension of the Rules.

Extensions of Remarks, as inserted in this issue

House
Blumenauer, Earl, Ore., E206
Brady, Kevin, Tex., E203
Cartwright, Matt, Pa., E203
Cohen, Steve, Tenn., E204
Cook, Paul, Calif., E200, E201, E202, E204, E205
Correa, J. Luis, Calif., E200
Foxx, Virginia, N.C., E205
Hastings, Alcee L., Fla., E200, E203
Hayes, Jaha, Conn., E207
Kinzinger, Adam, Ill., E206
LaHood, Darin, Ill., E201, E202, E204, E205
Lofgren, Zoe, Calif., E201
Pappas, Chris, N.H., E200
Pascrell, Bill, Jr., N.J., E200
Perlmuter, Ed., Colo., E199
Posey, Bill, Fla., E202
Schneider, Bradley Scott, Ill., E199
Serrano, Jose R., N.Y., E202, E204, E205, E206
Sewell, Terri A., Ala., E207
Simpson, Michael K., Idaho, E202
Stevens, Haley M., Mich., E199
Suozzi, Thomas R., N.Y., E201
Tipton, Scott R., Colo., E199
Walorski, Jackie, Ind., E206